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UNTIL APPROVED BY THE
CITY COUNCIL

REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

December 10, 2012
6:30 p.m.

Call to Order & Roll Call

Mayor Weissman called the meeting of the City Council to order at 6:30 p.m.

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

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Closed Session

At 6:30 p.m., the City Council recessed to Closed Session to discuss the following items:

CS-1 Conference with Legal Counsel - Anticipated Litigation
Re: Initiation of Litigation - 1 Matter
Pursuant to Government Code Section 54956.9(c)

CS-2 Conference with Legal Counsel - Anticipated Litigation
Re: Significant Exposure to Litigation - (1 item)
Pursuant to Government Code Section 54956.9(b) (1)

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Reconvene

The City Council reconvened its meeting at 7:15 p.m. with all Councilmembers present.

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Report on Action Taken in Closed Session

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

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Invocation/Pledge of Allegiance

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

MOVED BY COUNCILMEMBER CLARKE, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF MATTHEW WINDBRANDT, BARBARA PERKINS, AND EVELYN ACKERMAN.

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Presentations

Item P-2
(Out of Sequence)

Presentation of a Commendation to the Culver City Sister City Committee in Honor of its 50th Anniversary

Councilmember Sahli-Wells presented the commendation.

A representative of the Sister City Committee thanked the City for the honor and announced the 50th anniversary celebration on January 12, 2013.

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Item P-1

A Commendation to Mr. Ernst Mulder for his Dedicated Service to the Transportation Department and City of Culver City

Councilmember Clarke presented the commendation.

Ernie Mulder thanked the City for the honor.

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**Community Announcements by City Council Members/Information
Items from Staff**

Mayor Weissman announced a meeting on December 14 at the Veterans Memorial Auditorium to allow the public to present information regarding hydraulic fracturing in the oil well drilling process.

Councilmember Sahli-Wells reported attending the Tour de Taste on December 2 and she displayed the award from the Los Angeles Bicycle Coalition to thank Culver City for their support of the event.

Councilmember O'Leary announced the 2013 Free Income Tax Preparation and Family Services Initiative on Tuesday nights from January 29 - April 9 at the Culver City district office of the State Board of Equalization; he discussed the former homeless shelter and asked that staff ensure that notices are posted on the location of the old shelter to let people know how to get to the nearest shelter; and he asked for volunteers to help with the West Los Angeles South Bay Homeless Count on January 30.

Councilmember Sahli-Wells announced that applications were being accepted until January 17 to serve on the Finance Advisory committee.

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

The following members of the audience addressed the City Council:

Tim Bomba, Culver City 10K/5K Race, discussed previous races held in the City; their involvement with the Culver City Education Foundation and Train for Autism; benefits to the City; the planned race on June 16, 2013; and he asked that a discussion of fee waivers be agendaized.

Mayor Weissman asked that Mr. Bomba provide his contact information to staff for discussions with them.

Neil Rubenstein discussed a public hearing scheduled on January 15, 2013 regarding consideration of the Clean

Water, Clean Beaches measure and he requested that the City Council take a position on it after receiving input from staff.

Rebecca Rona-Tuttle invited everyone to the Martin Luther King celebration on January 19, 2013; she discussed the importance of the civil rights movement and diversity; and she summarized planned events for the day.

Bill Wynn invited everyone to the annual Culver City Democratic Club party on December 12 at Veterans Auditorium.

Cary Anderson discussed parking issues with the 4043 Irving project; Condition 92; the location of construction worker parking; trash; parking in residential neighborhoods; enforcement; and communication with staff.

Christopher Patrick King, Culver City Committee on Homelessness, encouraged people to volunteer for the Homelessness Count on January 30, 2013, and he thanked donors.

Deborah Wallace responded to Council inquiry noting that volunteers for the Homelessness Count were required to be 18 years or older but those under 18 could volunteer in the deployment center; she discussed community service credit; and she noted that the event would be concluded by midnight.

Tom Camarella expressed concern with rumors of a proposed Walmart store in the City of Los Angeles near the border of Culver City, and he suggested forming a group to explore the ramifications of such a project and to work against it.

Discussion ensued between Councilmembers and the speaker regarding status of the project.

Note: Later in this meeting, Mayor Weissman reported information received from Los Angeles City Councilmember Bill Rosendahl's Office that the rumors of a proposed Walmart near the Culver City/City of Los Angeles border were false.

Michelle Weiner discussed the meeting on hydraulic fracking scheduled for December 14 at Veterans Auditorium; expressed concern with the availability of online information; and

she indicated that she preferred to see the meeting be an exchange of information.

A discussion ensued between staff and Councilmembers regarding meeting format and available online information.

Jeremy Green, Management Analyst, read comments submitted by:

Judith Martin-Straw
Milt Torin

Discussion ensued between Councilmembers regarding parkway trees and clarification that parkway trees were the responsibility of the City and residents should not remove them.

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Receipt and Filing of Correspondence

None.

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Joint Consent Calendar

Item JC-1

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

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR NOVEMBER 3, 2012 - NOVEMBER 30, 2012.

