REGULAR MEETING OF THE CITY COUNCIL CULVER CITY, CALIFORNIA

November 12, 2013
6:00 p.m.

Call to Order & Roll Call

Mayor Cooper called the meeting of the City Council to order at 6:00 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 6:00 p.m., the City Council recessed to Closed Session to discuss the following item:

CS-1 Conference with Existing Litigation
Re: City of Culver City, etc., et al. v. Ana Matosantos, etc., et al.
Case No. 34-2013-80001446
Pursuant to Government Code Section 54956.9(d)(1)

CS-2 Conference with Real Property Negotiators
Re: City-owned parcel adjacent to 4306 Jackson Avenue
City Negotiators: John Nachbar, City Manager; Charles Herbertson, Public Works Director/City Engineer
Other Parties' Negotiators: Mark Salkin
Under Negotiation: Both price and terms
Pursuant to Government Code Section 54956.8

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Reconvene

Mayor Cooper reconvened the City Council meeting at 7:03 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 Mary Ann Greene.

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Presentation

Item P-1

Presentation of a Proclamation in Honor of Veterans Day 2013

Councilmember Clarke presented the proclamation.

Neil Rubenstein spoke on behalf of the veterans and thanked the City for the honor.

Councilmember O'Leary recounted a story from Jerry Marin regarding Armistice Day and he noted the importance of remembering Veterans Day.

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Item P-3
(Out of Sequence)

Presentation to the City Council from Southern California Edison

Mark Olsen, Southern California Edison, provided a presentation regarding restoration; increased communication; response to the community; and addressing issues in Blair Hills.

Discussion ensued between Councilmembers and Mr. Olsen regarding appreciation to SCE for their work; electronic interaction; inspection and prevention; clarification that there have been no cuts to maintenance due to the economy; the infrastructure replacement program; regular inspections;

power reliability; Blair Hills; vegetation management; fire potential; CERT training; and minimizing fire hazards.

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Item P-4

Presentation of an Award to the City Council from the American Society of Civil Engineers for the City's Jefferson Boulevard Pedestrian and Bicycle Access Improvements Project at Hetzler Road

Marlon Calderon, American Society of Civil Engineers, provided background on the organization and its mission and presented the award to Public Works Department representatives Charles Herbertson and Mate Gaspar.

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Item P-2
(Out of Sequence)

Presentation of the City Council from the Producers of IndieCade

Stephanie Barish provided a report on the 2013 IndieCade event and thanked the City for their help and participation.

Discussion ensued between staff, Councilmembers, and the speaker regarding business partnerships; staff assistance; economics; City participation; what IndieCade brings to the City; connections being made; a potential Hackathon at the High School; and goals for future growth.

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Community Announcements By City Council Members/Information Items From Staff

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 KATHY SEIDMAN.

Mayor Cooper announced Little League signups at Veterans Auditorium on November 14 and he received consensus to agendize a discussion of donating a retired ambulance to Sister City Uruapan.

Mary Ann Greene invited everyone to attend a Community Conversation at the regular meeting of the Parks, Recreation and Community Services Commission on November 19 entitled Words Matter, Part 2, A Discussion of Bullying and Anti-Bullying Strategies and Tactics.

Lieutenant Sims of the Culver City Police Department invited everyone to attend the First Coffee with a Cop Event on December 12 at the Coffee Bean on Washington and Overland.

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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:

Larry Kaufman received clarification that the City Council was still considering the proclamation to the Homelessness Committee.

Gary Robinson presented video of public comment made at a previous City Council meeting by Bob Howells regarding bus noise; he asserted that Mr. Howells had made incorrect statements; reported meeting with the President and Vice President of West Los Angeles College; discussed Bob Howells and his influence over Lakeside and the City Council; and potential retaliation against the College.

Linda Shahinian requested support of a nameplate on a seat in City Council Chambers to recognize Kay Lyou for her many contributions to Culver City.

Discussion ensued between staff and Councilmembers regarding criteria; protocol for naming; consensus to consider the matter; the requirement of a letter of recommendation; and a suggestion to also consider honoring Anita Shapiro for her participation in the Skateboard Park.

Discussion ensued regarding a forthcoming letter related to Anita Shapiro. There was consensus to consider this item further at such time such a recommendation letter was received.

