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Approved by the Culver City Redevelopment Agency

CULVER CITY REDEVELOPMENT AGENCY

MINUTES

December 4, 2006

Call to Order	The meeting of the Culver City Redevelopment Agency was called to order at 6:00 p.m. with five members present.

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Recess to Closed Session CS-1	<u>Conference with Legal Counsel – Existing Litigation</u> Re: Culver City Redevelopment Agency vs. SJ Woo, LLC, a limited liability company et al. Case No. Los Angeles Superior Court No. BC342759 Pursuant to Government Code Section 54956.9(a)

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CS-2	<u>Conference with Real Property Negotiators</u> Re: 3727 Robertson Boulevard offer to Purchase Agency Negotiator: Susan Evans, Assistant Executive Director and Murray Kane, Agency General Counsel Other Parties Negotiators: Shirley Kreiman Under Negotiation: Price and Terms Pursuant to Government Code Section 54956.8

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Reconvene	Chair Rose reconvened the meeting at 7:05 p.m.

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Invocation / Pledge of Allegiance	The invocation was given by Jerry Fulwood, and the Pledge of Allegiance was led by Assistant Executive Director Susan Evans.

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Roll Call

Members Present: Steven Rose, Agency Chair
Scott Malsin, Agency Vice Chair
Alan Corlin
Carol Gross
Gary Silbiger

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Staff Present

Susan Evans, Assistant Executive Director; Todd Tipton, Redevelopment Administrator; Murray Kane, Agency General Counsel; Kellee Fritzal, Economic Development Administrator; Chris Evans, Senior Management Analyst; Susan Obrow, Events Specialist; and Alice Prasad, Agency Secretary.

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Report on Closed Session

Chair Rose indicated that no action was taken in closed session that requires disclosure.

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Public Comment-Non-Agendized Items

None.

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Recess/Reconvene

Chair Rose recessed the Redevelopment Agency meeting to the City Council meeting from 7:07 p.m. to 7:15 p.m.

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Public Hearing
PH-1 A Public Hearing to Amend the Purchase and Sale Agreement for Property Located at 4043 Irving Place

Moved by Ms. Gross, seconded by Mr. Corlin and unanimously approved to receive and file the affidavits of mailing, publication and posting of notices, and correspondence received in response to the public hearing notices.

Agency Secretary Prasad announced that no correspondence was received regarding the proposed disposition of real property.

Chair Rose declared the public discussion open at 7:17 p.m. No speakers came forward.

Moved by Mr. Malsin, seconded by Mr. Corlin and unanimously approved to close the public hearing at 7:18 p.m.

Moved by Mr. Malsin, seconded by Ms. Gross and unanimously passed to approve the Third Amendment to the Purchase and Sale Agreement with Metro Real Estate and Development for 4043 Irving Place.

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Consent Calendar:

C-1 Secretary's Report

Moved by Mr. Corlin, seconded by Mr. Malsin and unanimously passed to receive and file the Secretary's Report.

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C-2 Minutes of November 6, 2006 and November 20, 2006

Moved by Mr. Corlin, seconded by Mr. Malsin and unanimously passed to approve the minutes of November 6, 2006 and November 20, 2006 as written.

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C-3 Cash Disbursements

Moved by Mr. Corlin, seconded by Mr. Malsin and unanimously passed to approve cash disbursements from November 13, 2006 through November 24, 2006.

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A-1 Consideration to Award a Construction Contract to Malibu Pacific Tennis Courts Inc. for the Cardiff Parking Structure Security Improvements Project and Authorization to Enter into a Professional Services Agreement with CBM Consulting

Moved by Ms. Gross, seconded by Mr. Malsin and unanimously passed to 1) Authorize entering into a construction contract with Malibu Pacific for a not-to-contract fee of $239,700; 2) Authorize the Public Works Director/City Engineer to negotiate change orders in not-to-exceed amount of $14,500, if necessary; 3) Authorize entering into a contract with CBM Consulting Inc. for the construction management of the Cardiff project, for a not-to-exceed fee of $22,340; 4) Direct the Agency Counsel to prepare the necessary documents and authorize the Agency Assistant Executive Director to approve the documents.

