

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE
CITY COUNCIL

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

January 14, 2013
5:30 p.m.

Call to Order & Roll Call

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

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

Absent: Jeffrey Cooper, Vice Mayor *

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Closed Session

* Vice Mayor Cooper participated in the Closed Session portion of the meeting via teleconference from the Georgian Terrace Hotel, 659 Peachtree Street NE, Atlanta, Georgia 30308

At 5:31 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 – One Case
Pursuant to Government Code Section 54956.9(c)

CS-2 Conference with Legal Counsel – Anticipated Litigation
Re: Significant Exposure to Litigation – One Case
Pursuant to Government Code Section 54956.9(c)

CS-3 Conference with Legal Counsel – Existing Litigation
Re: Timothy Varney v. City of Culver City
Case Nos. ADJ613513, ADJ3797253, ADJ2252165
Pursuant to Government Code Section 54956.9(a)

CS-4 Conference with Real Property Negotiators

Re: 11304 Segrell Way

City Negotiators: John M. Nachbar, City Manager; Sol Blumenfeld, Community Development Director; Charles Herbertson, Public Works Director/City Engineer; Todd Tipton, Economic Development Administrator

Other Parties Negotiators: Stuart Magruder and Ric Abramson, Work Studio Development LLC; and Partners Trust

Under Negotiation: Both Price and Terms

Pursuant to Government Code Section 54956.8

CS-5 Conference with Legal Counsel – Existing Litigation

Alhambra and 46 Other Cities v. County of Los Angeles, Case

No. BS 116375 Pursuant to Government Code Section 54956.9(c)

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Reconvene

The City Council reconvened its meeting at 7:14 p.m. with four Councilmembers present (absent Vice Mayor Cooper).

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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 Marla Wolkowitz and Barbara Honig.

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Presentations

Item P-1

Presentation of Certificates of Recognition to Distinguished Visitors from the City's Sister Cities

Marla Wolkowitz thanked the City Council for their support and she presented visiting Sister City representatives who introduced themselves.

Councilmember O'Leary presented Certificates of Recognition to visitors from the City's Sister Cities and discussed his visit to Lethbridge, Canada.

Mayor Rajko Dodic of Lethbridge, Canada thanked the Culver City Sister City Committee for their hospitality and presented gifts to the City.

Mayor Weissman thanked the Sister City Committee for their work.

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Item P-2

A Proclamation Designating January 21, 2013 as Dr. Martin Luther King, Jr. Day

Councilmember Clarke presented the proclamation to members of the Martin Luther King, Jr. Committee.

Rupert Francisco, Chair of the Martin Luther King, Jr. Committee, thanked the City Council and staff for their support and announced the hosts for the Martin Luther King, Jr. celebration on January 19th at the Senior Center.

Rebecca Rona Tuttle, Programming Committee Chair, discussed events planned for the free celebration on January 19th and encouraged everyone to visit the City website for additional information.

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Item P-3

Presentation to the City Council from Southern California Edison Regarding the City's Obtaining Silver Status as a California Green Community

Mark Olsen, Southern California Edison, provided a presentation on the good work on energy efficiency done by Culver City and the status of the City as a Silver Level California Green Community.

Hal Conklin, USA Green Communities, provided background on the program and the different organizations involved, and presented the City Council and staff with a plaque for City Hall and a flag for the flagpole.

Rachelle Lefevre, Environmental Media Association's, Young Hollywood Board, commended the City on becoming a role model for other cities to follow and indicated that they would support the City toward achieving a Gold Status.

Mayor Weissman acknowledged the work of staff in obtaining the Silver Status.

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Community Announcements By City Council Members/Information Items From Staff

Councilmember Clarke commended the Rediscover Center for being voted onto the Top Rated List of Non-Profit Organizations in the United States in 2012, and he reported that Didi Hirsch Mental Health Services had received a \$1.4 million grant from the Federal government.