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Consent Calendar

Martin Cole, Assistant City Manager/City Clerk, requested that corrections to the meeting minutes received from a Councilmember be included with the motion for item C-1.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-15.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE MINUTES, AS AMENDED, FOR THE REGULAR MEETING OF APRIL 23, 2012, SPECIAL MEETING OF MAY 7, 2012, REGULAR MEETING OF MAY 14, 2012, SPECIAL MEETING OF MAY 21, 2012, SPECIAL MEETING OF JUNE 23, 2012, REGULAR MEETING OF JUNE 25, 2012, REGULAR MEETING OF JULY 9, 2012, REGULAR MEETING OF SEPTEMBER 10, 2012, REGULAR MEETING OF SEPTEMBER 24, 2012, SPECIAL MEETING OF OCTOBER 1, 2012, REGULAR MEETING OF OCTOBER 8, 2012, REGULAR MEETING OF OCTOBER 22, 2012, AND REGULAR MEETING OF NOVEMBER 12, 2012.

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Item C-2

Adoption of a Resolution Approving an Amendment to the Civil Service Rules Related to the Elimination of the Civil Service Commission Post Office Box as Recommended by the Civil Service Commission

Councilmember Sahli-Wells received clarification that the Culver City Public Employees Association had been notified regarding the item.

Discussion ensued regarding providing means for employees to anonymously contact Civil Service Commissioners; procedures for contact; and the amount of correspondence received at the post office box.

THAT THE CITY COUNCIL ADOPT THE PROPOSED RESOLUTION APPROVING AN AMENDMENT TO THE CIVIL SERVICE RULES AS RECOMMENDED BY THE CIVIL SERVICE COMMISSION.

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Item C-3

Adoption of a Youth Employment Plan Pursuant to Los Angeles County Proposition A Grant Requirements for Bill Botts Field Improvements (PZ-639), a Completed Project

Councilmember O'Leary asked about employment and training opportunities for at-risk youth.

Discussion ensued between staff and Councilmembers regarding recruitment procedures; the youth mentoring program; the Teen Center; Proposition A; and making information available on the City website.

THAT THE CITY COUNCIL ADOPT A YOUTH EMPLOYMENT PLAN PURSUANT TO LOS ANGELES COUNTY PROPOSITION A GRANT REQUIREMENTS FOR BILL BOTTS FIELD IMPROVEMENTS (PZ-639), A COMPLETED PROJECT.

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Item C-4

Allocation of Funds for the 2013 Performing Arts Grant Program as Recommended by the Cultural Affairs Commission

Councilmember Clarke received clarification regarding methods of publicizing grantee events.

Discussion ensued between Councilmembers regarding the number of performing arts organizations in the City; appreciation to the Commission for their work and to the organizations; projects that did not get funding; and procedures for application and denials.

THAT THE CITY COUNCIL: ALLOCATE FUNDS FOR THE 2013 PERFORMING ARTS GRANT PROGRAM AS RECOMMENDED BY THE CULTURAL AFFAIRS COMMISSION AND AS OUTLINED IN THE STAFF REPORT.

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Item C-5

Adoption of a Resolution Authorizing the City Manager to Submit an Application for Competitive Tree Planting Grant Funds from the Los Angeles County Regional Park and Open Space District

THAT THE CITY COUNCIL ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION FOR COMPETITIVE TREE PLANTING GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT.

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Item C-6

(1) Acceptance of Certain Real Estate Transfers and (2) Authorization of the City Manager to Execute Certain Real Estate Transfers, Easements, and License Agreements related to the Construction and Operation of the Exposition Light Rail Transit Project

THAT THE CITY COUNCIL:

1. APPROVE THE ACCEPTANCE OF, AND TRANSFER OF CERTAIN REAL ESTATE TRANSFERS; AND,
2. APPROVE A BIKEWAY LICENSE AGREEMENT; 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-7

Award of a Contract to Williams Pipeline Contractors, Inc. as the Lowest Responsive and Responsible Bidder for the Construction of Kerr Way Sewer Project, P-230

THAT THE CITY COUNCIL:

- 1) AWARD A CONTRACT TO WILLIAMS PIPELINE CONTRACTORS, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE KERR WAY SEWER PROJECT, P-230, IN THE AMOUNT OF \$38,900, BASED ON ITS BASE BID; AND,
- 2) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN THE AMOUNT NOT-TO-EXCEED \$3,890, IF NECESSARY; 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-8

Approval of a Purchase Order with Landscape Forms Inc. for the Purchase of 77 Trash/Recycling Litter Receptacles (P-497)

Vice Mayor Cooper expressed appreciation to the Public Works Department for their work on the project.

THAT THE CITY COUNCIL APPROVE A PURCHASE ORDER WITH LANDSCAPE FORMS INC. FOR THE PURCHASE OF 77 TRASH/RECYCLING LITTER RECEPTACLES IN AN AMOUNT NOT TO EXCEED \$126,933.

