THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

SPECIAL MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

May 13, 2013
4:00 p.m.

Call to Order & Roll Call

Mayor Cooper called the Special Meeting of the City Council to order at 4:03 p.m.

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

*Councilmember O'Leary arrived at 4:15 p.m.

Invocation/Pledge of Allegiance

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

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Joint Public Comment – Items Not on the Agenda

None.

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Receipt of Correspondence

None.

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Order of the Agenda

No changes were made.

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Action Items

Item A-1

Presentation of an Analysis of the Impacts of CalPERS' Actuarial Changes on the City's Retirement Plans for Miscellaneous and Safety Employees

John Nachbar, City Manager, introduced the item noting that the City had engaged an actuary to prepare an actuarial evaluation of the City's retirement programs specific for the City.

Jeff Muir, Chief Financial Officer, introduced John Bartel who made the presentation.

John Bartel, Bartel Associates, encouraged Councilmembers to ask questions at any time during the presentation; he provided background on the item; an analysis of the impacts of CalPERS; and actuarial changes on the City's retirement plans for miscellaneous and safety employees.

*Councilmember O'Leary joined the meeting at 4:15 p.m.

Discussion ensued between Councilmembers and the Mr. Bartel regarding investment returns compared with prior years; CalPERS Smooth Rate of Return; market value vs. actuarial; calculations and delayed impact; the unpredictability of market value; multiple five-year layers; volatile contributions in the short-run as a byproduct of reflected market value unfunded liability; continued evaluations; amortization schedules; changes from city to city; demographic assumptions; benefit formulas; expectation of behavior; mortality; average age of the population; generational mortality; figures from other cities; average age of employees; the number of retirees; health benefits provided to retirees and impacts to mortality rates; retiring medical valuation for the City; generational improvements; and Medicare.

Mayor Cooper invited public participation.

There was no response.

Additional discussion ensued between Mr. Bartel and

Councilmembers regarding figures used to determine a zero unfunded liability; assumed investment return; rigor that goes into selecting an investment return; independent investment advisors; long-term projections; confidence levels; standard deviations; variance around rates of return; building in a margin; basis points; CalPERS and different types of investments; and gradual changes to investments that are more long-term in nature.

Councilmember O'Leary apologized for missing the presentation noting that he had previously seen it at the League of California Cities event.

Further discussion ensued between Councilmembers and Mr. Bartel regarding unfunded liabilities; more secure financial footing; new rules to make up for previous CalPERS decisions and policies; whether the City can do anything at the local level; the CalPERS contribution policy change; feedback to CalPERS; lobbying CalPERS for what the City thinks is in their best interest; the recommended higher contribution; policies of other cities; and the letter written by Napa County.

Martin Cole, Assistant City Manager/City Clerk, reported that the presentation given by Mr. Bartel would be available on the City website on May 14.

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Public Comment – Items Not on the Agenda

Mayor Cooper invited public comment.

There was no response.

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Items from the City Council

None.

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Adjournment

There being no further business, at 5:27 p.m., the City Council adjourned this Special Meeting to a regular meeting of Monday, May 13, 2013 (which began shortly after the conclusion of this Special Meeting).

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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, California

JEFFREY COOPER
MAYOR of the City of Culver City, California

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

REGULAR MEETING OF THE CITY COUNCIL, CULVER CITY, CALIFORNIA	May 13, 2013 5:00 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 5:31 p.m., the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Real Property Negotiators
Re: 9300 Culver Blvd. (Parcel B)
City Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Community Development Director/Assistant Executive Director, and Todd Tipton, Economic Development Administrator

Other Parties Negotiators: Willy Bietak Productions, 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 Public Employee Performance Evaluation

Title: Fire Chief

Pursuant to Government Code Section 54957

CS-3 Conference with Legal Counsel – Anticipated Litigation

Re: Initiation of Litigation – 2 Matters
Pursuant to Government Code Section 54956.9(d)(4)

CS-4 Conference with Real Property Negotiators
Re: Various Underground Pipelines Throughout the City

City Negotiators: City Manager John Nachbar; Assistant City Manager Martin R. Cole

Other Parties Negotiators: Chevron, Conoco-Phillips, Exxon/Mobil, Plains Exploration and Production Company, Shell
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

CS-5 Conference with Legal Counsel – Existing Litigation
Re: Simplis, Kandace et al. v. City of Culver City (Case No. CV-9497 JHN (MANx))
Pursuant to Government Code Section 54956.9(a)

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Reconvene

Mayor Cooper reconvened the meeting at 7:19 p.m. with all Councilmembers present.

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Report on Action Taken in Closed Session

Mayor Cooper indicated there was nothing to report from closed session except that item CS-4 had not been discussed.

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Invocation/Pledge of Allegiance

The Invocation was given by John Nachbar, City Manager, and the Pledge of Allegiance was previously done by Paul Ehrlich.

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Presentations

Item P-1

A Proclamation Designating May as Older Americans' Month

Councilmember Clarke presented the proclamation.

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Item P-2

Presentation of a Commendation to CoCo Rubalcava, 2013 Senior of the Year

Councilmember Weissman presented the commendation to CoCo Rubalcava.

CoCo Rubalcava thanked the City Council for the honor and expressed appreciation for being able to help others.

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Item P-3

A Proclamation Designating May as Historic Preservation Month

Councilmember O'Leary presented the proclamation.

Louise Coffey-Webb, President of the Culver City Historical Society, thanked the City and residents for the honor.

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Item P-5
(Out of Sequence)

A Proclamation Designating May 13 - 19 as Bike Week 2013

Vice Mayor Sahli-Wells presented the proclamation.

Lynn Goldsmith, Transportation Planning Manager for the Metro Bike Program, discussed the growing number of riders.

Patrick, a volunteer for the Culver City Bicycle Coalition, announced two pit stops on May 16 for Bike to Work Day.

Sophie Bianchi, Executive Director of the Culver City Downtown Business Association, announced businesses offering specials for Bike to Work Day on May 16.

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Item P-4

Presentation of Certificates of Recognition to Ms. Alexandra Coatney and Her Students from Echo Horizon School

Mayor Cooper presented the Certificates of Appreciation.

Students explained how they worked to clean up Ballona Creek and improve water quality in the community.

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Item P-6

A Presentation to the City Council from the West Basin Municipal Water District - May is Water Month

Edward C. Little, Board Member of the West Basin Municipal Water District, discussed increasing water needs and the importance of conserving water, and he recognized West Los Angeles College, Hoss Entertainment, the City of Culver City, and the Culver City Unified School District for their help in water conservation.

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Item P-7

A Presentation to the City Council from the Government Finance Officers Association - Distinguished Budget Presentation Award for Fiscal Year 2012/2013 and the Certificate of Achievement for Excellence in Financial Reporting for the Year Ending June 30, 2011

Jeff Muir, Chief Financial Officer, expressed appreciation for the award and thanked the City Council and staff for making it possible.

Martin Cole, Assistant City Manager/City Clerk indicated that the City had received the award for excellence in budgeting and handling of municipal finances for many, many years.

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Community Announcements By City Council Members/Information Items From Staff

Councilmember Clarke reported that Culver City High School student Ariana Pacino had been selected for the Congressional Art Contest and Jaimal Ichhraim is a National Merit Scholarship Finalist; he reported on the Sister City Exchange trip to Kaizuka, Japan for the 70^{th} anniversary of the City; and he discussed gifts brought back for the City.

Councilmember O'Leary presented an update from the Metro Expo Construction Authority Board meeting regarding noise issues; discussed the sound study; the Independent Cities Association meeting; fracking issues; bills to be reviewed; and the opening of the Malibu Lagoon.

Vice Mayor Sahli-Wells congratulated the new Finance Advisory Committee; thanked Chief Financial Officer Jeff Muir for taking on the Committee; announced that Bike Week was May 13-19; reported attending the Culver City Education Foundation Fundraiser at Sony Studios and congratulated the honorees; reported attending the Car Show and Fire Service Day; noted that fire season had started early; encouraged everyone to attend the meeting of the Community Advisory Panel for the Inglewood Oil Fields on May 23 at Kenneth Hahn State Recreation Park; announced that the Oil Drilling Ordinance was available online; reported that the date for public comment for local regulation had been extended; and she discussed a resident request regarding a proclamation for equality in the scouting community.

Carol Schwab, City Attorney, reported that the community meeting for input on the oil drilling ordinance would be held on June 6 with the last date to submit public comment on June 21, and she noted that information would be available online.

Councilmember Weissman discussed fracking bills.

Martin Cole, Assistant City Manager/City Clerk, reported that the application period for City Commissions, Committees and Boards would close on May 14, 2013 and that additional information was available on the City website or by calling the City Clerk's office.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS

ADJOURNED THAT IT BE ADJOURNED IN MEMORY OF HERMAN SANDOVAL.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED THAT IT BE ADJOURNED IN MEMORY OF CAROL WEINER.

