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UNTIL APPROVED BY THE
CITY COUNCIL

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

October 22, 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: Andrew Weissman, Mayor
Jeffrey Cooper, Vice Mayor
Jim B. Clarke, Councilmember
Micheál O'Leary, Councilmember
Meghan Sahli-Wells, Councilmember

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Closed Session

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

CS-1 Conference with Real Property Negotiators
Re: 9300 and 9400 Culver Blvd. and 9099 Washington Blvd.
City Negotiators: John M. Nachbar, City Manager; Sol Blumenfeld, Community Development Director and Murray Kane, City Special Counsel
Other Parties Negotiators: The Culver Hotel/Century Wilshire 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-2 Conference with Real Property Negotiators
Re: 10808 Culver Boulevard (Former Armory Site)
City Negotiators: City Manager John Nachbar, Assistant City Manager Martin Cole
Other Parties' Negotiators: The Wende Museum
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

CS-3 Conference with Real Property Negotiators
Re: 5640 Sepulveda Blvd.
City Negotiator: John M. Nachbar, City Manager; Sol Blumenfeld, Community Development Director; Todd Tipton, Economic Development Administrator; and Murray Kane, City Special Counsel
Other Parties Negotiators: CFT Development LLC, BevMo!
Under Negotiation: Both Price and Terms
Pursuant to Government Code Section 54956.8

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Reconvene

The City Council reconvened its meeting at 7:03 p.m. with all Councilmembers present.

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Report on Action Taken in Closed Session

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

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Invocation/Pledge of Allegiance

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

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Presentations

Item P-1

Tatsuo Fujiwara, Mayor of Kaizuka, Japan and the Culver City Sister City Committee

Marla Wolkowitz, Culver City Sister City Committee, introduced Chair Kathleen McCann.

Kathleen McCann discussed the Japanese earthquake and tsunami in March 2011 and resulting damages; support provided by Culver City; and a grant provided by Kaiser Permanente Benefits Group to help with recovery and relief.

Tatsuo Fujiwara, Mayor of Kaizuka, speaking through an interpreter, thanked the City Council for their support; expressed appreciation for the partnership between the cities; discussed risk management and emergency preparedness; damage from the earthquake and tsunami; and recovery efforts.

Mayor Weissman thanked those who assisted in the fundraising and Kaiser for the grant; he presented a certificate of appreciation to Mayor Fujiwara and a City Seal to Mayor Fujiwara and to Mr. Matsutami; he received framed artwork on behalf of the City; and he invited Sister City members to participate in a group photo.

Marla Wolkowitz, Culver City Sister City Committee, announced a dinner to recognize the Mayor Fujiwara and his associate; she discussed money raised by Culver City; West City Unity Church; Jane Leonard; Essential Chocolate; and the City’s response.

Additional discussion ensued between Councilmembers and the speakers regarding the status of recovery efforts.

Councilmember Sahli-Wells recognized the work of the Public Works Department and discussed participation of the Culver City Bicycle Coalition.

Recipients thanked the City for the honor.

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Item P-2

Certificates of Recognition to the Participants in the 2012 Culver City Coastal Cleanup Day

Councilmembers presented certificates of recognition to participants in the 2012 Culver City Coastal Cleanup Day.

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Community Announcements By City Council Members/Information Items From Staff

John Nachbar, City Manager, discussed a recent disaster preparedness drill.

Martin Cole, Assistant City Manager/City Clerk, reported that October 22 was the last day to register to vote.

Councilmember Clarke discussed the recent meeting of the community standards district; the meeting regarding the fracking study; the recent Culver City Historical Society meeting; and the Sip for Schools benefit for Culver City Schools.

Councilmember O'Leary discussed Neighbors for Smart Rail who object to Phase 2 of the Exposition Light Rail continuing into Santa Monica.

Councilmember Sahli-Wells reported the 40th anniversary of the Clean Water Act noting that fracking was exempted from the Clean Water Act; thanked Parks, Recreation and Community Services Commissioners and staff for the Parks Tour she attended on October 14; and she discussed grants to improve the parks.

Mayor Weissman announced performances by Culver City Performing Arts grant recipients Invertigo Dance Theatre on October 28 at Brasil Brasil Dance Center, and needtheater on October 23-24 at the Ivy Substation.