The City Council provided consensus to place the item related to Ms. Lyou on a future agenda.

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Receipt and Filing of Correspondence

Martin Cole, Assistant City Manager/City Clerk, reported that staff would respond to the writer of a piece of correspondence for an item not on the agenda.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER WEISSMAN 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 O'LEARY, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR OCTOBER 19, 2013 - NOVEMBER 1, 2013.

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Consent Calendar

Item C-1

Adoption of Resolutions (1) Calling for the Holding of a General Municipal Election to be Held on Tuesday, April 8, 2014 for the Election of Certain Officers as Required by the City Charter of the City of Culver City; and (2) Requesting the Board of Supervisors of the County of Los Angeles to Render Specified Services to the City Related to the Conduct of Said Election

Councilmember Clarke received clarification regarding the role of Los Angeles County in municipal elections.

Discussion ensued between Councilmembers and staff regarding feedback from residents; polling places placed in Los Angeles rather than in Culver City; School District Elections and the Elections and Education Codes; a suggestion that staff draft a letter expressing City Council concerns; the City Charter; authority to hold School District elections; geographically suitable locations; precincts; the City Council/School District Liaison Committee; the number of absentee ballots cast; a suggestion to hold all vote-by-mail elections; and City Council policy.

Council Member Weissman suggested the City Council/School Board Liaison Committee should participate in requesting different polling places for CCUSD elections. Consensus was provided to have this item placed on the next City Council/School Board Liaison Committee meeting.

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 8, 2014 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE CITY CHARTER OF THE CITY OF CULVER CITY; AND,

2. ADOPT A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION.

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Item C-2

(1) Review and Approval of the Downtown Culver City Business Improvement District Advisory Board's Annual Work Program and Budget, and (2) Adoption of a Resolution of Intent to Conduct a Public Hearing on December 9, 2013 to Consider Levy of the Downtown Business Improvement District Assessment for 2014

Councilmember Weissman recused himself and exited Council Chambers.

Discussion ensued between Councilmembers and staff regarding identifying businesses that are in arrears; repercussion for non-payment; odors in the downtown area; long-term effects; funding issues; Brotman Medical Center; sidewalk maintenance; and the vision of the DBA marketing committee.

Mayor Cooper invited public participation.

The following member of the audience addressed the City Council:

Sylvia Bianchi, Downtown Business Association, indicated that a formal vision of the marketing committee had not been established.

Discussion ensued between staff and the speaker regarding whether the DBA worked with the City to realize the vision for economic development together; Parcel B events; communication; monthly meetings with the City and the DBA; the DBA merchant newsletter; businesses on the border of the DBA; the Christmas Tree Lighting Ceremony; associate memberships; and Brotman Medical Center.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER THAT THE CITY COUNCIL:

1. APPROVE THE BID ADVISORY BOARD'S 2014 ANNUAL REPORT AS FILED WITH THE CITY CLERK; AND,

2. ADOPT A RESOLUTION OF INTENTION SETTING DECEMBER 9, 2013, AS THE DATE FOR A PUBLIC HEARING TO CONSIDER THE CONTINUATION OF THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT FOR CALENDAR YEAR 2014. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Councilmember Weissman returned to Council Chambers.

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Item C-3

Approval of a Five-Year Service Agreement with Waste Management, Incorporated, with Two Additional Two-Year Extensions, for Use of Its Simi Valley Landfill and El Sobrante Landfill for Disposal of the City's Municipal Solid Waste

Mayor Cooper invited public comment.

The following member of the audience addressed the City

Council:

Goran Eriksson discussed the value of recycling; the value of materials sent away; and looking at what the City can do to harness the energy from materials currently being sent to landfills.

Discussion ensued between staff and Councilmembers regarding the contract; exclusion of all material destined for conversion; materials sent to the landfill vs. materials diverted to other technologies; state restrictions; composting; diverting food waste at Linwood E. Howe Elementary School; and allowing for flexibility to take advantage of new technologies as they become available.

