THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

January 13, 2014
5:30 p.m.

Call to Order & Roll Call

Mayor Cooper called the meeting of the City Council to order at 5:30 p.m.

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

o0o

Closed Session

At 5:30 p.m., the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Real Property Negotiators
Re: 11304 Segrell Way (Former Fire Station No. 3)
City Negotiators: John Nachbar, City Manager; Charles Herbertson, Public Works Director/City Engineer, Sol Blumenfeld, Community Development Director, Todd Tipton, Economic Development Administrator, Anthony Davis and Jeffrey Lemen with Keller-Williams Realty
Other Parties Negotiators: Kalnel Gardens LLC; Building Legacy Partners, LLC; Thomas James Capital Inc.; EPI Investment Realty
Under Negotiation: Price, Terms of Payment or Both, including use restrictions, development obligations and other monetary related considerations
Pursuant to Government Code Section 54956.8

CS-2 Conference with Real Property Negotiators
Re: 10745 Cranks Road
City Negotiators: John Nachbar, City Manager; Charles Herbertson, Public Works Director/City Engineer; Sol Blumenfeld, Community Development Director; Todd Tipton, Economic Development Administrator; and Dannie Cavanaugh with Cavanaugh Realtors
Other Parties Negotiators: Michael Myers M.D. and Pamela M. Rieder; J. S. Creations, Inc.; Domyan Properties; A. J. Khair Construction; Henry and Thao Sebata; Fortune Weavers, Inc.; EPI Investment Realty Inc.; and Matthew Colon
Under Negotiation: Price, Terms of Payment or Both, including use restrictions, development obligations and other monetary related considerations
Pursuant to Government Code Section 54956.8

CS-3 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 54957.6

CS-4 Conference with Legal Counsel – Anticipated Litigation
Re: Significant Exposure to Litigation – (1 item)
Pursuant to Government Code Section 54956.9(d)(2)

o0o

Reconvene

Mayor Cooper reconvened the City Council meeting at 7:10 p.m. with all Councilmembers present.

o0o

Invocation/Pledge of Allegiance

The Invocation was given by John Nachbar, City Manager, and the Pledge of Allegiance was led by Damara Brinkley Powell.

o0o

Report on Action Taken in Closed Session

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

o0o

Presentation

Item P-1

A Proclamation Designating January 20, 2014 as Dr. Martin Luther King, Jr. Day

Mayor Cooper presented the proclamation.

Lauren Brown, Martin Luther King Jr. Committee Chair, invited everyone to the event on January 18 at the Senior Center.

o0o

Community Announcements By City Council Members/Information Items From Staff

Vice Mayor Sahli-Wells reported attending the community swearing-in of State Senator Holly Mitchell at Sony, and she announced a conference on the decreasing number of women representing Los Angeles County in elected office at the LA Council House on January 26.

Mayor Cooper announced the Cultural Affairs Foundation Dine and Donate Fundraiser on January 16 at Muddy Leek Bar and Restaurant.

o0o

Joint Public Comment – Items Not on the Agenda

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Kay Heineman, Culver City Senior Citizens Association, thanked Councilmember O'Leary and members of the business community for donating to make the Senior Center Christmas luncheon possible.

Councilmember O'Leary thanked everyone for the huge team effort.

Cary Anderson expressed support for the Culver City Ice Arena; discussed the origination of the 56-foot height limit; Julie Lugo Cerra's book, *Culver City the Heart of Screenland*; businesses that are a good fit for Culver City; cultural icons; and the culture of the City.

Andrew Carter expressed support for keeping the Culver City Ice Rink open.

John Nachbar, City Manager, pointed out that the ice rink was on private property and that there was nothing realistically that the City could do; he noted that the City did not have the money to acquire the property; and he discussed implications for an historic designation for the property.

Councilmember O'Leary acknowledged comments made by the City Manager and expressed interest in hearing input from the public speakers.

Fred Yglesias discussed the possible historical designation of the site, and he thanked the City Manager for his comments.

Hanami Wexler wanted to see the Culver City Ice Rink remain open.

Tai Babilonia discussed her experiences at the Culver City Ice Rink and expressed support for keeping it open.

Tori Silvera Bush discussed other ice rinks that have closed; the lack of winter activities in Southern California; and she expressed support for keeping the Culver City Ice Rink open.

Melissa Abramson discussed long lost landmarks; her experiences at the ice rink; and she expressed support for keeping the Culver City Ice Rink open.

Steve Weinberg provided a presentation on the Culver City Ice Arena; presented a petition; acknowledged that the land is private; discussed water and toxins in the ice; and he urged that everything possible should be done to save the facility.

Damara Powell asked that the Culver City Ice Arena remain open.

Brooke Powell indicated that traffic would be increased if the rink is closed and she indicated that sales tax revenue would be lost.

