

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

January 28, 2013
5:00 p.m.

Call to Order & Roll Call

Mayor Weissman called the meeting of the City Council to order at 5:00 p.m.

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

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Closed Session

At 5:00 p.m., the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Labor Negotiators

City designated representatives: City Manager John Nachbar,
Director of Human Resources Serena Wright

Employee Organizations: Culver City Employees Association,
Culver City Management Group, Culver City Police Officers'
Association, Culver City Police Management Group, Culver City
Firefighters' Association Local 1927, AFL-CIO, Culver City
Fire Management Group

Pursuant to Government Code Section 54957.6

CS-2 Conference with Real Property Negotiators

Re: Various Underground Pipelines Throughout the City

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

Other Parties Negotiators: Chevron, Conoco-Phillips,

Exxon/Mobil, Plains Exploration and Production Company, Shell

Under Negotiation: Both Terms and Price

Pursuant to Government Code Section 54956.8

CS-3 Conference with Legal Counsel – Anticipated Litigation
Re: Significant Exposure to Litigation – (1 item)
Pursuant to Government Code Section 54956.9(b)(1)

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Reconvene

The City Council reconvened its meeting at 7:08 p.m. with all Councilmembers present.

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Report on Action Taken in Closed Session

Mayor Weissman indicated there was nothing to report from 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 Judy Scott.

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Presentations

Item P-1

A Presentation to the City Council by Jersey Mike's Subs for the Culver City Teen Center Fund Raising Event

Councilmember O'Leary thanked Alvaro Garcia and Joseph Lin for their donation to the Culver City Teen Center as part of the opening of their new location and presented them with a certificate.

Alvaro Garcia thanked the City for the honor and presented the City with a check for the money raised.

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**Community Announcements By City Council Members/Information
Items From Staff**

Vice Mayor Cooper invited everyone to visit the Culver City Dog Park until 10 p.m. every evening as the lights are now on and he expressed appreciation to the Friends of the Culver City Dog Park for their Thank You Brunch to honor all those who had worked for the past 11 years to bring the Dog Park to fruition.

Councilmember Sahli-Wells announced a Roundtable Discussion on Affordable Housing in Culver City with Assemblymember Holly Mitchell on February 8 in Council Chambers.

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

The following members of the audience addressed the City Council:

Kay Heineman, Culver City Senior Citizens Association, thanked the Culver City Lions Club for feeding 250 seniors Thanksgiving Lunch; Councilmember O'Leary, the Doubletree Hotel, Rush Street, The Culver Hotel, Sorrento's Market, and Santa Maria Barbeque for serving a Christmas Day Lunch to over 300 seniors; and Temple Akiba and Ronnie Jayne for the holiday certificate program.

Barbara Silverstein spoke in appreciation of the Senior Center volunteers; she announced the tenth anniversary of the Senior Center on March 20; and she discussed the growth of the Senior Center and services offered.

Debbie Wallace, Culver City Homelessness Committee, encouraged everyone to volunteer for the Homelessness Count on January 30th, and she thanked the event sponsors.

Tom Camarella discussed overhead flights; his attempts to reach the Los Angeles World Airport Board staff person; he requested contact information for City's LAX Advisory Committee members; and he discussed flight paths.

Gary Silbiger discussed an article in the Los Angeles Times regarding plans for an interpretive center in the Ballona Wetlands; concern that a portion of the wetlands could be

destroyed; and he requested that staff or the City Council look into the issue.

Mayor Weissman suggested that the Sustainability Committee look into the issue.

Councilmember O'Leary indicated that he was Chair and a voting member of the Santa Monica Bay Restoration Commission and that there would be opportunity for public comment.

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Receipt and Filing of Correspondence

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR COOPER, AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Joint Consent Calendar

Item JC-1

JOINT CITY COUNCIL, HOUSING AUTHORITY AND SUCCESSOR AGENCY AGENDA ITEM: Cash Disbursements

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR JANUARY 5, 2013 - JANUARY 18, 2013.

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Consent Calendar

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1, C-3, AND C-4.

