

REGULAR MEETING OF THE
CITY COUNCIL,
CULVER CITY, CALIFORNIA

June 10, 2013
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

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Closed Session

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

CS-1 Public Employee Performance Evaluation
Title: Fire Chief
Pursuant to Government Code Section 54957

CS-2 Conference with Legal Counsel - Existing Litigation
Re: Kandace Simplis et al. v. Culver City et al.
Case No. CV 10-09497-MWF-MANx
Pursuant to Government Code Section 54956.9(d)(1)

CS-3 Conference with Legal Counsel - Existing Litigation
Re: Dermot Smith v. Culver City et al.
Case No. (USDC) CV-12-3144 GAF (Ex)
Pursuant to Government Code Section 54956.9(d)(1)

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

CS-5 Conference with Legal Counsel - Anticipated Litigation
Re: Initiation of Litigation - 1 Matter
Pursuant to Government Code Section 54956.9(d)(4)

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Reconvene

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

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Report on Action Taken in Closed Session

Mayor Cooper 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 Helen Kerstein.

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Presentations

Item P-1

Presentation of a Commendation to Mr. Matt Cordova for His Assistance in Apprehending a Criminal Suspect

Matt Cordova related his experience apprehending a criminal suspect at Pitfire Pizza.

Mayor Cooper presented the commendation to Matt Cordova.

A Culver City Police Department presented Mr. Cordova with a Police hat and a Challenge Coin.

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Item P-2

Presentation of a Commendation to Management Analyst Helen Kerstein

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Vice Mayor Sahli-Wells presented the commendation to Ms. Kerstein.

Helen Kerstein, Management Analyst, thanked the City for the honor of serving.

Charles Herbertson, Public Works Director, thanked Ms. Kerstein for her hard work.

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Item P-3

Presentation of Certificates to the Members of the Region 19 U14 Boys AYSO State Champions

Team members recounted their experiences and thanked their coach.

Mayor Cooper read the Certificate and Councilmember O'Leary presented Certificates to the players.

Coach Will Herrera congratulated the team; provided background on the team, and he introduced Laura Love, Region 19 AYSO Commissioner.

Max Sterner presented commemorative pins for the 40th anniversary of Region 19 AYSO to Councilmembers.

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Item P-4

Presentation to the City Council from the Baldwin Hills Conservancy

Alan Kingston, Chair of the Baldwin Hills Conservancy, discussed the importance of preserving the environment and providing a place for recreational use, and he discussed the mission of the Conservancy.

Lloyd Dickson, Baldwin Hills Conservancy Board Member, discussed their land acquisition strategy; efforts to continue and enhance relationships between the Conservancy, landowners and PXP; and funding.

Patrick Reynolds, Baldwin Hills Conservancy City Representative, discussed Conservancy projects and priorities.

David McNeill, Baldwin Hills Conservancy Executive Director, discussed the interpretive initiative; stewardship; projects; partnerships; and other aspects of the Conservancy.

Discussion ensued between Councilmembers and speakers regarding appreciation to the Conservancy for the presentation, for their hard work and for the improvements; the work with Culver City schools; the Higuera Street Bridge; the Hetzler Bridge; multiple groups that are interested in the project; the AB 32 Implementation Plan; the Citizens Advisory Panel; and Councilmember O'Leary requested a meeting of key parties to help expedite the project.

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

Mayor Cooper announced that Action Item A-2 had been postponed to another meeting.

Councilmember Clarke congratulated Marla Wolkowicz for being re-elected president of Culver City Sister Cities Committee and Michelle Bernardin who just became president of the Culver City Historical Society.

Vice Mayor Sahli-Wells thanked the Culver City Police and Fire Departments for supporting the community in Santa Monica.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF THE VICTIMS OF THE SHOOTING AT SANTA MONICA COLLEGE.

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Joint Public Comment - Items Not on the Agenda

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Christopher King, Culver City Homelessness Committee, provided a presentation on the annual Homelessness Count mandated by Los Angeles County; discussed the cut back on Redevelopment funds;

he thanked Tevis Barnes for her assistance; noted that the Count was entirely volunteer driven; he thanked volunteers and business sponsors; discussed the training program; accuracy of the data; he presented the results; and he thanked the City Council for their support.

Discussion ensued between Councilmembers and Mr. King regarding homeless children; training; resource cards; and the relationship between the Culver City Police Department and St. Joseph's Center.