David Ford discussed his experiences at the Culver City Ice Rink; turning the site into an historical landmark; environmental issues; and he asked the City Council to do everything in their power to keep the rink open.

Joanna Brandt discussed the experiences of her daughter at the rink and asked for help in keeping the Culver City Ice Arena open.

Nayelli Flores discussed her experiences at the Culver City Ice Rink and asked that the rink be kept open.

Shannon Takahashi presented the petition to save the Culver City Ice Rink to the City Council; she reported that 5,000 skaters had come to the arena every week for the last 50 years; she discussed impacts to businesses along Sepulveda Boulevard; and tax revenue.

Barbara Pomykalski, Culver City Ice Arena instructor, discussed negative impacts of losing the rink; the Let’s Move Program; financial impacts; and she asserted that the landlord had created a public issue that affects all Angelenos.

Tom Oliver discussed tax revenue and he questioned what the City Council could do to preserve the rink and the assets rather than to let it fall victim to the promise of a business as opposed to an actual thriving business.

Gary Kemp, Culver City Ice Rink Coach, noted that the landowner wanted more money for his land and he suggested that Planet Granite could function in the parking lot and thereby increase the landowner’s income.

Susy Porter discussed the experience of her children at the ice rink and she asked that the Culver City Ice Rink stay open.

Marty LaMarr discussed big money; politics; the thriving business; the love of the people for the ice rink; and he noted that rock climbing places often go out of business while the ice rink has persevered for 50 years.

Kevin Klowden discussed jobs lost; he suggested that the City go back to AEG and the Los Angeles Kings to negotiate the lease; he discussed upgrades to the facility; landmark status; plans of Planet Granite; and the California Environmental Quality Act.

Kevin Healy discussed his experiences at the Culver City Ice Rink; lost revenue to area businesses from users; and positive changes in the City.

David Diamond felt that the City needed to take action to protect residents and he discussed environmental issues.

Alexa Lewis and Chloe Gradilla asked that the City do whatever it could to help keep the Culver City Ice Rink open.

Dashayne Walker, Dare to Care Learning Center, discussed issues with her business license and 501c3 status; legal attempts to recover money; small claims court; facility usage; her treatment by a Culver City Police Officer; and she requested help resolving issues.

Jeremy Green, Management Analyst, read written comments submitted by:

Abbie Tingstad
Rachel Doran
Matt Johansson

Annie Burrows suggested that the City make it easier to obtain recreational permits and she noted that Planet Granite would not generate the same amount of business that the Culver City Ice Rink does.

Martin Baer discussed the closure of the ice rink and community.

Naomi Russell expressed support for keeping the Culver City Ice Rink and expressed hope that the landowners would remain open to negotiating a new agreement with the ice rink.

Mayor Cooper expressed appreciation to the speakers.

Councilmember O'Leary suggested agendizing the topic for discussion; he indicated that there were no political benefits related to the project; he reported that issues had arisen with the closure of other ice rinks; expressed concern with the potential for issues related to chemicals used and foundational issues; and he asked whether the City could be part of testing processes.

Discussion ensued between Councilmembers and staff regarding maintaining public health and safety; engaging outside expertise; environmental agencies at the County, state and Federal level; ensuring that there is a sound plan for decommissioning the facility; caution with regard to the Brown Act and not getting into a specific discussion; permits and processes to be followed; ownership of the building vs. ownership of the land; signage; quality of life issues; purview of the City Council; historic designation; direct financial impacts on City revenues; what Planet Granite expects to contribute; indirect benefits to the City; whether a climbing facility could be put in the parking lot; the previous lease renewal; meetings with the property owner and an interested ice facility operator; the current legally binding lease with Planet Granite; alternative uses of the property; realistic expectations; previous City efforts; support for agendizing a discussion of decommissioning the ice rink; changes in the community; preservation; and encouragement to people to keep up their efforts even if the City Council does not have the discretion to act.

The City Council provided consensus to add this subject to the City Council agenda for the Regular Meeting of January 27, 2014.

o0o

Receipt and Filing of Correspondence

Martin Cole, Assistant City Manager/City Clerk, reported that additional correspondence had been received regarding the Culver City Ice Rink.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

o0o

Joint Consent Calendar

Item JC-1

Cash Disbursements

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE CASH DISBURSEMENTS FOR NOVEMBER 30, 2013 – JANUARY 3, 2014.

o0o

Consent Calendar

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE ITEMS C-1, C-3 AND C-4.

Item C-1

Meeting Minutes

Councilmember Clarke reported submitting minor corrections to the minutes.