Item C-1

(1) Acceptance of Work Performed by KASA Construction (2) Authorization to File the Notice of Completion; and (3) Authorization to Release the Retention Payment for the West Washington Phase III Streetscape Median Project Upon Expiration of the 35-Day Lien Period

THAT THE CITY COUNCIL

1. ACCEPT THE WORK PERFORMED BY KASA CONSTRUCTION FOR THE WEST WASHINGTON PHASE III STREETScape MEDIAN PROJECT; AND,
2. AUTHORIZE THE DIRECTOR OF COMMUNITY DEVELOPMENT TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY REGISTRAR/RECORDER – COUNTY CLERK’S OFFICE FOR RECORDATION; AND,
3. AUTHORIZE THE RELEASE OF \$18,669.55 IN RETENTION FUNDS TO KASA CONSTRUCTION AFTER THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-3
(Out of Sequence)

Award of a Contract to Malibu Pacific Tennis Courts, Inc., as the Lowest Responsive and Responsible Bidder, for the Construction of the Fox Hills Park Playground Project, PZ-958

THAT THE CITY COUNCIL

1. AWARD A CONTRACT TO MALIBU PACIFIC TENNIS COURTS, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE FOX HILLS PARK PLAYGROUND PROJECT, PZ-958, IN THE AMOUNT OF \$93,999 BASED ON ITS BASE BID; AND,
2. AUTHORIZE THE PARKS DIVISION MANAGER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED \$20,000 IF NECESSARY; AND,
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-4

Approval of Amendments to Existing Personal Services Agreements with Ayala Engineering, Amireh Sewer Contractor, and Escobar Contracting, Inc.

THAT THE CITY COUNCIL:

- 1) APPROVE AMENDMENTS TO EXISTING PERSONAL SERVICES AGREEMENTS WITH AYALA ENGINEERING, AMIREH SEWER CONTRACTOR AND ESCOBAR CONTRACTING INC. FOR ON-CALL SEWER REPAIRS IN AN AGGREGATE NOT-TO-EXCEED AMOUNT OF \$100,000, AND EXPIRING ON JUNE 30, 2013.
- 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-2
(Out of Sequence)

Approval of a Purchase Order with Mity-Lite, Inc. for the Purchase of Replacement Equipment and Furniture for the Veterans' Memorial Complex

Mayor Weissman invited public input.

The following member of the audience addressed the City Council:

Rich Waters reported that the deterioration of the tables was due to past abuses; he requested supervision to ensure that the items do not have to be replaced in the future; and he requested the purchase of a movers tray to help the tables be moved safely.

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

1. APPROVE A PURCHASE ORDER WITH MITY-LITE, INC. IN AN AMOUNT NOT-TO-EXCEED \$76,000 FOR THE PURCHASE OF REPLACEMENT EQUIPMENT AND FURNITURE FOR THE VETERANS' MEMORIAL COMPLEX; 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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Order of the Agenda

No changes were made.

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Public Hearings

Item PH-1

Introduction of an Ordinance Amending the Culver City Zoning Map, as Referenced in Title 17, Zoning, of the Culver City Municipal Code, Section 17.200.015, Establishing Planned Development Zone No. 12 Zoning Code Map Amendment (ZCMA P-2012118) and Approving a Comprehensive Plan (CP P-2012116) to Allow a Mixed Used Development Consisting of Approximately 31,240 Square Feet of Commercial Uses and 115 Residential Units Located at 8770 Washington Boulevard

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE AFFIDAVITS OF PUBLICATION AND POSTING.

Sol Blumenfeld, Community Development Director, provided background on the Legado project.

Susan Yun, Senior Planner, provided a summary of the material of record.

Heather Leigh, Project Manager, introduced the team working on the project and provided a presentation on the company and the project.

Jeff Mertz, Project Architect, provided an overview of the project design.

Rob Pressman, TGP Design, discussed the courtyard amenities for residents.

Claudia Reisenberger, Merge Conceptual Design, described the public art project for the development.

Discussion ensued between staff, Councilmembers, and Ms. Leigh regarding maintenance of native plants; the art element vs. landscape elements; whether the art element has been replicated at any other location; the public art budget; the water feature; the canopy; the open space community benefit; zoning ordinance requirements; municipal code requirements; and review by the Cultural Affairs Commission.

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

Mayor Weissman invited public participation.

There was no response.

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

Discussion ensued between staff, Councilmembers and Ms. Leigh regarding drawing the public to the open area on the second floor; the master sign program; the commercial space upstairs; establishing an information kiosk; the staircase; clarification that the open space would be accessible in the same way that a park is; the experiences of Expo; issues with ficus trees in the City; the public viewing deck; the outdoor café; sound mitigations for the Expo Line; the condition for the Metro passes; concern with construction parking; Condition 52; changing the wording from 'best effort' to make the statement declarative; construction hours; municipal code requirements; the administrative penalties ordinance; conformance; reuse and recycling of construction debris; City involvement; accommodating additional resident demand for bicycle parking; traffic mitigation; activating the pedestrian culture of the entire area; making all crosswalks to be high visibility; a suggestion for the City to consider the area as a whole; requirements of discretionary projects to participate in an area-wide streetscape plan; compatible design; civil drawings; required public improvements; traffic; employee parking; the percentage of restaurant usage; parking within the development; the availability of

City meters; clarification that the public parking provided is a replacement for curb parking that had to be eliminated due to the development; the inclusion of parking in employee ratios; concern with the price of the parking; City jurisdiction; adding a condition that the developer ensure that employees make use of the onsite parking provided; the customer base; the parking code; and parking supply and demand.