THAT THE CITY COUNCIL:

1) APPROVE AN AGREEMENT WITH WASTE MANAGEMENT, INCORPORATED TO USE ITS SIMI VALLEY LANDFILL AND EL SOBRANTE LANDFILL TO DISPOSE OF THE CITY'S MUNICIPAL SOLID WASTE; AND,

2) AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

3) AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-4

Approval of Cost Sharing Memoranda Of Understanding to Develop Enhanced Watershed Management Programs and Coordinated Integrated Monitoring Plans for the Ballona Creek in an Amount Not-to-Exceed $48,593 (Plus an Additional $4,860 in Contingency Funding) and Marina Del Rey Harbor Watersheds in an Amount Not-to-Exceed $11,838 (Plus an Additional $1,184 in Contingency Funding) as Needed to Comply with Municipal Separate Storm Sewer System Permit Requirements

Councilmember O'Leary expressed concern with not having a say in what happens but potentially being affected by penalties; coordination with other cities and consultants; and the participation of City staff and the City Council.

Discussion ensued between staff and Councilmembers regarding staff diligence to work with all the different agencies to make sure that Culver City is heard; consideration of forming JPAs around the endeavor; the County proposal; oversight of the process; participation of the County and of the City of Los Angeles; staff participation in the process; the technical nature of the issues involved; critical decisions; City Council input; involvement of the Westside Cities Council of Governments; the Marina del Rey component; a request for a Council briefing; financial and environmental impacts; agreement to work on a presentation to the City Council; financial contributions of Culver City; clarification that Culver City was 3.98% of the process and would have a very small influence; the physical position of the City in the process; and clarification that a project could not be forced upon the City.

The City Council directed the City Manager to place a briefing on this subject on a future City Council agenda.

THAT THE CITY COUNCIL:

1. APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LOS ANGELES, THE CITY OF BEVERLY HILLS, THE CITY OF CULVER CITY, THE CITY OF INGLEWOOD, THE CITY OF SANTA MONICA, THE CITY OF WEST HOLLYWOOD, THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT AND THE COUNTY OF LOS ANGELES REGARDING THE ADMINISTRATION AND COST SHARING FOR DEVELOPMENT OF THE ENHANCED WATERSHED MANAGEMENT PROGRAM FOR THE BALLONA CREEK WATERSHED (BALLONA CREEK COST SHARING MOU) IN AN AMOUNT NOT TO EXCEED $48,593 (PLUS AN ADDITIONAL $4,860 IN CONTINGENCY FUNDING, SUBJECT TO THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS/CITY ENGINEER); AND,

2. APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, THE COUNTY OF LOS ANGELES, AND THE CITIES OF CULVER CITY AND LOS ANGELES REGARDING THE ADMINISTRATION AND COST SHARING FOR DEVELOPMENT OF THE ENHANCED WATERSHED MANAGEMENT PROGRAM (EWMP) AND COORDINATED INTEGRATED MONITORING PROGRAM (CIMP) FOR THE MARINA DEL REY WATERSHED (MARINA DEL REY COST SHARING MOU) IN AN AMOUNT NOT TO EXCEED $11,838 (PLUS AN ADDITIONAL $1,184 IN CONTINGENCY FUNDING, SUBJECT TO THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS/CITY ENGINEER); 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 Approving an Encroachment Agreement with Time Warner Cable for Use of the Public Rights-of-Way on Buckingham Parkway, Slauson Avenue, and Hayden Avenue

Councilmember Clarke received clarification that staff was working on a procedure to remove the City Council from the approval process.

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH TIME WARNER CABLE; AND,

2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-6

(1) Adoption of a Resolution Approving Procedures and Regulations for Residential Permit Parking Districts and Related Program Fees and Rescinding Resolution No. 2012-R024; (2) Introduction of an Ordinance Amending Culver City Municipal Code Sections 7.03.305.A.1 and 7.03.305.B.1 Relating to Parking Violations in Preferential Parking Zones; and (3) Approval of a Budget Amendment Related Thereto

Mayor Cooper invited public participation.

The following members of the audience addressed the City Council:

Larry Kaufman distributed materials to the City Council; commended Gabe Garcia for his work; expressed concern that the City would put the item through without public participation; concern that there was no opportunity to incorporate public comments into the proposal; he felt the standing committees should have been able to consider the item; and he discussed homeless residents living in vehicles.