THAT THE CITY COUNCIL: APPROVE MINUTES FOR THE REGULAR MEETINGS OF NOVEMBER 25, 2013 AND DECEMBER 9, 2013, AND THE SPECIAL MEETING OF DECEMBER 16, 2013.

o0o

Item C-3
(Out of Sequence)

Authorization to Release a Request for Proposals for On-Call

General Public Works Inspection Services

THAT THE CITY COUNCIL: AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS FOR ON-CALL GENERAL PUBLIC WORKS INSPECTION SERVICES.

o0o

Item C-4

Authorization to Release a Request for Proposals for the Preparation of the City's Sanitary Sewer Master Plan

THAT THE CITY COUNCIL: AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS FOR PREPARATION OF A NEW CITY SANITARY SEWER MASTER PLAN.

o0o

Item C-2
(Out of Sequence)

Approval of an Amendment to the Existing Professional Services Agreement with Marina Landscape, Inc. to Include the Maintenance of the National Boulevard Metro Bike Path in an Amount Not-to-Exceed $16,560.74

Councilmember Clarke received clarification that the City was now responsible for maintaining the bikeway due to a change in the agreement with Metro.

Discussion ensued between Councilmembers and staff regarding other outstanding issues; the Expo Construction Authority; financial ability of the Authority to maintain the bike path; value engineering; property exchange and improvements to the right-of-way; changes to landscaping by the City in order to reduce watering and maintenance; a pilot project for native gardens; negotiations; and other pieces of the puzzle.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH MARINA LANDSCAPE, INC. TO INCLUDE THE MAINTENANCE OF THE NATIONAL BOULEVARD METRO BIKE PATH IN AN AMOUNT NOT-TO-EXCEED $16,560.74; 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.

Councilmember O'Leary reported being excluded from Expo closed sessions when the Expo Board considered the subject of the bike path.

o0o

Order of the Agenda

No changes were made.

o0o

Public Hearings

Item PH-1

Consideration of the Need for a Comprehensive Review of the Existing City Charter as Required by Section 1900 of the City Charter

Martin Cole, Assistant City Manager/City Clerk, provided a summary of the material of record.

Councilmember Clarke received clarification regarding what constitutes a comprehensive review.

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Paul Ferrazzi expressed support for opening the Charter for review; encouraged the City to use their power to protect the commons of Culver City and the health and safety of residents; he discussed the PXP expansion of the Inglewood oil field; gas migration in oil fields; vapor intrusion; incorporating protections; and he agreed to provide suggestions for wording for the City Council to consider.

Khin Khin Gyi reported on the commemoration at Carlson Park; discussed specific sections of the Charter to address land uses and public health; the PXP request for additional permits in the new district; she requested that an Environmental Impact Report be required before any permits are considered; discussed enforcement of Industrial District Development Standards; and a 2006 release of noxious fumes in Culver Crest.

Goran Eriksson felt that a comprehensive review of the City Charter was not necessary after seven years; that time and resources should be instead focused on long-term and structural financial issues; that any issues with the Charter were minor and could be handled by the City Council subcommittee; and he suggested that 2014 be focused on long term financial and economic development solutions.

Discussion ensued between staff and Councilmembers regarding adoption of the City Charter; the number of City Managers since Charter adoption; a belief that the City is still adapting to the Council/Manager form of government; a feeling that it is too soon to evaluate the Charter on a comprehensive basis; a suggestion that a City Council subcommittee work with staff to recommend an appropriate action; the Municipal Code vs. the Charter; ordinances; modification procedures for code amendments vs. the Charter; environmental protections; addressing the resignation of a Councilmember who then re-ran for his own seat; jurisdiction of the City Manager; the pool of candidates for police chief and fire chief; agreement that a comprehensive review is not necessary at this time; recognition of the work of the Charter Review Committee in 2006; addressing oil field issues; costs to put something on the ballot; cleaning up obsolete language; term limits; support for the creation of a Council Committee with Councilmembers Weissman and O’Leary serving; combining elections; lifetime medical benefits; scope of the subcommittee; and a suggestion to bring creation of the subcommittee back as an agenda item.

The City Council provided consensus to have an item return at a future City Council meeting for the City Council’s consideration of the formation and appointment of members to a City Council Subcommittee to consider any necessary amendments to the City Charter.

o0o

Action Item

Item A-1

Consideration of Recommendation from the Parks, Recreation and Community Services (PRCS) Commission Regarding the Draft PRCS Department Anti-Bullying Policy and Procedure

Daniel Hernandez, Parks, Recreation and Community Services Director, provided a summary of the material of record.

Discussion ensued between staff and Councilmembers regarding the fiscal analysis; reaching out to private organizations and non-profits; developing a comprehensive signage program; the Memorandum of Understanding for the Senior Center; when things become a City issue; the disciplinary process; consistency; incident reporting; claims of bullying by staff; internal investigations; and clarifying language to indicate bullying of staff rather than by staff.