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Item C-9

Approval of an Amendment to the Existing Professional Services Agreement with Duke's Root Control, Inc. to Continue Providing Root-Control Services on City-owned Sewer Main Lines (P-230)

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH DUKE'S ROOT CONTROL, INC. TO CONTINUE PROVIDING ROOT CONTROL SERVICES ON CITY-OWNED SEWER MAINS FOR AN AMOUNT NOT-TO-EXCEED \$100,000 PER YEAR FOR THE INITIAL THREE YEARS OF THE PROPOSED AGREEMENT; AND,

2. AUTHORIZE THE EXTENSION OF THE AGREEMENT FOR AN ADDITIONAL TWO YEARS AT THE DISCRETION OF THE PUBLIC WORKS DIRECTOR/CITY ENGINEER IN A NOT-TO-EXCEED AMOUNT TO BE DETERMINED TO CONTINUE PROVIDING TREATMENT TO 8 MILES OF SEWER MAINS ANNUALLY DURING THE TWO-YEAR OPTION; 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

(1) Acceptance of the 2009 Los Angeles County Metropolitan Transportation Authority (Metro) Call for Projects Grant Funding for *Bus Signal Priority* and *Real-Time Bus Arrival Information System* Projects; (2) Approve the Funding Agreements Related to the Grant Funding; and (3) Authorize the Release of the Requests for Proposals for the Grant Funded Projects

THAT THE CITY COUNCIL:

- 1) ACCEPT THE 2009 CALL GRANTS; AND,
- 2) APPROVE THE FUNDING AGREEMENTS WITH METRO ON THE 2009 CALL GRANTS FOR THE *BUS SIGNAL PRIORITY* AND *REAL-TIME BUS ARRIVAL INFORMATION SYSTEM* PROJECTS; AND,
- 3) AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
- 4) AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY; AND,
- 5) AUTHORIZE THE TRANSPORTATION DIRECTOR TO RELEASE THE REQUESTS FOR PROPOSALS FOR THE *BUS SIGNAL PRIORITY* AND *REAL-TIME BUS ARRIVAL INFORMATION SYSTEM* PROJECTS.

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Item C-11

Adoption of a Resolution Transferring to the City of Culver City all Land Use Related Plans and Functions of the Former Culver City Redevelopment Agency with Certain Exceptions

THAT THE CITY COUNCIL ADOPT A RESOLUTION TRANSFERRING TO THE CITY OF CULVER CITY ALL LAND USE RELATED PLANS AND FUNCTIONS WITH CERTAIN EXCEPTIONS.

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Item C-12

Adoption of an Ordinance Amending the Culver City Zoning Map, as Referenced in Title 17, Zoning, of the Culver City Municipal Code, Section 17.200.015, Establishing the Washington National Transit Oriented Development Planned Development (PD) Zone - No. 11

Councilmember Sahli-Wells suggested providing passes for residents.

Discussion ensued between Councilmembers regarding the action before the City Council; the approval of the zoning for Washington National; the comprehensive plan; and adding conditions of approval.

THAT THE CITY COUNCIL ADOPT THE PROPOSED ORDINANCE AMENDING THE CULVER CITY ZONING MAP, AS REFERENCED IN TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE, SECTION 17.200.015, ESTABLISHING A PLANNED DEVELOPMENT ZONE FOR THE WASHINGTON NATIONAL TOD.

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Item C-13

(1) Adoption of Resolutions (a) Authorizing Execution of Agreements with the State Board of Equalization to Administer and Collect the Local Transactions and Use Tax; (b) Authorizing Examination of Sales and Use Tax Records; (c) Authorizing Examination of Transactions and Use Tax Records; and (2) Approval of a Professional Services Agreement with Hinderliter, De Llamas and Associates

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A "PREPARATORY AGREEMENT" AND AN "ADMINISTRATION

AGREEMENT" WITH THE STATE BOARD OF EQUALIZATION TO ADMINISTER AND COLLECT THE TRANSACTIONS AND USE TAX FOR THE CITY; AND

2. ADOPT THE ATTACHED RESOLUTION AUTHORIZING EXAMINATION OF SALES AND USE TAX RECORDS; AND,

3. ADOPT THE ATTACHED RESOLUTION AUTHORIZING EXAMINATION OF TRANSACTIONS AND USE TAX RECORDS; AND,

4. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH HINDERLITER, DE LLAMAS AND ASSOCIATES FOR TRANSACTIONS TAX AUDIT AND INFORMATION SERVICES; AND

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

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

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Item C-14

Authorization to Submit a Los Angeles County Metropolitan Transportation Authority 2013 Call for Projects Grant Application for the Compressed Natural Gas Bus Replacement Project

Mayor Weissman invited public input.

The following member of the audience addressed the City Council:

Stephen Murray discussed natural gas buses vs. diesel buses; electric hybrid buses; hybrid hydrogen buses; and he suggested that the Transportation Division and Sustainability Committee members look toward the future and pursue sustainable transportation choices.

Discussion ensued between Councilmembers and staff regarding the availability of bike path funding; additional information to be provided to Councilmembers; and the deadline.

THAT THE CITY COUNCIL AUTHORIZE THE TRANSPORTATION DIRECTOR TO SUBMIT THE APPLICATION REQUIRED BY THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY 2013 CALL FOR PROJECTS FOR THE *CNG BUS REPLACEMENT PROJECT*.

