THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

SPECIAL MEETING OF THE CITY COUNCIL, CITY OF CULVER CITY, CALIFORNIA

January 30, 2012
5:00 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:00 p.m.

Present: Micheál O'Leary, Mayor
Christopher Armenta, Councilmember
Jeffrey Cooper, Councilmember
Andrew Weissman, Councilmember

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Closed Session

The following members of the audience addressed the City Council regarding Closed Session Item CS-6:

Derek Jones, The Legado Companies
Joseph Miller, The Runyan Group

Written comments regarding Closed Session Item CS-6 were submitted by Marta Zaragoza.

At this time, The City Council adjourned to Closed Session to discuss the following items:

CS-1 Conference with Real Property Negotiators
Re: 3578, 3600 Hayden Avenue, 8432, 8454, 8476, 8500 Stellar Drive, 3623 Eastham and 8439 Warner Drive
Agency Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Assistant Executive Director/ Community Development Director; Todd Tipton, Deputy Community Development Director/Redevelopment Administrator
Other Parties Negotiators: Hayden Tract Owner's Association
Under Negotiation: Price, terms of payment or both, including use restrictions, development obligations and other monetary related considerations.
Pursuant to Government Code Section 54956.8

CS-2 Conference with Real Property Negotiators
Re: 12337-12423 Washington Boulevard, 4061-4069 Centinela Avenue and 4064 Colonia Avenue
Agency Negotiators: John M. Nachbar, City Manager/Executive Director; Sol Blumenfeld, Community Development Director/Assistant Executive Director; and Murray Kane, City Special Counsel/Agency General Counsel
Other Parties Negotiators: Lab Holding LLC; Red Barn Company in partnership with Regency Centers
Under Negotiation: Price, Terms of Payment or Both, including use restrictions, development obligations and other monetary related considerations
Pursuant to Government Code Section 54956.8

CS-3 Conference with Real Property Negotiators
Re: 9814 Washington Boulevard
Agency Negotiators: John M. Nachbar, City Manager/Executive Director; Sol Blumenfeld, Community Development Director/ Assistant Executive Director; Todd Tipton, Redevelopment Administrator; and Murray Kane, City Special Counsel
Other Parties Negotiators: The Jazz Bakery
Under Negotiation: Both Price and Terms, including use restrictions, development obligations, and other monetary related considerations
Pursuant to Government Code Section 54956.8

CS-4 Conference with Real Property Negotiators
Re: 8600 Hayden Place and 8550 Higuera Street
Agency Negotiator: John M. Nachbar, City Manager/Executive Director, Sol Blumenfeld, Community Development Director/ Assistant Executive Director; Todd Tipton, Deputy Community Development Director/Redevelopment Administrator; and Murray Kane, Agency General Counsel/City Special Counsel
Other Parties Negotiators: Hackman Capital
Under Negotiation: Both Price and Terms of Payment, including use restrictions, development obligations and other monetary considerations.
Pursuant to Government Code Section 54956.8

CS-5 Conference with Real Property Negotiators
Re: 9300 Culver Boulevard
City/Agency Negotiators: John Nachbar, City Manager/ Executive Director; Sol Blumenfeld, Assistant Executive Director/Community Development Director; Todd Tipton, Deputy Community Development Director/Redevelopment Administrator
Other Parties Negotiators: Combined Properties Inc./Hudson Pacific Properties Inc.
Under Negotiation: Price, terms of payment or both, including use restrictions, development obligations and other monetary related considerations.
Pursuant to Government Code Section 54956.8

CS-6 Conference with Real Property Negotiators
Re: Washington National TOD Site located at 8900-8936 Venice Boulevard, 8800-8846 National Boulevard and 8801-8855 Exposition Boulevard
City Negotiator: John Nachbar, City Manager/Executive Director, Sol Blumenfeld, Community Development Director/Assistant Executive Director, Todd Tipton, Redevelopment Administrator/Deputy Community Development Director, Murray Kane, Agency General Counsel/City Special Counsel
Other Parties Negotiators: Legado Companies, Related, Hines, Lowe Enterprises, Combined Properties, Hackman Capital, Macherich, Runyon Group
Under Negotiation: Price, terms of payment or both, including use restrictions, development obligations and other monetary related considerations.
Pursuant to Government Code Section 54956.8

CS-7 Conference with Real Property Negotiators
Re: 4044-4068 Globe Avenue
Agency Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Community Development Director/ Assistant Executive Director, and Murray Kane, City Special Counsel
Other Parties Negotiators: Habitat for Humanity of Greater Los Angeles
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

CS-8 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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Recess

The City Council recessed to Closed Session at 5:08 p.m.