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Joint Public Comment – Items Not on the Agenda

Mayor Weissman invited public comment.

The following members of the audience addressed the City Council:

Judith Martin Straw discussed walking to school vs. driving to school; senior volunteers; and the Safe Routes to School grant.

Steven Rose announced a special screening of the new James Bond movie at the Sony Studios Cary Grant Theatre on November 14.

Matthew Hetz expressed support for the Expo Line, and announced a concert by the Culver City Symphony Orchestra on November 16 at Veterans Auditorium.

Discussion ensued between Councilmembers and Mr. Hetz regarding clarification that children were welcome to attend the concert and an upcoming Culver City Symphony Orchestra fundraiser on October 27 at Room and Board.

Stephen Murray shared information on Proposition 37 and expressed support for the measure.

Councilmember O'Leary encouraged interested parties to attend a meeting of the Baldwin Hills Conservancy on October 26 with consideration of a resolution authorizing a grant from Prop 40 funds for trail and pedestrian access improvements along Hetzler Road at the Baldwin Hills Scenic Overlook.

Mayor Weissman clarified that the Gateway dedication would be after the meeting on October 26.

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Receipt and Filing of Correspondence

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

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Joint Consent Calendar

Item JC-1

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

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR SEPTEMBER 29, 2012 – OCTOBER 12, 2012.

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Consent Calendar

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-2 AND C-4.

Item C-2
(Out of Sequence)

(1) Acceptance of Work Performed by FS Construction Company; (2) Authorization to File a Notice of Completion; (3) Authorization to Release the Retention Payment after the Expiration of the 35-Day Lien Period; for the Robertson Boulevard Pedestrian/Transit Connection Improvements Project, P-943

THAT THE CITY COUNCIL:

1) ACCEPT THE WORK PERFORMED BY THE CONTRACTOR, FS CONSTRUCTION COMPANY, FOR THE ROBERTSON BOULEVARD PEDESTRIAN/TRANSIT CONNECTION IMPROVEMENTS PROJECT, P-943;

2) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER'S OFFICE FOR RECORDATION;

3) AUTHORIZE THE RELEASE OF RETENTION FUNDS TO FS CONSTRUCTION COMPANY IN THE AMOUNT OF $10,730 UPON EXPIRATION OF THE THIRTY-FIVE DAY LIEN PERIOD.

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Item C-4
(Out of Sequence)

1) Acceptance of Work Performed by CelPlan Inc., for the Jail Surveillance System Upgrade Project in the Police Department; 2) Authorization to File Notice of Completion of the Project; and 3) Authorization to Release Retention Funds after the Expiration of the 35-day Lien Period

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY CELPLAN, INC. FOR THE JAIL SURVEILLANCE SYSTEM UPGRADE IN THE POLICE DEPARTMENT; AND,

2. AUTHORIZE THE CHIEF OF POLICE TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER’S OFFICE; AND,

3. AUTHORIZE THE RELEASE OF $6,464.24 IN RETENTION FUNDS TO CELPLAN, INC. FOLLOWING THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-1
(Out of Sequence)

1) Adoption of a Resolution Approving the Application for Grant Funds from the Los Angeles County Regional Park and Open Space District Excess Funds Grant Program in the Amount of $250,000 for the Syd Kronenthal Park Playground Rehabilitation Project; and, 2) Approval of a Budget Amendment to Appropriate the Funding for this Project Upon Receipt of the Fully Executed Grant Agreement

Councilmember Sahli-Wells thanked those involved for their work on the grants.

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

1. ADOPT A RESOLUTION APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT EXCESS FUNDS GRANT PROGRAM IN THE AMOUNT OF $250,000 FOR THE SYD KRONENTHAL PARK PLAYGROUND REHABILITATION PROJECT; AND,

2. APPROVE A BUDGET AMENDMENT TO APPROPRIATE THE FUNDING FOR THIS PROJECT UPON RECEIPT OF THE FULLY EXECUTED GRANT AGREEMENT.

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Item C-3
(Out of Sequence)

(1) Acceptance of Work Performed by ACCO Engineered Systems; (2) Authorization to File a Notice of Completion; and (3) Authorization to Release the Retention Payment after Expiration of the 35-day Lien Period for the Veterans Memorial West Wing HVAC Replacement Project, P-132

Councilmember Sahli-Wells discussed the new system vs. the old system; feedback from staff and patrons; and the west wing.