Barry Kurtz, Traffic Engineer for Culver City, discussed the parking code and seasonal increases.

Discussion between staff and Councilmembers continued regarding costs for employee parking; continuing issues with intrusion parking; concern with placing an undue burden on the developer; mandated employee parking as a policy discussion; acknowledgement that employee parking is a continuing issue; an observation that either the developer pays or the resident pays; conditions of approval; the 6-12 month review period; evaluating neighborhood parking intrusion issues at the review periods; projected tax revenue; gold status vs. platinum status; a suggestion to do advance marketing at USC, the California Science Center or the Hayden Tract; ensuring that occupants actually use the Metro; special conditions and mitigation measures; diligence of Planning staff and the Planning Commission; the costs of the new traffic signal at Washington and Cattaraugus; modifications on Wesley; alternative funding; associating a timetable with the improvements; infrastructure improvements funded by the Communities Facilities District; the streetscape program; the Community Benefit Contribution; a suggestion to ask for additional review beyond 12 months; landscaping; the density bonus; and reviewing the public open space over a longer period of time.

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

1. DETERMINE THAT THERE IS NO NEW INFORMATION OR SUBSTANTIAL CHANGES TO THE PROJECT SINCE THE PLANNING COMMISSION'S ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND, THEREFORE, NO ADDITIONAL ENVIRONMENTAL ANALYSIS IS REQUIRED; AND
2. INTRODUCE THE PROPOSED ORDINANCE, AMENDING THE CULVER CITY ZONING MAP, AS REFERENCED IN TITLE 17, ZONING, OF THE

CULVER CITY MUNICIPAL CODE, SECTION 17.200.015,
ESTABLISHING PLANNED DEVELOPMENT ZONE NO. 12 (ZONING CODE
MAP AMENDMENT, ZCMA-P2012118) AND APPROVING A COMPREHENSIVE
PLAN (CP P- 2012116).

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Action Items

Item A-1

**Acceptance of Donations of Equipment and Services to the
City for Use in the Parks, Recreation and Community
Services (PRCS) Department from the Culver City Senior
Citizens Association (CCSCA) and Team Santa Monica (TSM)**

Mayor Weissman invited public participation.

There was no response.

Councilmembers expressed gratitude for the donation.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER O'LEARY
AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ACCEPT
DONATIONS OF EQUIPMENT AND SERVICES TO THE CITY FOR USE IN THE
PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT FROM THE
CULVER CITY SENIOR CITIZENS ASSOCIATION (WITH THE REQUIREMENT
THAT THE COMPUTERS BE RETURNED TO THE CCSCA UPON DETERMINATION
BY STAFF THEY HAVE BECOME OBSOLETE) AND TEAM SANTA MONICA.

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Item A-2

**Consideration of a Recommendation from the Parks,
Recreation and Community Services Commission to Extend the
Designated Dog Path (Pooch Path) at Culver West Alexander
Park to include the Walking/Jogging Trail Located within
the Park**

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

The following member of the audience addressed the City
Council:

Judy Scott spoke on behalf of several neighbors in support of extending the pooch path and she indicated that she had eaten at the original Jersey Mike's Subs back in New Jersey.

Discussion ensued between staff and Councilmembers regarding verification that there had been no conflicts regarding dogs in the park; pet waste; alerting the public to the changes; pet waste bags; verification that there have not been any complaints regarding pet waste on the pooch path; concern with increased crime at the park; concern with setting a precedent; and the City ordinance.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE THE PRCS COMMISSION'S RECOMMENDATION TO EXTEND THE DESIGNATED DOG PATH ("POOCH PATH") AT CULVER WEST ALEXANDER PARK TO INCLUDE THE WALKING/JOGGING TRAIL LOCATED WITHIN THE PARK.

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Item A-3

Discussion of the Proposed Renaming of Bush Way After Albert and Ursula Vera

Mayor Weissman invited public participation.

There was no response.

Martin Cole, Assistant City Manager/City Clerk, indicated that they would re-invite Albert Vera Jr. to attend, provide public notification, and provide additional information in the next staff report should the City Council direct the City Manager to proceed further with this proposal.