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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:

Jim Lissner provided information to the City Council regarding red light camera reform; he discussed quotas; the practices of Culver City; increases to tickets issued; courtesy notices; SB 1303; he asked that the City Council support legislation that notices be clarified in Spanish and other major languages; he discussed protected plates; and he asked that the City Council support AB 487.

Councilmember O'Leary expressed concern with the suggestion that Culver City Police were issuing false tickets; he noted that people were running red lights; and he discussed people who choose to ignore red light tickets.

Carlene Brown discussed the process by which Culver City had taken a position on gun legislation; letters she had written to Councilmembers; she expressed concern with the City's inconsistent policy regarding reading comments into the record; the Planning Commission decision regarding The Help Group project; upcoming positions to be filled on the Planning Commission; and consistency with policies between the City Council and Commissions.

Shannon Gaulding, Scouts for Equality, expressed concern that the Scouts discriminate against homosexuals; she discussed her desire to work from within to create change; The Pinewood Derby; and she asked the City Council to support a proposed resolution to rescind the discriminatory bylaw.

Vice Mayor Sahli-Wells requested support to agendize a discussion of the issue.

Discussion ensued between Councilmembers and staff regarding the Scout House; the anti-discrimination policy of the City; the human relations component of the Parks, Recreation and Community Services Commission; a suggestion that the issue be discussed at the Commission level; clarification that the request was that the City issue a resolution and not create policy; the timing of the issue; support for the issue; clarification regarding the process; the legislative framework of principals; national policies; creating a process to indicate what the City Council supports so that staff can act and things don't have to go through the City Council each time; the dynamic of the resolution; effects to the relationship with the Scout House; whether the City Council wants to take a position to try to influence the national policy of the Boy Scouts; and having the Mayor send a letter vs. expressing support for the proposed proclamation.

Discussion ensued between Ms. Gaulding and the City Council regarding getting something out to the Boy Scouts' National Council prior to their vote; commentary from scouting families and corporate donors; and the passage of a resolution by West Hollywood.

Additional discussion ensued between staff and Councilmembers regarding sending a letter to the Boy Scouts urging them to make changes in their policy consistent with Culver City's existing anti-discrimination policy; support for the proposed resolution; sending the letter in time for the vote of the Boy Scouts; concern with watering down the message; and a suggestion that the policies of Culver City and of local troops in the City be discussed in the letter.

Jay Shery, Culver City Exchange Club, thanked the City Council, staff, sponsors, businesses and volunteers for their support of the Car Show.

Councilmember Clarke received verification that business at downtown restaurants had increased during the Car Show.

Cary Anderson indicated that he was waiting for information from the Police Department regarding the Car Show and would have a presentation regarding what worked and what didn't work at the Car Show along with suggestions for improvements in 2014.

John Nahhas, The Boating Coalition, asked the City Council for help protecting recreational facilities in Marina del Rey; discussed the exclusion of Culver City residents from the public process and development in the area; discussed the increase in development and decrease in recreational facilities; County officials' assertion that they do not have resources to include other areas in the process; and he asked that Culver City get involved.

Michelle Weiner, Transition Culver City, spoke as Chair of the Assembly District 54 Environmental Cabinet regarding Assembly Bills going through committee; she discussed how to express support for AB 1323 and encouraged everyone to do so; and she announced a meeting at Holman United Methodist Church on May 14.

Mayor Cooper reported that the City Council had sent letters of support for the bills.

Eleanor Osgood asked about an ordinance regarding R-1 lots and development that included neighbor courtesy notification for new developments.

John Nachbar, City Manager, indicated that he would provide information to Ms. Osgood.

Rich Waters thanked Councilmember O'Leary for his assistance with ficus trees noting that there were still infected trees in the area that needed to be addressed before more trees were lost.

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Receipt of Correspondence

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER O'LEARY 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 WEISSMAN, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR APRIL 13, 2013 – MAY 3, 2013.

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Martin Cole, Assistant City Manager/City Clerk, requested that item C-1 be held to the May 28, 2013 meeting to allow time to review changes requested by Vice Mayor Sahli-Wells.

Councilmember Clarke indicated that he would have to recuse himself from item C-5 as it is within 500 feet of his residence and he requested that additional information be provided to the public for items C-8 and C-9.

Vice Mayor Sahli-Wells reported that she would need to recuse herself on a portion of item C-3 and from item C-11 due to a conflict of interest.

Councilmember O'Leary received verification that a report would be given on appointments to outside agencies and subcommittees at the end of the meeting as stated in the minutes of April 22, 2013.

Consent Calendar

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-2, C-4, C-6, C-7, AND C-10 AS NOTED BELOW.

Item C-1

Approval of Minutes for the Regular Meetings of April 8, 2013 and April 22, 2013

This item was deferred to the meeting of May 28, 2013.

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Item C-2

Approval of a Professional Services Agreement with IDC Consulting Engineers, Inc. for Final Design Services for the

Higuera Street Bridge Replacement Project, P-553, BHLS 5240(026) in the Amount Not-to-Exceed $960,700 ($859,807 for the Base Contract and $100,893 in Change Order Authority)

THAT THE CITY COUNCIL:

1) APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH IDC CONSULTING, INC. FOR FINAL DESIGN SERVICES FOR THE HIGUERA BRIDGE REPLACEMENT PROJECT, P-553 IN THE AMOUNT OF $859,807; AND,

2) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS, IF NECESSARY, FOR AN AMOUNT NOT-TO-EXCEED $100,893 (11.73% OF $859,807); 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-4
(Out of Sequence)

Adoption of a Resolution Approving an Encroachment Agreement with Freedom Telecommunications, Inc. for a Proposed Fiber Optic Telecommunication Cable installation on the Public Rights-of-Way of National Boulevard and Helms Avenue

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH FREEDOM TELECOMMUNICATIONS, INC FOR A PROPOSED FIBER OPTIC TELECOMMUNICATION CABLE INSTALLATION ON THE PUBLIC RIGHTS-OF-WAY OF NATIONAL BOULEVARD AND HELMS AVENUE; AND,

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

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

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Item C-6

(Out of Sequence)

Adoption of a Resolution (1) Amending City Council Policy Statement No. 4209 Entitled "Purchasing Cards," to Update the Guidelines and Controls for the Use of City Issued Purchasing Cards and (2) Rescinding Resolution No. 2007-R071

THAT THE CITY COUNCIL ADOPT A RESOLUTION (1) AMENDING CITY COUNCIL POLICY STATEMENT NO. 4209 ENTITLED "PURCHASING CARDS," TO UPDATE THE GUIDELINES AND CONTROLS FOR THE USE OF CITY ISSUED PURCHASING CARDS AND (2) RESCINDING RESOLUTION 2007-R071.

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Item C-7

Approval of an Agreement with Hull Brothers Roofing Company for Roof Repairs and Skylight Replacements at the Police Department, Fire Station No. 1, and Public Service Facility in an Amount Not-to-Exceed $247,379 ($224,890 for the Base Contract and $22,489 in Change Order Authority)

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH HULL BROTHERS ROOFING COMPANY IN THE AMOUNT OF $224,890.00 FOR THE ROOFING REPAIRS AT THE POLICE DEPARTMENT, FIRE STATION NO. 1 AND THE PUBLIC SERVICE FACILITY; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED $22,489.00; 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-10
(Out of Sequence)

Authorization to Release a Request for Proposal (RFP) to Outsource Audio Visual Production Services for Broadcasting

City Meetings from the Mike Balkman Council Chambers

THAT THE CITY COUNCIL: AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSAL (RFP) TO OUTSOURCE AUDIO VISUAL PRODUCTION SERVICES FOR BROADCASTING CITY MEETINGS IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-5
(Out of Sequence)

Adoption of a Resolution Approving an Encroachment Agreement with Time Warner Cable for a Proposed Fiber Optic Telecommunication Cable Installation on the Public Right-of-Way of Jefferson Boulevard, Approximately 300 Feet South of Raintree Circle

Councilmember Clarke recused himself and exited the dais.

MOVED BY COUNCILMEMBER WEISSMAN AND SECONDED BY VICE MAYOR SAHLI-WELLS THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH TIME WARNER CABLE FOR A NEW FIBER OPTIC TELECOMMUNICATION LINE ON JEFFERSON BOULEVARD, APPROXIMATELY 300 FEET SOUTH OF RAINTREE CIRCLE; 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. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Councilmember Clarke returned to Council Chambers.

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Item C-11
(Out of Sequence)

Approval of an Agreement to Purchase Replacement Enterprise

Storage System Equipment and Related Installation and Maintenance Services from Hewlett Packard (Oak Park, CA) Through the Authorized Reseller Govplace (Irvine, CA)

Vice Mayor Sahli-Wells recused herself and exited the dais.