Inc., for Construction Management Services

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A-2 Issue a Certificate of Completion for Miller Automotive Properties for the completion of all obligations contained within the Disposition and Development Agreement for the Development of Miller Toyota and Honda

Moved by Ms. Gross, seconded by Mr. Malsin and unanimously passed that the Redevelopment Agency: approve a Certificate of Completion for Miller Automotive Properties for the completion of all obligations contained within the DDA.

Mike Miller congratulated the Agency on a great job revitalizing the City.

Chair Rose reported that Mike Miller had worked hard to help the City.

Ms. Gross appreciated Mr. Miller's comments and acknowledged that the business people had contributed a great deal to the change in the City.

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A-3 Consideration of Parking Strategy and Parking Policies for all Agency-Owned and/or Operated Parking Facilities

Management Analyst Evans presented a summary of the material of record.

Andrew Weissman, 9726 Washington Boulevard, questioned the proposed Agency use of the downtown parking structure for new businesses if Agency obligations have been met. He expressed concern with parking for new developments including Parcel B, concern with current parking shortages and businesses with paid permits that can not find parking spaces, concern that film companies would be accommodated before local businesses, skepticism that limiting downtown meter spaces to two hours would prevent meter feeding, and he discussed other methods of deterrence.

Heidi Fahringer deferred her time to Mr. Weissman.

Mr. Weissman questioned who chose the targeted businesses that parking would be provided to and he sought clarification about the recommendation that new construction meet parking requirements on a discretionary basis. He suggested installing devices to indicate how many parking spaces are available in each structure and he supported coordinated pricing for all structures. He reported concern about the availability of curbside parking and he wanted to make sure that the limited parking is fairly and equitably shared. He reported that the Downtown Business Association proposed that the meters downtown be increased from 50 cents per hour to $1 per hour with a portion of the increase allocated to maintenance.

Responding to Mr. Corlin, Management Analyst Evans explained that the impact of the Zoning Code amendment to be approved by the Planning Commission would be limited.

Redevelopment Administrator Tipton reported that in 2001 a concerted effort was made to create a surplus of parking to facilitate the ongoing development of downtown. He related that the Agency operated the structures at a severe deficit for many years and the goal is to keep the structures as full as possible to just break even. At one time businesses could use the spaces at no cost but now the Agency is proposing to change that and take back control of some of those spaces. Those spaces will be offered, if they are available, for a use that contributes to downtown but he noted while the original focus was on the theatre and then restaurants, now the Agency is focusing on retail.

Agency Legal Counsel Kane explained that the form of the change would require an ordinance of the City Council originating from a recommendation by the Planning Commission.

Responding to Mr. Silbiger, Redevelopment Administrator Tipton indicated it was their intent to bring back criteria for the discretionary decisions and he then explained current requirements for businesses and retail. He added that the Agency would make the discretionary decisions through Owner Participation Agreements and Disposition and Development Agreements.

Responding to Mr. Silbiger, Management Analyst Evans reported that there were approximately 2,082 parking spaces in the City including on-street and curbside spaces. He added that if businesses were required to park themselves per the code, about 1,404 spaces would be needed with the planned development of Parcel B and without Parcel B, 1,048 spaces are needed.

Redevelopment Administrator Tipton reported that there are 875 monthly parkers.

Responding to Mr. Silbiger, Management Analyst Evans stated that there would be a surplus of 900 spaces available with development of Parcel B.

Redevelopment Administrator Tipton stated that once Parcel B is in place, if patrons exceed the anticipated demand, the fill in and interim uses will have to be sacrificed.

Responding to Mr. Silbiger, Management Analyst Evans explained that the Canfield parking lot had 26 parking spaces including 12 tandem spaces and staff could return with a study to examine converting it into a paid public parking lot.

Chair Rose requested converting the compact spaces to regular sized spaces to make it a much more usable lot.

Mr. Silbiger questioned the thought behind converting the Canfield lot as it is a bit far from some parts of downtown and Management Analyst Evans stated that it is close to Parcel B. He added that they wanted employees to park in the structures so that convenient parking would be available for short term visitors.

