REGULAR MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

April 13, 2015
5:30 p.m.

Call to Order & Roll Call

Mayor Sahli-Wells called the meeting of the City Council to order at 5:30 p.m. in the Mike Balkman Chambers at City Hall.

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

*Vice Mayor O'Leary joined the meeting at 5:33 p.m.

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Closed Session

The City Council recessed to Closed Session to consider the following items:

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

CS-2 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

CS-3 Conference with Legal Counsel - Existing Litigation
Culver City Employees Association v. City of Culver City
Case No. LA-CE-903-M
Pursuant to Government Code Section 54956.9(d)(1)

CS-4 Conference with Legal Counsel - Existing Litigation
Re: Allen, Beverly v. City of Culver City
Case No. BC 529180
Pursuant to Government Code Section 54956.9(d)(1)

CS-5 Conference with Real Property Negotiators
Re: An Underground Pipeline under Inglewood Boulevard (from the Culver City/Los Angeles Boundary along the north side of Washington Boulevard to the Culver City/Los Angeles Boundary on the south side of Washington Boulevard) and Centinela Avenue (from the Culver City/Los Angeles Boundary to Arizona Avenue)
City Negotiators: City Manager John Nachbar, Assistant City Manager Martin Cole
Other Parties' Negotiators: Representatives of Crimson California Pipeline Company
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

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Reconvene

Mayor Sahli-Wells reconvened the City Council meeting at 7:13 p.m. with all Council Members present.

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Reflection/Pledge of Allegiance

The Reflection was given by John Nachbar, City Manager, and the Pledge of Allegiance was led by Dr. Mason Sommers.

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Report on Action Taken in Closed Session

Mayor Sahli-Wells indicated nothing to report out of closed session.

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Presentations

Item P-1

Presentation by Southern California Hospital to the Culver City Fire Department

Tom Bowman, Southern California Hospital, recognized Chief Dave White and the Culver City Fire Department; discussed an event on January 29, 2015 and the response of the Culver City Fire Department; and presented Chief White with commemorative plaques.

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Item P-2

Presentation of a Proclamation Declaring April 2015 as "DMV/ Donate Life California Month"

Mayor Sahli-Wells presented the proclamation.

Dr. Mason Sommers, Donate Life, provided background on the program; presented a gift to the Mayor; thanked Culver City for being such an important part of Donate Life; and he invited everyone to participate in a Mayor's Donate Walk Run on April 25, 2015 at Cal State Fullerton.

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Community Announcements by City Council Members/ Information Items from Staff

Martin Cole, Assistant City Manager/City Clerk, discussed the improvements made to the audio visual system in Council Chambers; the induction loop; the document camera; the DVD viewing system; the video screen; improved audio and visual; higher quality resolution; completion of Phase I; the Granicus Government Transparency System which is Phase II will make its debut during the second regular meeting in July; integration between audio and visual, minutes and subject search; the voting process; and other improvements to the process.

Mayor Sahli-Wells thanked staff for the much-needed improvements.

Dan Hernandez, Parks, Recreation and Community Services Director, reported that the Parks, Recreation and Community Services Department had received a state award for the marketing of Fiesta La Ballona, and he thanked members of the Fiesta La Ballona Committee who worked on the program.

Karen Gibbs thanked the members of the Fiesta La Ballona Committee; Dan Jassim, who submitted the Committee for the award; the sponsors; the public for their attendance; she introduced Committee Members; and she announced Fiesta La Ballona 2015 on August 28-30.

Dan Hernandez, Parks, Recreation and Community Services Director, discussed departmental surveys and highlighted their results.

Mayor Sahli-Wells thanked the Parks, Recreation and Community Services Department for their efforts.

Lieutenant Osama Agaiby of the Culver City Police Department discussed participation in the 120 mile relay race between Baker and Las Vegas; announced that their team had come in first in their Division; he thanked sponsors; invited the public to participate in the 8th Citizen's Police Academy starting in July; he discussed components of the program; and he announced Coffee with a Cop on May 6 at the Starbucks on Washington.

Discussion ensued between staff and Council Members regarding the record for the team; congratulations to the team; appreciation for the Citizen's Police Academy and Coffee with a Cop; and the importance of community relations.

Mayor Sahli-Wells asked that for additional information regarding Emergency Preparedness month noting that there had been a small earthquake the evening before.

Captain Rob Colhut, Emergency Preparedness Services, announced that April is Earthquake Preparedness month; he reported that the Fire Department recommended that citizens have a plan, have a kit and stay informed; he discussed Nixle; he encouraged everyone to go to the City website for valuable information; announced a Community Preparedness Fair in Lindbergh Park on April 25; and he announced the Annual Fire Service Day Open House on May 9.

Vice Mayor O'Leary reported attending the Stand Up 4 Transportation event on April 9 in Long Beach noting that elected officials were representing citizens on a regional level.

Council Member Weissman announced the Annual Farragut Elementary Art Works fundraiser on April 18 at Fresh Paint.

Mayor Sahli-Wells discussed the amazing array of events going on in Culver City including a Smart Gardening Workshop on April 18 at Veterans Auditorium; the Repair Cafe on April 18; a California Friendly Landscape Training Class on April 20 in the Dan Patacchia Room at City Hall; Star Eco Station Earth Day Event on April 19; she reported that the final review of the Urban Forest Master Plan would be on April 25 at City Hall; announced a 5K Run at West LA College on April 25; and she encouraged interested residents to apply for open positions on Committees, Commissions and Boards until May 7.