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

1. ACCEPT THE WORK PERFORMED BY THE CONTRACTOR, ACCO ENGINEERED SYSTEMS, FOR THE VETERAN'S MEMORIAL BUILDING WEST WING HVAC PROJECT, P-132; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES RECORDER'S OFFICE FOR RECORDATION; AND,

3. AUTHORIZE THE RELEASE OF $7,671.73 IN RETENTION FUNDS TO ACCO ENGINEERED SYSTEMS FOLLOWING THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Order of the Agenda

No changes were made.

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Action Items

Item A-1

Consideration of the Concept of Participating in a Westside Cities Council of Government Bike Share Program, Including Allowing Sponsorship in the Public Right-of-Way

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

Discussion ensued between staff and Councilmembers regarding the regional approach vs. policies of individual cities; sponsorship; City boundaries and the importance of doing the program as a region; efforts to come up with a compatible system; Los Angeles; competition and compatibility; participating as part of the Westside Council of Governments; actions of other area cities; sponsorships; the billboard ordinance; advertising;

ensuring that the ads pay for bike infrastructure; the regional nature of the issue; identifying areas where signage is appropriate; bringing the sign ordinance back for discussion purposes; the public right-of-way; capital costs; ongoing operating and maintenance costs; sponsorships; positive feedback from residents; being ready when the Council of Governments is ready to move forward; classifying the kiosk as a bus stop use; creation of a shuttle; participation zones; bus stop advertising; concern with having to allow billboards in the right-of-way; first amendment issues; bus transportation; signage; Bike Nation; single vs. multiple sponsorships.

The City Council directed staff to investigate the billboard ordinance, single sponsorship with consideration of other advertising options, and to pursue conversation with the Westside Council of Governments on a regional approach.

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Item A-2

Consideration of a Resolution in Support of Reducing Greenhouse Gas Pollution Under the Clean Air Act

Mayor Weissman invited public participation.

The following member of the audience addressed the City Council:

Goren Eriksson expressed support for the environment; referenced a previous discussion by the City Council indicating that the City Council would only take positions that directly impact the City and operations; he discussed subject matter jurisdiction; and the primary responsibility and focus of the City Council.

Discussion ensued between Councilmembers and staff regarding resolutions vs. propositions; legislative policy; support for becoming a Clean Air city; actions of other cities; past practices; and reaffirming what is currently done in Culver City.

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

1. ADOPT A RESOLUTION IN SUPPORT OF REDUCING GREENHOUSE GAS POLLUTION UNDER THE CLEAN AIR ACT; AND,

2. DIRECT THE CITY MANAGER TO SEND A COPY OF THIS RESOLUTION TO ENVIRONMENTAL PROTECTION AGENCY ADMINISTRATOR LISA P. JACKSON AND PRESIDENT BARACK OBAMA.

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Item A-3

(1) Consideration of the Formation of a Finance Advisory Committee and (2) Adoption of a Resolution Establishing Such Committee and Approving Its Bylaws

Mayor Weissman invited public comments.

The following member of the audience addressed the City Council:

Goren Eriksson, Chamber of Commerce, expressed appreciation to staff for expediting the matter.

Martin Cole, Assistant City Manager/City Clerk, read a comment submitted by:

Paul Ehrlich

Councilmember Clarke proposed an amendment regarding selection of committee members and rotating members each year.

Discussion ensued between Councilmembers and the speaker regarding the length of the suggested rotation; allowing the associations to select the individual with City Council ratification; the number of people serving on the committee; success of the Advisory Committee on Redevelopment; allowing flexibility; establishing a quorum; staff time; approved tasks and duties; labor and departmental representatives; the level of public interest in participating; bargaining units; the bylaws; appointment vs. ratification; the process for resident appointments vs. employee association appointments; and consecutive terms.

