

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

January 13, 2014
5:30 p.m.

Call to Order & Roll Call

Mayor Cooper called the meeting of the City Council to order at 5:30 p.m.

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

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Closed Session

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

CS-1 Conference with Real Property Negotiators

Re: 11304 Segrell Way (Former Fire Station No. 3)

City Negotiators: John Nachbar, City Manager; Charles Herbertson, Public Works Director/City Engineer; Sol Blumenfeld, Community Development Director; Todd Tipton, Economic Development Administrator; Anthony Davis and Jeffrey Lemen with Keller-Williams Realty

Other Parties Negotiators: Kalnel Gardens LLC; Building Legacy Partners, LLC; Thomas James Capital Inc.; EPI Investment Realty

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: 10745 Cranks Road

City Negotiators: John Nachbar, City Manager; Charles Herbertson, Public Works Director/City Engineer; Sol Blumenfeld, Community Development Director; Todd Tipton, Economic Development Administrator; and Dannie Cavanaugh with

Cavanaugh Realtors

Other Parties Negotiators: Michael Myers M.D. and Pamela M. Rieder; J. S. Creations, Inc.; Domyan Properties; A. J. Khair Construction; Henry and Thao Sebata; Fortune Weavers, Inc.; EPI Investment Realty Inc.; and Matthew Colon

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 Labor Negotiators

City designated representatives: City Manager John Nachbar, Director of Human Resources Serena Wright

Employee Organizations: Culver City Employees Association, Culver City Management Group, Culver City Police Officers' Association, Culver City Police Management Group, Culver City Firefighters' Association Local 1927, AFL-CIO, Culver City Fire Management Group

Pursuant to Government Code Section 54957.6

CS-4 Conference with Legal Counsel - Anticipated Litigation

Re: Significant Exposure to Litigation - (1 item)

Pursuant to Government Code Section 54956.9(d)(2)

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Reconvene

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

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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 Damara Brinkley Powell.

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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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Presentation

Item P-1

A Proclamation Designating January 20, 2014 as Dr. Martin Luther King, Jr. Day

Mayor Cooper presented the proclamation.

Lauren Brown, Martin Luther King Jr. Committee Chair, invited everyone to the event on January 18 at the Senior Center.

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Community Announcements By City Council Members/Information Items From Staff

Vice Mayor Sahli-Wells reported attending the community swearing-in of State Senator Holly Mitchell at Sony, and she announced a conference on the decreasing number of women representing Los Angeles County in elected office at the LA Council House on January 26.

Mayor Cooper announced the Cultural Affairs Foundation Dine and Donate Fundraiser on January 16 at Muddy Leek Bar and Restaurant.

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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:

Kay Heineman, Culver City Senior Citizens Association, thanked Councilmember O'Leary and members of the business community for donating to make the Senior Center Christmas luncheon possible.

Councilmember O'Leary thanked everyone for the huge team effort.

Cary Anderson expressed support for the Culver City Ice Arena; discussed the origination of the 56-foot height limit; Julie Lugo Cerra's book, *Culver City the Heart of Screenland*; businesses that are a good fit for Culver City; cultural icons; and the culture of the City.

Andrew Carter expressed support for keeping the Culver City Ice Rink open.

John Nachbar, City Manager, pointed out that the ice rink was on private property and that there was nothing realistically that the City could do; he noted that the City did not have the money to acquire the property; and he discussed implications for an historic designation for the property.

Councilmember O'Leary acknowledged comments made by the City Manager and expressed interest in hearing input from the public speakers.

Fred Yglesias discussed the possible historical designation of the site, and he thanked the City Manager for his comments.

Hanami Wexler wanted to see the Culver City Ice Rink remain open.

Tai Babilonia discussed her experiences at the Culver City Ice Rink and expressed support for keeping it open.

Tori Silvera Bush discussed other ice rinks that have closed; the lack of winter activities in Southern California; and she expressed support for keeping the Culver City Ice Rink open.

Melissa Abramson discussed long lost landmarks; her experiences at the ice rink; and she expressed support for keeping the Culver City Ice Rink open.

Steve Weinberg provided a presentation on the Culver City Ice Arena; presented a petition; acknowledged that the land is private; discussed water and toxins in the ice; and he urged that everything possible should be done to save the facility.