Discussion ensued between Councilmembers and staff regarding who the street was currently named after; clarification that there are no physical addresses on Bush Way; institutional memory; establishing a registry; historical significance; and streets or sites that have been named by the City.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DIRECT THE CITY MANAGER TO PROCEED WITH THIS PROPOSAL AND RETURN IN THE FUTURE

WITH A MORE DETAILED AGENDA ITEM FOR THE CITY COUNCIL'S CONSIDERATION.

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Item A-4

Approval of Closures of Steller Drive between Eastham Avenue and Hayden Avenue, Warner Drive between Eastham Avenue and Hayden Avenue, Hayden Avenue between Warner Drive and Steller Drive, and Eastham Avenue between Warner Drive and Eastham Avenue, for the Bicycle Special Event to be Hosted by the University of Southern California Cycling Team, on Sunday, February 17, 2013

Gabe Garcia, Traffic Engineer, provided a summary of the material of record.

Mayor Weissman received clarification regarding the nature of the closures.

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

Karl Tingwald, USC Cycling Team, thanked the City for their help with the event and hoped to begin a tradition.

Eric Bruins, Culver City Bicycle Coalition, reported that a children's bicycle safety rodeo would be part of the event, and he invited everyone to attend.

Discussion ensued between staff and the City Council regarding feeding hungry patrons after the event; food trucks; working with the Downtown Business Association; marketing efforts; clarification that the event organizers are paying the costs associated with the event; parking provisions; public notification; providing businesses an opportunity to weigh in on the item; door-to-door outreach; concern with implications to the businesses in the area; clarification regarding the School of Gymnastics; and clarification regarding the indemnification and hold harmless agreement and insurance.

MOVED BY COUNCILMEMBER SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE

THE CLOSURE OF STELLER DRIVE BETWEEN EASTHAM AVENUE AND HAYDEN AVENUE, WARNER DRIVE BETWEEN EASTHAM AVENUE AND HAYDEN AVENUE, HAYDEN AVENUE BETWEEN WARNER DRIVE AND STELLER DRIVE, AND EASTHAM AVENUE BETWEEN WARNER DRIVE AND EASTHAM AVENUE, FOR A BICYCLE SPECIAL EVENT, TO BE HOSTED BY THE UNIVERSITY OF SOUTHERN CALIFORNIA CYCLING TEAM ON FEBRUARY 17, 2013.

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Item A-5

Discussion of a Proposal to Establish a Centennial Committee for the 100th Anniversary of the City

Shelly Wolfberg, Assistant to the City Manager, provided a summary of the material of record.

Discussion ensued between Councilmembers and staff regarding allowing adequate time to prepare; having an entry in the Rose Parade in 2017; committee structure; maximizing civic involvement; and providing ample opportunity for volunteers.

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

David VonCannon expressed support for the establishment of the committee.

Eric Greene suggested using the centennial celebration to promote awareness of the City; he discussed Walt Disney Imagineering and encouraged the City to be open to any ideas; and he provided numerous suggestions for the celebration.

Judy Scott discussed 4121 Wade, Louie Armstrong's old house, and suggested that progress made by the City be included in the celebration.

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

Dr. Luther Henderson

Discussion ensued between Councilmembers and staff regarding the previous proposal for an oil committee; concerns with staff time; Brown Act restrictions; committee format; and an observation that the celebration was going to happen and would involve staff whether or not there was a committee.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE THE CONCEPT OF A CENTENIAL CELEBRATION COMMITTEE AND DIRECT THE CITY MANAGER TO RETURN WITH A MORE DETAILED STAFF REPORT AT A FUTURE CITY COUNCIL MEETING FOR THE CITY COUNCIL'S CONSIDERATION.

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Item A-6

Discussion of the Regular Meeting Dates of the City Council

Mayor Weissman invited public participation.

There was no response.

Discussion ensued between staff and Councilmembers regarding a suggestion to ensure that City Hall is open the Friday before each City Council meeting; support for keeping City Council meeting times consistent; providing the agenda packets a day early when City Hall will be closed on the Friday before a Regular City Council Meeting; the current ordinance; agreement to meet on the second and fourth Mondays; and the availability of special meetings if needed.

Martin Cole, Assistant City Manager/City Clerk, reported several time sensitive agenda items that created a need for a Special Meeting on February 4. He also responded that given the current language in the Culver City Municipal Code, the City Council's Regular Meetings would occur on the second and fourth Mondays of each month.