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Item C-15

Adoption of an Ordinance Amending the Culver City Zoning Map, as Referenced in Title 17, Zoning, of the Culver City Municipal Code, Section 17.200.015, Establishing Planned Development Zone No. 10 Zoning Code Map Amendment (ZCMA P-2012020) and Approving a Comprehensive Plan (CP P-2012018) to Allow a Commercial Development Consisting of Approximately 41,735 Square Feet of Retail and Restaurant Uses and 38,732 Square Feet of Office Uses Located at 8810-8850 Washington Boulevard and 3920 Landmark Street

THAT THE CITY COUNCIL ADOPT THE PROPOSED ORDINANCE, AMENDING THE CULVER CITY ZONING MAP, AS REFERENCED IN TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE, SECTION 17.200.015, ESTABLISHING PLANNED DEVELOPMENT ZONE NO. 10 (ZONING CODE MAP AMENDMENT, ZCMA-P2012020) AND APPROVING A COMPREHENSIVE PLAN (CP P- 2012018).

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Order of the Agenda

No changes were made.

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Public Hearings

Item PH-1

(1) Adoption of a Resolution Confirming the Business Improvement District Advisory Board's Annual Report and the Levy of the Downtown Culver City Business Improvement District Assessment for 2013; (2) Appointment of Members to the Business Improvement District Advisory Board for Calendar

Year 2013; and (3) Approval of the Management Agreement between the City and the Downtown Business Association for Calendar Years 2013 and 2014

Mayor Weissman recused himself and exited the dais.

MOVED BY COUNCILMEMBER SAHLI-WELLS AND SECONDED BY COUNCILMEMBER CLARKE, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVITS OF PUBLICATION AND POSTING OF PUBLIC NOTICE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Glenn Heald, Management Analyst, provided a summary of the material of record.

MOVED BY COUNCILMEMBER CLARKE AND SECONDED BY COUNCILMEMBER SAHLI-WELLS THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Vice Mayor Cooper invited public participation.

The following member of the audience addressed the City Council:

Cary Anderson discussed parking in Pasadena.

Discussion ensued between staff and Councilmembers regarding the feasibility of adopting a similar system in Culver City; using parking revenue to fund the downtown business association; the Walker parking study; and additional discussion on the item in the future.

MOVED BY COUNCILMEMBER CLARKE AND SECONDED BY COUNCILMEMBER SAHLI-WELLS THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Martin Cole, Assistant City Manager/City Clerk, reported that a majority protest did not exist.

Discussion ensued between staff and Councilmembers regarding the enforcement rate; future discussion of the Walker parking study; issues with readability of a portion of the staff report; and congratulations to the Downtown Business Association on the tree lighting ceremony.

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

1. ADOPT A RESOLUTION CONFIRMING THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD'S ANNUAL REPORT AND THE LEVY OF THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FOR 2013; AND,
2. APPOINT MEMBERS TO THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD; AND,
3. APPROVE THE MANAGEMENT AGREEMENT BETWEEN THE CITY AND THE DOWNTOWN BUSINESS ASSOCIATION FOR CALENDAR YEARS 2013 AND 2014; 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.

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

Mayor Weissman returned to the dais.

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Item PH-2

Adoption of a Resolution Approving the Issuance of Tax Exempt Bonds by the California Municipal Finance Authority for Park Century School to Finance and Refinance Educational Facilities

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

AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF PUBLIC NOTICE.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Weissman invited public participation.

There was no response.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Councilmembers regarding issuance fees, procedures, and policies of the California Municipal Finance Authority.

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

1. ADOPT THE RESOLUTION APPROVING THE ISSUANCE OF REVENUE BONDS BY THE AUTHORITY FOR THE PURPOSE OF FINANCING AND REFINANCING FACILITIES FOR PARK CENTURY SCHOOL; 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 PH-3

(1) Adoption of a Resolution Approving a General Plan Text and General Plan Map Amendment (General Plan Text Amendment GPTA-P2012100 and General Plan Map Amendment GPMA- P2012099) Amending the Land Use Element Regarding Public Parking Facilities; and (2) Introduction of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code and the Culver City Zoning Map Regarding Alternative Parking Provisions and Establishing a Public Parking Facilities (PPF) Zone (Zoning Code Text Amendment ZCA-P2012101; and Zoning Code Map Amendment ZCMA- P2012102)

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF MAILING AND POSTING OF PUBLIC NOTICE.

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

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

Diane Black expressed concern with noticing and the nature of the discussion for the item, and she discussed the Culver West community.

Jean Ballantine acknowledged reasons for the rezoning; expressed concern with possible unintended consequences; discussed previous plans for the area; concern with traffic; and she requested reassurance that Colonial Avenue would be protected.

Discussion ensued between staff and Councilmembers regarding the strategic reason for the rezoning; the decision regarding the project that would end up at the site; the normal public hearing process; preserving the property for its intended use; access to Colonial Avenue; and changes to project design.

Andrew Donnelly discussed access; making Colonial Avenue a dead-end street; the proposed Trader Joe's; and he requested that the residents be protected.

Mayor Weissman referenced earlier remarks by Tom Camarella noting that information received from City of Los Angeles Councilmember Bill Rosendahl's Office indicated that Walmart was not interested in that site.