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

1. APPROVE AN AGREEMENT TO PURCHASE EQUIPMENT AND RELATED MAINTENANCE AND INSTALLATION SERVICES TO REPLACE AN ENTERPRISE STORAGE AREA NETWORK (SAN) WITH GOVPLACE OF IRVINE, CA IN THE AMOUNT OF $149,323.31; AND,

2. AUTHORIZE THE CHIEF INFORMATION OFFICER TO APPROVE RENEWALS OF THE MAINTENANCE ON THE SAN AND RELATED SYSTEMS FOR THE VIRTUAL ENVIRONMENT DURING THE TERM OF SERVICE WITH THE CITY;

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

4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Vice Mayor Sahli-Wells returned to Council Chambers.

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Item C-3
(Out of Sequence)

(1) Approval of the Final Plans and Specifications and (2) Authorization to Publish a Notice Inviting Bids for Construction of the Linwood E. Howe Safe Routes to School Project, P-941

Carol Schwab, City Attorney, indicated that Vice Mayor Sahli-Wells wanted to recuse herself from consideration of two intersections in the item as they are close to her home and she suggested that the motion be bifurcated.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER

O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE THE FINAL PLANS AND SPECIFICATIONS FOR THE LINWOOD E.HOWE SAFE ROUTES TO SCHOOL PROJECT, P-941 WITH THE EXCEPTION OF THE INTERSECTIONS OF DUQUESNE AND LUCERNE, AND IRVING AND FARRAGUT; AND,

2. AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR CONSTRUCTION OF THE LINWOOD E. HOWE SAFE ROUTES TO SCHOOL PROJECT, P-941.

Vice Mayor Sahli-Wells recused herself and exited the dais.

MOVED BY COUNCILMEMBER WESSIMAN AND SECONDED BY COUNCILMEMBER CLARKE, THAT THE CITY COUNCIL APPROVE THE FINAL PLANS AND SPECIFICATIONS FOR THE LINWOOD E.HOWE SAFE ROUTES TO SCHOOL PROJECT, P-941 INCLUDING THE INTERSECTIONS OF DUQUESNE AND LUCERNE AND IRVING AND FARRAGUT. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Vice Mayor Sahli-Wells returned to Council Chambers.

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Item C-8
(Out of Sequence)

(1) Approval of a Professional Services Agreement with Minagar & Associates, Inc., to Perform a Citywide Speed Zone Study in Accordance with the Requirements of Section 627 of the California Vehicle Code in an Amount Not-to-Exceed $61,867 ($56,243 for the Base Contract and $5,624 in Change Order Authority); and Approval of a Related Budget Amendment

Charles Herbertson, Pubic Works Director, clarified that the City is required by law to periodically update those studies in order to continue to use radar and he explained the process.

Councilmember Clarke received clarification that there was not a role for the public to play in the process and that California law governs the method used to establish speed limits.

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

1) APPROVE A PROFESSIONAL SERVICES CONTRACT WITH MINAGAR & ASSOCIATES, INC., IN THE AMOUNT OF $56,243, TO A) PERFORM A CITYWIDE SPEED ZONE STUDY INCLUDING THE REVIEW OF EXISTING CITYWIDE SPEED LIMITS, RECOMMEND CHANGES (INCREASES OR REDUCTIONS) TO SPEED LIMITS IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 627 OF THE CALIFORNIA VEHICLE CODE, AND CONDUCT ENGINEERING AND TRAFFIC SURVEYS OF STREET SEGMENTS THROUGHOUT THE CITY, AND B) TO COLLECT THREE-DAY TRAFFIC VOLUMES BY MACHINE TUBE COUNTS AT EACH STUDY SEGMENT IDENTIFIED IN THE RFP; AND,

2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN ADDITIONAL MOUNT NOT-TO-EXCEED $5,624; AND,

3) APPROVE A BUDGET AMENDMENT APPROPRIATING $31,892 FROM FUND 417 COMMUNITY DEVELOPMENT IMPACT FEE FUND TO P-811 CITYWIDE SPEED ZONE STUDY; AND,

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

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

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Item C-9

Approval of Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for the 2013 Residential Overlay Project, P-863, P-903

Charles Herbertson, Public Works Director, explained the pavement management system to select streets noting that input is taken from the public and from maintenance operations staff.

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

1. APPROVE THE FINAL PLANS AND SPECIFICATIONS FOR THE 2011 RESIDENTIAL OVERLAY PROJECT, P-863, P-903; AND

2. AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR

CONSTRUCTION OF THE 2011 RESIDENTIAL OVERLAY PROJECT, P-863, P-903.

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Order of the Agenda

No changes were made.

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Public Hearing

Item PH-1

Adoption of a Resolution 1) Establishing and Amending Various Fees and Charges for Services Provided by the City and 2) Rescinding Prior Fee Resolution No. 2012-R035

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE AFFIDAVITS OF PUBLICATION AND POSTING OF PUBLIC NOTICES.

Nick Kimball, Senior Management Analyst, provided a summary of the material of record.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Martin Cole, Assistant City Manager/City Clerk, indicated that correspondence received on the item had been distributed to Councilmembers and was received in the motion for receipt of correspondence.

Mayor Cooper invited public comments.

There was no response.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Councilmembers regarding the OPEB liability; oil well permit fees; the new ordinance;

parkway inspection fees; rain gardens; incentives; storm water mitigation; fees for trash, organic waste, and recycling for special events; establishing a business recycling program; free bus fare for City employees; and clarification that fees for off-duty police officers are separate from the item being considered.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT A RESOLUTION:

1) ESTABLISHING AND AMENDING VARIOUS FEES AND CHARGES FOR SERVICES PROVIDED BY THE CITY; AND

2) RESCINDING PRIOR FEE RESOLUTION NO. 2012-R035.

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Joint Action Item

Item JA-1

JOINT CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY/PARKING AUTHORITY AGENDA ITEM: Presentation of the City Manager's/ Executive Director's Proposed Budget for Fiscal Year 2013/2014

John Nachbar, City Manager, introduced the item and expressed appreciation to staff for being willing to accept change and work together.

Jeff Muir, Chief Financial Officer, provided a summary presentation of the budget.

Mayor Cooper invited public comment.

There was no response.

Discussion ensued between staff and Councilmembers regarding participation of residents; adding a public component to the process; the process last year; educating the public; Measure Y; preserving the existing level of service and quality of life; limited room for major change; information available online; neighborhood association meetings; the Finance Advisory Committee; using resources widely; the level of public interest; appreciation to the Chief Financial Officer for his efforts and for the clarity of the presentation; small attendance at previous efforts at public outreach; improvements to the economy; the Executive Summary; the local economy; development issues; the attractiveness of Culver City; transportation options; and positive momentum.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE THE PROPOSED BUDGETS AND A PRESENTATION FROM STAFF

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Action Items

Item A-1

(1) Introduction of an Ordinance Amending the Culver City Municipal Code by Adding a New Chapter 11.16 Relating to Single-Use Carryout Bags and (2) Adoption of a Resolution Related to the California Environmental Quality Act (CEQA) Determination Related Thereto

Helen Kerstein, Management Analyst, provided a summary of the material of record noting small modifications to the Los Angeles ordinance proposed by staff.

Mayor Cooper explained procedures for public speaking and invited public participation.

The following members of the audience addressed the City Council:

Ed Tarvyd, Professor at Santa Monica College, asserted that plastic bags were cosmetic pollution; clarified that they were not part of the food chain of any animal group; discussed accidental ingestion by animals; noted that the bags that end up in Culver City originate in other parts of Los Angeles County via Ballona Creek; indicated that plastic bags are relatively sterile whereas reusable bags are full of bacteria; and he expressed concern with the spread of disease.

Ken Ruben presented a reusable bag and a plastic bag that he uses; he discussed using public transportation; the strength of bags; the water repellant nature of plastic bags; he asked that the City Council not rush into the ban; he wanted to see medical information about reusable bags; and he expressed opposition to the ban.

Jim Lamm, Ballona Creek Renaissance, discussed Ballona Creek; their mission; Creek clean ups; plastic bags in the Creek; other organizations that they work with; the relationship with other counties enacting bans; he encouraged people to look into medical research; he discussed Los Angeles County Health; washing reusable bags; reusing bread bags and cereal box liners; reducing maintenance costs to the City; and he expressed support for the plastic bag ban.

Sarah Sheehy, California Grocers Association, indicated that the Association was comfortable with this type of ordinance; she discussed other cities with similar regulations; the ban/charge model as an effective tool to retrain people to bring reusable bags; studies on bag safety; product bag exemptions; keeping items separated in reusable bags; concern with requiring retailers to post signs and enforcement and penalties; and she observed that Culver City and Los Angeles were on track for approval at the same time.