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

The following member of the audience addressed the City Council:

Cary Anderson discussed parking conditions that are not abided by; flaws in the system; construction workers parking in yellow curb loading zones; he suggested that when a building permit is pulled that parking is provided for construction workers; he reported concern with cut-through traffic in the Rancho Higuera neighborhood; and he expressed concern with traffic figures provided for the Legado project.

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Items from Staff

None.

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Items from the City Council

Items from Councilmember Sahli-Wells

- Discussed the lost opportunity to create affordable housing with the Legado project; the density bonus; the importance of creating tools for affordable housing; the Affordable Housing Roundtable on February 8th; multi-family housing; and she received agreement to agendaize consideration of ways to create affordable housing in Culver City

Mayor Weissman received clarification that affordable housing is a community benefit option.

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Adjournment

There being no further business, at 10:01 p.m., the City Council adjourned its meeting to a meeting on Monday, February 4, 2013 at 7:00 p.m.

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

ANDREW WEISSMAN
MAYOR of the City of Culver City
Culver City, California

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CITY COUNCIL

SPECIAL MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

February 4, 2013
5:30 p.m.

Call to Order & Roll Call

Mayor Weissman called the meeting of the City Council to order at 5:33 p.m.

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

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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 Goran Eriksson.

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Community Announcements By City Council Members/Information Items From Staff

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF ALEXANDER SMOLLINS, SON OF MICHAEL AND KAREN SMOLLINS.

Michael Smollins thanked the City Council for the support and the Culver City Police Department for their handling of the situation noting that Alex was truly a son of Culver City.

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

There was no response.

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Receipt and Filing of Correspondence

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

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Joint Consent Calendar

Item JC-1

Adoption of Respective Resolutions Approving a Loan Agreement between the City of Culver City and the Successor Agency to the Culver City Redevelopment Agency to Address Temporary Cash Flow Needs

Mayor Weissman invited public comment.

The following member of the audience addressed the City Council:

Goran Eriksson questioned whether there was a risk that the State's Finance Department would withhold the money expected in November.

Discussion between staff and Councilmembers ensued regarding the final determination by the County; additional information available in 45 days; debt service; tax increment; The Department of Finance; interpretations of statutes; risk; the number of lawsuits filed by cities against the Department of Finance; legal rights; and the State Assembly's Budget Subcommittee hearing on the Department of Finance's handling of the dissolution of redevelopment.

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

1. ADOPT A RESOLUTION APPROVING AN AGREEMENT FOR A LOAN FROM THE CITY TO THE SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY IN A PRINCIPAL AMOUNT UP TO \$1,500,000 WITH INTEREST EQUAL TO THE LOCAL AGENCY INVESTMENT FUND, WITH PRINCIPAL AND INTEREST DUE AND PAYABLE IN FULL FOLLOWING THE JUNE 1, 2013 PAYMENT TO THE SUCCESSOR AGENCY; AND,
2. AUTHORIZE THE CITY ATTORNEY AND CITY SPECIAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY; AND,
4. AUTHORIZE THE CHIEF FINANCIAL OFFICER TO DRAW DOWN FUNDS FROM THE LOAN AS NECESSARY.

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Order of the Agenda

No changes were made.

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Items from Staff

None.

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Items from the City Council

Items from Councilmember Sahli-Wells

- Announced an Affordable Housing Roundtable with Assemblymember Holly Mitchell in Council Chambers on February 8 at 9 a.m.

Items from Mayor Weissman

- Announced the Quarterly Meeting of the Regional Water Quality Board on February 7 in Council Chambers at 9 a.m.

Items from Councilmember O'Leary

- Reported attending the ICA Annual Winter Conference

- Received clarification regarding critical incident protocol

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Adjournment

There being no further business, at 5:49 p.m., the City Council adjourned its meeting in memory of Alexander Smollins to a meeting on Monday, February 11, 2013 at 7:00 p.m.

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

ANDREW WEISSMAN
MAYOR
Culver City, California

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CITY COUNCIL

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

February 11, 2013
7:00 p.m.

Call to Order & Roll Call

(Closed Session will occur immediately upon completion of
Regular Session)

Mayor Weissman called the meeting of the City Council to order
at 7:04 p.m.

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

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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 Ken Kaufman.

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Presentations

Item P-1

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

Dave Stewart, El Marino Mexico Exchange, provided
background on the program.

Councilmembers presented the certificates of recognition.

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Item P-2

A Proclamation Commemorating the 15th Anniversary of V-Day

Councilmember Sahli-Wells presented the proclamation to Michelle Weiner and Lindsey Horvath.