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

ADOPT A RESOLUTION ESTABLISHING THE COMMITTEE WITH UP TO NINE MEMBERS AND APPROVING ITS BYLAWS, WITH THE AMENDMENT UNDER SECTION 2AC THAT THE CULVER CITY EMPLOYEE ASSOCIATION, THE FIRE FIGHTER GROUP, POLICE OFFICER ASSOCIATION, AND THE THREE MANAGEMENT GROUPS ARE RESPONSIBLE FOR CHOOSING A PERSON TO PUT FORWARD FOR A TWO-YEAR TERM TO BE RATIFIED BY THE CITY COUNCIL WITH THE UNDERSTANDING THAT IT IS A ROTATING POSITION WITH EACH BARGAINING UNIT TO GET A CHANCE TO SERVE.

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Item A-4

Consideration of 1) Financial Assistance for Taste of the Nation 2013; 2) Designation of the Event as City-Sponsored; and 3) Approval of a License Agreement with Share Our Strength Related to the Event

Mayor Weissman invited public comments.

Martin Cole, Assistant City Manager/City Clerk, read a written comment submitted by:

Gary Silbiger

Discussion ensued between Councilmembers regarding parking and the financial implications of a sponsorship.

Judy Walker, Share Our Strength, discussed parking for volunteers; attendee parking; valet parking; and distinguishing between patrons of Trader Joe’s and attendees.

Discussion ensued between Councilmembers and the speaker regarding the availability of Parcel B; alternate plans; and renting parking at Culver Studios.

Additional discussion ensued between Councilmembers regarding the food culture in Culver City; support for the event; designation of an amount for in-kind services; the IndieCade sponsorship; reduced support; clarification regarding parking; the number of volunteers needed; implications to the City and downtown businesses; and length of time necessary for volunteer parking.

Judy Walker requested guidance from staff regarding parking issues; questioned when the status of Parcel B would be known; and she discussed metered parking.

Further discussion ensued between staff and Councilmembers regarding City Council support for approval of the item with the removal of references to parking arrangements; the timeframe for the receipt of information regarding Parcel B; and actual costs for parking.

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

1. DESIGNATE TASTE OF THE NATION AS A CITY-SPONSORED EVENT;

2. APPROVE A LICENSE AGREEMENT WITH SHARE OUR STRENGTH RELATED TO THE USE OF MEDIA PARK FOR THE EVENT WITH THE REMOVAL OF REFERENCES TO PARKING ARRANGEMENTS; 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. DIRECT THE CITY MANAGER TO RETURN AT A FUTURE CITY COUNCIL MEETING WITH ADDITIONAL INFORMATION REGARDING PARKING AND THE RELATED FEE WAIVERS REQUESTED BY TASTE OF THE NATION.

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Item A-5

Consideration of: 1) Financial Assistance for the Los Angeles County Bicycle Coalition's (LACBC) "Tour de Taste" Event; 2) Designation of the Event as City-Sponsored; and 3) Approval of a License Agreement with LACBC Related to the Event

Martin Cole, Assistant City Manager/City Clerk, provided a correction to the staff report noting that proceeds of the event were to go to the Los Angeles County Bicycle Coalition, not the Culver City Bicycle Coalition as indicated.

Councilmember Sahli-Wells disclosed that she was a founding member of the Culver City Bicycle Coalition which is a local chapter of the Los Angeles County Bicycle Coalition but does not currently hold a position.

Councilmember Clarke indicated that he was also a member of the coalition but was not in a leadership position or in a position to benefit from the event.

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

1. DESIGNATE THE TOUR DE TASTE AS A CITY-SPONSORED EVENT AND DETERMINE THE AMOUNT OF IN-KIND FINANCIAL ASSISTANCE TO PROVIDE FOR THE EVENT TO BE $1,430; AND

2. APPROVE A LICENSE AGREEMENT WITH LACBC FOR USE OF TOWN PLAZA AND PARCEL B FOR EVENT ACTIVITIES;

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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Public Comment for Items NOT On the Agenda (Continued)

Mayor Weissman invited public input.

There was no response.

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Items from the City Council

Items from Vice Mayor Cooper

- Thanked Parks, Recreation and Community Development Department staff, the Senior Center, the Disability Advisory Committee, The Girl Scouts, and the Exchange Club for their participation in the Disability Carnival

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Adjournment

There being no further business, at 9:52 p.m., the City Council adjourned its meeting to a meeting on Monday, November 12, 2012 at 7:00 p.m.

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

ANDREW WEISSMAN
MAYOR of the City of Culver City, California