Discussion ensued between staff, Councilmembers and Ms. Sheehy regarding signage; posting a message on paper bags; concern with the penalties rather than the signage requirement; the written warning; and penalties to ensure compliance.

Michelle Weiner, Transition Culver City, thanked the City Council for going about the process in a cost effective way; she discussed modeling after the County; avoiding an expensive EIR process; other transitions in the City; the ban on smoking in public; bringing bags to department stores; and changing habits.

Councilmember Weissman noted that signage was provided to restaurants when the smoking ordinance was adopted.

Goran Eriksson discussed the goals of the plastic bag ban noting that the ban would not solve any of the problems; he stated that the issue was not an oil issue; he discussed old data from the Environmental Impact study; a study done by Los Angeles County one year after the ban was enacted; usage of produce bags; a study conducted in Ireland after their ban; clarification that reusable bags are not recyclable; increases to green house gases; clarification that 2% of the plastic in the ocean is from reusable bags; and concerns with e-coli.

Craig Cadwallader, Surfrider Foundation, expressed support for the ordinance; asserted that it would help the environment; discussed the restaurant exclusion from the ban; the San

Francisco ordinance; lawsuits; fast food carryout; biodegradability of the bags; urban tumbleweeds; NPDES standards; quality of life; reusable bags and health issues; and he expressed support for adopting the ordinance.

Kathryn Benz, Heal the Bay, expressed support for the ordinance; appreciated the opportunity to provide comments on the addendum to the County EIR; discussed the effectiveness of the ordinance; bag replacement assumptions; recent data released by the County; reductions to the use of paper bags; and she asked that the data be considered in the addendum before it is finalized.

Juli Schulz, Surfrider Foundation LA, reported on recently released data regarding food borne illnesses; she expressed support for the ordinance; discussed recent beach clean ups; and plastic bag consumption by dolphins and fish.

Mary McNeill, Surfrider Foundation LA, expressed support for the ordinance for environmental reasons.

Elena Sweda Neff expressed concern that the ban would not solve the problem and that reusable bags would become the new problem; she discussed biodegradable dog poop bags; she wanted a commitment to do better; she discussed education; proper use and disposal of all trash; issues with the downtown area; she challenged the City to set a new standard and consider long-term consequences; she discussed environmental benefit vs. environmental image; and the goal of being citizens of environmental sustainability.

Rich Waters reported on a volunteer group that goes out in the ocean to collect plastic trash; he noted that plastic bags break down to a gelatinous mess that affects small creatures in the food chain; and he suggested posting banners to remind people to bring their reusable bags and change their habits.

Stephen Murray expressed approval for the ban and the CGA modifications; he discussed the thoughtless use and disposal of single use plastic bags; the green image of the City; shopping close to home; and he was looking forward to an upcoming polystyrene ban.

Eleanor Osgood expressed pride in the City Council; she felt that take out and fast food restaurants should be included in the ban; and she thanked the City Council for all of their work on environmental issues.

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

James Alamillo
Jim Cragg, Green Vets LA

Discussion ensued between staff and Councilmembers regarding clarification that written comments that are turned in at the meeting are read, but those submitted via email before the meeting are kept as part of the record; a reminder that the policy is noted on the first page of the agenda; focusing on those people who take the time to come down to the City Council meeting; policies of other cities, the state of California, and other countries; studies funded by the plastic bag industry; the leadership of Los Angeles County; lawsuits; a future styrofoam ban; Typhoid Mary; the magnitude of the problem; the confusing nature of the issue; the 2% nature of the problem; sending a message; acknowledgement that the change won't solve the problem; creating awareness; practices of Sister City Kaizuka, Japan; flexibility of the bag fee; clarification that the bag fee is to cover education and costs to the store; reporting requirements; the enforcement process; restaurants; Manhattan Beach; consistency with the Los Angeles County ordinance; polyurethane; reducing the plastic bag fee after initial costs are expended; changes to addendum language; the study on whether paper bag use increased after the ban in certain areas; potential health issues; addressing concern with putting Culver City businesses at a disadvantage; the issue of plastic pollution; and taking steps in the right direction.

Councilmember Clarke inquired about the language in the proposed Ordinance which would only allow the City Council to increase the per paper bag fee(and not lower it).

{NOTE FROM THE CITY CLERK: At the City Council meeting of May 28, 2013, the City Council adopted the Ordinance with clarified language that would allow the City Council to change the per paper bag fee to a level the City Council deemed appropriate so long as the fee met the minimum level contained in the Ordinance ($0.10 per bag minimum).}

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

1. INTRODUCE AN ORDINANCE AMENDING THE CULVER CITY MUNICIPAL

CODE ADDING A NEW CHAPTER 11.16 RELATING TO SINGLE-USE CARRYOUT BAGS; AND,

2. ADOPT A RESOLUTION CERTIFYING AN ADDENDUM TO THE LOS ANGELES COUNTY FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS.

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Item A-2

Approval of a Professional Services Agreement with CTC Technology & Energy (Kensington, MD) for a Fiber Network Feasibility Study in an Amount Not-to-Exceed $71,500

Mayor Cooper invited public input.

There was no response.

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

1.APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH CTC TECHNOLOGY & ENERGY FOR A FIBER NETWORK FEASIBILITY STUDY IN THE AMOUNT OF $65,000; AND,

2. AUTHORIZE THE CITY MANAGER TO APPROVE CONTRACT CHANGE ORDERS FOR ADDITIONAL SERVICES IN AN AMOUNT NOT-TO-EXCEED TEN PERCENT (10%) OF THE CONTRACT IF DEEMED APPROPRIATE ($6,500 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF $71,500); AND,

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

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

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Item A-3

(1) Consideration of the Amount of In-Kind Assistance for and Possible City Sponsorship of IndieCade: International Festival of Independent Games; and (2) Approval of a Related License Agreement

Jeremy Green, Management Analyst, provided a summary of the material of record.

Mayor Cooper invited public input.

The following members of the audience addressed the City Council:

Seth Horowitz, The Culver Hotel, expressed support for the event.

Stephanie Barish, IndieCade, responded to inquiry regarding internet access; issues last year at Veterans Auditorium; practices in previous years; alternatives; and concern with being able to grow without internet access.

Discussion ensued between Ms. Barish, staff and Councilmembers regarding a recommendation to add wifi to Veterans Auditorium in the budget; the Fire Station issue; the ability to provide internet access at Veterans Auditorium; attempts to get a sponsorship from Time Warner; whether there are other entities that want to book Veterans Auditorium at that time; potential loss of revenue by the City; attempts to hold the awards event in Culver City rather than Santa Monica; requirements for the awards event; The Culver Studios; fee waiver requests; clarification that the entity running the festival is not a 501c3; whether the City has ever waived fees for a for-profit entity aside from IndieCade; participation by the City in previous years; concern with fee waivers for Veterans Auditorium and lost revenue; use of Council Chambers; the banner permit fee waiver request; clarification that the event is growing; concern that the event is asking for additional support; money saved if the City is able to provide wifi access; storage; the cash sponsorship in previous years; appreciation to staff for their assistance with the event; the amount of assistance and fee waivers; the wifi charge last year; agreement to match last year’s level of support; the overall budget message; wifi in the downtown area; clarification that Thursday is the business networking day for the event; the banner permit waiver fee; the additional space request; clarification that the rooms at Veterans Auditorium were approved administratively last year as there were no bookings at that time; hours of use; a request that the awards show be held in Culver City; work done by IndieCade to try to find a suitable location for the awards show; clarification that Santa Monica is “comping” the room for the awards show; monetary sponsors this year; clarification that the event is paid for through sponsorship; and the presence of

Sony last year.

Additional discussion ensued between Councilmembers and Ms. Barish regarding the use of security guards and Culver City Police last year; the refundable security deposit; the requirement for a police presence if alcohol is served; City Council discretion to require a police officer or a security guard; minimum number of hours the police officer gets paid; and liability issues.

Further discussion ensued regarding crafting a motion with City Council consensus that the City waive the costs of the rooms at Veterans Auditorium; waive the banner permit; make a good faith effort to expedite internet installation at Veterans Memorial Complex; and not waive the police officer requirement.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY VICE MAYOR SAHLI-WELLS THAT THE CITY COUNCIL:

1. DETERMINE WHAT LEVEL OF IN-KIND FINANCIAL ASSISTANCE TO PROVIDE TO CREATIVE MEDIA COLLABORATIVE, INC. RELATED TO THE 2013 INDIECADE EVENT IN AN AMOUNT OF $13,286; AND,

2. (IN THE CASE SUCH IN-KIND FINANCIAL ASSISTANCE IS DETERMINED TO BE AT LEAST $1,000), CONSIDER DESIGNATING THE 2013 INDIECADE EVENT AS A CITY SPONSORED EVENT; AND,

3. APPROVE A LICENSE AGREEMENT BETWEEN THE CITY AND CREATIVE MEDIA COLLABORATIVE, INC. FOR THE USE OF CITY PUBLIC RIGHTS-OF-WAY, PROPERTY, AND EQUIPMENT AS PART OF THE 2013 INDIECADE EVENT; AND,

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

5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, O'LEARY, SAHLI-WELLS
NOES: WEISSMAN

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Item A-4

Consideration of City Sponsorship for the First Annual TEDx

Event in Culver City

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

Mayor Cooper invited public participation.