Councilmember O'Leary discussed the tragedy in Newton, Connecticut.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER SAHLI-WELLS THAT WHEN THIS MEETING IS ADJOURNED THAT IT BE ADJOURNED IN MEMORY OF THE CHILDREN THAT DIED ON DECEMBER 14, 2012 IN NEWTON, CONNECTICUT. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Councilmember Sahli-Wells announced the grand opening of the improvements at the bottom of the Baldwin Hills Overlook on Jefferson and Hetzler Boulevard on January 18th.

Mayor Weissman congratulated staff on receiving the Annual Distinguished Budget Presentation Award from the Government Finance Officers Association of the United States and Canada.

Martin Cole, Assistant City Manager/City Clerk, reported that the item regarding parking zones had been postponed to a future City Council meeting to allow staff additional time to complete work on the item; he announced that the application period for the newly created Finance Advisory Committee would close on January 17, 2013; and he noted that information was available regarding the ongoing recruitment for the newly constituted Fiesta La Ballona Committee on the City website.

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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:

Neil Rubenstein discussed City Council action to provide free parking at curbside meters for veterans who have been awarded specific medals and drive a vehicle with appropriate license plates.

Christopher Patrick King, Culver City Homelessness Committee, encouraged everyone to participate in the County-wide Homelessness Count on January 30, and he discussed event sponsors.

Rich Waters reported sending an e-mail to the City Council regarding ficus trees; discussed municipal codes and department duties; expressed concern with delays while waiting for new regulations; asserted that the existing regulations were adequate; discussed the need to remove the diseased trees; expressed concern with the spread of disease to other ficus trees; and he asked the Public Works Department to take out the diseased trees and plant new ones.

Discussion ensued between staff and Councilmembers regarding an agenda item on trees and the tree removal policy scheduled for February; the Sustainability subcommittee; the proposed ordinance; the report from the City arborist; improvements with treatment and selective pruning of ficus trees; ensuring that interested parties receive notice when the item comes forward; the status of trees at specific locations; the complete inventory of City trees; options to address diseased trees; the existing

ordinance; actions of the City to address the issue; whether the disease is spreading; efforts to save the trees; staff agreement to produce a report showing the difference from the initial study and the current state of the trees in the City; stress to the trees; causes of the disease; long-term goals of urban forestry; the importance of diversification in the urban forest; seeking a grant to develop a plan; and renewing the urban forest.

Cary Anderson discussed permit parking; parking district areas vs. street districts; policies in the City of Glendale; tire chalking; concern with residents being pushed out of their neighborhoods; construction parking; employee parking; and enforcement technology.

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

Walter Lamb

Councilmember Clarke reported receiving an email regarding a multi-unit development on Lincoln Avenue.

Jeannine Wisnosky Stehlin, United Parents of Culver City, announced a free School Safety Forum on January 23 at the Veterans Memorial Building.

Gary Silbiger was pleased that Culver City still has an official youth representative for the Community Development Block Grant Committee; discussed previous efforts to establish a Youth Advisory Committee; and encouraged the establishment of a Youth Advisory Committee in 2013.

Eleanor Osgood discussed establishment of the Gateway Neighborhood Association; Design Guidelines approved by the City Council in 2010; she expressed concern that guidelines as implemented by staff had not solved the problem; she asked what the process was for alerting the development applicants to the Design Guidelines and how much time staff spent with developers to help them conform to the guidelines; she questioned what new developments had been constructed since implementation of the guidelines and whether developers have been conforming; and she wanted to see a discussion about notification to immediate neighbors when a structure is going to be built even by the property owner who will be living in it.

Sol Blumenfeld, Community Development Director, indicated willingness to meet with Ms. Osgood to discuss her concerns; he asserted that Multi-Family Guidelines had been useful and used in pre-development plans; he discussed efforts to maintain consistency with the surrounding neighborhood; and he discussed the process and usage of the Guidelines.

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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 COUNCILMEMBER CLARKE AND SECONDED BY COUNCILMEMBER SAHLI-WELLS THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR DECEMBER 1, 2012 - JANUARY 4, 2013. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Consent Calendar

Item C-1

Meeting Minutes

Martin Cole, Assistant City Manager/City Clerk, noted that Councilmember Clarke had pointed out two items in the minutes that required updating and he requested that the minutes be approved as amended.