Stacey Peyer expressed support for the previously proposed market hall concept; discussed the proposed change of zoning; un-kept promises; and the Corner Door.

Tom Camarella requested more research into the Walmart project; he discussed updating the General Plan; and he suggested that residents could help with the process.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Councilmembers regarding the time frame for the item; considering Colonial Avenue separately; the process; property zoning; the public parking facilities designation; protecting the land; egress; north and southbound circulation; the traffic study; mitigating traffic impacts; satisfying resident concerns; the original concept for the site; and protecting residents.

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

1. DETERMINE THAT NO ADDITIONAL ENVIRONMENTAL INFORMATION IS NEEDED BASED ON THE PLANNING COMMISSION'S ADOPTION OF THE FINDING NO NEW ENVIRONMENTAL ANALYSIS IS REQUIRED FOR THE SUBJECT AMENDMENTS PURSUANT TO SECTIONS 15162 AND 15168 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND,

2. ADOPT RESOLUTION NO. _____ APPROVING GENERAL PLAN TEXT AMENDMENT (GPTA-P2012100) AND GENERAL PLAN MAP AMENDMENT (GPMA-P2012099) AMENDING THE LAND USE ELEMENT REGARDING PUBLIC PARKING FACILITIES; AND,

3. INTRODUCE ORDINANCE NO. _____ AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE AND THE CULVER CITY ZONING MAP REGARDING ALTERNATIVE PARKING PROVISIONS AND ESTABLISHING A PUBLIC PARKING FACILITIES (PPF) ZONE (ZONING CODE TEXT AMENDMENT ZCA-P2012101; AND ZONING CODE MAP AMENDMENT ZCMA-P2012102).

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Action Items

Item A-1

Consideration of the Subject of Regulation of Single-Use Carryout Bags

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

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

Katherine Benz, Heal the Bay, described issues with single-use plastic bags; expressed support for a ban on plastic bags; discussed the Los Angeles County ordinance, EIR and outreach efforts; and she encouraged development of a comprehensive single-use bag ordinance.

Nathaniel Weaver, Environment California, discussed plastic pollution and its effects on animals and the environment; he discussed alternatives; the form of the ordinance; and he suggested caution when considering fees.

Carolyn Anderson, Transition Culver City, discussed conveniences; a changing approach; and she presented multiple alternatives to plastic bag use.

Ed Tarvyd, Santa Monica College, provided background on himself; discussed the source of plastic bags; storm drains; other sources of plastic pollution; and the absence of environmental impact study reports.

Dino Parks, Culver City Bicycle Coalition, echoed previous comments and expressed support for a ban on single-use plastic bags rather than a fee for use.

Gary Robinson discussed issues with the use of cloth bags and noted the prevalent use of other types of plastic.

Margaret Lindgren expressed support for a ban on single-use plastic bags and encouraged everyone to carry cloth bags instead.

Disa Lindgren expressed gratitude for the support of Councilmembers on the issue and support for a ban on single-use plastic bags.

Khin Khin Gyi expressed support for comments made by Heal the Bay and Transition California; she discussed liability issues; plastic industry groups; and the experience of San Francisco and neighboring cities.

Jim Cragg, Green Vets LA, provided background on himself; asserted that a ban on plastic bags created jobs; he discussed cleanliness of cloth shopping bags; and he expressed support for a ban on single-use plastic bags.

Rebecca Rona-Tuttle asked the City Council to find a way to make a ban on single-use plastic bags work.

Sarah Sheehy, California Grocers Association, discussed their work to protect their industry and their customers; expressed support for a mandated charge on paper bags; noted the difficulty of patchwork policies among cities; discussed the California Environmental Quality Act analysis; and she expressed support for staying in sync with neighboring jurisdictions.

Graham Hamilton, Surfrider Foundation, discussed impacts and consequences of a single-use throwaway society and he expressed support for an outright ban on single-use plastic bags.

Craig Cadwallader, Surfrider Foundation, expressed support for a ban on single-use plastic bags and concern with impacts to businesses and patchwork policies.

Ginny Blades, Transition Culver City, discussed the importance of breaking harmful habits and announced sewing events to show people how to make their own bags.

Karen Kurokawa suggested finding a group to create bags to promote Culver City and to make the transition easier for everyone.

Anna Cummins, 5 Gyres, discussed the ocean science behind the issue; threats to human health; and contamination of the food chain.

David Haake, Sierra Club, reported forwarding a statement from the Executive Committee to Councilmembers expressing support for a ban; and he reported on actions of other cities.

Stephen Murray expressed support for a ban on single-use plastic bags.

Andy Shrader, Clean Seas Coalition, provided statistics on plastic bag use and their effect on the environment; he discussed marine debris; and he expressed support for a single-use plastic bag ban in the City.

Rick Tuttle expressed support for a single-use plastic bag ban and discussed costs saved over time.

Brian Treanor expressed support for a ban on single-use plastic bags and pointed out the many plastic bags littering local parks.

Tom Camarella, Culver City Democratic Club, expressed support for a ban on single-use plastic bags.

Michelle Weiner, Transition Culver City, provided history on the item; reminded everyone about the 10-10-10 Plastic Think Tank which produced a comprehensive report; she asserted that government needed to support and facilitate change; and she offered to help.