Mayor Cooper invited public input.

There were no cards submitted and no speakers came forward.

Additional discussion ensued between staff and Councilmembers regarding praise to the Commission for their work; consensus to incorporate specific language in Section 409 used by the school district; common causes of bullying; clarification of the term ‘reasonable participants’; and minor changes to language to make the policy apply to the City and parks rather than to the school district.

The City Council directed the City Attorney to further review the draft policy and to place the final policy on a future agenda for City Council consideration.

o0o

Item A-2

FOUR-FIFTHS VOTE REQUIREMENT – (1) Authorization to Release a Request for Proposals for the Preparation of the City of Culver City Urban Forest Management and Tree Succession Plan and (2) Appropriation of Grant Funds

Mayor Cooper invited public input.

No speakers came forward and no cards were received.

Discussion ensued between staff and Councilmembers regarding the timetable; updates throughout the process; addressing speakers who come to the City Council meetings; workshops; public input; procedures for commercial streets vs. residential streets; and highlighting the importance of aesthetic and development related issues.

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

1. AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS FOR THE PREPARATION OF THE CITY OF CULVER CITY URBAN FOREST MANAGEMENT AND TREE SUCCESSION PLAN; AND,

2. APPROVE A BUDGET AMENDMENT TO APPROPRIATE $75,000 IN GRANT FUNDING.

o0o

Public Comment – Items Not on the Agenda

Mayor Cooper invited public comment.

No speakers came forward and no cards were received.

o0o

Items from the City Council

Items from Councilmember O'Leary

- Reported on the Expo Board meeting and distributed updates

- Reported on the meeting of the Santa Monica Bay Restoration Commission

- Reported on the meeting of the Southern California Association of Governments Transportation Committee and he requested that staff attend his meeting in Culver City with Sarah Jepson

- Reported on the second meeting on Storm Water Funding Options

- Expressed concern with receiving notices too late

Items from Mayor Cooper

- Indicated that he would carry forth Councilmember O'Leary's recommendations to the Council of Governments

Items from Vice Mayor Sahli-Wells

- Reported attending *I'll Go On* and noted that $10 tickets were available

Items from Councilmember Clarke

- Reported on his reappointment to the League of California Cities Administrative Services Policy Committee noting their upcoming meeting on January 23 in Sacramento

Items from Councilmember Weissman

- Introduced the new Chair of the Culver City Chamber of Commerce, Bill Ryder

Items from Mayor Cooper (continued)

- Invited everyone to attend Walk With A Doc on January 18 at Veterans Park

Items from Councilmember O'Leary (continued)

- Requested clarification regarding a notice from the Department of Transportation relinquishment of highway right of way and he suggested that the area could be used as a community garden

o0o

Adjournment

There being no further business, at 10:11 p.m., the City Council adjourned its meeting to Monday, January 27, 2014 at 7:00 p.m.

o0o

Martin R. Cole
CITY CLERK of Culver City, California
EX-OFFICIO CLERK of the City Council
Culver City, California

JEFFREY COOPER
MAYOR of Culver City, California

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

January 27, 2014
5:30 p.m.

Call to Order & Roll Call

Mayor Cooper called the meeting of the City Council to order at 5:30 p.m.

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

* Councilmember O'Leary arrived at 7:03 p.m.

o0o

Closed Session

At 5:30 p.m., the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Legal Counsel – Anticipated Litigation
Re: Initiation of Litigation – (2 Matters)
Pursuant to Government Code Section 54956.9(d)(4)

CS-2 Conference with Real Property Negotiators
Re: 8511 Warner Drive
City Negotiators: John Nachbar, City Manager Sol Blumenfeld, Community Development Director; Todd Tipton, Economic Development Administrator; Murray Kane, City Special Counsel
Other Parties Negotiators: Samitaur Constructs
Under Negotiation: Price, Terms of Payment or Both, including use restrictions, development obligations and other monetary related considerations
Pursuant to Government Code Section 54956.8

o0o

Reconvene

Mayor Cooper reconvened the City Council meeting at 7:04 p.m. with all Councilmembers present.

o0o

Invocation/Pledge of Allegiance

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

o0o

Report on Action Taken in Closed Session

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

o0o

Presentation

Item P-1

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

Dave Stewart discussed the student exchange program with Guadalajara, Mexico.

Councilmembers presented certificates of recognition to program participants.

o0o

Community Announcements By City Council Members/Information Items From Staff

Daniel Hernandez, Parks, Recreation and Community Services Director, reported that the Los Angeles County Department of Community and Social Services had awarded the Culver City Senior Nutrition Program with the Golden Apple Award for Fiscal Year 2012-2013, and he announced full wifi service at Veterans Memorial Auditorium with service available free for the first two-hours.