THAT THE CITY COUNCIL APPROVE MINUTES FOR THE REGULAR MEETING OF DECEMBER 10, 2012 AS AMENDED.

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Item C-2

Adoption 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)

Mayor Weissman invited public participation.

The following member of the audience addressed the City Council:

Cary Anderson discussed off-site parking regulations; outdoor dining parking requirements; shared parking facilities; employee parking requirements; parking requirements in place when downtown was built; substandard parking; parking in relationship to seating capacity rather than employee capacity; and the importance of considering employee parking.

Councilmember Sahli-Wells asked for clarification regarding outdoor dining use in places other than the downtown area.

Discussion ensued between staff and Councilmembers regarding changes to the document; pooled parking provisions; the alternative parking section of the zoning ordinance; the break given to encourage outdoor dining in downtown; incentivizing outdoor dining in other parts of the City; newer restaurants on the west side; requirements to provide onsite parking; employee parking; gross floor area; and parking ratios for each use.

THAT THE CITY COUNCIL ADOPT THE PROPOSED 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).

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Item C-3

Adoption of a Resolution Authorizing the City Manager to Submit a Cal Fire Urban and Community Forestry Management Plan Grant Application for the City of Culver City Urban Forest Management and Tree Succession Plan

Martin Cole, Assistant City Manager/City Clerk, corrected a typographical error in the proposed resolution indicating that the grant period was March 30, 2015 as opposed to March 30, 2014.

Councilmember Sahli-Wells received clarification that the grant would pay for an outside consultant to create the Urban Management and Tree Succession Plan, greatly reducing staff time.

Mayor Weissman invited public participation.

The following member of the audience addressed the City Council:

Eleanor Osgood commended Public Works for their work with the neighbors on Lincoln Avenue; she reported that five residences on the last block on Lincoln had trees identified on the original list by the consultant; she discussed the severity of the disease in the trees; and she asked that new trees be planted now if the old ones are not going to survive.

Councilmember O'Leary encouraged Ms. Osgood to contact him as he was interested in seeing the trees.

THAT THE CITY COUNCIL ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A CAL FIRE URBAN AND COMMUNITY FORESTRY MANAGEMENT PLAN GRANT APPLICATION FOR THE CITY OF CULVER CITY URBAN FOREST MANAGEMENT AND TREE SUCCESSION PLAN.

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Item C-5
(Out of Sequence)

Adoption of a Resolution Authorizing the Destruction of Examination Materials in the Human Resources Department Which are More than Two Years Old

Councilmember Sahli-Wells expressed concern regarding resource conservation and received clarification regarding the type materials to be destroyed.

THAT THE CITY COUNCIL ADOPT A RESOLUTION AUTHORIZING THE DESTRUCTION OF EXAMINATION MATERIALS IN THE HUMAN RESOURCES DEPARTMENT WHICH ARE MORE THAN TWO YEARS OLD.

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Item C-4
(Out of Sequence)

Authorization to Submit a Los Angeles County Metropolitan Transportation Authority 2013 Call for Projects Grant Application for the Higuera Street Bridge Ramp Project

Councilmember Clarke received clarification on the competitive nature of the process and what the City is doing to improve the chances of winning the grant.

Discussion ensued between staff and the City Council regarding the potential for multi-modal modes of transportation; the Baldwin Hills Conservancy offer to fund a portion of the design; efforts to obtain the support of Supervisor Mark Ridley-Thomas; letters of support; the application deadline; community and Council support; and a potential letter of support from the Santa Monica Bay Restoration Commission.

THAT THE CITY COUNCIL AUTHORIZE THE CITY MANAGER TO SUBMIT A LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO) 2013 CALL FOR PROJECTS (CALL) GRANT APPLICATION FOR THE HIGUERA STREET BRIDGE RAMP PROJECT.

MOVED BY COUNCILMEMBER CLARKE AND SECONDED BY COUNCILMEMBER SAHLI-WELLS THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-5. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Order of the Agenda

No changes were made.