Marina Debris presented an example of trash gathered at Ballona Creek; she noted that plastic is made with petroleum and banning the bags would reduce the carbon footprint; she stated that convenience was not enough of a reason to continue to use plastic bags; and she expressed support for a ban on single-use plastic bags.

Sandrine Cassidy Schmitt, Ballona Creek Renaissance, provided background on herself; discussed actions of surrounding cities; the many costs of using single-use plastic bags; and she expressed support for a ban.

Steven Rose, Culver City Chamber of Commerce, asserted that Walmart was not coming to the area; he expressed opposition to a ban on single-use plastic bags; and he proposed a comprehensive plastic recycling program.

Shea Cunningham, Environmental Sustainability Committee, urged the City Council to move forward with regulation of single-use plastic bags; expressed support for a charge for paper bags and a ban on single-use bags; and she discussed sustainability and setting a good example for children.

Benjamin Kay, Team Marine, reported on research done by his students illustrating the effectiveness of a ban on single-use plastic bags.

Jim Lamm, Ballona Creek Renaissance, discussed plastic pollution; the trash net; and he expressed support for a ban on single-use plastic bags.

Amelia Hammond expressed support for a ban on single-use plastic bags.

Bill Hickman, Surfrider Foundation, expressed support for a ban on single-use plastic bags; he asserted that voluntary reduction and recycling did not work and that an EIR had been done on plastic bags; he discussed plastic pollution; and he indicated that the issue was global.

James Alamillo asked the City Council to enact the ban; discussed costs to use single-use plastic bags; and he asserted that people did not recycle plastic bags.

Bill Rawuka commented that it seemed like a moral issue; he did not want to be charged for a paper bag at the market; he stated that he did recycle his bags; he expressed concern that residents were not aware of the item; and he suggested that the item be placed on an election ballot for voters to decide.

Karim Sahli expressed support for a ban on single-use plastic bags and discussed the youth forum on plastic bags at the Actors Gang.

Ken Browning provided background on himself; discussed marine species; and expressed support for a ban on single-use plastic bags and a charge for paper bags.

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

Anne Deva Powell

Discussion ensued between Councilmembers regarding previous consideration of the issue; the regional nature of the issue; the staff report; Chamber of Commerce talking points; the double charge model; consistency with neighboring communities; and compliance.

Councilmember O'Leary discussed the previous election and candidate forum; Culver City News; lack of communication; the California Restaurant Association; use of paper bags at

his business; acknowledgement that this is a man-made issue; business vs. the environment; leadership at the state level; he expressed support for the ban; and he requested the opportunity to express his opinions on certain parts of the discussion as a business owner rather than a Councilmember when the item returns for additional consideration.

Discussion ensued between Councilmembers and staff regarding the Ballona Creek Cleanup; the Tour de Taste; work with neighboring jurisdictions; the county model; recycling the recyclable bags; environmental responsibility; the environmental review; community outreach; quarterly reporting by stores; hardship provisions; the timetable; returning to the City Council with additional information regarding small changes made and public outreach; partnering with local organizations; the Sustainability Subcommittee; responsibilities of businesses; and next steps in the process.

The City Council expressed its support for the enactment of a ban on single-use plastic bags and directed the City Manager and the City Attorney to return to the City Council with the appropriate documents at some time in the future after public input and the environmental process can be appropriately addressed.

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Item A-2

Consideration of Providing Financial Assistance Related to Parking for Taste of the Nation 2013

Mayor Weissman invited public participation.

There was no response.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL: DETERMINE THE AMOUNT OF IN-KIND FINANCIAL SUPPORT FOR PARKING ASSISTANCE FOR THE EVENT TO BE \$2,500.

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Item A-3

Consideration of the Installation of Shared Lane Markings ("Sharrows") in the Sepulveda AIP Along Sepulveda Boulevard from Culver Boulevard to the City-limit Line South of Franklin Avenue

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

Dino Parks, Culver City Bicycle Coalition, expressed support for the item; reported business support for the item; discussed recent improvements in the area; the streetscape; and the bicycle friendliness of the City.

Steve Herbert, Culver City Bicycle Coalition, expressed support for the item and reported positive feedback from businesses on sharrows.

Eric Bruins, Los Angeles County and Culver City Bicycle Coalitions, expressed support for the item.

Brian Treanor expressed support for the item.

Michelle Weiner reported positive feedback on sharrows from area businesses and expressed support for the item.

Cary Anderson asserted that sharrows were a reminder that bicycles should use the road and travel the same direction as traffic; discussed motorcycles and bicycle parking; and he expressed support for sharrows.

Jim Lamm, Ballona Creek Renaissance, indicated support for the Bicycle and Pedestrian Master Plan, access to Ballona Creek, and for the sharrows noting that they are business friendly.

Discussion ensued between Councilmembers and staff regarding working with the Los Angeles Department of Transportation to continue the sharrows down Sepulveda to the Ballona Creek bike path; costs to extend the path; painting vs. thermoplastic; maintenance; and a request was made for information on which businesses are interested in having bike racks.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER SAHLI-WELLS THAT THE CITY COUNCIL APPROVE THE

INSTALLATION OF SHARED LANE MARKINGS ("SHARROWS") IN THE SEPULVEDA AIP ALONG SEPULVEDA BOULEVARD FROM CULVER BOULEVARD TO THE CITY-LIMIT LINE SOUTH OF FRANKLIN AVENUE.