Cathy Vargas reported that fliers for the many sustainability-related events going on in the City were available at the back of Council Chambers.

Martin Cole, Assistant City Manager/City Clerk, reported that the Commissions, Committees and Boards module was up and running, and he encouraged interested parties to apply for open positions on the City's Committees, Commissions and Boards on the City website.

Vice Mayor O'Leary announced the SAVES Food Bank Gala at St. Augustine's Parish on April 25.

MOVED BY COUNCIL MEMBER WEISSMAN, SECONDED BY COUNCIL MEMBER COOPER AND UNANIMOUSLY CARRIED, THAT WHEN THIS CITY COUNCIL MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF DR. LARRY KIDWELL OF CULVER CITY ANIMAL HOSPITAL.

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Joint Public Comment - Items Not on the Agenda

Mayor Sahli-Wells invited public comment.

The following members of the audience addressed the City Council:

Aaron Flynn, Star Eco Station, invited everyone to attend the 15th Annual Children's Earth Day Celebration on April 19.

Vice Mayor O'Leary encouraged participants not to drive to the Eco Station but to find alternative transportation in honor of Earth Day.

Dr. Janet Hoult expressed support for the Star Eco Station event, read an excerpt from *America for Me* by Henry Van Dyke, then her poem *Council Chambers for Me*, and she added that the Culver City Centennial Committee was doing well.

Dr. Sarah Carpenter announced Walk With a Doc on April 18 at City Hall with Julie Lugo Cerra highlighting historic sites in the City.

Peter Erdelyi reported that he designs buildings for earthquakes, and he asked that the City Council agendize a presentation on How to Make the City of Culver City Safer.

Discussion ensued between Council Members regarding whether there is an appropriate subcommittee to receive such a presentation; involving Public Works personnel to create a coordinated presentation. ***The City Council directed the City Manager to place such a discussion on a future agenda.***

Tom Camarella discussed the importance of updating the General Plan regularly; funding for the update; the Charter Review Committee; the availability of highly educated citizens to work on the issue; concern with the lack of notification to the Gateway Neighborhood Association regarding the new development on Madison and Culver; and he questioned when the last complete General Plan review took place.

Discussion ensued between staff and Council Members regarding the Work Plan sessions; plans to fund the process; whether the General Plan is included in the budget for this year; and agreement to bring the matter back for discussion.

Paul Mandelbaum reminded residents about changes planned to the LAX flight paths by the FAA; he encouraged residents to get on the City's notification list to receive updates and to continue to report airplane noise through the Culver Connect website; he noted that they would like to convince the FAA to route eastbound landings to follow the 10 freeway rather than cutting across

Carlson Park; he discussed a special meeting on February 24; he questioned when the FAA would reveal plans for the environmental assessment; and he asked about any progress made by the City to address the issue.

Discussion ensued between staff and Council Members regarding clarification that an exact date had not been set; the 30-day comment period; and the number of people signed up on the notification list.

Seth Horowitz, General Manager of the Culver Hotel, reported an article in *USA Today* on April 7, 2015 entitled *California Food and Wine, Culver City Finds Its Flavor*, about Culver City as a culinary destination; he read an excerpt from the article; he noted that the writer had difficulty finding the proper person to speak to find out information for the story; and he felt that should be addressed to make things easier in the future.

Karim Sahli noted that tonight was the final City Council meeting with Megan Sahli-Wells serving as Mayor, and he congratulated her on a successful year.

Laura Stuart, Parks, Recreation and Community Services Commission Chair, reported discussions by the Commission on Community Gardens; drought tolerant medians; a recommendation to the City Council to agendize a discussion on facilitating community gardening in neighborhood co-ops; alternative thinking; and she read the recommendation.

Mayor Sahli-Wells indicated that Director Hernandez had shared that recommendation with the City Council. ***The City Council directed the City Manager to place such a discussion on a future agenda.***

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Receipt and Filing of Correspondence

Martin Cole, Assistant City Manager/City Clerk, reported that correspondence received by the City Clerk's Office before 4:00 p.m. including correspondence for items A-2, A-3, and A-5 had been distributed to Council Members.

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY COUNCIL MEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

Mayor Sahli-Wells reported that IndieCade had requested that item J-2 not be considered.

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Joint Consent Calendar

Item JC-1

Joint Culver City Council/Culver City Housing Authority/ Successor Agency to the Culver City Redevelopment Agency Agenda Item: Cash Disbursements

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY COUNCIL MEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR MARCH 14, 2015 - APRIL 3, 2015.

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Item JC-2

Joint Culver City Council/Culver City Housing Authority/ Successor Agency to the Culver City Redevelopment Agency Agenda Item: Meeting Minutes

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY COUNCIL MEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE MINUTES FOR THE SPECIAL CONSOLIDATED MEETINGS OF MARCH 23, 2015 AND ADJOURNED SPECIAL CONSOLIDATED MEETINGS OF MARCH 24, 2015.