The following member of the audience addressed the City Council:

Seth Horowitz, The Culver Hotel, expressed support for the item.

Discussion between staff and Councilmembers ensued regarding whether all of the dates are used; impacts to other events at the Theatre; and the additional 100 parking spaces at City Hall.

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

1. APPROVE (A) A WAIVER OF PARKING SPACE RENTAL FEES FOR EVENT PARKING AT CITY HALL IN AN AMOUNT OF AT LEAST $1,000 (GIVEN A $6/SPACE/DAY RATE PREVIOUSLY APPLIED FOR A SIMILAR RENTAL), AND/OR (B) VALUE THE COMMUNITY ACCESS DAY AT THE “NORMAL” RENTAL RATE OF KIRK DOUGLAS THEATER ($2,000) AS THE CITY'S IN-KIND CONTRIBUTION TO THE EVENT; AND,

2. DESIGNATE THE TEDX CULVER CITY EVENT A CITY SPONSORED EVENT AND THUS ALLOWING THE ORGANIZATION TO BE ELIGIBLE TO UTILIZE THE KIRK DOUGLAS THEATRE ON A COMMUNITY ACCESS DAY AS PROVIDED IN THE DEVELOPMENT AND DISPOSITION AGREEMENT BETWEEN THE CITY AND THE CENTER THEATRE GROUP; 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-5

(1) Adoption of Resolutions and/or Motions Appointing City Council Members/Staff Members to various Outside Agency Boards, City Council Subcommittees and Other Related Bodies; and (2) Discussion and Potential Approval of a New Purpose and Scope for the Ad-Hoc Sustainability Subcommittee

A discussion ensued between staff and the City Council regarding legal requirements and alternates.

At this time the following motions were made:

Item 1

Adopt Resolution No. 2013-R028

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2013-R028 APPOINTING A MEMBER AND AN ALTERNATE MEMBER TO THE LOS ANGELES COUNTY CITY SELECTION COMMITTEE AND RESCINDING RESOLUTION 2012-R028.

[Mayor Cooper was appointed Member and Councilmember O'Leary was appointed Alternate Member.]

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Item 2

Adopt Resolution No. 2013-R033

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2013-R033 APPOINTING A MEMBER AND AN ALTENATE MEMBER TO THE LOS ANGELES COUNTY DIVISON OF THE LEAGUE OF CALIFORNIA CITIES AND RESCINDING RESOLUTION 2012-R033.

[Mayor Cooper was appointed Member and Councilmember O'Leary was appointed Alternate Member.]

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Item 3

Adopt Resolution No. 2013-R031

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2013-R031 APPOINTING A MEMBER AND AN ALTENATE MEMBER TO THE LOS ANGELES COUNTY SANITATION DISTRICT NO. 5 AND RESCINDING RESOLUTION 2012-R031.

[Mayor Cooper was appointed Member and Vice Mayor Sahli-Wells was appointed Alternate Member.]

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Item 4

Adopt Resolution 2013-R032

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2013-R032 APPOINTING A MEMBER AND AN ALTENATE MEMBER TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AND RESCINDING RESOLUTION 2012-R032.

[Mayor Cooper was appointed Member and Councilmember O'Leary was appointed Alternate Member.]

Vice Mayor Sahli-Wells expressed interest in attending the meetings as a non-voting member.

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Item 5

Appointment to the Oversight Board to the Successor Agency of the Redevelopment Agency

No action was taken on this item. The prior appointments of Councilmember Weissman and Mr. Kimball remain in full force and effect.

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Item 6

Disaster Management "Area A" Executive Board (New for 2013)

The City Council appointed John Nachbar, City Manager, to serve on the Disaster Management "Area A" Executive Board.

Councilmember Clarke received clarification that other committee appointments would be heard at a later time.

Discussion ensued between staff and Councilmembers regarding the purpose and scope of the ad hoc Sustainability Subcommittee; the sustainability plan for Culver City; the many different issues handled over the year; a suggestion to make the Sustainability ad hoc subcommittee into a standing subcommittee of the City Council; the broader scope; recent direction from the City Council; and membership.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE A NEW SCOPE/PURPOSE AND DETERMINE THAT THE SUSTAINABILITY SUBCOMMITTEE BE A STANDING SUBCOMMITTEE OF THE CITY COUNCIL.

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Public Comment – Items Not on the Agenda

Mayor Cooper invited public comment.

None.

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Items from the City Council

Items from Vice Mayor Sahli-Wells

- Reported that the Sustainability Subcommittee recommended that the City Council consider the multi-family housing smoking issue and she asked that staff look at the policies of other cites

Carol Schwab, City Attorney, indicated that the item would be coming forward toward the end of July.

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Adjournment

There being no further business, at 12:19 a.m. on Tuesday, May 14, 2013, the City Council adjourned its meeting in memory of Herman Sandoval and Carol Weiner, to a meeting on Tuesday, May 28, 2013 at 7:00 p.m.

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May 13, 2013

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

JEFFREY COOPER
MAYOR of the City of Culver City, California

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

May 28, 2013
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 5:31 p.m., the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Legal Counsel – Existing Litigation

Re: Jeffrey Eastman v City of Culver City

Case No. WCAB ADJ7904064, 7904066
Pursuant to Government Code Section 54956.9(d)(1)

CS-2 Conference with Real Property Negotiators

Re: Various Underground Pipelines Throughout the City

City Negotiators: John Nachbar, City Manager;
Martin R. Cole, Assistant City Manager

Other Parties Negotiators: Chevron, Conoco-Phillips, Exxon/Mobil, Plains Exploration and Production Company, Shell

Under Negotiation: Both Terms and Price
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

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Reconvene

Mayor Cooper reconvened the City Council meeting at 7:09 p.m. with all Councilmembers present.

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Report on Action Taken in Closed Session

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

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Invocation/Pledge of Allegiance

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

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Presentations

Item P-1

Presentation to the City Council from the Culver City Chamber of Commerce

A representative from the Chamber of Commerce announced that June was Small Business month; encouraged everyone to support local business in Culver City; and presented a gavel to the Mayor to express the appreciation of the Chamber of Commerce to the City.

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Item P-2

Presentation of Certificates of Recognition to the Participants in the 2013 Homeless Count

John Wahlert, Culver City Homelessness Committee, provided background on the Homelessness Count.

Christopher Patrick King, Culver City Homelessness Committee, noted the difficulty of conducting the count without the support of the eliminated redevelopment agency; he expressed appreciation to staff, Councilmembers, local businesses and community members for their help; and he provided a brief recap of the count noting that a more extensive presentation would be made in the future.

Councilmembers presented certificates of recognition to participating businesses and to volunteer enumerators.

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Community Announcements By City Council Members/Information Items From Staff

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF THOSE CULVER CITY RESIDENTS WHO SERVED IN THE ARMED SERVICES AND GAVE THEIR LIVES IN PROTECTION OF OUR COUNTRY.

Vice Mayor Sahli-Wells announced dates for the Summer Concert series in front of City Hall on Thursday evenings from July 11 through August 15, noting that donations were welcome for those who wanted to contribute to help keep the arts alive in Culver City, and she reported on Bike to Work Week, May 13-19 noting the success of the joint effort between the Culver City Bicycle Coalition, the City of Culver City, the L.A. County Coalition and Metro.

Mayor Cooper announced the Train for Autism Kids Run on June 16 benefitting Train for Autism and the Culver City Education Foundation, and he indicated that additional information was available at culvercityrun.org.

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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:

Mark Olsen, Southern California Edison, discussed enhanced communication during emergencies and disasters; the infrastructure replacement program; the summer energy supply; and he reminded everyone that there are various stages in the event of a power shortage, noting that more information is available at sce.com.

Matthew Hetz, Culver City Symphony Orchestra, announced their next concert on June 8 at Veterans Auditorium; discussed musical genres, scales, and rhythms; and he thanked the City of Culver City and Sony for their support of the concert.

Deborah Wallace thanked the City Council for their support of the Homelessness Committee and all of their efforts.

Steven Rose, Culver City Chamber of Commerce, announced events for Small Business month including a social media event on June 6 at Veterans Auditorium, with 1,000 meals purchased from local small businesses to feed attendees; the Annual Business Expo at Vets on June 26; and he thanked Todd Tipton for his support.