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Reconvene

The City Council reconvened its meeting at 7:06 p.m. with all Councilmembers present.

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Closed Session Report

Mayor O'Leary indicated there was nothing to report out of Closed Session.

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Invocation/Pledge of Allegiance

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

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Joint Public Comment – Items Not on the Agenda

Mayor O’Leary invited public comment.

The following members of the audience addressed the City Council:

Goran Eriksson, Culver City Chamber of Commerce, extended an invitation to attend “Issues and Eggs” at the Courtyard by Marriott on February 2, 2012 regarding the dissolution of the Redevelopment Agency; the first orientation meeting will be held on February 16, 2012 at Four Points by Sheraton for “Mission to Cuba” trip on October 9, 2012; and he expressed support for the work staff has done to protect the City’s influence on properties being developed.

Cary Anderson questioned who was serving as Chairman of the Redevelopment Agency and he discussed the timeliness of the posting of the agenda.

Mayor O’Leary clarified that he was serving as Chair of the Redevelopment Agency.

Alice Prasad, Associate Analyst, read written comments submitted by:

Carlos Gutierrez

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Community Announcements by City Council Members/Information Items from Staff

John Nachbar, City Manager discussed the timeliness of the posting of the agenda.

Councilmember Cooper discussed ways to generate revenue in the City; he received an update on plans for the installation of additional parking meters in the City and an update on plans for Fire Station #3; and he received agreement from staff to provide an inventory and analysis of assets with a list of City-owned property including abandoned lots outside of Culver City.

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Receipt of Correspondence

THE CITY COUNCIL, BY ACCLAMATION, RECEIVED AND FILED CORRESPONDENCE.

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Joint Consent Calendar

Item JC-1

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: Approval of Professional Services Agreements with The Nickerson Company for 1) General Public Works Inspection Services to Provide Inspection Services for the Public Works Department/Engineering Division Relating to the Exposition Light Rail Transit Project and Reimbursement of Additional Costs Related to Third-Party Geotechnical Analysis; and 2) Construction Management and Construction Inspection Work Performed on the Sepulveda MTA Grant Project.

Councilmember Weissman recused himself due to a conflict of interest and left the dais.

MOVED BY COUNCILMEMBER ARMENTA AND SECONDED BY COUNCILMEMBER COOPER, THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH THE NICKERSON COMPANY FOR CONTINUED SUPPORT TO THE PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION, ON AN AS-NEEDED BASIS, FOR GENERAL PUBLIC WORKS INSPECTION ON THE EXPOSITION LIGHT RAIL TRANSIT PROJECT (EXPO LRT PROJECT) IN AN AMOUNT NOT-TO-EXCEED $15,000 AND TO REIMBURSE THE CITY’S ACCOUNT THAT WAS USED TO PAY THE NICKERSON COMPANY, FOR THE $7,119.25 IN COSTS RELATED TO A THIRD-PARTY GEOTECHNICAL ANALYSIS RELATED TO EXPO LRT PROJECT IMPROVEMENTS IN THE CITY’S PUBLIC RIGHT-OF-WAY, FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED $22,119; AND

2. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH THE NICKERSON COMPANY FOR CONSTRUCTION MANAGEMENT SERVICES PROVIDED FOR SEPULVEDA BOULEVARD PEDESTRIAN IMPROVEMENTS, P-797 - FEDERAL AID PROJECT NO. STPLER-5240(013) IN THE FINAL CONTRACT AMOUNT OF $56,787.50; AND

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

4. AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY AND AGENCY.

AYES: Councilmembers Armenta, Cooper, O'Leary
NOES: None
ABSTAIN: Councilmember Weissman
ABSENT: None

Councilmember Weissman returned to the dais.

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Consent Calendar

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-4.

Item C-1

Authorize Additional Change Order Authority in the Amount of $45,000 from Proposed Project Cost Savings to Fund Construction Contingencies and Project Enhancements in the Veterans Memorial Building Renovation Project.