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Item JC-3

JOINT CITY COUNCIL-SUCCESSOR AGENCY AGENDA ITEM: Adoption of Resolutions (1) Approving of a Master Agreement regarding Expenditure of Bond Proceeds between the City of Culver City and Successor Agency to the Culver City Redevelopment Agency Pursuant to California Health and Safety Code Section 34191.4(c) and (2) Approving Related Actions

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY COUNCIL MEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT A RESOLUTION APPROVING THE CITY'S ENTRY INTO A PROPOSED MASTER AGREEMENT REGARDING EXPENDITURE OF BOND PROCEEDS BETWEEN THE SUCCESSOR AGENCY AND THE CITY PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34191.4(C).

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CONSENT CALENDAR

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY COUNCIL MEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-5, C-7, AND C-9 THROUGH C-12.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE MINUTES FOR THE REGULAR MEETING OF MARCH 23, 2015.

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Item C-2

Adoption of a Resolution Initiating Proceedings for the Levy and Collection of Annual Assessments for the West Washington Benefit Assessment District Number One and Ordering the Preparation of the Engineer's Report Thereon for Fiscal Year 2015/2016

THAT THE CITY COUNCIL: ADOPT A RESOLUTION INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR THE WEST WASHINGTON BENEFIT ASSESSMENT DISTRICT NUMBER ONE AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT THEREON FOR FISCAL YEAR 2015/2016.

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Item C-3

Authorization to Transfer a License Agreement for Use of the City's Public Right-of-Way (the Paseo) Located at 9527 Culver Boulevard from Midnight Snack LLC., (Ford's Filling Station) to SBK, LLC

THAT THE CITY COUNCIL AUTHORIZE THE TRANSFER OF THE LICENSE AGREEMENT FOR USE OF THE CITY'S PUBLIC RIGHT-OF WAY (THE PASEO) LOCATED AT 9527 CULVER BOULEVARD FROM MIDNIGHT SNACK LLC., TO SBK, LLC.

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Item C-4

Adoption of a Resolution Initiating Proceedings for the Levy and Collection of Annual Assessments for the West Washington Benefit Assessment District Number Two and Ordering the Preparation of the Engineer's Report Thereon for Fiscal Year 2015/2016

THAT THE CITY COUNCIL: ADOPT A RESOLUTION INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR THE WEST WASHINGTON BENEFIT ASSESSMENT DISTRICT NUMBER TWO AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT THEREON FOR FISCAL YEAR 2015/2016.

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Item C-5

Approval of a First Amendment to the Owner Participation Agreement between the City of Culver City and the Hayden Tract Owners Association for Improvements to the Hayden Tract Spur

THAT THE CITY COUNCIL:

1. APPROVE THE FIRST AMENDMENT TO THE OWNER PARTICIPATION AGREEMENT BETWEEN THE CITY OF CULVER CITY AND THE HAYDEN TRACT OWNERS ASSOCIATION; AND

2. AUTHORIZE THE CITY ATTORNEY AND CITY SPECIAL COUNSEL 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 C-7
(Out of Sequence)

Adoption of a Resolution Initiating Proceedings for the Levy and Collection of Annual Assessments for the Higuera Street Landscaping and Lighting Maintenance District and Ordering the Preparation of the Engineer's Report Thereon for Fiscal Year 2015/2016

THAT THE CITY COUNCIL: ADOPT A RESOLUTION INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR THE HIGUERA STREET LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT THEREON FOR FISCAL YEAR 2015/2016.

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Item C-9
(Out of Sequence)

Adoption of a Resolution Initiating Proceedings for the Levy and Collection of Annual Assessments for the Sewer Users' Service Charge and Ordering the Preparation of the Engineer's Report Thereon for Fiscal Year 2015/2016

THAT THE CITY COUNCIL ADOPT A RESOLUTION INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR THE SEWER USERS' SERVICE CHARGE AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT THEREON FOR FISCAL YEAR 2015/2016.

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Item C-10

Adoption of a Resolution Approving an Encroachment Agreement with Freedom Telecommunications dba WILCON for Use of the Public Rights-of-Way on Uplander Way

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH FREEDOM TELECOMMUNICATIONS, INC. DBA WILCON; 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-11

Adoption of a Resolution Approving an Encroachment Agreement with Time Warner Cable for Use of the Public Rights-of-Way on Bristol Parkway

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH TIME WARNER CABLE; 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-12

Adoption of a Resolution Initiating Proceedings for the Levy and Collection of Assessments for the Refuse and Recycling User's Service Charge and Ordering the Preparation of the Engineer's Report

THAT THE CITY COUNCIL: ADOPT A RESOLUTION INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE REFUSE AND RECYCLING USER'S SERVICE CHARGE AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT.

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Item C-6
(Out of Sequence)

(1) Approval of an Agreement with the Los Angeles Conservation Corps in an Amount Not-to-Exceed $150,000 to Purchase and Plant 300 Trees in the City's Parkways; and (2) Approval of a Budget Amendment in the Amount of $150,000

Mayor Sahli-Wells requested that a thank you note be sent to Supervisor Mark Ridley-Thomas for his assistance with the grant.