Lindsey Horvath, One Billion Rising, provided statistics on violence against women and discussed worldwide events planned for V-Day.

Michelle Weiner, One Billion Rising, announced events planned for V-Day in Culver City.

Councilmember O'Leary encouraged everyone to be aware of the issues every day, not just on V-Day.

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Community Announcements By City Council Members/Information Items From Staff

Councilmember Clarke reported attending State Senator Curren Price's Sheroes Event where Julie Lugo Cerra received recognition.

Councilmember Sahli-Wells reported that the State Division of Gas and Geothermal Resources would be holding a public meeting to discuss their draft of the hydraulic fracturing regulations on February 19 at the Doubletree Hotel in Downtown Los Angeles; announced closures associated with the paving of the Expo parking lot next week; and she announced that Zócalo Public Square would be hosting a discussion on Climate Change at the Actors' Gang Theatre on February 20.

Councilmember O'Leary questioned whether the City could create a smartphone application to identify free parking in Culver City, and he received City Council support for a discussion of several Charter Review items.

Mayor Weissman reported that he, the City Manager and the Community Development Director had spent the day in Sacramento presenting to the State Assembly Budget Subcommittee evaluating the performance by the State Department of Finance on how they are handling the winding down of redevelopment,

and he discussed Parcel B and the Department of Finance's approval of the Globe Avenue project.

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

The following member of the audience addressed the City Council:

Cary Anderson discussed hazards created by construction and construction parking; he provided photographic evidence of numerous parking violations; he discussed the affects on delivery trucks; and enforcement.

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Joint Consent Calendar

Item JC-1
(Out of Sequence)

**JOINT CITY COUNCIL, HOUSING AUTHORITY AND SUCCESSOR AGENCY
AGENDA ITEM: Cash Disbursements**

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR JANUARY 19, 2013 - FEBRUARY 1, 2013.

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Consent Calendar

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-3 AND C-4.

Item C-3
(Out of Sequence)

Award of a Construction Contract to Insituform Technologies, LLC as the Lowest Responsive and Responsible Bidder for the Construction of Sewer Main Lining Rehabilitation Project (Phases 2 and 3), P-906 and Lining of Abandoned Sewer Force

Main on Braddock Drive, P-984

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT IN THE AMOUNT OF \$3,479,199 TO INSITUFORM AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE CONSTRUCTION OF SEWER MAIN LINING REHABILITATION PROJECT (PHASES 2 AND 3), P-906 AND LINING OF THE ABANDONED 10" SEWER FORCE MAIN ON BRADDOCK DRIVE, P-984; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO INCREASE THE CONSTRUCTION CONTRACT WITH INSITUFORM BY AN AMOUNT OF \$610,578 (17.5% OF THE BASE BID) FOR ADDITIONAL SEWER REHABILITATION; AND,
3. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXPEND AN ADDITIONAL NOT TO EXCEED AMOUNT OF \$410,223 (10% OF THE COMBINED CONTRACT TOTAL AMOUNT) FOR UNFORESEEN CONTINGENCIES; AND,
4. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-4
(Out of Sequence)

(1) Acceptance of Work Performed by Icon West Inc.; (2) Authorization to File the Notice of Completion; and (3) Authorization to Release the Retention Payment after Expiration of the 35-day Lien Period for the Construction of the Transfer Station Wall Repair Project, P-948

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY THE CONTRACTOR, ICON WEST INC. FOR THE CONSTRUCTION OF THE TRANSFER STATION WALL REPAIR PROJECT, P-948; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY REGISTRAR-RECORDER'S OFFICE FOR RECORDATION; AND,

3. AUTHORIZE THE RELEASE OF \$3,587 IN RETENTION FUNDS TO ICON WEST INC. FOLLOWING THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-1
(Out of Sequence)

Meeting Minutes

Councilmember Clarke provided additional detail to public comments made by Neil Rubenstein on page 5 of the minutes.

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE REGULAR MEETING OF JANUARY 14, 2013 AS AMENDED.

Note from the City Clerk: Based upon Councilmember Clarke's comments, the minutes for the January 14, 2013 City Council meeting were amended to reflect the fact that Mr. Rubenstein expressed thanks to the City Council of 2006, to the City of Culver City, his fellow veterans, and others for implementing similar free parking programs for veterans in other jurisdictions.

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Item C-2

Award of a Construction Contract to Carvajal Trucking & Tractor, Inc. as the Lowest Responsive and Responsible Bidder for the 2012 CDBG Sidewalk Replacement Project, PZ963, CDBG Project No. 601474-12

Councilmember Sahli-Wells asked about the use of new materials; questioned whether more permeable materials were available that might last longer and withstand ongoing use and tree-roots better; she discussed the pilot program next to the Plunge; and she asked about a more permanent solution.