Councilmember O'Leary reported attending a League of California Cities meeting in Sacramento.

Councilmember Clarke reported on his appointment to the Administrative Policy Committee of the League of California Cities.

o0o

Joint Public Comment – Items Not on the Agenda

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Shireen Daytona discussed the lack of affordable housing or legal protection for renters in the City; gentrification; culvercityrentcontrol.com; rent stabilization; tenants' rights; she distributed a petition and asked for legal changes.

Monica Richardson expressed concern with the Alcoholics Anonymous (AA) group in the City; discussed the religious nature of the organization; First Amendment Rights; safety; clarification that AA is not rehab., not overseen or regulated; she felt that citizens should refuse to be ordered into AA by lawmakers; and she discussed alternative organizations.

Teri Hitt asked that a rent stabilization policy be established in the City, and that a discussion of guidelines be placed on an agenda.

Christopher Patrick King requested a formal conversation regarding housing opportunities and affordability; discussed renters; mom and pop owners; impacts of regulations; the need for an open discussion on the issue; and the Housing Opportunities Forum held last year.

Gary Abrams discussed several Councilmembers seeking re-election; questioned why the City did not assist schools; discussed Irving Place; rent control; the skating rink; the School Board; and the elimination of redevelopment.

Dean Pickard discussed the impacts of the new Crossroads Shopping Center; parking issues; safety; the need to close the Commonwealth driveway; and he asked for action on the issues.

Booker Pearson, Upward Bound, thanked the City for their support; discussed successes; requested that funds designated for rental assistance be reprogrammed for use to help with caseworkers and expenses; he discussed services; coordination with the school system; homeless prevention; children living below the poverty line; and connection to services.

Mayor Cooper indicated that he would bring the issue up during budget hearings.

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

Rich Waters

Vice Mayor Sahli-Wells requested agendizing a discussion of rent control for a future meeting.

Discussion ensued between staff and Councilmembers regarding having a more comprehensive discussion of housing; the term rent control; exclusions; individual landlords vs. corporations; having a discussion at a separate public meeting; appropriate meeting format; rent stabilization; consideration by the Parks, Recreation and Community Services Commission; and the Landlord Tenant Mediation Board.

The City Council provided consensus to place a discussion item regarding the subject of rent control on a future City Council agenda.

o0o

Action Item

Item A-1
(Out of Sequence)

Consideration of Additional Information Related to the Culver City Ice Arena and Direction to Staff as Deemed Appropriate

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

Mike Bowden, Fire Marshal, discussed decommissioning the ice rink and the removal of hazardous materials.

Sol Blumenfeld, Community Development Director, reported that additional information with respect to the proposed use had been recently uncovered; requested that the item be continued after taking testimony and reviewing staff responses; he discussed historic designation of the property; zoning and land use designation; building and site specifications; parking; recommendations for preserving the ice rink; mixed use development; alternate locations; height exceptions; the surrounding neighborhood; feasible alternatives; realistic development and land use alternatives; and the exploration of zoning issues.

Discussion ensued between staff and Councilmembers regarding the variance as to use; hazardous chemicals; soil testing; the California Environmental Quality Act (CEQA); historical artifacts; archaeological resources; discretionary review; the decommissioning process; the closure plan; the permit to remove all hazardous materials; the preliminary endangerment assessment; the length of time the compressors would run after the change of ownership; responsibility; the remedial action plan and final report; ammonia removal; depth of the permafrost; testing required of the new tenant; consultations with other cities or other public agencies; research; the decommissioning process; the location of the ice rink that was decommissioned in the 1960s; and the facility closure plan.

Mayor Cooper invited public input.

The following members of the audience addressed the City Council:

Doris Namala provided background on herself and her family; felt that the issue was a public matter and that public officials needed to represent residents; she discussed safety and public health issues; eminent domain; and she expressed concern with the potential contamination of groundwater.

Mayor Cooper invited the representative from Planet Granite to make a presentation.

James Lee, Planet Granite, discussed support for the Culver City Ice Arena; public comment; misinformation; enhanced communication; the inability to satisfy the skating community; he provided history on the company; discussed community commitment; economic impacts; renovation, construction and expansion; tax benefits; patronage of area businesses; the choice of location; negotiations; commencement of the lease; specific location needs; the original lease; redevelopment; flexibility of the owner; historic designation; intentions of Planet Granite; the suggestion to share the space; he read a statement from the property owners; discussed decommissioning; intentions of the current operator; Planet Granite consultants; timing issues; legal and contractual obligations; the commitment of Planet Granite to pay for the decommissioning and to work with the City; commitment to the location; the desire of the landlord to see an economically viable tenant; and choices of the community.