THAT THE CITY COUNCIL AUTHORIZE THE PUBLIC WORKS DIRECTOR AND THE PARKS RECREATION AND COMMUNITY SERVICES DIRECTOR ADDITIONAL CHANGE ORDER AUTHORITY IN THE AMOUNT OF $45,000 FOR UNFORESEEN CONTINGENCIES AND ADDITIONAL PROJECT ENHANCEMENTS BY UTILIZING THE SAVINGS FROM THE AMENDED CONTRACT WITH AMERICAN SEATING COMPANY.

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Item C-2

(1) Waiver of the Formal Bid Procedures; and (2) Approval of a Purchase Order for Alan Lewis, Inc. of Replacement Lockers for the Culver City Plunge.

THAT THE CITY COUNCIL:

1. WAIVE THE FORMAL BID REQUIREMENT FOR THIS PROJECT; AND

2. APPROVE A PURCHASE ORDER FOR ALAN LEWIS, INC. IN AN AMOUNT NOT TO EXCEED $45,000 FOR THE PURCHASE, DELIVERY AND INSTALLATION OF NINETY (90) NEW LENNOX REPLACEMENT LOCKERS FOR THE CULVER CITY PLUNGE; 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-3

Approval of an Amendment to the Existing Professional Services Agreement with Bosco Digital Solutions to Digitize Finance Department Documents in an Amount Not-To-Exceed $20,000 for Fiscal Year 2011/2012.

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH BOSCO DIGITAL SOLUTIONS TO DIGITIZE FINANCE DEPARTMENT DOCUMENTS ON A PAY BY DELIVERABLE BASIS IN AN AMOUNT NOT TO EXCEED $20,000 (FOR A TOTAL NOT-TO-EXCEED CONTRACT AMOUNT OF $90,000); 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 an Agreement with Modern Parking, Inc. for Parking Management Services at the Cardiff, Ince, and Watseka Parking Structures and the Venice and Virginia Parking Lots.

THAT THE CITY COUNCIL AND PARKING AUTHORITY:

1. APPROVE A TRI-PARTY PROFESSIONAL SERVICES AGREEMENT WITH MODERN PARKING, INC. (MODERN) FOR PARKING MANAGEMENT SERVICES AT THE CARDIFF, INCE, AND WATSEKA PARKING STRUCTURES AND THE VENICE AND VIRGINIA PARKING LOTS IN AN AMOUNT NOT-TO-EXCEED $734,477;

2. APPROVE A BUDGET AMENDMENT APPROPRIATING $86,000 FOR THE PROPOSED AGREEMENT (REQUIRES A FOUR-FIFTHS VOTE);

3. AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ALLOCATE THE BUDGET AMENDMENTS TO THE APPROPRIATE PARKING STRUCTURE ACCOUNTS;

4. AUTHORIZE THE CITY ATTORNEY/AUTHORITY COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

5. AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY AND THE PARKING AUTHORITY.

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Order of the Agenda

Mayor O’Leary requested that Joint Items J-7 and J-5 be moved up in the agenda.

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January 30, 2012

Item J-7
(out of sequence)

JOINT CITY COUNCIL/CULVER CITY HOUSING AUTHORITY AGENDA ITEM: (1) Adoption of a City Council Resolution Approving a Cooperation Agreement with the Culver City Housing Authority; (2) Adoption of a Housing Authority Resolution Approving a Cooperation Agreement with the City of Culver City.

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

Mayor O'Leary invited public input.

There was no response.

The City Council commented on the important work of the Redevelopment Agency and expressed regret at its dissolution; discussed the agenda posting; and acknowledged the huge effort of staff to protect the City's financial assets.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2012-R015 APPROVING THE COOPERATION AGREEMENT WITH THE CULVER CITY HOUSING AUTHORITY.

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Joint Public Hearings

Item JPH-1

JOINT CITY COUNCIL/CULVER CITY HOUSING AUTHORITY AGENDA ITEM: (1) Adoption of a City Council Resolution Making Certain Findings and Approving a Disposition and Development Agreement and the Sale of Property at 4044-4068 Globe Avenue, Culver City to Habitat for Humanity of Greater Los Angeles; and (2) Adoption of a Housing Authority Board Resolution Making Certain Findings and Approving a Disposition and Development Agreement with Habitat for Humanity of Greater Los Angeles for the Construction of 10 Affordable Ownership Units located at 4044-4068 Globe Avenue, Culver City Amendment Appropriating Housing Set Aside Funds.