MOVED BY COUNCIL MEMBER WEISSMAN, SECONDED BY VICE MAYOR O'LEARY AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL:

1. APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF $150,000 (**THIS ACTION REQUIRES A FOUR-FIFTHS VOTE)**; AND,

2. APPROVE AN AGREEMENT WITH THE LOS ANGELES CONSERVATION CORPS FOR THE PURCHASE, PLANTING AND WATERING OF 300 TREES IN AN AMOUNT NOT-TO-EXCEED $150,000; 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
(Out of Sequence)

Adoption of a Resolution Initiating Proceedings for the Levy and Collection of Annual Assessments for the Landscape Maintenance District Number 1 and Ordering the Preparation of the Engineer's Report Thereon for Fiscal Year 2015/2016

Council Member Cooper recused himself from the item and exited the dais.

MOVED BY COUNCIL MEMBER WEISSMAN AND SECONDED BY VICE MAYOR O'LEARY THAT THE CITY COUNCIL: ADOPT A RESOLUTION INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT THEREON FOR FISCAL YEAR 2015/2016.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Council Member Cooper returned to the dais.

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Order of the Agenda

No changes were made at this time.

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Joint Action Items

Item JA-1

JOINT CITY COUNCIL AND SUCCESSOR AGENCY BOARD AGENDA ITEM: (1) Consideration of the Amount of In-Kind Assistance for and Possible City Sponsorship of "An Affair of the Arts" Events Produced by The Whole 9 Proposed for May 30-31, 2015 and September 19-20, 2015; (2) Approval of a Related License Agreement for Use of Successor Agency-Owned Property (Parcel B) for the Events.

Mayor Sahli-Wells invited public participation.

The following members of the audience addressed the City Council:

Laura Stuart commented on the presentation and the fact that the City provides mixed signals regarding what the City Council will and will not assist various groups with; she noted that they were asking for waivers of electrical costs and refuse; she discussed staff costs; costs that are not easily absorbed; she felt that there should be criteria or a form to fill out about different elements of the events and clarify which costs can be waived and which cannot be; and she felt that better guidance should be available.

Responding to Mayor Sahli-Wells, Goran Eriksson indicated that the Finance Advisory Committee had a subcommittee that had been working on guidelines for City sponsorship and support of events; he indicated that recommendations would be available by June; and he invited anyone who wanted to provide input on the matter to attend a Finance Advisory Committee meeting.

Discussion ensued between staff and Council Members regarding the basis for the three additional requests made this year; the general practice of keeping to the previous level of sponsorship; previous participation by the applicant; costs to hang banners; popularity of the event; increasing the marketing budget; total requested amount of waivers; the fiscal analysis; concern with consistency; actual costs; income information to support the need for the fee waiver; the unique nature of the event; clarification that the for profit organization would be donating the entire proceeds to humanitarian relief; potential future Council directive that financial statements associated with the events be provided; City sponsorship as a way to help with marketing and making an event viable; classification of costs; actual costs to the City; concern with increasing the level of support; the amount of soft costs requested; popularity of the event; and past support from the Downtown Business Association.

{Note from the City Clerk: The City Council provided direction that future requests for City sponsorship be accompanied by financial data from the requesting group.}

Mayor Sahli-Wells moved to support the sponsorship request as outlined in the staff report. Council Member Cooper seconded the motion.

Additional discussion ensued between staff and Council Members regarding consistency with consideration of the events and information provided; concern with increasing the level of sponsorship; distinguishing the requests; and the need for income based information to make decisions.

Council Member Weissman proposed a substitute motion eliminating the three new categories of waivers: the rental fee of Parcel B, the street banner permit, and the daily rental fee for parking along Washington Boulevard.

Mayor Sahli-Wells expressed concern that the proposed level of support would end up being less than $1,000, the level needed to qualify for City sponsorship.

Lisa Schultz, The Peale Project, discussed the work of the organization; their intent to bring art back into Culver City since the Art Walk is gone; artist booth fees and minor sponsorships; bringing business to the City; and costs to the City for Art Walk vs. costs to the City to support an Affair of the Arts.

Discussion ensued between staff, Council Members and the speaker regarding the success of the event last year; the need for financial reports; the amount of the request; the validity of the event; clarification that the sponsorship level would be over $1,000; actual costs out of the General Fund; whether the additional three items cost the City money; the need for justification to support fee waivers; the number of attendees; increased support from the Downtown Business Association; whether police support is needed; ongoing efforts to clarify the sponsorship information; and support for the event itself.

Vice Mayor O'Leary seconded the substitute motion.

COUNCIL MEMBER WEISSMAN MOVED TO SUPPORT AN AFFAIR OF THE HEART WITH THE ELIMINATION OF THE THREE NEW CATEGORIES OF WAIVERS, THE RENTAL FEE OF PARCEL B, THE STREET BANNER PERMIT, AND THE DAILY RENTAL FEE FOR PARKING ALONG WASHINGTON BOULEVARD. VICE MAYOR O'LEARY SECONDED THE MOTION THAT FAILED BY THE FOLLOWING VOTE:

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

MOVED BY MAYOR SAHLI-WELLS AND SECONDED BY COUNCIL MEMBER COOPER THAT THE CITY COUNCIL:

1. APPROVE IN-KIND FINANCIAL ASSISTANCE IN THE AMOUNT OF $2,306 FOR EACH EVENT TO PROVIDE FOR THE AN AFFAIR OF THE ARTS EVENTS; AND,

2. DETERMINE THE CRITERIA ESTABLISHED FOR CITY SPONSORSHIP OUTLINED IN CCMC 17.330.040.B.7 HAVE BEEN MET AND DESIGNATE THE "AN AFFAIR OF THE ARTS" EVENTS AS CITY-SPONSORED EVENT. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item JA-2

JOINT CITY COUNCIL AND SUCCESSOR AGENCY BOARD AGENDA ITEM:(1)

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

This item was deferred at the request of IndieCade.