Damara Powell asked that the Culver City Ice Arena remain open.

Brooke Powell indicated that traffic would be increased if the rink is closed and she indicated that sales tax revenue would be lost.

David Ford discussed his experiences at the Culver City Ice Rink; turning the site into an historical landmark; environmental issues; and he asked the City Council to do everything in their power to keep the rink open.

Joanna Brandt discussed the experiences of her daughter at the rink and asked for help in keeping the Culver City Ice Arena open.

Nayelli Flores discussed her experiences at the Culver City Ice Rink and asked that the rink be kept open.

Shannon Takahashi presented the petition to save the Culver City Ice Rink to the City Council; she reported that 5,000 skaters had come to the arena every week for the last 50 years; she discussed impacts to businesses along Sepulveda Boulevard; and tax revenue.

Barbara Pomykalski, Culver City Ice Arena instructor, discussed negative impacts of losing the rink; the Let's Move Program; financial impacts; and she asserted that the landlord had created a public issue that affects all Angelenos.

Tom Oliver discussed tax revenue and he questioned what the City Council could do to preserve the rink and the assets rather than to let it fall victim to the promise of a business as opposed to an actual thriving business.

Gary Kemp, Culver City Ice Rink Coach, noted that the landowner wanted more money for his land and he suggested that Planet Granite could function in the parking lot and thereby increase the landowner's income.

Susy Porter discussed the experience of her children at the ice rink and she asked that the Culver City Ice Rink stay open.

Marty LaMarr discussed big money; politics; the thriving business; the love of the people for the ice rink; and he noted that rock climbing places often go out of business while the ice rink has persevered for 50 years.

Kevin Klowden discussed jobs lost; he suggested that the City go back to AEG and the Los Angeles Kings to negotiate the lease; he discussed upgrades to the facility; landmark status; plans of Planet Granite; and the California Environmental Quality Act.

Kevin Healy discussed his experiences at the Culver City Ice Rink; lost revenue to area businesses from users; and positive changes in the City.

David Diamond felt that the City needed to take action to protect residents and he discussed environmental issues.

Alexa Lewis and Chloe Gradilla asked that the City do whatever it could to help keep the Culver City Ice Rink open.

Dashayne Walker, Dare to Care Learning Center, discussed issues with her business license and 501c3 status; legal attempts to recover money; small claims court; facility usage; her treatment by a Culver City Police Officer; and she requested help resolving issues.

Jeremy Green, Management Analyst, read written comments submitted by:

Abbie Tingstad
Rachel Doran
Matt Johansson

Annie Burrows suggested that the City make it easier to obtain recreational permits and she noted that Planet Granite would not generate the same amount of business that the Culver City Ice Rink does.

Martin Baer discussed the closure of the ice rink and community.

Naomi Russell expressed support for keeping the Culver City Ice Rink and expressed hope that the landowners would remain open to negotiating a new agreement with the ice rink.

Mayor Cooper expressed appreciation to the speakers.

Councilmember O'Leary suggested agendaizing the topic for discussion; he indicated that there were no political

benefits related to the project; he reported that issues had arisen with the closure of other ice rinks; expressed concern with the potential for issues related to chemicals used and foundational issues; and he asked whether the City could be part of testing processes.

Discussion ensued between Councilmembers and staff regarding maintaining public health and safety; engaging outside expertise; environmental agencies at the County, state and Federal level; ensuring that there is a sound plan for decommissioning the facility; caution with regard to the Brown Act and not getting into a specific discussion; permits and processes to be followed; ownership of the building vs. ownership of the land; signage; quality of life issues; purview of the City Council; historic designation; direct financial impacts on City revenues; what Planet Granite expects to contribute; indirect benefits to the City; whether a climbing facility could be put in the parking lot; the previous lease renewal; meetings with the property owner and an interested ice facility operator; the current legally binding lease with Planet Granite; alternative uses of the property; realistic expectations; previous City efforts; support for agendizing a discussion of decommissioning the ice rink; changes in the community; preservation; and encouragement to people to keep up their efforts even if the City Council does not have the discretion to act.

The City Council provided consensus to add this subject to the City Council agenda for the Regular Meeting of January 27, 2014.