Ximena Quesada discussed difficulties with the change of ownership in her building and she wanted the City to be aware of the situation.

Mayor Cooper directed Ms. Quesada to speak with Housing Administrator Tevis Barnes.

Tevis Barnes, Housing Administrator, reported an increase in mediation requests within the last two weeks; discussed scheduled mediation; residents who have received large rent increases; and tenant rights.

David VonCannon announced the next meeting of the Tellefson Park Neighborhood Association on June 18 to discuss the end of construction at Tilden Terrace; the transition to new tenants; possible incoming retail; traffic problems; and housing renovation on Tilden South.

Shireen Daytona reported that she was one of the tenants of the two properties faced with huge rent increases; she discussed neighbors on fixed incomes; indicated that 60 days' notice was not enough; she feared that residents would end up out on the street; she asked for help from the City Council; and wanted to see legislation enacted to provide rights for tenants.

Discussion ensued between Councilmembers and the speaker regarding enacting change and tenant mediation.

Kym Garcia provided background on herself and expressed concern regarding seniors in the community on fixed incomes being forced out of their homes; she expressed concern with providing housing for seniors and low-to-moderate income residents; and she discussed homelessness noting that the issue needed to be addressed.

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Marc Stern, Overcoming the Odds, discussed his traumatic brain injury; issues with his service dog being able to ride in the cart at Costco; enforcement of civil rights; ADA regulations; and he asked for better support for those with mental disabilities.

Mayor Cooper directed Mr. Stern to speak to Captain Iizuka with the Culver City Police Department.

Stephen Murray applauded those who had brought their issues before the City Council, and he announced a talk by the Culver City Democratic Club on June 12 regarding Community Rights, Corporate Personhood and Other Corporate Privileges in the Rotunda Room at Veterans Memorial Center.

Cary Anderson discussed the lack of enforcement of green curb parking and meters installed but not activated.

Vice Mayor Sahli-Wells asked for additional information regarding the outcome of the tenant mediation; options for protecting residents; and she requested a serious discussion of rent control if the conclusion of the mediation does not adequately protect the residents.

Mayor Cooper reported that two affordable housing projects would be opening up within the next year.

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Receipt of Correspondence

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER CLARKE 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 COUNCILMEMBER WEISSMAN, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR MAY 18, 2013 - MAY 31, 2013.

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Consent Calendar

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

Item C-1

Adoption of a Resolution Approving and Adopting the Annual Appropriations Limit for Fiscal Year 2013/2014

THAT THE CITY COUNCIL ADOPT A RESOLUTION APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2013/2014.

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Item C-2

Adoption of a Resolution Granting a Permit to the Exchange Club to Conduct a Beer and Wine Garden in Veterans' Memorial Park During the 2013 Fiesta La Ballona

THAT THE CITY COUNCIL ADOPT A RESOLUTION GRANTING A PERMIT TO THE CULVER CITY EXCHANGE CLUB TO CONDUCT A BEER AND WINE GARDEN IN VETERANS' MEMORIAL PARK DURING THE 2013 FIESTA LA BALLONA.

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Item C-3

Approval of Special Permits to Allow Animals in Veterans' Memorial Park for Entertainment Purposes on August 23, 24 and 25, 2013 during the Fiesta La Ballona

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVE THE FOLLOWING SPECIAL PERMITS TO ALLOW ANIMALS IN VETERANS' MEMORIAL PARK FOR ENTERTAINMENT PURPOSES DURING THE FIESTA LA BALLONA ON AUGUST 23, 24 AND 25, 2013: 1) FRECKLE FARMS FOR A PETTING ZOO AND PONY RIDES; AND 2) CULVER CITY POLICE DEPARTMENT FOR A K-9 DOG DEMONSTRATION.

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Item C-4

Approval of a Professional Services Agreement with Morrison Management Specialist, Inc. dba Morrison Health Care, Inc. for the Senior Nutrition Program for a Four Year Period Beginning July 1, 2013, with an Option for a Fifth Year if Agreed Upon by Both Parties

Councilmember Clarke received clarification regarding the satisfaction level of the people eating the meals and that the Senior Nutrition Advisory Committee discusses the meal plans.

Councilmember O'Leary discussed input he personally receives when delivering meals.