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Action Items

Item A-3
(Out of Sequence)

(1) Discussion of the City Council Oil Drilling Subcommittee's and Staff's Recommendation for an Environmental Consultant (BonTerra Psomas) to Prepare an Environmental Impact Report (EIR) for the Inglewood Oil Field Specific Plan Project (Project); (2) Approval of a Professional Services Agreement with BonTerra Psomas for the Preparation of the Project EIR in an Amount Not-to-Exceed $305,080; and (3) Authorization to the City Manager for Approval of Amendments to the Agreement in an Amount Not-to-Exceed 25%

Mayor Sahli-Wells invited public participation.

The following members of the audience addressed the City Council:

Tom Camarella asked for clarification as to why the amendments to the agreement were more than the not-to-exceed amount.

Heather Baker, Assistant City Attorney, discussed unanticipated costs in preparing the necessary environmental documents; peer review; difficulty in determining the exact time needed; relying on estimates; and the intent to allow flexibility.

Tom Camarilla discussed a ban on fracking by San Benito County that was dropped after they were sued by the oil companies, and the importance of knowing that counties and cities have won in the state.

Dr. Khin Gyi, Citizens Coalition for a Safe Community, recommended that the Environmental Impact Report include above and below ground surface valuations of the topography of Culver City; she discussed the northwest extension; concern with liquefaction and forced cooling; a tracer study to determine runoff from Culver City vs. LA County; release of chemicals in the runoff; responsibility for cleaning the runoff; costs to properly abandon an oil well; bottom wells in Culver City; bonds associated with cleanup and liabilities associated with any mishaps; and she noted that the document would make the study CEQA compliant.

Mayor Sahli-Wells received clarification with regard to integrating comments made at the meeting into the EIR and she suggested that Dr. Gyi submit her comments for inclusion in the process going forward.

Gary Gless, Citizens Coalition for a Safe Community, asserted that the earthquake the previous evening was a wake-up call; he discussed repairs necessitated by subsidence caused by the drilling; threat of ground failure; finger faults; liquefaction; property damage; and he asked that the City Council do a proper EIR to keep citizens in the City safe.

Paul Ferrazzi, Citizens Coalition for a Safe Community, received clarification that Freeport McMoran had refused to divulge the locations of the 46 unpermitted, unnoticed wells under the City; he asked that the EIR include looking at those wells; discussed regulations that Beverly Hills has in their requirements; he expressed concern with the wording of the original resolution; inclusion of the 100 acre surface area; Division of Oil, Gas, and Geothermal Resources identification though PXP research that most of Culver City has reserves; he wanted to see the EIR consider the oil reserves for the entire City and how they could be extracted; and he discussed wells drilled at MGM on Overland in 1959 but subsequently abandoned due to the complexly faulted geological structure.

J.E. Brockman requested clarification on how the consultants were chosen; discussed increased radon detected around homes where fracking is done in Pennsylvania; expressed concern with the number of recent earthquakes; issues in Oklahoma; litigation; acknowledgement by the EPA that injection wells trigger earthquakes; and the importance of making it clear that they will be liable for earthquakes that they may induce.

Discussion ensued between staff and Council Members regarding the Request for Proposal Process; community concern with having the same firm that drafted the Draft Discussion Ordinance also doing the EIR; concern with conflicts of interest; understanding the culture of the City; suggestions on what the EIR should include; the scoping meeting as part of the CEQA process; encouragement to interested parties to sign up for oil related notification on the City website; and appreciation to staff for their work on the process and to the speakers for their input.

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

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH BONTERRA PSOMAS FOR THE PREPARATION OF THE PROJECT EIR IN AN AMOUNT NOT-TO-EXCEED $305,080; AND,

2. AUTHORIZE THE CITY MANAGER TO APPROVE AMENDMENTS TO THE AGREEMENT IN AN ADDITIONAL AMOUNT NOT TO EXCEED 25% OF THE ORIGINAL AMOUNT OF THE 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 A-5
(Out of Sequence)

Discussion of Authorizing the Conduct of Municipal (City) Elections Wholly by Mail

Vice Mayor O'Leary received clarification regarding the states used for examples in the staff report.

Mayor Sahli-Wells invited public participation.

The following members of the audience addressed the City Council:

David VonCannon expressed opposition to the proposal as he felt it would not save the City any money and might cost more money; he felt that it would not improve voter turnout or participation; he expressed concern with voter support if ballots are filled out incorrectly; lost ballots; and he felt that a physical polling place should be made available for voters to go to.

Rebecca Rona Tuttle expressed support for greater efficiency and saving staff time; she felt that ongoing voter education should be included; she did not think that vote by mail would increase voter turnouts; felt that the data provided from Washington and Oregon was insufficient; discussed data indicating that changing elections to the weekend resulted in a larger voter turnout; she asserted that people were more likely to value voting if it is done in polling places; and she expressed concern with decreasing interest in voting.