Gina Testa acknowledged that Planet Granite had a plan; noted that they would not be able to rebuild the ice rink somewhere else; discussed the number of people being put out of work; and the destruction of the thriving skating community.

Therese Steinlauf reported that her father was the architect of the ice rink; discussed the history of the rink; the need for renovation; public support for the rink; and she expressed support for keeping the ice rink open.

Brook Powell discussed the amount of money spent by her family at the ice rink; false allegations made by Mr. Lee; plans to boycott Planet Granite; and deceptive practices.

Damara Powell asked that the Ice Rink be saved.

Grace Basom did not want to see the Culver City Ice Rink closed down.

Suzy Porter asserted that the bottom line can’t always be money, and she wanted to see the ice rink and the community around it continue.

Alexandra Silverman asked that the City Council do everything in their power to save the ice rink and to place restrictions on Planet Granite to make it harder for them to take the location.

Lili Burrows asked the City Council to do what they could to save the ice rink and to preserve the historic icon on the roof.

Gabriel Covalin wanted to see the ice rink saved and thought that people at Planet Granite would be heroes in Culver City if they decided not to force out the landmark out of business.

Ali Manfield asked that the ice rink be saved.

Michelle Rittel discussed all the people who would be disappointed with the closure of the ice rink; her experiences there; the community around the ice rink; she found it hard to believe that nothing could be done; and felt that the City had been treated poorly by Planet Granite.

Mindy Paige provided background on herself and indicated that she was speaking as a resident; discussed juvenile offenses in Culver City; observed that kids get into trouble when they have too much time on their hands; noted that the ice rink provided a safe place for kids; she read a letter to the Mayor from the Pasadena Police Chief; she disagreed that the City did not have power in the matter; and she asked that the owners be required to comply with all requirements and that the City not allow any flexibility.

Nadine Lewis discussed ways that the City could help to retain the ice rink and make it harder for Planet Granite to move in; potential blight; the failure of Planet Granite to file preliminary permits; variances; the permafrost issue; the former Polar Ice Palace; private rights over the common good; building codes; efforts to keep Occidental Petroleum from drilling off the coast; and she asked the City to do the right thing.

Ana Monasseri discussed her experiences at the rink and as a teacher; did not want to see dreams destroyed; felt that the City Council had the power to help; discussed preserving the cultural landmark; the importance of the community; and she asked that the City do whatever possible to save the ice rink.

Claire Glickman indicated that half of her life had been spent at the rink and she did not want to see it taken away.

Kennedy Clay-Lund asked that the ice rink not be closed.

Melissa Abramson discussed her experiences at the ice rink; issues with permafrost; and she asked for help with historic designation.

Kevin Klowden was pleased that Planet Granite had sent a representative to address the City; encouraged pursuit of a historic designation; discussed CEQA review; expressed frustration with misrepresentations by Planet Granite; liability of the property owners; the need for an investment of money into the ice rink; the Los Angeles Kings; fair market rate; money generated for the City; construction; jobs generated; the subscription model; the exclusive nature of the proposed business; and the number of parking spaces needed.

Grace Koplin discussed her experiences at the ice rink and she did not want to see the rink closed.

Melissa Rosales felt that if the rink were to be destroyed the community would be too; she asserted that the rink is a safe place for everyone; and she asked the City Council to do something to save the rink.

Cary Anderson noted that the Western Hemisphere Marathon no longer existed; discussed greed; the LA Kings; money promised by Planet Granite; the History of Forgetting; excluding those who can not pay for membership; and other places to skate.

Lance Linden expressed support for saving the ice rink and preserving the community.

Walter Lamb discussed the comments of the Planet Granite representative; the skate park; and he did not see how the compressor could not be turned off until the project is approved by CEQA.

Tamara and Jessica Coffin asked the Fire Department to do everything that it could; expressed concern regarding health and safety issues with regard to decommissioning the ice rink; the shifting of responsibility; and asked the City to make sure they were safe.

Mayor Cooper assured everyone that the health and safety of residents was the first and foremost concern.

Cheyenne Bell discussed a decommissioned ice rink in Lake Arrowhead and she wanted to see the Culver City ice rink saved.

Merilynn Yamada discussed the Winter Olympics; her son’s membership at the Northern California Planet Granite; she noted that there was no guarantee that Planet Granite would be able to pay their rent either; and she asked the City Council to do all that it could to preserve the rink.

Kevin Healy expressed concern with misinformation given by the Planet Granite representative, and he acknowledged a coach who helped his family.

Annie Burrows questioned Mr. Lee’s relationship to Planet Granite and whether he was also employed by the owner of the property; she expressed skepticism about the commitment of the company to the community; discussed the size of the company; the money that was pledged to be spent in the community; yearly membership fees; the involvement of the LA Kings; and she expressed concern that Planet Granite would fail and the ice skating rink would be gone.