Mr. Malsin received clarification that all businesses in downtown had their needs met through arrangements. He stated that new businesses would be able to participate in parking and that the issue really related to new construction which has to provide their own parking.

Mr. Malsin suggested considering some kind of financing arrangement where the Agency helps fund construction of additional public parking that they can lease back and sub lease to satisfy other parking needs as he felt it could be a good use of financial resources. He asserted that convenient parking would keep downtown thriving and he pointed out that as parking becomes more difficult to find the

City might have to reconsider leasing spaces to auto dealers.

Mr. Malsin expressed support for signage indicating the number of spaces available and Mr. Corlin recalled that parking lot software previously purchased allowed for that to be added on easily.

Economic Administrator Fritzal indicated that the Agency is investigating that.

Responding to Andrew Weissman, Assistant Executive Director Evans indicated they had the ability to track parking with quarterly and monthly reports on parking demands at all times of every day. She indicated that there would be a public hearing before changes to criteria were formally adopted.

Moved by Ms. Gross, seconded by Mr. Malsin, and unanimously passed to approve Redevelopment Agency Parking Policy recommendations.

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A-4 Consideration of Agreements Required to Implement the 2007 Culver City Music Festival

Events Supervisor Susan Obrow presented the material of record.

Charles Dillingham, Managing Director of The Center Theatre Group, reported that from their point of view, their partnership with the City has been a resounding success. He related significant noise issues with the summer concert series last summer and he thanked Chair Rose and Mr. Malsin for meeting to address those issues for the coming summer. He expressed support for the proposed schedule for 2007 and bade a fond farewell to Susan Evans.

Frank Campagna, a regular attendee of the summer concert series, asked the Board to revisit the question of the overall budget to see if it can be maintained at 12 presentations as opposed to the six planned for the coming year.

Efrem Violin expressed support for Gary Mandell and he noted that some items were let out to bid and some things were not.

Allen Duncan asserted that the public had been told that there was a consideration that the number of concerts would be cut down but that they would be informed when there would be a meeting about it. He questioned why there was no chance for public input on cutting the number of concerts and he offered to identify sponsors to make up the shortfall. He requested a delay in the voting for two weeks so he could come back with the shortfall in hand and enable a full summer series.

Mr. Silbiger noted that the surplus $9,000 from last year's sponsorships, along with $70,000 budgeted for the series this year and an additional $9,000 for this year's sponsorships would total $88,000 which is the amount budgeted last year for the full 13 concerts. He pointed out that the series has been very popular, it has met the important objectives of bringing people in to the community who utilize all the businesses, and the money is available, but it is a matter of priorities.

Mr. Silbiger received clarification that the amount budgeted for the graphic designer was to be used for the brochure, advertising, and any branding of the concert series.

Mr. Mandell indicated that in the past $1,000 was spent on graphic design but the current budget allocates $5,000 for that. He added that a total of $2,500 had been spent on advertising last year and it seemed to work pretty well.

Mr. Silbiger expressed support for Mr. Mandell remaining as concert producer and final arbiter of the type of music presented. He suggested taking a survey of concert attendees to ascertain the types of music and performers everyone wants to hear and see.

Mr. Silbiger moved to continue to have 13 concerts and to have Gary Mandell serve as the producer of the concerts, choosing the performers with input from the community and staff, as was done this year. There was no second.

Ms. Gross clarified that no question had been raised as to using anyone else and she added that two years ago they had a wide ranging formal RFP for the roles in the series but that is not done every year. She supported the name change and noted that the role of the Agency is one of the things being considered. The series is a service provided to the community that a great many people enjoy but she felt that should be done out of the City budget as it is not the role of Redevelopment. The concert series was initiated to help bring activity and vitality to downtown and that has been done. The venue has limited capacity so they can not continue to expand the draw and she felt that they kept drawing the same people.

Ms. Gross noted that from at least midday on Thursdays there is constant activity preparing for the concert and the cost in staff time is not reflected. She felt it appropriate for the Agency to sponsor different activities.

Mr. Corlin observed that it is clear the series is a great success. He commented that last year the concerts were produced for $6,800 per concert and he was not sure how they would be saving money this year by spending $8,700 per concert.