Gerald Sallus, League of Women Voters, discussed recommendations for Culver City made at their annual meeting; he supported having one or more voting centers so voters can vote in person and a voter outreach program to include active and inactive voters; wanted to see a process for obtaining a ballot if a mailed ballot is not received; he suggested providing postage paid envelopes; publicity campaigns and outreach to promote vote by mail elections; he reported that the League had met with the County Clerk who was not opposed to it; he indicated that they strongly supported vote by mail; and indicated that the City Charter allowed for vote by mail.

Rick Tuttle felt that it would be counter intuitive that reducing polling places would increase turnout; he acknowledged that voting would be available at City Hall; discussed moving elections to Sundays; and making Election Day a day of celebration.

Goran Eriksson discussed growing up in Sweden; the important duty and right of voting; concern that vote by mail would trivialize voting; administrative issues that create challenges; a suggestion to rearrange precincts; engaging service clubs or community organizations to find volunteers; clarification that going to vote by mail would not save money; the fact that democracy takes time and money; how to increase voter participation; concern that Culver City is adopting practices of larger cities without thinking about how it fits into our community; and he felt it important to have traditional elections and campaigns.

Kelly Kent Marin discussed advantages to vote by mail; concern that the process has not been fully vetted; verification of signatures; name changes; the infrastructure of voting by mail; the support for voter education; and she indicated that while she did not support vote by mail, she fully supported voter education.

Michelle Weiner indicated that studies reported that all vote by mail elections decreased participation; she discussed disallowed ballots; issues with errors; lost and invalidated ballots; fraud potential; an observation that the younger demographic did not use the post office regularly; and she suggested consideration of other ways to cast ballots.

Judy Alter, Protect California Ballots, asked that the City Council consider fraud and coercion with vote by mail; custody of ballots; privacy of voting; issues with local elections in Florida being overturned due to coercion on absentee ballots; concern with early voting; signature verification; the long chain of custody for vote by mail ballots; tracking ballots; and she asserted that vote by mail elections did not increase participation.

Kevin Lachoff noted that many people appreciate the option to vote by mail; discussed costs associated with an all vote by mail election; he reported enjoying going to the polls; and he encouraged increasing voter participation but not going to all vote by mail elections.

Gary Silbiger discussed low voter turn-out; the Centennial Committee; the right to vote; notice given about the issue; he felt the staff report was not complete enough to make a decision for a mail only election; he discussed consolidated elections; hybrid elections; voter education; changing the election day; he felt the matter required additional study to find the best system for the community; and he suggested putting the issue up for a vote of the community.

Mayor Sahli-Wells discussed email notification given on the item on March 13, 2015.

Jeremy Green, Management Analyst, read a written comment submitted by:

Darryl Cherness

Laura Stuart felt that there could be a larger turn out with vote by mail; discussed disenfranchised parts of the City; providing postage on the envelope; and finding ways to engage voters.

Martin Cole, Assistant City Manager/City Clerk, expressed appreciation for the public input; discussed the public process; the City Charter; the specific nature of the item under considerations; clarification that changing the date of the election would require a change to the City Charter; the chain of custody of the ballots; the public and open process of verifying and counting the ballots; addressing the concern of lost ballots; rearranging the precincts and the inherited precinct locations from the County; ideas beyond the scope of the City Council to implement; the state Elections Code; and he asserted that the City's elections were conducted to a very high standard.

Discussion ensued between staff and Council Members regarding vote by mail rejections; checks and balances in the election system; County-wide voter registration; clarification that there is not a duty under current law for election officials to inform residents if their vote is rejected; keeping your signature up to date; the Elections Code; and clarification regarding updating voter registration.

Tom Camarella discussed the Charter Review Committee; coordinating with other voting times; increasing voter turnout; and the feeling that there needs to be much more discussion with the community.

Vice Mayor O'Leary discussed his experience with registering to vote; the vote by mail option; the voter fraud issue; he did not see how voting by mail would increase voter turn-out; expressed support for voter education; he suggested having the Charter Review Subcommittee consider changing the day of the vote; separating Charter Amendment items to be voted on separately; he discussed notification of rejection of votes; and he indicated that he would not be supporting the all vote by mail process.

Discussion ensued between staff and Council Members regarding spoiled ballots; registering to vote by mail; the County consolidation of precincts over time; the *I Voted* sticker; support for the vote by mail option; staffing issues at the polls; encouragement to service clubs and anyone interested in working as a poll worker; outreach during the last election cycle; engaging young people in the process; a local pub as a polling place in Ireland; support for increasing voter participation; support for voter education; real and perceived issues with all vote by mail balloting; a feeling that a lack of knowledge about the process creates low voter turnout; the current rate of voting by mail per election; whether vote by mail increases or decreases turnout; whether vote by mail saves money or costs more; decreasing the number of polling places; the fact that City Hall is open for voting for 29 days; weekend voting; the difficulty of voting in Fox Hills; the importance of discussing the matter; the importance of encouraging more people to participate in local elections; the importance of researching and reading about the issue; the UC Davis studies; valuing the process; the opportunity to use elections as a teaching tool; being more effective rather than more efficient; challenges to contacting each voter with a rejected ballot; redesigning information to make it more clear and effective; ensuring that more people participate; a suggestion to make voting stickers for those children who visit the polls with their parents; the process for updating your signature; and allocating the $20,000 for voter outreach.