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Receipt and Filing of Correspondence

Martin Cole, Assistant City Manager/City Clerk, reported that additional correspondence had been received regarding the Culver City Ice Rink.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Joint Consent Calendar

Item JC-1

Cash Disbursements

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE CASH DISBURSEMENTS FOR NOVEMBER 30, 2013 - JANUARY 3, 2014.

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Consent Calendar

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE ITEMS C-1, C-3 AND C-4.

Item C-1

Meeting Minutes

Councilmember Clarke reported submitting minor corrections to the minutes.

THAT THE CITY COUNCIL: APPROVE MINUTES FOR THE REGULAR MEETINGS OF NOVEMBER 25, 2013 AND DECEMBER 9, 2013, AND THE SPECIAL MEETING OF DECEMBER 16, 2013.

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Item C-3
(Out of Sequence)

Authorization to Release a Request for Proposals for On-Call General Public Works Inspection Services

THAT THE CITY COUNCIL: AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS FOR ON-CALL GENERAL PUBLIC WORKS INSPECTION SERVICES.

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Item C-4

**Authorization to Release a Request for Proposals for the
Preparation of the City's Sanitary Sewer Master Plan**

THAT THE CITY COUNCIL: AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS FOR PREPARATION OF A NEW CITY SANITARY SEWER MASTER PLAN.

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Item C-2
(Out of Sequence)

Approval of an Amendment to the Existing Professional Services Agreement with Marina Landscape, Inc. to Include the Maintenance of the National Boulevard Metro Bike Path in an Amount Not-to-Exceed \$16,560.74

Councilmember Clarke received clarification that the City was now responsible for maintaining the bikeway due to a change in the agreement with Metro.

Discussion ensued between Councilmembers and staff regarding other outstanding issues; the Expo Construction Authority; financial ability of the Authority to maintain the bike path; value engineering; property exchange and improvements to the right-of-way; changes to landscaping by the City in order to reduce watering and maintenance; a pilot project for native gardens; negotiations; and other pieces of the puzzle.

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

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH MARINA LANDSCAPE, INC. TO INCLUDE THE MAINTENANCE OF THE NATIONAL BOULEVARD METRO BIKE PATH IN AN AMOUNT NOT-TO-EXCEED \$16,560.74; 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.

Councilmember O'Leary reported being excluded from Expo closed sessions when the Expo Board considered the subject of the bike path.

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Order of the Agenda

No changes were made.

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Public Hearings

Item PH-1

Consideration of the Need for a Comprehensive Review of the Existing City Charter as Required by Section 1900 of the City Charter

Martin Cole, Assistant City Manager/City Clerk, provided a summary of the material of record.

Councilmember Clarke received clarification regarding what constitutes a comprehensive review.

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Paul Ferrazzi expressed support for opening the Charter for review; encouraged the City to use their power to protect the commons of Culver City and the health and safety of residents; he discussed the PXP expansion of the Inglewood oil field; gas migration in oil fields; vapor intrusion; incorporating protections; and he agreed to provide suggestions for wording for the City Council to consider.

Khin Khin Gyi reported on the commemoration at Carlson Park; discussed specific sections of the Charter to address land uses and public health; the PXP request for additional permits in the new district; she requested that an Environmental Impact Report be required before any permits are considered; discussed enforcement of Industrial District Development Standards; and a 2006 release of noxious fumes in Culver Crest.

Goran Eriksson felt that a comprehensive review of the City Charter was not necessary after seven years; that time and

resources should be instead focused on long-term and structural financial issues; that any issues with the Charter were minor and could be handled by the City Council subcommittee; and he suggested that 2014 be focused on long term financial and economic development solutions.

Discussion ensued between staff and Councilmembers regarding adoption of the City Charter; the number of City Managers since Charter adoption; a belief that the City is still adapting to the Council/Manager form of government; a feeling that it is too soon to evaluate the Charter on a comprehensive basis; a suggestion that a City Council subcommittee work with staff to recommend an appropriate action; the Municipal Code vs. the Charter; ordinances; modification procedures for code amendments vs. the Charter; environmental protections; addressing the resignation of a Councilmember who then re-ran for his own seat; jurisdiction of the City Manager; the pool of candidates for police chief and fire chief; agreement that a comprehensive review is not necessary at this time; recognition of the work of the Charter Review Committee in 2006; addressing oil field issues; costs to put something on the ballot; cleaning up obsolete language; term limits; support for the creation of a Council Committee with Councilmembers Weissman and O'Leary serving; combining elections; lifetime medical benefits; scope of the subcommittee; and a suggestion to bring creation of the subcommittee back as an agenda item.