Darren Eng discussed money he spends at surrounding businesses; expressed support for Planet Granite; expressed support for saving a local cultural iconic landmark community activity center; the responsibility of the City Council to support the community; historical designation; financial projections; abated rent until the cleanup is completed; responsibility for the decommissioning; previous preservation successes by the City; and he suggested seeking support from private donors and non-profits.

Hayden Paige asked the City to help save the ice rink.

Jeremy Green, Management Analyst, read written comments submitted by:

June Metzler
David Metzler

Carole Brodo

Discussion ensued between staff and Councilmembers regarding alternative uses; the need for additional information; variances; the lack of an application from the business; the 30-day requirement; continuing the compressors; accountability for developing a plan; authority of the Fire Department; oversight; a request for a staff report outlining possibilities for saving the ice rink; eminent domain; funding support from the City; having both facilities co-exist; the experience of other cities; the magnitude of the situation; historic preservation; CEQA; understanding what is going on underneath the soil; ice issues on the sidewalk; focusing on the best interests of the community; presenting an agenda item to the City Council to make a decision on whether it could be worth it to pay to save the ice rink; appreciation to residents for their activism; the ability of the City Council to act; ensuring public safety; zoning intricacies; costs to accommodate both businesses; the lack of redevelopment money; the need for the City to focus on paying for basic services; financial responsibility; public/private partnerships; the Kirk Douglas Theatre; interest by AEG and the LA Kings; a suggestion to build a state of the art ice rink at another location; the current ice skating operator; current market rent; maintenance of the ice rink; the 2009 lease renewal; legal implications; the current lease on the property; and a request for additional information on the decommissioning of the Lake Arrowhead ice rink.

The City Council provided consensus to continue discussion of this item at the Regular Meeting of February 10, 2014.

o0o

Recess

Mayor Cooper called a brief recess from 10:20 p.m. to 10:30 p.m.

o0o

Receipt and Filing of Correspondence

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

o0o

Joint Consent Calendar

Item JC-1

Cash Disbursements

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE CASH DISBURSEMENTS FOR JANUARY 4, 2014 – JANUARY 17, 2014.

o0o

Consent Calendar

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE ITEMS C-1, C-2 AND C-3.

Item C-1

Adoption of a Resolution Approving the Final Map for Tract Number 63634 Consisting of a One Lot Subdivision Creating 6 Commercial Air Space Units at 13340 Washington Boulevard

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING THE FINAL MAP FOR TRACT NUMBER 63634 CONSISTING OF A ONE LOT SUBDIVISION CREATING 6 COMMERCIAL AIR SPACE UNITS AT 13340 WASHINGTON BOULEVARD.

o0o

Item C-2

Receive and File Report of an Emergency Purchase of Equipment and Services to Replace the Boiler that Serves the Main Building at the Culver City Police Department

THAT THE CITY COUNCIL: RECEIVE AND FILE THIS REPORT REGARDING AN EMERGENCY PURCHASE OF EQUIPMENT AND SERVICES TO REPLACE THE

BOILER THAT SERVES THE MAIN BUILDING AT THE CULVER CITY POLICE DEPARTMENT.

o0o

Item C-3

Adoption of a Resolution Authorizing the Destruction of Certain Documents in the Police Department

THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO DESTROY CERTAIN OBSOLETE RECORDS AS LISTED IN EXHIBIT A OF THE PROPOSED RESOLUTION.

o0o

Order of the Agenda

No changes were made.

o0o

Public Hearings

Item PH-1

(1) Consideration of the Community Development Block Grant Fund Allocation for Fiscal Year 2014/2015; (2) Adoption of a Resolution Authorizing the Filing of the Application for Funding; and (3) Approval of a Reimbursable Contract with the County of Los Angeles Concerning Culver City's Allocation

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING.

Glenn Heald, Project Manager, provided a summary of the material of record.

Discussion ensued between staff and Councilmembers regarding additional funds available next year; the Section 108 loan; the loan as a mechanism for funding certain CDBG eligible activities; criteria; ADA compliance and life safety issues;

affordable housing and housing programs; eligibility for future grant cycles; 2010 census data; the allocation formulas; and funding cuts by Congress.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Cooper invited public comment.

The following member of the audience addressed the City Council:

Gary Silbiger discussed CDBG goals; the youth representative to the committee; allocating CDBG monies to low and moderate income residents; Victims of Violence; affordable housing; loans for low and moderate income residents; repayment of the Senior Center Loan; and the importance of focusing on those in need.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Councilmembers regarding agreement that the needs of low-income citizens be prioritized in the next cycle; non-profit social service organizations; and non-government organizations.