MOVED BY COUNCILMEMBER ARMENTA, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE AFFIDAVIT OF PUBLICATION AND POSTING OF NOTICE AND all CORRESPONDENCE RECEIVED IN RESPONSE TO THE PUBLIC HEARING NOTICES.

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

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

Mayor O’Leary invited public comment.

The following members of the audience addressed the City Council:

Neil Rubenstein asked for information regarding Ladd Holdings LLC.

Meghan Sahli-Wells expressed support for the project, for Habitat for Humanity, and for work toward resolving resident frustrations with the process.

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

Item JPH-1
(continued)

Councilmember Weissman expressed support for the project and discussed the number of affordable housing projects completed in the last 12 months.

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

1. ADOPT RESOLUTION NO. 2012-R014 MAKING CERTAIN FINDINGS AND APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT AND THE SALE OF 4044-4068 GLOBE AVENUE, CULVER CITY, WHICH WAS PURCHASED BY THE CULVER CITY REDEVELOPMENT AGENCY WITH HOUSING SET ASIDE FUNDS, TO HABITAT FOR HUMANITY OF GREATER LOS ANGELES, PURSUANT TO SECTION 33433 OF THE CALIFORNIA HEALTH AND SAFETY CODE; 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; AND

4. APPROVE A BUDGET AMENDMENT APPROPRIATING $1,262,500 FROM THE HOUSING SET ASIDE FUNDS (WHICH ARE NOW HELD IN ONE OF THE CITY’S SPECIAL REVENUE FUNDS).

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Item J-5
(out of sequence)

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: PUBLIC HEARING – Adoption of a Resolution Approving a Disposition and Development Agreement for the Sale of City Owned Property Located at 9300 Culver Boulevard to Combined Properties Inc./Hudson Pacific Properties Inc.

This item was renumbered as JPH-2.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER ARMENTA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE AFFIDAVITS OF MAILING, PUBLICATION AND POSTING OF NOTICES AND CORRESPONDENCE RECEIVED IN RESPONSE TO THE PUBLIC HEARING NOTICES.

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

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

Mayor O'Leary invited public comment.

The following members of the audience addressed the City Council:

Seth Horowitz, The Culver Hotel, indicated eagerness to have the project completed and expressed concern regarding parking issues.

Meghan Sahli-Wells expressed concern that the project be done right; she requested assurances that the sale would be binding; she expressed concern with the elimination of redevelopment in California; and she asked about the vetting process.

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

Discussion ensued between the City Council and staff regarding appreciation for the efforts of staff to address the elimination of redevelopment; enforcement; uncertainty; actions of the state; putting the City in the best possible position; the level of contractual commitment; ownership of the property; the cooperation agreement between the City and the Agency; achieving important public purposes; bond proceeds; preserving the tax exempt status of the funds; the Disposition and Development agreement; and the need to act at this time.

Item J-5
(continued)

Following discussion, the following motion was made:

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

1. ADOPT RESOLUTION NO. 2012-R013 APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CULVER CITY AND COMBINED PROPERTIES INC./HUDSON PACIFIC PROPERTIES INC. FOR THE SALE AND SUBSEQUENT DEVELOPMENT OF 9300 CULVER BOULEVARD, INCLUDING THE CONSTRUCTION OF THE TOWN PLAZA EXPANSION IN AN AMOUNT NOT TO EXCEED $3,243,000 AND CONSTRUCTION OF EXTRA PUBLIC PARKING SPACES IN AN ESTIMATED AMOUNT OF $3,700,000, PURSUANT TO SECTION 33433 OF THE CALIFORNIA HEALTH AND SAFETY CODE; AND

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

3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE DISPOSITION AND DEVELOPMENT AGREEMENT ON BEHALF OF THE CITY, AND TO ISSUE INTERPRETATIONS, WAIVE PROVISIONS, ENTER INTO AMENDMENTS ON BEHALF OF THE CITY, AND TO SIGN ALL SUCH OTHER DOCUMENTS AND INSTRUMENTS NECESSARY TO IMPLEMENT AND CARRY OUT THE AGREEMENT ON BEHALF OF THE CITY IN SUCH FORM AS IS REASONABLY ACCEPTABLE TO THE CITY MANAGER.