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Item A-4

(1) Approval of Pilot Circulator Service Serving the Culver City Exposition Light Rail Station, the Hayden Tract, and Downtown Culver City; and (2) Approval of a Request for Proposals Related to Such Service

Art Ida, Transportation Director, provided a summary of the material of record.

Discussion ensued between staff and Councilmembers regarding clarification that no charge was proposed; sharing costs with the business community; a pilot program to establish the value of the program and encourage participation by property and business owners; the need for property owners to participate in the long-term; benefits of the service; charging a nominal fee; maximizing use of the service; the experience of Long Beach Transit; City Council review after a certain period of time; establishing a community facilities district; costs to add stops; use of existing stops; sidewalk improvements; types of buses used; and compliance with ADA requirements.

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

Eric Bruins discussed markets served; hours of service; frequency of service; spontaneous trips; advertising; capital costs; bike share; and alternative ways to provide better service.

Seth Horowitz, The Culver Hotel, discussed the future of downtown Culver City; the importance of providing easy access to the Hayden Tract from the Expo station; working with a good bicycle plan; businesses migrating away from other cities due to congestion; and he expressed support for the plan and for expansion in the future.

Cary Anderson read from the financial analysis; discussed funding for the project; revenue and meter enforcement; the tradeoff of extended meters and turnover vs. the shuttle; making the project sustainable; the previous shuttle; and he expressed support for the project.

Tom Camarella questioned why the Hayden Tract was the focus when other areas such as Jefferson were not being considered.

Mayor Weissman clarified that the Jefferson Corridor was part of the long-term plan.

Patricia Levinson reported on recent visits to other cities that utilize pedicabs.

Mayor Weissman noted that staff had looked into pedicabs but liability was an issue.

Discussion ensued between staff and Councilmembers regarding location of the employee population in the Hayden tract; the proposed route; ADA requirements; concern with creating a self-defeating program; the time period for review; business subsidy of the program; implications for mass transit; maintenance savings; future funding; property assessments; the fare box ratio; annual costs to run the program; Expo bus benches; experiences of surrounding cities; emissions from the vehicles used; capturing Sony employees; the buy-in of district property owners; and using social media to promote the program.

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

1. APPROVE THE CONCEPT OF THE PROPOSED EXPO PILOT CIRCULATOR SERVICE;
2. AUTHORIZE THE CITY MANAGER TO RELEASE AN RFP IN THE FIRST QUARTER OF 2013 FOR THE EXPO PILOT CIRCULATOR SERVICE; AND,
3. DIRECT THE CITY MANAGER TO RETURN WITH THE RESULTS OF THE RFP AT A FUTURE CITY COUNCIL MEETING.

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Item A-5

**Consideration of Adoption of a City Council Policy
Regarding Providing Fee Reductions/Subsidies to Long-Term
Regular Veterans' Memorial Complex Users**

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

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

Matthew Hetz, Culver City Symphony Orchestra, provided background on the organization; discussed form 990; the residential vs. non-residential designation; the number of performances each year; the number of rentals; membership; the Orchestra as ambassadors for the community; various events the Orchestra performs at throughout the City; and he asked that the City keep fees low to keep performing arts alive in Culver City.

Mayor Weissman received clarification regarding the nature and location of the organization.

Dan Misumi, La Ballona Valley Bromeliad Society, indicated that they were a 501c3 located in Culver City for 57 years; he noted that their annual show is the only fundraiser that they have; he indicated that if rental rates go up beyond 10% they would have to find another venue; and he requested consideration so that they could continue to be a Culver City based organization.

Discussion ensued between Councilmembers and the speaker regarding money made by the Society and location of the organization.

Tom Camarella, Culver City Democratic Club, commended the City Council for setting policy on the matter and he expressed support for Option 1.

Discussion between staff and Councilmembers ensued regarding criteria; meeting a certain number of conditions to be considered for a waiver; annual revenue; clarification regarding the Los Angeles School of Gymnastics; fairness; consistency; tradition; service to

the community; need; long-term groups in the City; Culver City Symphony Orchestra membership; concern that if the groups are not grandfathered in that they will have to fundamentally change; concern with groups retroactively going after discounts; clarification that the policy would only apply to the four groups listed in the report; choosing a less bureaucratic approach; concern with attendance of Symphony concerts; marketing; grants received by the Symphony; annual revenue; whether the subsidy will eventually end; criteria for determining the amount of the subsidy; concern with setting a precedent for future groups to request subsidies; resident non-profits vs. 501c3 non-profits; those groups whose function is not to make money; community benefit; concern with requiring these groups to pay the full rate in five years; creating a plan to open up to the community; providing a template for consideration of future groups approaching the City for discounts; other groups that might qualify; keeping the waivers specific to the Veterans Memorial building rather than the complex; and admission charges.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT OPTION 1 WITH CRITERIA 1 AND 3 NEEDING TO BE MET IN ORDER FOR ANY DISCOUNTED RATES TO APPLY TO LONG-TERM REGULAR VETERANS' MEMORIAL BUILDING USERS LA BALLONA VALLEY BROMELIAD SOCIETY, CULVER CITY ROCK AND MINERAL CLUB, LOS ANGELES SCHOOL OF GYMNASTICS AND THE CULVER CITY SYMPHONY ORCHESTRA.