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

1. ALLOCATE FUNDING FOR THE PROPOSED FY2014/2015 CDBG PROJECTS; AND,

2. ADOPT A RESOLUTION AUTHORIZING THE FILING OF THE FY 2014/2015 APPLICATION FOR FUNDING FROM THE CDBG PROGRAM, INCLUDING ALL CERTIFICATIONS; AND,

3. DESIGNATE THE CITY MANAGER AS THE AUTHORIZED CITY OFFICIAL TO EXECUTE AND FILE ALL DOCUMENTS PERTAINING TO THE CDBG PROGRAM, INCLUDING MAKING MINOR ADJUSTMENTS TO PROJECT FUNDING TO ADDRESS THE ACTUAL FY 2014/2015 CDBG ALLOCATION; AND,

4. APPROVE THE CDBG REIMBURSABLE CONTRACT WITH THE COUNTY OF LOS ANGELES CONCERNING CULVER CITY’S FY 2014/2015 CDBG ALLOCATION; AND,

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.

o0o

Item PH-2

(1) Adoption of a Resolution Adopting General Plan Element Amendment, GPE-P2013099 Regarding the City of Culver City 2013–2021 Housing Element; and (2) Adoption of a Related Negative Declaration

Jose Mendivil, Associate Planner, provided a summary of the material of record.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING.

Mayor Cooper received clarification regarding the basis for estimates made.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Cooper invited public comment.

No speakers came forward.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O’LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Councilmembers regarding promotion of affordable housing; work programs in the next budget cycle; the Affordable Housing Roundtable; and support from Senator Mitchell.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT A NEGATIVE DECLARATION BASED ON THE INITIAL STUDY FINDING THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT; AND,

2. ADOPT A RESOLUTION ADOPTING THE PROPOSED GENERAL PLAN ELEMENT AMENDMENT, GPE P2013099, REGARDING THE CITY OF CULVER CITY 2013-2021 HOUSING ELEMENT.

o0o

Action Item

Item A-2
(Out of Sequence)

Consideration of Current Vacancies on the Parks, Recreation, and Community Services Commission, the Fiesta La Ballona Committee, and the Landlord/Tenant Mediation Board and Direction to the City Manager Related Thereto

Martin Cole, Assistant City Manager/City Clerk, provided a summary of the material of record.

Mayor Cooper invited public input.

The following member of the audience addressed the City Council:

Shireen Daytona discussed her previous request to fill the vacancy on the Landlord/Tenant Mediation Board as she serves as the alternate; guidelines; Ordinance 87-010; and she requested that the City Council correct the situation by appointing her as tenant representative.

Discussion ensued between staff and Councilmembers regarding guidelines; qualifications; potential changes to the Landlord/Tenant Mediation Board; objectives of the Board; concern with a potential lack of objectivity due to Ms. Daytona’s advocacy for rent control; Council discretion; titles of Committee members; filling the vacancy on the Parks, Recreation and Community Services Commission; expenses associated with filling the position; concerns with voting deadlock or lack of a quorum with a four-member Commission; whether Commissioners were advised that the issue was on the current agenda; the importance of having an open process; potential controversial items coming up in the near future; the application process; appointments to the Finance Advisory Committee; the supplemental questionnaire; a suggestion to advertise now for all positions including those that come up in June; and timing of the appointments.

The City Council provided consensus that the City Clerk should advertise for all vacancies at this time and return to the City Council in March for consideration of appointments to certain mid-term vacancies and return in May for the remainder of the appointments.

o0o

Public Comment – Items Not on the Agenda

Mayor Cooper invited public comment.

No speakers came forward and no cards were received.

o0o

Items from the City Council

Items from Councilmember O'Leary

- Reported on a recent League of California Cities event and attempts by the Governor to return monies borrowed from cities

- Expressed interest in attending the February 14 CalPers Board meeting to provide input on the point value put on how much money is paid by cities, requested input from staff, and discussed the mortality assumption

Items from Vice Mayor Sahli-Wells

- Received consensus to agendize consideration of a resolution to support a constitutional amendment regarding unlimited funds into political campaigns

Councilmember Weissman requested information regarding implications for local elections.

Items from Councilmember Clarke

- Discussed strategic goals of the League of California Cities

Councilmember O'Leary discussed the new assembly and term limits.

Items from Mayor Cooper

- Reported on a meeting of the Westside Cities Council of Governments and their search for a new Executive Director

- Reported on the reappointment of Councilmember O'Leary to the Santa Monica Bay Restoration Commission

o0o

Adjournment

There being no further business, at 11:42 p.m., the City Council adjourned its meeting to Monday, February 10, 2014 at 7:00 p.m.

o0o

Martin R. Cole
CITY CLERK of Culver City, California
EX-OFFICIO CLERK of the City Council
Culver City, California

JEFFREY COOPER
MAYOR of Culver City, California