Charles Herbertson, Public Works Director, discussed previous efforts to utilize a permeable sidewalk in the City; testing rubber sidewalks; addressing uplift issues with tree roots; evaluating where to apply the alternative surfaces; and additional expense.

Discussion ensued between staff and Councilmembers regarding availability of grants; rubberized asphalt; and a request to

alert Councilmembers to pilot programs being done.

THAT THE CITY COUNCIL:

- 1) AWARD A CONSTRUCTION CONTRACT TO CARVAJAL TRUCKING & TRACTOR, INC. AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE 2012 CDBG SIDEWALK REPLACEMENT PROJECT, PZ963, CDBG PROJECT NO. 601474-12, IN THE AMOUNT OF \$27,499; AND,
- 2) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED \$4,125, IF NECESSARY; AND,
- 3) AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
- 4) AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-5

Adoption of a Resolution Authorizing the Destruction of Certain Records Retained Within the Public Works Department

Councilmember Sahli-Wells questioned whether any of the documents slated for destruction contained any historical significance.

Discussion ensued between staff and Councilmembers regarding assurances that maps are saved; agreement to provide anything of historical significance to the Historical Society; and appreciation for the digitization of the records.

THAT THE CITY COUNCIL ADOPT A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS RETAINED WITHIN THE PUBLIC WORKS DEPARTMENT.

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Item C-6

Adoption of an Ordinance Amending the Culver City Zoning Map, as Referenced in Title 17, Zoning, of the Culver City Municipal Code, Section 17.200.015, Establishing Planned Development Zone No. 12 Zoning Code Map Amendment (ZCMA P-2012118) and Approving a Comprehensive Plan (CP P-2012116) to

Allow a Mixed Used Development Consisting of Approximately 31,240 Square Feet of Commercial Uses and 115 Residential Units Located at 8770 Washington Boulevard

Mayor Weissman invited public input.

The following member of the audience addressed the City Council:

Cary Anderson discussed construction parking; 8770 Washington Boulevard and changes to Condition 52; 4043 Irving Place; the Culver City Patch; and he questioned who would take responsibility and how enforcement would be done.

THAT THE CITY COUNCIL ADOPT THE PROPOSED ORDINANCE, AMENDING THE CULVER CITY ZONING MAP, AS REFERENCED IN TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE, SECTION 17.200.015, ESTABLISHING PLANNED DEVELOPMENT ZONE NO. 10 (ZONING CODE MAP AMENDMENT, ZCMA-P2012020) AND APPROVING A COMPREHENSIVE PLAN (CP P- 2012018).

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Item C-7

Approval of an Amendment to the Existing Professional Services Agreement with Bestway Recycling, Inc. to Purchase Recycling Material from the City for an Additional One Year Period

Councilmember Sahli-Wells requested a discussion about recycling and composting in the future either at a sustainability subcommittee meeting or with the full City Council, and she noted that there could be more suitable recyclers out there.

Charles Herbertson, Public Works Director, agreed to schedule a discussion at the next sustainability subcommittee meeting, and he reported a recent staff tour of a food waste recycling program noting that they continue to look at ways to expand the recycling program.

THAT THE CITY COUNCIL

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH BESTWAY RECYCLING, INC. TO PURCHASE RECYCLABLE MATERIAL, FROM MARCH 1, 2013 UNTIL FEBRUARY 29, 2014 FOR A PRICE OF \$42.00 PER TON FOR COMMINGLED RECYCLABLE MATERIAL,

75% OF THE OFFICIAL BOARD MARKETS RATE (OBM) FOR LOOSE CORRUGATED CARDBOARD, AND 90% OBM BALED CORRUGATED CARDBOARD; 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.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1, C-2, C-5, C-6 AND C-7.

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Receipt and Filing of Correspondence

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Order of the Agenda

No changes were made.

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Action Items

Item A-1

Receive and File Report Regarding the City's Efforts to Create an Economic Development Strategy and Additional Outreach to Culver City Residents and the Culver City Unified School District

Todd Tipton, Redevelopment Administrator, provided a summary of the material of record.

Sol Blumenfeld, Community Development Director, discussed the resident outreach meetings; consideration of multiple candidates; and a suggestion to hold two meetings.

Mayor Weissman invited public comment.