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

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH MORRISON MANAGEMENT SPECIALIST, INC. DBA MORRISON HEALTH CARE, INC., TO PROVIDE FOOD SERVICES FOR THE SENIOR NUTRITION PROGRAM FOR A FOUR (4) YEAR PERIOD BEGINNING JULY 1, 2013, WITH AN OPTION FOR A FIFTH YEAR IF AGREED UPON BY BOTH PARTIES, BASED UPON THE SCOPE OF WORK AND COMPENSATION DISCUSSED IN THE STAFF REPORT; 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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Joint Public Hearing

Item JPH-1

**JOINT CITY COUNCIL/HOUSING AUTHORITY/PARKING AUTHORITY/
SUCCESSOR AGENCY AGENDA ITEM: JOINT PUBLIC HEARING - Adoption of
Respective Resolutions Adopting the Fiscal Year 2013/2014
Budgets for the City of Culver City, the Culver City Housing**

Authority, the Culver City Parking Authority, and the Successor Agency to the Culver City Redevelopment Agency

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

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

Jeff Muir, Chief Financial Officer, provided a summary of the material of record.

Councilmembers received clarification regarding language allowing for flexibility to make adjustments in appropriations and how often that occurs.

Mayor Cooper invited public participation.

The following member of the audience addressed the City Council:

Cary Anderson discussed the use of social media to facilitate information sharing regarding parking; redevelopment; metered parking; and parking enforcement officers.

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

Discussion ensued between staff and Councilmembers regarding when follow-up on downtown parking would be discussed; the outcome of parking facilities and ultimate ownership; individual departments vs. the big picture; the appendixes; City Council policy regarding the budget on an ongoing basis; strong existing policy; whether recommendations were being followed; mission driven budgeting; annual budget workshops; using a format that allows for dialogue; annual review of policies; the reserve; arts outreach; community priorities; user fees; revising the policy; setting more realistic benchmarks; cash management investment; monthly investment reports; divestment from fossil fuels; the City's bond rating; the workplan; opportunity costs; updates to the City website; appreciation for the hard work of staff; goals and cost benefits; equating information to the programs being done; adequate use of resources; previous evaluation of City programs; priorities; providing resources to achieve the number one goal for each department; core services;

identifying the mission of each department; public participation; budget analysis and workshops; the Finance Advisory Committee; personnel costs; flexibility; the responsibility to provide Police, Fire and Municipal Services; the overall picture; the difficulty and benefits of the cost cutting process; the state budget; and impacts to City budgets.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL AND BOARDS: ADOPT RESPECTIVE RESOLUTIONS APPROVING THE FISCAL YEAR 2013/2014 BUDGETS FOR THE CITY OF CULVER CITY, HOUSING AUTHORITY, PARKING AUTHORITY, AND SUCCESSOR AGENCY.

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Action Items

Item A-1

Introduction of an Ordinance Amending Chapter 9.08, Streets and Sidewalks, and Chapter 9.10, Parks, Public Buildings and Property, of the Culver City Municipal Code, by Adding a New Subchapter 9.08.200, et seq., and Repealing and Reserving Sections 9.10.025, 9.10.030 and 9.10.040, Relating to Tree Removal

Helen Kerstein, Management Analyst, provided a summary of the material of record.

Mayor Cooper invited public participation.

The following members of the audience addressed the City Council:

Kathryn Giordani expressed concern with the removal of a Chinese Elm on her street; she discussed written notice; the new subchapter; discretion of the Public Works Director; and the pipeline replacement.

Rich Waters discussed the importance of dialogue between the public and the City Council; tree removal; he indicated that tree replacement requirements for the public parkway tree wells needed to be larger; he discussed the right tree in the right place; well grades; the need for decomposed granite; he suggested creating a volunteer citizens committee to work with the environmental department, having an organization participate in the greening of Culver City, and providing a list of trees

that are appropriate to residents; he did not want to see palm trees in the City as they are a liability and he wanted them taken off the list; and he discussed the importance of shade and global warming.

Charles Herbertson, Public Works Director, discussed current practices; notification; utility work that can undermine trees; public utilities; requests from the public; tree replacement; vacant tree sites; tree grates; he clarified that the sustainable subcommittee served as an advisory; he discussed selection of trees; the Street Tree Master Plan and the Urban Forest Management Plan; and clarification that the ordinance as focused primarily on tree removal.