Todd Tipton, Economic Development Administrator, discussed business outreach done by the City; East Washington and the creation of a formal Arts District; businesses on Sepulveda; improvements to the Sepulveda streetscape; and the City Manager's bi-weekly update.

Dr. Suzanne DeBenedittis asked for continued support of State Assembly Member Holly Mitchell; she discussed the fracking hearing last December; current work on the fracking moratorium bill on the floor of the Assembly; and she thanked the City for the June 6 meeting to update citizens on the upcoming oil field ordinance.

Councilmember O'Leary reported that on May 13 the City had been petitioned by Scouts for Equality to go along with a document created in the City of West Hollywood; he indicated that he had not been able to read the document; the City Council voted in favor of a letter that would encompass the brief comments made by the speaker; he noted that when the letter was written and sent to Councilmembers it contained language that caused him concern; he asserted that any group defined by their sexual activity did not belong near children; he related the Catholic Church's embrace of the gay and lesbian community; and he made a formal complaint.

Mayor Cooper reported that the letter had been signed by the Mayor only, and that he supported the involvement of good people with the Scouts regardless of their sexual orientation or identity.

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Joint Consent Calendar

Item JC-1
(Out of Sequence)

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

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR MAY 4, 2013 – MAY 17, 2013.

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Consent Calendar

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-4, C-7, AND C-8.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APROVE MINUTES FOR THE REGULAR MEETINGS OF APRIL 8, 2013 AND APRIL 22, 2013.

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Item C-2

FOUR-FIFTHS VOTE REQUIREMENT – (1) Approval to Purchase and Install Replacement Parts for the Emergency_Notification System and the Sewer Flow Monitoring System (ENS/SFMS); (2) Approval of an Amendment to Utility Systems, Science and Software Incorporated (US3)'s Existing Professional Services Agreement; and (3) Approval of a Budget Amendment Related Thereto

THAT THE CITY COUNCIL:

1. APPROVE THE PURCHASE OF PARTS AND SERVICES FOR THE ENS/SFMS, FOR A NOT-TO-EXCEED AMOUNT OF $347,934;

2. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH UTILITY SYSTEMS, SCIENCE, AND SOFTWARE, INC., FOR A NOT-TO-EXCEED AMOUNT OF $120,296;

3. APPROVE A BUDGET AMENDMENT APPROPRIATING $468,230 FROM THE SEWER ENTERPRISE FUND RESERVE TO SEWER OPERATING ACCOUNT;

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

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

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Item C-3

Adoption of a Resolution (1) Approving the Engineer's Report, (2) Declaring the Intention to Order the Levy of Annual Assessments for Fiscal Year 2013/2014, and (3) Setting the Date, Time, and Place for the Public Hearing to be Monday, June 24, 2013 at 7:00 P.M. in the City Council Chambers for the Albright Avenue Street Lighting Assessment District

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE ALBRIGHT AVENUE STREET LIGHTING ASSESSMENT DISTRICT – FISCAL YEAR 2013/2014, AND (3) SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING FOR JUNE 24, 2013, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-4

Adoption of a Resolution (1) Approving the Engineer's Report, (2) Declaring the Intention to Order the Levy of Annual Assessments for Fiscal Year 2013/2014, and (3) Setting the Date, Time, and Place for the Public Hearing to be Monday, June 24, 2013 at 7:00 P.M. in the City Council Chambers for the Higuera Street Landscaping and Lighting Maintenance District

THAT THE CITY COUNCIL ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE HIGUERA STREET LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT - FISCAL YEAR 2013/2014, AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING ON JUNE 24, 2013, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-7
(Out of Sequence)

Adoption of a Resolution (1) Approving the Engineer's Report, (2) Declaring the City Council's Intention to Order the Levy of Annual Assessments for Fiscal Year 2013/2014, and (3) Setting the Date, Time, and Place for a Public Hearing to be Monday, June 24, 2013 at 7:00 P.M. in the Mike Balkman Council Chambers for the West Washington Boulevard Benefit Assessment District No. 1

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE WEST WASHINGTON BOULEVARD ASSESSMENT DISTRICT NO. 1, AND (3) SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING ON JUNE 24, 2013 AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-8

Adoption of a Resolution (1) Approving the Engineer's Report,

(2) Declaring the City Council's Intention to Order the Levy of Annual Assessments for Fiscal Year 2013/2014, and (3) Setting the Date, Time, and Place for the Public Hearing to be June 24, 2013 at 7:00 P.M. in the Mike Balkman Council Chambers for the West Washington Boulevard Benefit Assessment District No. 2

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE WEST WASHINGTON BOULEVARD ASSESSMENT DISTRICT NO. 2 FOR FISCAL YEAR 2013/2014, AND (3) SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING ON JUNE 24, 2013 AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item C-5
(Out of Sequence)

Adoption of a Resolution (1) Approving the Engineer's Report, (2) Declaring the Intention to Order the Levy of Annual Assessments for Fiscal Year 2013/2014, and (3) Setting the Date, Time, and Place for the Public Hearing to be Monday, June 24, 2013 at 7:00 P.M. in the City Council Chambers for the Landscape Maintenance District Number 1

Mayor Cooper recused himself and exited Council Chambers. Vice Mayor Sahli-Wells assumed the Chair.

MOVED BY COUNCILMEMBER WEISSMAN AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICT NUMBER 1- FISCAL YEAR 2013/2014, AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING FOR JUNE 24, 2013, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Mayor Cooper returned to Council Chambers. Mayor Cooper resumed the Chair.

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Item C-6

Adoption of a Resolution Authorizing the Initiation of Impasse Appeal Proceedings with the Los Angeles County Airport Land Use Commission Relating to the City of Los Angeles' and Los Angeles World Airports' Approval of the Los Angeles International Airport Specific Plan Amendment Study Project and Certification of the Related Final Environmental Impact Report

Councilmember Clarke recused himself and exited the dais.

MOVED BY VICE MAYOR SAHLI-WELLS AND SECONDED BY COUNCILMEMBER WEISSMAN THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING THE INITIATION OF IMPASSE APPEAL PROCEEDINGS WITH ALUC RELATING TO THE CITY OF LA'S AND LAWA'S APPROVAL OF THE SPAS PROJECT AND CERTIFICATION OF THE RELATED FEIR. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Councilmember Clarke returned to Council Chambers.

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Item C-9
(Out of Sequence)

Adoption of an Ordinance Adding a New Chapter 11.16, Plastic Carryout Bag Regulations, to the Culver City Municipal Code

Martin Cole, Assistant City Manager/City Clerk, read into the record clarifying language added to section 11.16.020b regarding the per bag fee.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT AN ORDINANCE ADDING A NEW CHAPTER 11.16, PLASTIC CARRYOUT BAG REGULATIONS, TO THE CULVER CITY MUNICIPAL CODE WITH AMENDED LANGUAGE IN SECTION 11.16.020b.

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Receipt of Correspondence

Martin Cole, Assistant City Manager/City Clerk, received clarification from the Mayor that correspondence had been unanimously received and filed.

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Order of the Agenda

No changes were made.

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Action Items

Item A-1

(1) Introduction of an Ordinance Amending Chapter 9.08, Streets and Sidewalks, and Chapter 9.10, Parks, Public Buildings, and Property, of the Culver City Municipal Code, by Repealing and Replacing Section 9.08.005, Amending Section 9.08.010, Adding a New Subchapter 9.08.200 et seq., and Repealing and Reserving Sections 9.10.025 Through 9.10.040, Relating to Parkway Planting Standards and Tree Removal Regulations; and (2) Adoption of a Resolution Establishing Residential Parkway Standards

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

Discussion ensued between Councilmembers and staff regarding whether the ordinance could be split to have one ordinance dealing with tree removal standards and a second ordinance dealing with parkway plantings; public input received on the item; scheduling; splitting the vote; and procedures for moving forward.

Mayor Cooper invited public participation.

The following members of the audience addressed the City Council:

Carlene Brown, Transition Culver City, expressed support for drought resistant plantings; appreciation to the City for the proposed changes; she discussed the value of benches in public spaces; promoting place making and community building; fruit trees in public places; and she cited a TED Talk from February 2013 in Long Beach.

Linda Messner discussed issues created by ficus trees; the parkway issue; the Higuera Street assessment; affects of the roots on plumbing; and consideration of the tree and parkway issues together.

Stephen Murray supported the efforts to clarify and improve tree removal and he suggested including nuisance costs, medical costs, and future costs that may arise as a result of the trees; he discussed residential parkway standards and non-compliant parkways; he asked that the public hearing be extended regarding the parkway issue; suggested that the Planning Commission might hear the issue; discussed public notification; expressed concern about proposed parkway regulations; discussed parking; and he asked that the public have time to review the standards.