Martin Cole, Assistant City Manager/City Clerk, thanked everyone for their input; indicated that he would put together a work plan for City Council consideration with an estimate to be presented with the budget request in May; and he invited everyone to participate in the budget process May 18-20, 2015.

Mayor Sahli-Wells discussed the importance of increased voter turnout and requested consensus to discuss consolidating elections with the School District or the state in order to increase voter turnout as a future agenda item. The City Council declined to provide such consensus.

Council Member Clarke asked that item A-4 be moved forward on the agenda; he felt it would be important to speak with the School District before discussing the matter; and he indicated that he was not ready to discuss consolidation with state and national elections.

{Note from the City Clerk: The City Council did not take any action on this item. Therefore, the existing polling place voting system will be retained.}

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Item A-4

Consideration (and Approval if Deemed Appropriate) of the Culver City Centennial Celebration Committee Inc.'s Quarterly Report Including: Presentation of the Centennial Logo, the Participant Application, the Draft Budget for 2014-2017, Approval of Future Meetings and Agendas to be Posted on the City's Website, a Request for $25,000 in Funding for Fiscal Year 2015/2016, and Additional Direction to the City Manager as Deemed Appropriate

Council Member Clarke recused himself from the item and exited the dais.

Mayor Sahli-Wells invited public participation.

The following members of the audience addressed the City Council:

Jim Clarke, Culver City Centennial Celebration Committee (CCCCC), discussed items to be considered; the quarterly report on activities; approval of the proposed logo; approval on the use of the logo; communication with the pubic; funding from the City; he introduced CCCCC Board Members; he discussed outreach to organizations, individuals and businesses for ideas for activities; and the response for activity ideas.

Paul Jacobs discussed potential events and activities; the Centennial Participation Agreement; requirements for those who want to present an activity or event and use the logo; he indicated that the blessing of the CCCCC was not necessary to participate in the festivities; and he indicated that the document was designed to guide a way for the logo to be used.

Discussion ensued between Council Members and CCCCC representatives regarding the Centennial Participation Agreement; the requirement that the event be open to the public; whether those submitting ideas are aware that events, activities and projects must be self-funded; concern with follow-through from those proposing ideas; and clarification that CCCCC is available to assist or encourage but not to enforce.

Goran Eriksson, Chair of the CCCCC Marketing Committee, reported that consultants had been retained to design the logo

Melanys Torrisian, Project Manager, presented the logo and indicated that they were now working on the website design.

Discussion ensued between Council Members and the CCCCC representatives regarding clarification on the color used and inclusion of the facade of the Culver Hotel for the presentation.

Jim Clarke, CCCCC, discussed the draft of the budget from 2014-2016; the budget from the Centennial year; he noted that it was a work in progress and that there would be quarterly reports; and he clarified that the budget presented included no sponsorships.

Laura Stuart, CCCCC, provided clarification on the draft budget.

Discussion ensued between Council Members and CCCCC representatives regarding clarification regarding which items have already been expended and anticipated items; start-up expenses; clarification regarding the commitment to the Zaner Group; in-kind services; clarification that there is a post production budget and a production budget; placeholder items in the budget; the proposed administration position; clarification that many of the costs have not been offset by donations and in-kind services yet; concern with costs listed for logo production; a request from the City Council for a budget that is not arbitrary; the number of hours put into logo production; marketing assistance; social media; user generated content; the current focus on the website; PayPal donations; weekly meetings and the management of the Committee; the sponsorship package; clarification that the figures in the budget are the largest numbers that could be foreseen and the budget would likely be less; clarification that the budget would cover marketing for a year rather than for just one event; the virtual phone number; clarification that the budget is not fully vetted; clarification that the CCCCC is responsible for raising most of the money; concern that the budget could put off potential donors; whether any funds would support events as well as the marketing; whether those people putting on the events would be making money; the umbrella of the Centennial; modeling after Beverly Hills and Torrance; the range of proposed activities; directing events already taking place to feature the Centennial; sponsorship levels; the School District subcommittee of the CCCCC; the opening and closing ceremonies; the desire for participation and ideas from the City Council; additional information from cities that have done centennial celebrations; clarification that representatives from Beverly Hills and Torrance had presented to the subcommittee; attracting sponsorships; using professionals to make that happen; minutes for the subcommittee meetings; the Memorandum of Understanding (MOU); the proposed calendar of Centennial activities; the request for inclusion in the 2015-2016 budget; clarification that the CCCCC is in charge of the opening and closing ceremonies; the tentative schedule; limitations on how City funds are spent; reimbursement of expenses; the vendors license; invoices to the City; whether the City Council would be able to approve expenditures in advance; the plan to tighten up the budget before the fiscal year begins; promotional activities; production costs; support for obtaining a fixed price rather than hourly prices; concern with the costs for logo design; the request for approval of the logo and the conditions in the participant application defining how the logo is to be used; assistance with publicizing the meeting by posting notice on the City website; consideration of the amount of support requested; a request for a more accurate budget and a draft calendar of events; and concern with committing people to events.

Vice Mayor O'Leary moved to approve the staff recommended motions.

Mayor Sahli-Wells expressed discomfort with approving a budget that was not more thoroughly researched.

Vice Mayor O'Leary agreed to amend his motion to approve the staff recommended motion without the budget.