In response to an assertion from Assistant Executive Director Evans that they would maintain quality performances, Mr. Corlin questioned whether there had been a danger of losing that.

Assistant Executive Director Evans indicated that one of their goals is to provide programs that appeal to the community and get great press beyond the local newspapers. She added that beyond the cost of each concert is the staff time and she noted that the Cultural Affairs Division now offered additional programming outside of downtown with the same two staff members they had three years ago.

Mr. Fulwood indicated that their concern is maintaining the high level of service that the City is accustomed to.

Mr. Corlin remembered a number of years back when the City put on an event year after year that lost money and he was told by staff that the event would always lose money but with new thoughts from staff and the community, the Fiesta is running at a surplus now.

Mr. Corlin encouraged pursuing sponsorships so the event is not a drag on Redevelopment. He agreed that Redevelopment had done an excellent job and had helped reinvigorate downtown although he expressed disappointment that the business association had not latched on to it. He acknowledged noise issues but pointed out that the concert series predated the Center Theatre Group (CTG) and he suggested working together so CTG started their performance later, have the theatre go dark on certain nights or install soundproofing in the building.

Mr. Corlin proposed various scenarios to expand the series while taking the burden off of the Agency. He added that when he voted to decrease funding by $18,000 he did not know that the concerts were going to be decreased by 39% and he reiterated that he did not see how they were going to realize more value by paying nearly $2,000 more per concert. He encouraged aggressively pursuing sponsorships because he felt the Agency should not have to shoulder the burden of the series but he felt the number and quality of concerts should be maintained.

Responding to Mr. Malsin, Events Supervisor Obrow detailed the number of concerts presented by surrounding cities. Mr. Malsin reported that he and his family attended 11 out of 13 concerts last year and they also enjoyed the ArtWalk event. He acknowledged that the small staff could only do so much and he supported having eight concerts. He complimented Mr. Mandell on a job well done.

Chair Rose related that the original purpose of the concert series was economic development but he believed that downtown would have succeeded without the series.

Chair Rose complimented everyone for their hard work and he discussed the fact that the Agency has a certain sunset date and there will be many issues the Agency will have to deal with in the coming years. He asserted that the recommendation of giving eight concerts is not just an economic one. The Kirk Douglas Theatre is a concern and he noted that the Agency had extended its services with the Art of..... series and Art Walk. He reported that the Los Angeles Philharmonic would perform at Robert Frost

Auditorium next week and there were an array of cultural events offered in the City, not just the summer series.

Chair Rose took issue with the assertion that things were hidden from people noting that the item was voted on at the budget meeting and no one spoke about it. He felt the proposal was a balanced year round approach to music in Culver City that did not favor one group over another and he asserted that the City was more than City Hall and the name change to the Culver City Music Festival reflected that.

Mr. Silbiger appreciated the expansion of culture in the City noting that most cities can do several cultural things at one time and he felt that staff was competent and also augmented by many volunteers. He suggested that if Gary Mandell had full responsibility of producing the events as he did this year and staff did not have to meet with him to approve each concert, time could be saved. He supported lessening the burden on staff and felt that if more money was raised and people could be hired that would help the cause for a 13 concert series.

Assistant Executive Director Evans noted that additional funds and further privatizing of the concert would be of great interest to staff. She stated that Community Development staff would never pursue sponsorships as that could put them in a bad position, but she noted that private parties could pursue those sponsorships.

Mr. Fulwood pointed out that meetings about artists were the least of the time spent on the event and the behind the scenes preparations are the most time consuming. He expressed concern about safety issues with the event being held on City property and he observed that things didn't always work out as planned. He added that it would be tricky to have it run by a private entity on City property as staff time would still be used.

Ms. Gross found the proposed scheduled to be more practical as concert attendance is lighter in June when people are busy with graduation and there is June Gloom. She noted that many people are also busy around the 4th of July so she felt that starting after the 4th of July made much sense as does ending before Labor Day. She added that the plan sought to balance the concert series with other cultural events and she pointed out that the series was a huge endeavor on staff's part.