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Joint Action Items

Item J-1

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: Approval of a Commitment Letter with Lab Holdings LLC for the Sale and Redevelopment of City Owned Property at the Northerly corners of the Washington Boulevard and Centinela Avenue Intersection.

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

Mayor O’Leary invited public comment.

The following members of the audience addressed the City Council:

Neil Rubenstein asked for the names of the companies and principals who make up Lab Holdings, LLC.

Sol Blumenfeld, Community Development Director, provided background on Lab Holdings, LLC and the principals.

Jean Ballantine expressed concern with what happens to the land if the developer cannot get the funding; and concern with commercial vehicles parking overnight on her street.

Murray Kane, Agency General Counsel, explained the purpose of the commitment letter and procedures and clarification that the land is not sold until developer commitments have been met.

Charles Herbertson, Public Works Director/City Engineer, discussed size restrictions on the parking of commercial vehicles; weight limits; and establishing a preferential parking district for the area.

Discussion ensued between the City Council and staff regarding traffic calming measures that the developer will be required to comply with; precluding northbound movements on Colonial Avenue; parking during construction; a construction management plan; and the preferential parking district.

The following member of the audience addressed the City Council:

Linda Smith Frost expressed support for the item and she thanked staff for their hard work.

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

1. APPROVE A COMMITMENT LETTER WITH LAB HOLDING LLC FOR THE SALE AND SUBSEQUENT DEVELOPMENT OF THE NORTHERLY CORNERS OF THE WASHINGTON BOULEVARD AND CENTINELA AVENUE INTERSECTION FOR CONSTRUCTION OF A MARKET HALL PROJECT; AND

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

3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE COMMITMENT LETTER ON BEHALF OF THE CITY, AND TO ISSUE INTERPRETATIONS, WAIVE PROVISIONS, ENTER INTO AMENDMENTS ON BEHALF OF THE CITY, AND TO SIGN ALL SUCH OTHER DOCUMENTS AND INSTRUMENTS NECESSARY TO IMPLEMENT AND CARRY OUT THE AGREEMENT ON BEHALF OF THE CITY IN SUCH FORM AS IS REASONABLY ACCEPTABLE TO THE CITY MANAGER.

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Item J-2

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: (1) Approval of a Purchase and Sale Agreement with Hackman Capital Partners to Purchase Public Parking Spaces at 8550 Higuera/8600 Hayden Place; and (2) Direction to Staff to Commence Formation of a Parking District in the Hayden Tract.

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

Mayor O’Leary invited public comment.

The following members of the audience addressed the City Council:

Neil Rubenstein questioned who comprised Hackman Capital Partners and whether Frederick Smith or his company had put in a request for the property.

Jeff Palmer discussed the importance of attracting economic drivers in the City; digital media companies; parking needs; and the Warner lot.

Discussion ensued between the City Council and staff regarding the Warner lot; underutilized properties in the Hayden Tract; parking issues; and providing parking opportunities for businesses to enable upgrades and modernization.

Following discussion, the following motion was made:

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

1. APPROVE A PURCHASE AND SALE AGREEMENT WITH HACKMAN CAPITAL PARTNERS FOR THE PURCHASE OF A LONG-TERM EASEMENT FOR 180 PUBLIC PARKING SPACES IN A PARKING STRUCTURE TO BE CONSTRUCTED AT 8550 HIGUERA STREET/8600 HAYDEN PLACE; AND

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

3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT ON BEHALF OF THE CITY, AND TO ISSUE INTERPRETATIONS, WAIVE PROVISIONS, ENTER INTO AMENDMENTS ON BEHALF OF THE CITY, AND TO SIGN ALL SUCH OTHER DOCUMENTS AND INSTRUMENTS NECESSARY TO IMPLEMENT AND CARRY OUT THE AGREEMENT ON BEHALF OF THE CITY IN SUCH FORM AS IS REASONABLY ACCEPTABLE TO THE CITY MANAGER; AND

4. AUTHORIZE THE FORMATION OF A PARKING DISTRICT IN THE HAYDEN TRACT BY THE CITY.

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Item J-3

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: Approval of a Commitment Letter with the Jazz Bakery for the Sale and Redevelopment of City Owned Property located at 9814 Washington Boulevard.