Ginny Blades, Transition Culver City, expressed support for splitting up the issues; helping the community to be more resilient; suggested putting residential parkway strips to good use; discussed public input; brain power; policies of other cities; creating an ordinance that addresses the needs of the environment, budget, populace and the aesthetic; she suggested that the ad hoc committee format could be helpful; she expressed appreciation to staff for their hard work; discussed the lists of plants with pictures; the invasive list; preexisting and non-compliant parkways; and penalties.

Michelle Weiner, Transition Culver City, distributed copies of her presentation to Councilmembers; discussed public space; sustainability as a community; creating a place making parkway; creative change making; the prohibition of vegetables on the parkway; and height issues.

Rich Waters discussed his 20 years experience with Tree People; CO2 counts; global warming; mitigating effects; the importance of planting trees; palm trees; he noted that disease spreading to other areas was not listed; he discussed what trees give back to the environment; wording used that could influence; and he requested a public hearing.

Rick Tuttle expressed support for splitting the item and allowing for public input.

Rebecca Rona Tuttle was pleased that the City had taken an interest in drought tolerant plants; she discussed the uniformity of housing in Irvine; rules and regulations; freedom of expression through aesthetics; permitting fees; she questioned the greater goal: raising revenue vs. water conservation; she expressed concern with creating a disincentive; she discussed native plants; opportunities to express opinions; creating an incentive; she asked that the City be opened minded; and she agreed with the need to build community.

Mara Bushansky discussed her efforts at xeriscaping in her parkway; expressed concern with only being able to choose plants that conform to City standards; concern with the rush to pass the item; and she noted the importance of input from residents.

Suzanne DeBennedittis commended staff for the intention of the ordinance; discussed Los Angeles County efforts to tax for storm water run off; parkway rain gardens; the importance of public input; workshops for best practices regarding sustainable parkways; whether state bond money could sponsor the workshops; sustainable parkways; reducing vandalism and crime; and she asked that the City have workshops involving citizens and experts with sufficient notice to welcome community input.

Eleanor Osgood expressed support for comments of previous speakers; she wanted to see stronger respect placed into the code about trees with builders working their designs around trees rather than just taking them out; she expressed concern with losing trees in the neighborhood; and she discussed regulations for tree removal on private property.

Kathryn Giordani discussed Chinese Elms; a tree across the street from her house; and public notification for tree removal.

Jeff Lince discussed the ficus tree in his front yard; root issues; other choices besides keeping or getting rid of the tree; and installing root barriers.

William Yates discussed freedom of speech through park strips; expressed concern with highly regulating the parkways and permit fees; and he expressed support for sustainability and for freedom of expression.

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

Jennifer Huang

Discussion ensued between Councilmembers regarding appreciation for the work of the Mayor and staff on the issue; due diligence; legal ramifications of what is done in the parkways; providing a fair representation of committee meetings; appreciation to the community for coming out to express themselves; splitting the item; parkway standards; the tree master plan; the goal of maintaining tree lined streets in the City; disease in ficus trees; tree removal; criteria; allaying concerns regarding tree removal; the previous City Council practice of public workshops on the fifth Monday of the month; involving Ed Little in the process; the goal of water conservation; replacing trees two for one in the parkway; determinations by the Public Works Director; addressing sustainability, accessibility and health; City obligations to the entire community; and liability issues.

Councilmember Clarke moved to divide the tree removal ordinance from the parkway standards ordinance and table further discussion of the tree removal ordinance to the June 10 meeting, and the parkway standards ordinance until such time as a public workshop can be held. Vice Chair Sahli-Wells seconded the motion.

Additional discussion ensued between Councilmembers and staff regarding meandering sidewalks and efforts of staff to bring the item back as soon as possible.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIVIDE THE TREE REMOVAL ORDINANCE FROM THE PARKWAY STANDARDS ORDINANCE WITH FURTHER DISCUSSION OF THE TREE REMOVAL ORDINANCE TABLED TO THE JUNE 10 MEETING OR AS SOON AS THE ITEM CAN BE BROUGHT BACK FOR CONSIDERATION, AND THE PARKWAY STANDARDS ORDINANCE TABLED UNTIL SUCH TIME AS A PUBLIC WORKSHOP CAN BE HELD.

Charles Herberston, Public Works Director/City Engineer, discussed the aim of preserving urban forests; Chinese Elms; trees that occasionally present serious problems; allowing those the most affected by the tree the greatest say over what is to be done; the ability to appeal; adjacent residents; and public safety.

Vice Mayor Sahli-Wells reported that the Sustainability Subcommittee is now a Standing Subcommittee and meetings of the Subcommittee are open to the public.

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Item A-2

Appointments and/or Reappointments to the Planning Commission, Parks, Recreation and Community Services Commission, Civil Service Commission, Cultural Affairs Commission, Landlord-Tenant Mediation Board and the West LA Vector Control Board

A discussion ensued between Councilmembers regarding the process to fill full-term seats vs. partial term seats; and an announcement that Mr. Moser had withdrawn his application.

Mayor Cooper invited public input.

The following members of the audience addressed the City Council with regard to appointment to the Planning Commission:

Peter Capone-Newton
Grady Lee
Dana Sayles
David Steinitz
Dane Twichell
David VonCannon
Scott Wyant

After discussion, the City Council tentatively: reappointed Scott Wyant, appointed David VonCannon to a full term position and appointed Dana Sayles for a one-year term of the Planning Commission.

The following members of the audience addressed the City Council regarding appointments to the Parks, Recreation and Community Services Commission:

Laura Stuart
Scott Shipley
Scott Zeidman

After discussion, the City Council tentatively: reappointed Laura Stuart and Marianne Greene to the Parks, Recreation and Community Services Commission.

The following members of the audience addressed the City Council regarding appointments to the Civil Service Commission:

Daryl Cherness

After discussion, the City Council tentatively: appointed Daryl

Cherness to the Civil Service Commission.

The following members of the audience addressed the City Council regarding appointments to the Cultural Affairs Commission:

John B. Williams
Susan D. Anderson
Elena Sweda Neff

After discussion, the City Council tentatively: reappointed John B. Williams and appointed Susan D. Anderson to the Cultural Affairs Commission.

The following members of the audience addressed the City Council regarding Tenant Representative and Tenant Alternate appointments to the Landlord Tenant Mediation Board:

Shireen Daytona
Taria Lewis

After discussion, the City Council tentatively: appointed Taria Lewis as Tenant Representative to the Landlord Tenant Mediation Board and Shireen Daytona as Tenant Alternate.

The following members of the audience addressed the City Council regarding Landlord Representative appointments to the Landlord Tenant Mediation Board:

Linda Shahinian
Justin LesCouie

After discussion, the City Council tentatively: appointed Linda Shahinian and Justin LesCouie as Landlord Representatives on the Landlord Tenant Mediation Board.

After discussion, The City Council tentatively: appointed Olga Vaysberg to serve as Landlord Alternate on the Landlord Tenant Mediation Board and Michael Berlin to serve as Member at Large.

After discussion, the City Council tentatively: appointed Elena Sweda Neff to the LA County West Vector Control Board.

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

1. APPOINT/REAPPOINT SCOTT WYANT TO FILL OFFICE NO. 3 AND DAVID VONCANNON TO FILL OFFICE NO. 2 OF THE PLANNING COMMISSION FOR A

FOUR YEAR TERM EXPIRING JUNE 30, 2017; AND

2. APPOINT DANA SAYLES TO FILL OFFICE NO. 5 OF THE PLANNING COMMISSION FOR A PARTIAL TERM OF ONE YEAR, EXPIRING ON JUNE 30, 2014; AND

3. REAPPOINT LAURA STUART TO FILL OFFICE NO. 4 AND MARIANNE GREENE TO FILL OFFICE NO. 5 OF THE PARKS, RECREATION, AND COMMUNITY SERVICES COMMISSION FOR FOUR YEAR TERMS EXPIRING JUNE 30, 2017; AND

4. APPOINT DARYL CHERNESS TO FILL OFFICE NO. 2 OF THE CIVIL SERVICE COMMISSION FOR A FOUR YEAR TERM EXPIRING JUNE 30, 2017; AND

5. REAPPOINT JOHN B. WILLIAMS TO FILL OFFICE NO. 2 AND APPOINT SUSAN D. ANDERSON TO FILL OFFICE NO. 1 OF THE CULTURAL AFFAIRS COMMISSION FOR FOUR YEAR TERMS EXPIRING JUNE 30, 2017; AND

6. APPOINT TARIA LEWIS TO FILL THE TENANT REPRESENTATIVE AND SHIREEN DAYTONA TO FILL THE TENANT ALTERNATIVE OFFICES, EACH TO SERVE A TERM OF THREE YEARS EXPIRING JUNE 30, 2016; AND

7. APPOINT LINDA SHAHINIAN AND JUSTIN LESCOULIE TO FILL THE TWO LANDLORD REPRESENTATIVE OFFICES AND OLGA VAYSBERG TO FILL THE LANDLORD ALTERNATE OFFICE, ALL TO SERVE A TERM OF THREE YEARS, EXPIRING JUNE 30, 2016; AND

8. APPOINT MICHAEL BERLIN TO FILL THE MEMBER-AT-LARGE REPRESENTATIVE OFFICE ON THE LANDLORD-TENANT MEDIATION BOARD TO SERVE A TERM OF THREE YEARS, EXPIRING JUNE 30, 2016; AND

9. APPOINT ELENA SWEDA NEFF TO FILL THE LA COUNTY WEST VECTOR CONTROL DISTRICT BOARD OFFICE.

Martin Cole, Assistant City Manager/City Clerk, indicated that staff kept all applications and would notify any applicants who were not appointed if a vacancy arose.