Mr. Corlin felt that proposing to pay $2,000 more per concert was ludicrous and he felt they were losing an opportunity to investigate the enhancement of sponsorships. He agreed that the series should not be the responsibility of the City but he pointed out that they let outside entities use City Hall unattended all the time. He agreed with the name change and wanted the motion split so they could vote on that separately.

Chair Rose stated that the cost of staff time was not being considered in the cost of $8,000 per concert and he thought that it would cost a private entity $15,000 per show to stage a concert.

Moved by Ms. Gross and seconded by Mr. Malsin to 1) Authorize execution of a $10,000 contract representing a one-year agreement with Gary Mandell to provide Music Producer services for the 2007 Summer Sunset Music Festival. 2) Authorize execution of a $10,000 contract representing an agreement with Technology Artists to provide sound services for the 2007 Summer Sunset Music Festival. A voice vote indicated the following: AYES: Gross, Malsin, Silbiger and Rose NOES: Corlin

Moved by Ms. Gross, seconded by Mr. Malsin, and unanimously passed to change the name of the Summer Sunset Music Series to the Culver City Music Festival.

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Public Comment for Items Not on the Agenda

Allen Duncan questioned whether it was possible to initiate discussions to facilitate private sector funding for 12 concerts.

Chair Rose indicated that Community Development staff could not be soliciting funds.

Mr. Duncan clarified that staff would give guidelines to the private sector as to what they could and could not do.

Chair Rose indicated that he would turn it over to Executive Director Fulwood and he could bring back a report.

Mr. Silbiger encouraged Mr. Duncan to contact staff or Agency members about that and Chair Rose stated that staff did not have direction to talk about fundraising activities.

Mr. Duncan questioned whether additional concerts could be staged for the 2007 series if funds were made available in the next week.

Ms. Gross clarified that as a result of the vote only eight concerts would be staged and she noted that it was not all about the money.

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Staff Reports, Announcements, Receipt of Correspondence and Requests for Future Agenda Items.

Redevelopment Administrator Tipton invited the community to an outreach meeting for the Sepulveda Project at El Rincon Elementary School, 11177 Overland Avenue on December 5 at 7 p.m. for the purpose of receiving input from the community.

Events Supervisor Obrow looked forward to seeing everyone at the Los Angeles Philharmonic free neighborhood concert on Tuesday, December 12.

Assistant Executive Director Evans said goodbye after four years.

Executive Director Fulwood stated that Assistant Executive Director Evans had mentored many people and would definitely be missed. He indicated that she had a vision for the Agency and the Council and had worked very hard in making that vision a reality. He observed that she took a low profile but had done an extraordinary job and developed an excellent team.

Mr. Silbiger found it refreshing to work with Assistant Executive Director Evans who was very knowledgeable and more than willing to listen to other people's views and he appreciated that. He observed that she had the community's needs in mind rather than her own ego or philosophy.

Mr. Silbiger and Chair Rose discussed campaign support and open disclosure

Ms. Gross felt that Assistant Executive Director Evans catalyzed things, made them happen with style and pizzazz and brought them to fruition. She illustrated the possibilities of what the City could be and should be doing.

Mr. Corlin commented that Assistant Executive Director Evans had left Redevelopment with money to work with and her actions and mentoring would be felt for many years to come.

Mr. Malsin expressed admiration for Assistant Executive Director Evans and her vision for the City noting that she had a large hand in the vitality of the City and her leadership fostered a vibrant staff with a broad focus on the glamour of redevelopment and making sure everything worked well.

Chair Rose commented that the staff Assistant Executive Director Evans built, recruited and stole all had an entrepreneurial spirit.

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Adjournment

There being no further business, it was moved by Ms. Gross, seconded by Mr. Corlin and unanimously passed to adjourn the meeting at 9:35 p.m., in the memory of Charles Deen's (Parks & Recreation Commission) sister, Barbara Deen to the next regular meeting on Monday, December 18, 2006, at 7:00 p.m. in the Mike Balkman Council Chambers.

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ALICE PRASAD
Recording Secretary

STEVEN ROSE, Chairperson
Redevelopment Agency