Cary Anderson discussed parking intrusion into the neighborhood; the Homeless Committee; and a suggestion to use parking meter money to help the homeless.

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION ADOPTING THE PROCEDURES AND REGULATIONS FOR RESIDENTIAL PERMIT PARKING DISTRICTS AND RELATED PROGRAM FEES AND RESCINDING RESOLUTION NO. 2012-R024; AND,

2. INTRODUCE AN ORDINANCE AMENDING CCMC SECTIONS 7.03.305.A.1 AND 7.03.305.B.1 RELATING TO PARKING VIOLATIONS IN PREFERENTIAL PARKING ZONES; AND

3. APPROVE A BUDGET AMENDMENT APPROPRIATING FROM THE GENERAL FUND UNRESERVED BALANCE $100,000 TO PZ-599 NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-1 AND C-3 THROUGH C-6.

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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 - Zoning Code Amendment (ZCA P-2013126) Amending Zoning Code Section 17.320.025 - Alternative Parking Provisions - Creating "Parking Districts" within the Hayden Tract and Smiley Blackwelder Industrial Areas

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

RECEIVE AND FILE THE AFFIDAVIT OF MAKING AND POSTING OF THE PUBLIC NOTICE.

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

Sol Blumenfeld, Community Development Director, provided a summary of the material of record, including the presentation of the City as the applicant.

Discussion ensued between staff and Councilmembers regarding enclosure vs. screening; the staff recommendation that the parking be in an enclosed structure; cost impacts; an observation that the building limits the size; limitations of stackers; automated parking; parking district boundaries; expanding the district and provisions; provisions specific to the industrial area; setbacks and landscaping requirements; the administrative approval process; flexibility; concern with properties adjacent to the creek; aesthetics; public input; different screening methods; the Platform project; and commercial districts vs. industrial districts.

Mayor Cooper invited public input.

The following members of the audience addressed the City Council:

Christopher Alan, Auto Parkit, provided background on his firm; encouraged the City Council to look at automated parking technologies for the entire City; discussed benefits of stacked parking; safety; ventilation; sustainability; expansion; and upcoming projects in Los Angeles.

Jeffrey Palmer, PMI Property, provided background on his company; discussed the densification of creative businesses; and he urged the City Council to support the proposal.

Rick Solomon, Rick Solomon Enterprises, expressed support for automated parking structures; noted that the structure would be visible from Jefferson Boulevard; asserted that his building would be as good as or better than the Hackman Building; and he expressed support for the item.

Steven Rose, Culver City Chamber of Commerce, expressed support for the item.

Cary Anderson expressed support for the item; discussed the Parking Industry Expo, and he expressed interest in seeing the video illustrating automated parking.

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 appreciation to the City Council for their work; maintaining the look and feel of the area; stacked parking within a structure; lease requirements; tenant needs and the changing landscape; energy use; the Solar Photovoltaic ordinance requirements; staffing; walking conditions in the district; public transportation and bike parking; taking a holistic approach to transportation; the arts district; increased traffic; a suggestion to build a bridge across the creek at Hetzler Road; creating a filtration bridge; parking deficiencies in the Hayden Tract; the parking supply in the City; evaluating alternatives; incorporating best practices; and the time frame for moving forward.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: INTRODUCE THE PROPOSED ORDINANCE APPROVING ZONING CODE AMENDMENT (ZCA P- 2013126) AMENDING SECTION 17.320.015, ALTERNATIVE PARKING PROVISIONS, TO ESTABLISH PARKING DISTRICTS WITHIN THE HAYDEN TRACT AND SMILEY BLACKWELDER INDUSTRIAL DISTRICTS.

Vice Mayor Sahli-Wells reported that a grant existed for the installation of bike racks in front of businesses, and she encouraged those interested businesses to contact the City.

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Public Comment - Items Not on the Agenda

Mayor Cooper invited public comment.

No speakers came forward and no cards were received.

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Items from the City Council

Items from Vice Mayor Sahli-Wells

- Expressed condolences to those in the community with family in the Philippines

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Adjournment

There being no further business, at 10:01 p.m., the City Council adjourned its meeting in memory of Kathy Seidman to Monday, November 25, 2013 at 7:00 p.m.

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Martin R. Cole

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