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Item A-3

Approval of a New 5-Year Memorandum of Understanding with the Culver City Sister City Committee, Inc. to Perform CCSCC Services, Consistent with the Goals of the City

Shelley Wolfberg, City Manager's Office, provided a summary of the material of record.

Mayor Cooper invited public input.

The following members of the audience addressed the City Council:

Barbara Honig, Culver City Sister City Committee, thanked the City for their support; reported that the organization is all volunteer; discussed work to promote Culver City; developing relationships with the four sister cities; and expanding the student the exchange program.

Alan Schreibman, Treasurer Culver City Sister City Committee, discussed the cost of living adjustment; the budget process; mid-year budget adjustments; coming in under-budget; the timing of payments; estimating expenses; expanding and strengthening Sister City relationships; adding an automatic COLA adjustment to the MOU; and unanticipated expenses.

Discussion ensued between staff and Councilmembers regarding City Council support for Sister Cities; concern with the request for the COLA adjustment; the annual allocation; clarification that the line item for Sister City is contained in the annual budget; the involvement of the City with Sister City; community involvement; weaning off of the City contribution; fundraising; involving the School District; engaging the community; placing a dollar value on goodwill; cooperation between the cities; and providing a significant international marketing tool.

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT RECOMMENDATIONS 2 THROUGH 5 IN THE STAFF REPORT AND:

1. APPROVE A NEW 5-YEAR MOU BETWEEN THE CCSCC, INC. AND THE CITY OF CULVER CITY; 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 A-4

Consideration of Providing Additional Financial Assistance Related to Valet Parking Permit Fees for Taste of the Nation 2013

Jeremy Greene, Management Analyst, provided a summary of the material of record.

Mayor Cooper invited public input.

There was no response.

Discussion ensued between Councilmembers regarding concern with the piecemeal way things come before the City Council for sponsorships, and encouragement to staff to create a way to deal with all sponsorships as one item and not continue to take time at each meeting to consider additional or different fee requests.

MOVED BY COUNCILMEMBER CLARKE AND SECONDED BY VICE MAYOR SAHLI-WELLS THAT THE CITY COUNCIL: APPROVE THE WAIVER OF $318.24 FOR VALET PARKING. THE MOTION FAILED BY THE FOLLOWING VOTE.

AYES: CLARKE, SAHLI-WELLS

NOES: COOPER, O'LEARY, WEISSMAN

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Item A-5

Adoption of the Resolution (1) Approving the Engineer's Report that Includes Proposed Rates for Approval by the District Members for Fiscal Year 2013/2014; 2014/2015; and 2015/2016; (2) Declaring the Intention to Order the Sewer User's Service Charge for Fiscal Year 2013/2014; and (3) Setting the Date, Time, and Place for the Public Hearing to be Monday, July 22, 2013 at 7:00 P.M. in the City Council Chambers

Discussion ensued between staff and Councilmembers regarding the base charge and the commodity rate; the difference between what single family and multi-family pays; public notice; sample comparisons; average charges vs. proposed charges; a staff proposed change to the resolution in Part 4 to direct the property owner to see the exact formula proposed for 2013-2014;

clarification regarding tables in the Engineer's Report; the comparison of the base charge change; differences in rate calculation; making the table more clear for public notification; the sample public notification; adding a description of the base and commodity charges to the notes; and making it more easily understandable for the public.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT, (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE SEWER USER'S SERVICE CHARGE - FISCAL YEAR 2013/2014, AND (3) SETTING THE TIME, DATE, AND PLACE FOR A PUBLIC HEARING FOR JULY 22, 2013, AT 7:00 P.M. IN THE MIKE BALKMAN COUNCIL CHAMBERS.

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Item A-6

Discussion Regarding Potential Deobligation of Metro Funds for the Downtown Real Time Motorist Information System Project and Direction to the City Manager Related Thereto

Mate Gaspar, Engineering Services Manager, provided a brief presentation on the item.

Discussion ensued between staff and Councilmembers regarding the use of Measure R funds; impacts of not having funds available; maintenance of the signs; if the parking structures are seized by the state; the ability to deobligate; the extension; committing to another source of funds other than the RDA funds as matching funds; parking funds; the General Fund; the Parking Authority; and parking meter revenue.

Mayor Cooper invited public input.

The following member of the audience addressed the City Council:

Cary Anderson discussed losses due to not extending parking meter hours; expiration of the hold on extending parking hours; signage repair; the Ince Parking structure; he distributed pictures from 2013 Car Show showing that the Ince parking structure was not full; discussed a study showing that the Ince parking structure is never more than 43% full; the parking imbalance in Culver City; the fourth level of the parking structure; and he reported directing people to the Ince parking structure during the Car Show.

Discussion ensued between staff and Councilmembers regarding the long-range plan; getting onto the ROPS; private funding; committing to another source of funding to get the extension; having a backup source of funding; concern with committing Measure R funds to the project since they are for transit; concern with the uncertain future of the parking structures; ongoing financial obligations to maintain the structures; the likelihood of MTA continuing the project without a defined source for the local match; the Technical Advisory Committee; the determination by the DOF as to whether it is an approved ROPS obligation; clarification that they are not committed if the parking structures are taken back by the state; the Metro Call to Projects list; CMAC funds; the time limit on the funds; readiness to begin obligating the funding on the project; if it becomes an enforceable obligation; Successor Agency tax increment; timing of the issue; the Long Range Property Management Plan; the process; the ability to approve the project in the future; keeping as many options available as possible; whether the gas tax would be eligible; clarification that when construction moves forward with the Transit Oriented development the Ince parking structure will be a key component of parking for the train; City Council indication of willingness to back up the funds; clarification that work would not begin until the local match was located; staff recommendation not to go forward with bidding until the parking structures have been confirmed to be City property; RDA or Measure R funds for construction; concern with endangering future grants; initial support for the project; the signage on Jackson and Culver; the signage in front of the parking lots; guiding cars to the lots during the Car Show; aesthetics of the City; use of sensors; calculating the Expo lot; clarification that once the construction money has been obligated the extension will be allowed; Washington/National; money committed for signs; and a potential reduction in the grant if there is a reduction in the scope.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DIRECT STAFF TO APPEAL THE DEOBLIGATION OF PROJECT GRANT FUNDS (IF NECESSARY), REQUEST A TWO YEAR EXTENSION FOR COMPLETION OF THE PROJECT TO JUNE 30, 2015, AND COMMIT MEASURE R FUNDS TO THE PROJECT.

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Item A-7

Discussion of Review of and Potential Amendments to the City Charter, the Process for Initiating Charter Review/Amendments, and (If Desired) Related Direction to the City Manager

Mayor Cooper invited public participation.

There were no speakers or cards.

Discussion ensued between staff and Councilmembers regarding City Council elections, terms and the jurisdiction of the City Manager with regard to the Police Chief, Fire Chief and City Attorney; the required Charter Amendment Review; Article 10; the School Board; jurisdiction; City Council ability to hire and fire; City Manager control and influence over a department; the previous charter review; oversight and supervisorial responsibilities for all departments; the candidate pool; civil service protection; timing of the action; giving staff an idea of the issues the City Council wants to examine in January; potential candidates; term limits; and combining elections.

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Public Comment – Items Not on the Agenda

Mayor Cooper invited public comment.

There was no response.

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Items from the City Council

None.

Martin Cole, Assistant City Manager/City Clerk, indicated that the next City Council meeting would be a Special Meeting on Monday, June 3 at 5:00 p.m. to begin consideration of the budget with an Adjourned Special meeting to follow on June 4 at 5:00 p.m. to continue budget discussions.

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Adjournment

There being no further business, at 11:26 p.m., the City Council adjourned its meeting in memory of those Culver City residents who gave their lives in service to our country in the armed forces, to a Special Meeting on Monday, June 3, 2013 at 5:00 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, California

JEFFREY COOPER
MAYOR of the City of Culver City, California