Sol Blumenfeld, Community Development Director, discussed the process; working with Samitaur regarding parking; the need for additional parking; and he provided a staff report on the item.

Mayor O'Leary invited public comment.

The following members of the audience addressed the City Council:

Marta Zaragoza spoke of the need to examine agreements carefully; she acknowledged the hard work of redevelopment staff; she discussed actions by the State; parking districts; enforcement; issues with the police department; and she noted the important role of the public in redevelopment.

Neil Rubenstein indicated that staff had answered his questions.

Richard Posell, The Jazz Bakery, expressed hope that the project would finally come to conclusion; and trepidation regarding state actions.

Cary Anderson discussed the number of shows proposed each year; the number of seats; proximity to the Kirk Douglas Theater; capacity of nearby parking structures; parking districts; and he questioned where patrons would be parking.

Discussion ensued between the City Council and staff regarding concerns with promises made by developers; the deadline; risk of losing the properties; opportunities; the expedited process; proper vetting; parking provisions in the commitment letter; parking in lieu fees; the loss of the Pasquin property; the configuration of the property; and the architect.

Item J-3
(continued)

Following discussion, the following motion was made:

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

1. APPROVE A COMMITMENT LETTER WITH THE JAZZ BAKERY FOR THE SALE AND SUBSEQUENT DEVELOPMENT OF 9814 WASHINGTON BOULEVARD FOR CONSTRUCTION OF A LIVE PERFORMANCE JAZZ THEATRE PURSUANT TO SECTION 33433 OF THE CALIFORNIA HEALTH AND SAFETY CODE; AND

2. AUTHORIZE THE CITY ATTORNEY AND CITY SPECIAL COUNSEL TO REVIEW/PREPARE ALL NECESSARY DOCUMENTS; AND

3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE COMMITMENT LETTER ON BEHALF OF THE CITY, AND TO ISSUE INTERPRETATIONS, WAIVE PROVISIONS, ENTER INTO AMENDMENTS ON BEHALF OF THE CITY, AND TO SIGN ALL SUCH OTHER DOCUMENTS AND INSTRUMENTS NECESSARY TO IMPLEMENT AND CARRY OUT THE AGREEMENT ON BEHALF OF THE CITY IN SUCH FORM AS IS REASONABLY ACCEPTABLE TO THE CITY MANAGER.

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Item J-4

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: Consideration of a Commitment Letter to Conditionally Commit the City of Culver City to Dispose of the Property to the Selected Developer for the Development of the Washington/ National Transit Oriented Development Site.

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

Mayor O’Leary received clarification regarding the expedited RFP process and the length of time the project has been in process.

Mayor O’Leary invited public participation.

The following member of the audience addressed the City Council:

Derek Jones, The Legado Companies, expressed their desire to be in a backup position; discussed the economic analysis; and he indicated that they were available to answer any questions.

The City Council expressed support for the project; discussed reasons for supporting the TOD development; the efforts of staff; previous work done that allowed for quick action; and the economic analysis.

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

1. AUTHORIZE EXECUTION OF A COMMITMENT LETTER WITH LOWE FOR THE WASHINGTON NATIONAL TRANSIT ORIENTED DEVELOPMENT (TOD) SITE LOCATED ADJACENT TO THE EXPOSITION (EXPO) LIGHT RAIL LINE STATION IN CULVER CITY;

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.

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Item J-6

JOINT CITY COUNCIL AND REDEVELOPMENT AGENCY BOARD AGENDA ITEM: (1) City Council and Redevelopment Agency Board Adoption of the Amended and Restated Enforceable Obligation Payment Schedule for the Period January 1, 2012 through June 30, 2012, Pursuant to Section 34169(h) of the Health and Safety Code, (2) City Council and Redevelopment Agency Board Adoption of the Draft Recognized Obligation Payment Schedule for the Period January 1, 2012 through June 30, 2012, Pursuant to Section 34169(h) of the Health and Safety Code, and (3) City Council and Redevelopment Agency Board Authorization Allowing the City Manager/Executive Director to Make Such Payments on Behalf of the City and Agency Utilizing Available Agency Revenues, Including, but not Limited to, Newly Received Tax Increment Proceeds.

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

Glenn Heald, Management Analyst, reviewed proposed revisions to the document.