The following member of the audience addressed the City Council:

Stephen Murray expressed support for developing an economic development strategy and he felt including the residential portion was a significant step forward; he discussed home based businesses; infrastructure factors to facilitate growth; increasing disposable income; the request for fiber optics; the monopoly issue with Time Warner Cable; the need for high speed internet; a suggestion that Culver City become a gigabyte city; the request for parking supply; regional customers; and walk-able/bike-able solutions.

Discussion ensued between the speaker and Councilmembers regarding gigabyte cities; making the City attractive to high tech businesses; internet speed; the economic development outreach meetings; the desirability of fiber optics in the Hayden Tract and Fox Hills areas; and working with the City of Santa Monica.

Discussion ensued between staff and Councilmembers regarding names submitted; support for the suggestion to have two meetings; appreciation to the economic development subcommittee; clarification regarding commercial categories; the retail sales tax comparison; the Transient Occupancy Tax; reduced meter rates in certain areas; the Walker Parking Study; accommodating businesses where uses have changed; different needs at different locations; Fox Hills; employee parking demand; printing and dry cleaning; identifying projects, setting out time frames and tasks involved; the need to supply services to certain areas; accommodating uses; pop-up retail; temporary permitting requirements; bicycle parking requirements; the Hayden Tract; area amenities; interim use of properties awaiting redevelopment; the suggested use of Parcel B as an arts and crafts market; the ice skating rink; a suggestion to place a Ferris Wheel on Parcel B; way finding; improving the quality of life; the map produced by Community Development after the Expo opened; public signage; information from the business community; recreational amenities; maintenance and repair of parks; the potential to realign some of the land use; accumulating land that could be used for open space; creative office users; and considering recreational and open space as part of the analysis.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE

AND FILE THIS REPORT.

Sol Blumenfeld, Community Development Director, confirmed that the list of names supplied to the City Manager would be used as the list to convene the successive meetings.

Responding to inquiry, Todd Tipton, Redevelopment Administrator, indicated that participants would be polled to see what times would be convenient for them to meet.

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

There was no response.

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Items from Staff

None.

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Items from the City Council

Items from Councilmember O'Leary

- Reported on the meeting with the Chief of Police and School Superintendent regarding school safety and he encouraged watching a five minute safety video

Items from Councilmember Sahli-Wells

- Referenced a previous resident request for an update on the neighborhood design guidelines and questioned when a discussion of that would come forward
- Reported a request from a resident about the Accessory Structure Dwelling Ordinance and asked for further information on that subject
- Thanked Tevis Barnes and Shelly Wolfberg for their work on the Affordable Housing Roundtable that took place in Council Chambers on February 8, with

appreciation also to Assemblymember Holly Mitchell who co-hosted the event that featured a diverse and knowledgeable panel which discussed clear ideas on how to help Culver City create affordable housing

- Reported attending the meeting of the Regional Water Quality Control Board on February 7 where storm water runoff permitting for PXP was discussed, and she noted the importance of protecting the watershed
- Reported attending a CAL EPA Enviroscreen workshop on February 5 that would hopefully bring money to the City to remediate environmental pollutants and she noted the importance of getting funding to do projects that are good for the environment and good for the City

Items from Councilmember Clarke

- Reported on the Homelessness Count on January 30 and thanked Christopher Patrick King for his efforts

Items from Vice Mayor Cooper

- Reported attending the LAX Commission meeting on February 6 regarding the original project approval for the expansion of LAX where they submitted their comments in writing, noting that Culver City would continue to voice their objections and seek mitigation

Carol Schwab, City Attorney, reported that Vice Mayor Cooper had met with staff members there who indicated that they might come to make a presentation of other projects going on.

Items from Mayor Weissman

- Thanked Assemblymember Holly Mitchell for her assistance with the presentation to the subcommittee evaluating the performance of the State Department of Finance in Sacramento

Carol Schwab, City Attorney, reported that once the list of appointees for the Economic Development Strategy meetings is compiled it could be made available upon request.

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Closed Session

At 8:28 p.m., the City Council recessed to Closed Session to discuss the following item:

CS-1 Conference with Legal Counsel – Existing Litigation
Re: Rush Pacifica vs. Culver City Redevelopment Agency, et. al.
LACSC Case No. SC113332
Pursuant to Government Code Section 54956.9(a)

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Reconvene

The City Council reconvened its meeting at 9:09 p.m. with all Councilmembers present.

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Report on Action Taken in Closed Session

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

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Adjournment

There being no further business, at 9:10 p.m., the City Council adjourned its meeting to a meeting on Monday, February 25, 2013 at 7:00 p.m.

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

February 11, 2013

Culver City, California

ANDREW WEISSMAN
MAYOR
Culver City, California