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Public Hearings

Item PH-1

(1) Consideration of the Community Development Block Grant Fund Allocation for Fiscal Year 2013/2014; (2) Adoption of a Resolution Authorizing the Filing of an Application for Funding; and (3) Approval of a Reimbursable Contract with the County of Los Angeles Concerning Culver City's Allocation

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE TO RECEIVE AND FILE AFFIDAVITS OF PUBLICATION AND POSTING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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

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

Mayor Weissman invited public participation.

There was no response.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING. THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Discussion ensued between Councilmembers and staff regarding the outreach process; clarification that only certain areas of the City are eligible for the funding and

for certain projects; the balance of the Senior Center loan; the advisory committee; the youth representative; the Culver City Homeowners Association representative; clarification regarding an error in the draft minutes of the CDBG meeting of December 11, 2012; clarification regarding sidewalk and curb repairs on Colonial Boulevard; and clarification regarding the proximity of Councilmember Sahli-Wells' residence to the area and agreement that no conflict of interest existed so she could vote on the matter.

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

1. ALLOCATE FUNDING FOR THE PROPOSED FY 2013/2014 CDBG PROJECTS AS RECOMMENDED BY THE CDBG ADVISORY COMMITTEE; AND,
2. ADOPT A RESOLUTION AUTHORIZING THE FILING OF THE FY 2013/2014 APPLICATION FOR FUNDING FROM THE CDBG PROGRAM, INCLUDING ALL CERTIFICATIONS; AND,
3. DESIGNATE THE CITY MANAGER AS THE AUTHORIZED CITY OFFICIAL TO EXECUTE AND FILE ALL DOCUMENTS PERTAINING TO THE CDBG PROGRAM, INCLUDING MAKING MINOR ADJUSTMENTS TO PROJECT FUNDING TO ADDRESS THE ACTUAL FY 2013/2014 CDBG ALLOCATION; AND,
4. APPROVE THE CDBG REIMBURSABLE CONTRACT WITH THE COUNTY OF LOS ANGELES CONCERNING CULVER CITY'S FY 2013/2014 CDBG ALLOCATION; 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.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Action Items

Item A-1

Approval of a Budget Amendment for Economic Development Activities

Mayor Weissman invited public participation.

There was no response.

MOVED BY COUNCILMEMBER O'LEARY AND SECONDED BY COUNCILMEMBER CLARKE THAT THE CITY COUNCIL APPROVE A BUDGET AMENDMENT APPROPRIATING \$45,000 FROM THE GENERAL FUND AS OUTLINED IN THIS REPORT.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

The following member of the audience addressed the City Council:

Rich Waters asserted that as a Tree People Citizen Forester he supported saving trees whenever possible; he expressed concern that the City was unable to check the trees frequently enough; he discussed the deterioration of the trees at various locations and the spread of the disease; he wanted to see action taken immediately; he cited areas in the City experiencing problems; he reported that an arborist had indicated that the trees would not come back and should be replaced; he discussed the tree canopy on Lincoln; and he invited Councilmembers to come for a personal tour.

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Items from Staff

Martin Cole, Assistant City Manager/City Clerk thanked the City Manager for encouraging him to "go paperless" by using an iPad instead of a paper agenda package.

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Items from the City Council

Items from Councilmember Sahli-Wells

- Provided a brief summary of the many accomplishments of the City in 2012 and announced upcoming events and projects for 2013

Items from Councilmember O'Leary

- Reported distributing the update from the Expo Light Rail to Councilmembers and asked that staff distribute quarterly project status reports as well
- Announced that he would be attending the Land Use Law and Planning Conference on January 18

Items from Councilmember Clarke

- Reported plans to represent Culver City at the U.S. Conference of Mayors in Washington, D.C.
- Requested consensus to agendaize consideration of a Youth Advisory Committee

Discussion ensued between Councilmembers regarding past attempts to establish a committee; the YMCA program; the level of interest; the Teen Center; and agreement by staff to provide a history of the item to the City Council.

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Adjournment

There being no further business, at 9:19 p.m., the City Council adjourned its meeting in memory of the children who died on December 14, 2012 in Newtown, Connecticut, to a meeting on Monday, January 28, 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