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Item A-6

(1) Discussion of the Current Structure of the Fiesta La Ballona Committee; (2) Consideration of Creating a City Council Appointed Fiesta La Ballona Committee; and (3) Adoption of a Resolution Creating the Committee and Approving Bylaws for Such Committee (if Desired)

Mayor Weissman invited public participation.

The following member of the audience addressed the City Council:

Tom Camarella discussed previous issues with a Commissioner, he wanted to see a condition in the bylaws to

prevent such individuals from continuing the serve, and he discussed insurance coverage and liability.

Discussion ensued between staff and Councilmembers regarding selection of the Chair and Vice Chair; the Mayor rotational policy; the timeframe for choosing new members; logistics; changing the word 'research' to 'information' on the last page under IV, B; adding clarification regarding those who may want to serve again after serving their full term; language regarding subcommittees; insurance; the use of volunteers; alternatives if there are not enough applicants; the number of members on the committee; qualifications for members; certain criteria applied to the application process; guidance for new members; if bylaws reduce the number of members; a future discussion of the policy that individuals may only serve on one group at a time; and staff was directed to advertise for the positions.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION CREATING A CITY COUNCIL APPOINTED FIESTA LA BALLONA COMMITTEE AND APPROVING ITS BYLAWS AS AMENDED.

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Item A-7

(1) Consideration of Recommendations from the Ad-Hoc Legislation and Grants Subcommittee; (2) Adoption of a Resolution Approving the Implementation of the Legislative Advocacy Program Effective 2012 and Rescinding Resolution No. 2008-R018; and (3) Potential Dissolution of the Ad-Hoc Legislation and Grants Subcommittee

Councilmember Clarke discussed subcommittee consideration; updating priorities of legislative policy from 2008; establishing parameters for prioritizing legislation; written communications and meeting with elected officials; and he read language for an amendment submitted to staff on page 706 under the three priorities of how to consider legislation.

Discussion ensued between Councilmembers regarding page 708, Number 1; Council support for legislation of polystyrene containers; a request to delete the word 'maximum' on page 709, Number 2; and dissolving the

subcommittee after the final meeting on grants.

Mayor Weissman invited public participation.

There was no response.

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

1. CONSIDER THE FOLLOWING RECOMMENDATIONS FROM THE AD-HOC LEGISLATION AND GRANTS SUBCOMMITTEE AND PROVIDE DIRECTION TO THE CITY MANAGER ON:
 - A. ESTABLISHMENT OF REGULARLY SCHEDULED MEETINGS WITH LEGISLATORS;
 - B. PREPARATION OF AN ANNUAL OVERVIEW OF NEW LEGISLATION FOR PRESENTATION TO THE CITY COUNCIL IN MARCH OF EACH ODD NUMBERED YEAR;
 - C. IDENTIFICATION OF ISSUES THAT ARE IMPORTANT TO VARIOUS NON-PROFIT, ENVIRONMENTAL, AND PROFESSIONAL ORGANIZATIONS AND
2. CONSIDER AND DISCUSS THE REVISED LEGISLATIVE ADVOCACY PROGRAM; AND ADOPT A RESOLUTION APPROVING THE IMPLEMENTATION OF THE LEGISLATIVE ADVOCACY PROGRAM EFFECTIVE 2012 WITH THE AMENDMENT TO TO DELETE THE WORD 'MAXIMUM' ON PAGE 709, NUMBER 2 AND RESCINDING RESOLUTION NO. 2008-R018; AND
3. DISSOLVE THE AD-HOC LEGISLATION AND GRANTS SUBCOMMITTEE AFTER A MEETING FOR A FINAL DISCUSSION ON GRANTS.

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Public Comment for Items NOT On the Agenda (Continued)

Mayor Weissman invited public input.

The following member of the audience addressed the City Council:

Tom Camarella suggested that any person who accepts a City Commission agree to be investigated if there is a question of criminality or moral turpitude, and if they refuse they should be de-Commissioned and banned from being on any future City Commissions or committees

Discussion between staff and Councilmembers ensued regarding the Code of Conduct for Commissioners.

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Items from the City Council

Items from Councilmember Sahli-Wells

- Wished everyone Happy Holidays

Items from Mayor Weissman

- Announced a free Holiday Gymnastics Spectacular by the Los Angeles School of Gymnastics on December 16 at Veterans Auditorium, and Made in Culver City on December 29 at Veterans Auditorium

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Adjournment

There being no further business, at 1:36 a.m. on December 11, 2012, the City Council adjourned its meeting in memory of Matthew Windbrandt, Barbara Perkins, and Evelyn Ackerman to a meeting on Monday, January 14, 2013 at 7:00 p.m.

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

ANDREW WEISSMAN
MAYOR of the City of Culver City, California