Additional discussion ensued between Councilmembers and staff regarding identified vacant tree sites; a grant to place trees throughout the community; priority for tree replacement; reasons for certain vacant tree sites; where the public can plant trees; encouragement to residents to contact the Department of Public Works and request that they plant the trees; reassurance that City staff recognizes the importance of trees; nuances of a healthy urban forest; the benefits of urban trees; appreciation to staff for incorporating comments, requested changes, and for addressing concerns; allowing for dialogue with the public; the process of developing the Street Tree Master Plan; public workshops; the plan check process; private development; the requirement for an arborist report if a tree is to be removed; alternatives; written notice to interested parties and the appeal process; use of social media and websites to inform the public; involvement of those immediately impacted by the tree; providing more transparency; the new webpage for public notices; appreciation to improvements in the ordinance; helping residents look at alternative options to removing a tree; clarification that if trees are removed they must be replaced 2:1; tree choice and placement; choosing a size and type of tree that can thrive; interaction; dialogue; and staff and Councilmember accessibility.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL INTRODUCE AN ORDINANCE AMENDING CHAPTER 9.08, STREETS AND SIDEWALKS, AND CHAPTER 9.10, PARKS, PUBLIC BUILDINGS AND PROPERTY, OF THE CULVER CITY MUNICIPAL CODE, BY ADDING A NEW SUBCHAPTER 9.08.200, ET SEQ., AND REPEALING AND RESERVING SECTIONS 9.10.025, 9.10.030 AND 9.10.040, RELATING TO TREE REMOVAL.

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Item A-2

1) Consideration of Route Options for the Exposition Light Rail Station Pilot Circulator Service; and 2) Approval of a Professional Services Agreement with Transportation Concepts for the Operation of the Exposition Light Rail Station Pilot Circulator Service in an Amount Not-to-Exceed \$197,731

Mayor Cooper indicated that the item had been postponed to a future meeting.

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Public Comment – Items Not on the Agenda

Mayor Cooper invited public comment.

There was no response.

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Items from the City Council

Items from Vice Mayor Sahli-Wells

- Reported attending the Awards from the Westside Urban Forum on June 7 and discussed projects slated to be built in Culver City
- Discussed public input opportunity for the oil drilling ordinance; reported that the date for public input had been extended to June 21; clarified that the City was updating its oil drilling ordinance and taking public input; and she added that although the draft ordinance is very technical all input is welcome

Carol Schwab, City Attorney, indicated additional opportunity was possible for public input when the item comes before the City Council, and she encouraged the public to share any comments or issues regarding the ordinance.

- Announced that City Historian Julie Lugo Cerra had written another book about Culver City and she encouraged everyone to buy a copy noting that it was available at the archives and at Vets

- Requested an update on the special meeting with Cultural Affairs

John Nachbar, City Manager, reported on the special meeting on June 5 with the Cultural Affairs Commission about the needs of the Commission and thoughts about the future of Cultural Affairs in the community noting that they supported City Council direction for the City Manager to return with a plan to provide a review of Cultural Affairs Staffing and Programming and available resources, and he indicated that there was commitment and a strategy to move forward.

Items from Councilmember O'Leary

- Reported attending the Transportation Committee meeting of the Southern California Association of Governments where there was discussion of creation of an aviation task force
- Discussed the Expo Board meeting and the Clean Mobility Center

Items from Councilmember Clarke

- Reported that he would be attending the League of California Cities Policy Committee meeting in Sacramento
- Discussed food events in the City

Items from Mayor Cooper

- Reported attending the official re-opening of the Scout Hut on June 7
- Reported speaking at a conference at the Burmese Muslim American Association
- Discussed Share Our Strength's *Taste of the Nation* event

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Adjournment

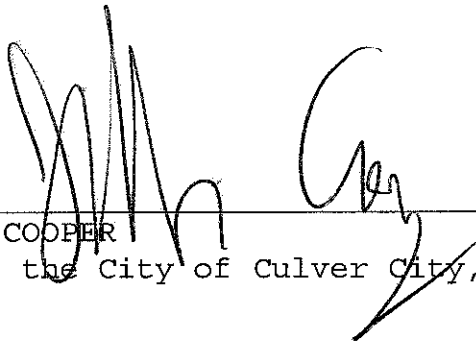
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There being no further business, at 10:14 p.m., the City Council adjourned its meeting in memory of the victims of the shootings at Santa Monica College, to a meeting on Monday, June 24, 2013 at 7:00 p.m.

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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



JEFFREY COOPER
MAYOR of the City of Culver City, California