The City Council provided consensus to have an item return at a future City Council meeting for the City Council's consideration of the formation and appointment of members to a City Council Subcommittee to consider any necessary amendments to the City Charter.

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Action Item

Item A-1

Consideration of Recommendation from the Parks, Recreation and Community Services (PRCS) Commission Regarding the Draft PRCS Department Anti-Bullying Policy and Procedure

Daniel Hernandez, Parks, Recreation and Community Services Director, provided a summary of the material of record.

Discussion ensued between staff and Councilmembers regarding the fiscal analysis; reaching out to private organizations and non-profits; developing a comprehensive signage program; the Memorandum of Understanding for the Senior Center; when things become a City issue; the disciplinary process; consistency; incident reporting; claims of bullying by staff; internal investigations; and clarifying language to indicate bullying of staff rather than by staff.

Mayor Cooper invited public input.

There were no cards submitted and no speakers came forward.

Additional discussion ensued between staff and Councilmembers regarding praise to the Commission for their work; consensus to incorporate specific language in Section 409 used by the school district; common causes of bullying; clarification of the term 'reasonable participants'; and minor changes to language to make the policy apply to the City and parks rather than to the school district.

The City Council directed the City Attorney to further review the draft policy and to place the final policy on a future agenda for City Council consideration.

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Item A-2

FOUR-FIFTHS VOTE REQUIREMENT - (1) Authorization to Release a Request for Proposals for the Preparation of the City of Culver City Urban Forest Management and Tree Succession Plan and (2) Appropriation of Grant Funds

Mayor Cooper invited public input.

No speakers came forward and no cards were received.

Discussion ensued between staff and Councilmembers regarding the timetable; updates throughout the process; addressing speakers who come to the City Council meetings; workshops; public input; procedures for commercial streets vs. residential streets; and highlighting the importance of aesthetic and development related issues.

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

1. AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS FOR THE PREPARATION OF THE CITY OF CULVER CITY URBAN FOREST MANAGEMENT AND TREE SUCCESSION PLAN; AND,

2. APPROVE A BUDGET AMENDMENT TO APPROPRIATE \$75,000 IN GRANT FUNDING.

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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 Councilmember O'Leary

- Reported on the Expo Board meeting and distributed updates
- Reported on the meeting of the Santa Monica Bay Restoration Commission
- Reported on the meeting of the Southern California Association of Governments Transportation Committee and he requested that staff attend his meeting in Culver City with Sarah Jepson
- Reported on the second meeting on Storm Water Funding Options
- Expressed concern with receiving notices too late

Items from Mayor Cooper

- Indicated that he would carry forth Councilmember O'Leary's recommendations to the Council of Governments

Items from Vice Mayor Sahli-Wells

- Reported attending *I'll Go On* and noted that \$10 tickets were available

Items from Councilmember Clarke

- Reported on his reappointment to the League of California Cities Administrative Services Policy Committee noting their upcoming meeting on January 23 in Sacramento

Items from Councilmember Weissman

- Introduced the new Chair of the Culver City Chamber of Commerce, Bill Ryder

Items from Mayor Cooper (continued)

- Invited everyone to attend Walk With A Doc on January 18 at Veterans Park

Items from Councilmember O'Leary (continued)

- Requested clarification regarding a notice from the Department of Transportation relinquishment of highway right of way and he suggested that the area could be used as a community garden

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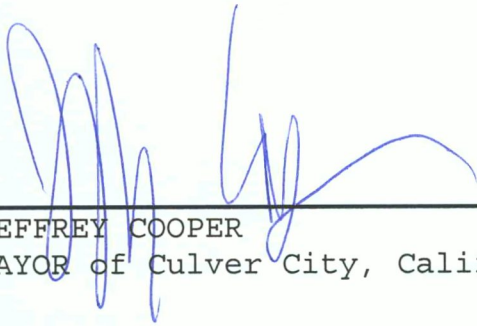
Adjournment

There being no further business, at 10:11 p.m., the City Council adjourned its meeting to Monday, January 27, 2014 at 7:00 p.m.

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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