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

1. ADOPT THE PROPOSED AMENDED AND RESTATED ENFORCEABLE OBLIGATIONS PAYMENT SCHEDULE FOR THE PERIOD JANUARY 1, 2012 THROUGH JUNE 30, 2012; AND

2. ADOPT THE PROPOSED DRAFT RECOGNIZED OBLIGATIONS PAYMENT SCHEDULE FOR THE PERIOD JANUARY 1, 2012 THROUGH JUNE 30, 2012; AND

3. AUTHORIZE THE CITY MANAGER AND CHIEF FINANCIAL OFFICER TO MAKE SUCH PAYMENTS ON BEHALF OF THE CITY UTILIZING FORMER AGENCY ASSETS IN THE CASE THAT SUFFICIENT AGENCY REVENUES ARE UNAVAILABLE.

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Action Items

Item A-1

Award of a Construction Contract to KASA Construction as the Lowest Responsive and Responsible Bidder for Construction of the West Washington Phase III and Phase IV Streetscape Median Project.

Elaine Gerety Warner, Senior Management Analyst, reported distribution of a protest letter; and noted two changes to the motion: a minor clerical omission and increasing the contingency from 10% to 20% percent with it encumbered to cover any unforeseen expenses down the road.

Mayor O'Leary invited public comment.

There was no response.

MOVED BY COUNCILMEMBER ARMENTA, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT WITH THE PROPOSED CHANGES, THE CITY COUNCIL:

1. AWARD A CONSTRUCTION CONTRACT TO KASA CONSTRUCTION FOR A NOT-TO-EXCEED AMOUNT OF $1,058,948.20; AND

2. AUTHORIZE THE COMMUNITY DEVELOPMENT DIRECTOR TO APPROVE CHANGE ORDERS TOTALING A NOT-TO-EXCEED AMOUNT OF $100,000; 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 A-2

Consideration of an Owner Participation Agreement with the Hayden Tract Owners Association, and Award of a Professional Services Contract with KOA Corporation for Design, Construction Documents and Construction Administration Services, to Convert the Hayden Tract Railroad Spur into a Parking Lot/Green Belt.

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

Mayor O'Leary invited public comment.

No speakers came forward.

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

1. APPROVE A BUDGET AMENDMENT APPROPRIATING $50,000 FROM FORMER AGENCY TAXABLE BOND FUNDS IN THE HAYDEN TRACT/MTA SPUR PROJECT (48994110) [A BUDGET AMENDMENT REQUIRES A 4/5THS VOTE]; AND

2. APPROVE AN OWNER PARTICIPATION AGREEMENT WITH THE HAYDEN TRACT OWNERS ASSOCIATION FOR THE JOINT DEVELOPMENT OF A PARKING LOT ON THE SPUR PROPERTY AND THE SALE OF THE CITY OWNED PORTION OF THE SPUR TO THE ASSOCIATION; 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; AND

5. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH KOA CORPORATION AT A COST NOT-TO-EXCEED $211,245, TO PREPARE DESIGN AND CONSTRUCTION BID DOCUMENTS, AND TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR CONSTRUCTION OF A PARKING LOT IN THE HAYDEN TRACT SPUR; AND

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

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

Public Comment for Items Not on the Agenda (Continued)

Mayor O'Leary invited public participation.

The following member of the audience addressed the City Council:

David Voncannon congratulated staff and the City Council for their work; discussed the dissolution of the Advisory Council on Redevelopment (ACOR); and he thanked John Fisanotti for his efforts.

Mayor O'Leary noted the importance of ACOR and indicated that they would continue to utilize talented community volunteers.

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Items from the City Council

Items Presented by Councilmember Weissman:

- Received clarification that this was the last meeting of the Redevelopment Agency and that the Successor Agency would convene at the next City Council meeting as a separate and distinct agency.

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Items Presented by Councilmember Cooper:

- Asserted that it had been a pleasure to serve the City and he looked forward to many more years of serving the City on the Successor Agency.

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Adjournment

There being no further business, at 9:09 p.m., the City Council adjourned its meeting to a meeting to be held on February 6, 2012.

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Ela Valladares
DEPUTY CITY CLERK of the City of Culver City, California
EX-OFFICIO CLERK of the City Council, City of Culver City, California

APPROVED ______________________________________

MICHEÁL O'LEARY
MAYOR of the City of Culver City, California