Additional discussion ensued between Council Members and CCCCC representatives regarding including a clarified marketing plan, a list of potential Centennial activities, a proposed calendar and a breakdown of how the $25,000 is going to be spent; the Quarterly Report on Centennial activities; which organizations to include in the list of participants; language of the MOU; and clarification that money from the City would not be used for the opening and closing ceremonies.

Mayor Sahli-Wells proposed a substitute motion to approve the logo, the participant application, and to put notice of CCCCC meetings on the City website.

Vice Mayor O'Leary withdrew his original motion.

MOVED BY MAYOR SAHLI-WELLS AND SECONDED BY COUNCIL MEMBER WEISSMAN, THAT THE CITY COUNCIL:

1. APPROVE THE CENTENNIAL LOGO; AND

2. APPROVE THE CULVER CITY CENTENNIAL PARTICIPANT APPLICATION; AND

3. PROVIDE AUTHORIZATION FOR FUTURE COMMITTEE MEETINGS AND AGENDAS TO BE POSTED ON THE CITY'S WEBSITE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Council Member Clarke returned to the dais.

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Item A-2
(Out of Sequence)

Discussion and Direction to the City Manager Regarding the Consideration of Implementing Level 1, 2 or 3 Water Restrictions under Chapter 5.03, Water Conservation, of the Culver City Municipal Code

Mayor Sahli-Wells invited public participation.

The following members of the audience addressed the City Council:

David Metzler discussed his experiences remodeling his bathroom and implementing a grey water system; bureaucracy; the County of Los Angeles; health permits; annual checks from the County; he suggested that the City look into ways to make the process easier; making control over these processes at the City level rather than the County level; he indicated that he was not aware of any residential gray water systems in the City; and he asked for help from the City Council.

Discussion ensued between staff and Council Members regarding a request that Mr. Metzler email the facts to Vice Mayor O'Leary so that he could look into moving the item forward; discussion of the item by the Sustainability subcommittee; the County Health Department; authority of the City; concern with stagnant water and mosquitos; the importance of safety; changing laws; reform; and the opportune time to move forward.

Michelle Weiner announced workshops hosted by Gray Water Action at Aqua Flow on April 23 and April 30; she discussed the proposed ordinance; actions of the City of Santa Cruz; the How to Talk to Your Neighbor About Water Without Being a Jerk Workshop; a suggestion to identify specific businesses and talk about how they should behave through the different levels; and she expressed concern that schools and the oil fields were omitted from the list.

Discussion ensued between Council Members regarding clarification on Aqua Flow, and emergency regulations adopted by the Water Board for restaurants and hotels.

Jeremy Green, Management Analyst, read a written comment submitted by:

Shea Cunningham

Discussion ensued between staff and Council Members regarding issues with swimming pools; enforcement; voluntary compliance; clarification that the water purveyors are being required to reduce their deliveries; fines; reduced Metropolitan Water District deliveries; water use for typical single family residences; additional charges for using water in Tier 2; pressure on the purveyors; water restrictions and enforcement; accomplishing changes through rates; monthly billing; undetected leaks; and water usage by individuals in large apartment complexes.

A Golden State Water District representative spoke regarding reducing usage by 25%; difficulty with multi-family complexes; finding the most effective way to achieve the reduction; he clarified that the Water Board had not yet finalized the terms; and he discussed reductions already made.

Discussion ensued between Council Members and the speaker regarding interruption of service; extreme measures; placing flow restrictors on those who do not reduce; proprietary information; the sale and regulation of water to industry; residential rates; required reductions for non-residential users; exempt businesses; and tracking your own daily water consumption.

After considering the input received, the City Council provided direction to the City Manager to place an item on a future agenda to implement Level 2 restrictions.

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Item A-1
(Out of Sequence)

Adoption an Ordinance establishing a Citywide 45-day moratorium on the issuance of any new permit, license, approval or entitlement pertaining to new massage establishments or the location or relocation of existing massage establishments within the City, and declaring the urgency thereof and that it shall take effect immediately. (This item requires a four-fifths vote.)

Mayor Sahli-Wells invited public participation.

No cards were received and no speakers came forward.

MOVED BY VICE MAYOR O'LEARY, SECONDED BY COUNCIL MEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT AN ORDINANCE ESTABLISHING A CITYWIDE 45-DAY MORATORIUM ON THE ISSUANCE OF ANY NEW PERMIT, LICENSE, APPROVAL OR ENTITLEMENT PERTAINING TO NEW MASSAGE ESTABLISHMENTS OR THE LOCATION OR RELOCATION OF EXISTING MASSAGE ESTABLISHMENTS WITHIN THE CITY, AND DECLARING THE URGENCY THEREOF AND THAT IT SHALL TAKE EFFECT IMMEDIATELY. **(THIS ITEM REQUIRES A FOUR-FIFTHS VOTE.)**

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Public Comment - Items Not on the Agenda

Mayor Sahli-Wells invited public comment.

No cards were received and no speakers came forward.

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Items from the City Council

None.

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Adjournment

There being no further business, at 12:21 a.m., Tuesday, April 14, 2015, the City Council adjourned its meeting in memory of Dr. Larry Kidwell to Monday, April 27, 2015 at 7:00 p.m.

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Martin R. Cole

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

M. Sahli-Wells

MEGHAN SAHLI-WELLS
MAYOR of Culver City, California