

REGULAR MEETING OF THE
REDEVELOPMENT AGENCY
CITY OF CULVER CITY,
CALIFORNIA

February 17, 2009
6:00 p.m.

Call to Order & Roll Call

The meeting of the Agency was called to order at 6:00 p.m.

Present: Andrew Weissman, Agency Chair
Christopher Armenta, Agency Vice Chair
D. Scott Malsin, Agency Member
Micheál O'Leary, Agency Member
Gary Silbiger, Agency Member

o0o

Closed Session

The Redevelopment Agency will immediately adjourn to Closed Session to discuss the following items:

CS-1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Re: Culver City Redevelopment Agency, et. al. vs. Kathy Herrity
Case No. Los Angeles Superior Court No. SC098165
Pursuant to Government Code Section 54956.9(a)

CS-2 EXPOSURE TO LITIGATION: ONE ITEM
Conference with Legal Counsel: Agency Legal Counsel: Murray Kane
Other Parties: Century Wilshire Incorporated
Pursuant to Government Code Section 54956(B) (1)

o0o

Recess

The Redevelopment Agency recessed to Closed Session at 6:00 p.m.

o0o

Reconvene

The Redevelopment Agency reconvened its meeting at 7:17 p.m. with all Members present.

o0o

Closed Session Report

Chair Weissman stated that there was nothing to report out from Closed Session.

o0o

Invocation/Pledge of Allegiance

The Invocation was given by Jerry Fulwood, Executive Director and the Pledge of Allegiance was led by Jessica Whaley.

o0o

Chair Weissman announced Item J-2 had been pulled from the agenda.

Public Comment for Items NOT On the Agenda

Marta Zaragosa East Culver City Alliance, voiced concern with lighting in the East Culver City area; announced that Brentwood Capital and City staff had not yet met with the alliance regarding the proposed project; and she asked for resolution of the Fox Hills billing issue.

Joy Jacobs reported on a visit from the student band of Sister City Leftbridge, Alberta, Canada noting that they were invited to play at Disneyland and made time to play and socialize with the Culver City High School Jazz Band. She presented a plaque to the City, on behalf of the band, in thanks for the visit.

o0o

Public Comment for Items On the Agenda

o0o

Consent Calendar

MOVED BY MEMBER MALSIN, SECONDED BY MEMBER O'LEARY AND UNANIMOUSLY CARRIED TO APPROVE THE CONSENT CALENDAR.

Item C-1

Secretary's Report

THAT THE REDEVELOPMENT AGENCY APPROVE THE SECRETARY'S REPORT.

o0o

Item C-2

Cash Disbursements

THAT THE REDEVELOPMENT AGENCY APPROVE CASH DISBURSEMENTS FROM JANUARY 17 TO JANUARY 30, 2009.

o0o

Item C-3

Approval of an Amendment to the Southern California Edison Easement for Electricity Service at Washington/Centinela to Add Telecommunications Services

THAT THE REDEVELOPMENT AGENCY:

- 1) APPROVE AN AMENDMENT TO THE ELECTRICITY EASEMENT AT WASHINGTON/CENTINELA WITH SOUTHERN CALIFORNIA EDISON TO INCLUDE TELECOMMUNICATION SERVICES IN EXCHANGE FOR \$2,500 SUBJECT TO APPROVAL AS TO FORM BY AGENCY GENERAL COUNSEL; AND,
- 2) AUTHORIZE THE AGENCY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
- 3) AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE AND RECORD SUCH DOCUMENTS ON BEHALF OF THE AGENCY.

o0o

Item C-4

Approval of an Agreement with KTGy Inc. to Develop Conceptual Site Plan for the Washington National Project

THAT THE REDEVELOPMENT AGENCY:

1. APPROVE AN AGREEMENT WITH KTGy, INC. TO DEVELOP A CONCEPTUAL SITE PLAN AND RELATED ENGINEERING PLANS FOR THE WASHINGTON NATIONAL PROJECT IN ORDER TO COMPLETE THE BACKGROUND WORK REQUIRED FOR MOVING FORWARD WITH THE PROJECT IN A NOT TO EXCEED CONTRACT OF \$63,425 ALLOCATED FROM ACCOUNT 55092620.619800; AND,
2. AUTHORIZE AGENCY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE REDEVELOPMENT AGENCY.

o0o

Joint Items

Item J-1

1) Consideration of a Fee Waiver Request by the Culver City Chamber of Commerce for the "Business E Waste Roundup" Event; 2) Designation of the Business E Waste Roundup as a City-Sponsored or Redevelopment Agency-Sponsored Event; and 3) Determination of the Level of Redevelopment Agency Support for the Event

Staff provided a summary of the material of record.

Member Malsin invited public participation.

The following member of the audience addressed the Agency:

Steve Rose, representing the Culver City Chamber of Commerce, stated that they would hold their event at a later date and that he was available for questions.

Item J-1
(Continued)

Discussion between staff and the Agency included: an assertion that no additional fees should be paid for by the City or Agency; a need for a consistent policy with fee waivers and financial aid; other E Waste efforts; business versus residential E Waste; the success of the previous Chamber event; using time to consolidate efforts; and opposition to a fee waiver.

MOVED BY MEMBER O'LEARY, SECONDED BY MEMBER MALSIN AND UNANIMOUSLY CARRIED THAT THE REDEVELOPMENT AGENCY:

- 1.A. APPROVE THE AGENCY FEE WAIVER REQUEST MADE BY THE CHAMBER OF COMMERCE FOR THE "BUSINESS E WASTE ROUNDUP" AND DETERMINE THE LEVEL OF SUPPORT, IF ANY, IT WISHES TO PROVIDE TO THE ROUND-UP IN THE FORM OF A REIMBURSEMENT TO THE CITY OF ITS COSTS ASSOCIATED WITH THE EVENT TO BE \$ 1,251.00;

AND

- 2.A. DETERMINE THE CRITERIA OF THE CITY COUNCIL POLICY STATEMENT 2008-01 HAVE BEEN MET, DESIGNATE THE "BUSINESS E WASTE ROUNDUP" AS AN AGENCY- SPONSORED EVENT AND ALLOW THE BANNERS TO BE POSTED IN THE PUBLIC RIGHT-OF-WAY.

AYES: Members Armenta, Malsin, O'Leary, and Silbiger

NOES: Member Weissman

o0o

Item J-2

1) Consideration of a Fee Waiver Request by the Culver City Exchange Club for the Sixth Annual Culver City Car Show; 2) Approval of a License Agreement for the Car Show; 3) Consideration of Designation of the Sixth Annual Culver City Car Show as a City-Sponsored Event; and 4) Determine the Level of Redevelopment Agency Support for the Car Show

This item was removed from the agenda.

o0o

Action Items

Item A-1

Approval of a Budget Amendment Appropriating Tax Exempt Bond Proceeds to Fund Expo Light Rail Station Isolation Measures Required for Development of the Washington/National Transit Oriented Development Project

Staff provided a brief summary of the material of record.

A written comment from Marta Zaragosa was read into the record.

The Agency refuted assertions made in the written comment and expressed support for the item.

MOVED BY MEMBER MALSIN, SECONDED BY MEMBER SILBIGER AND UNANIMOUSLY APPROVED THAT THE REDEVELOPMENT AGENCY:

1. APPROVE A BUDGET AMENDMENT APPROPRIATING \$3 MILLION FROM TAX EXEMPT BOND FUNDS TO FUND THE ISOLATION CASING AND THE ENLARGEMENT AND DEEPENING OF THE SUPPORT COLUMNS FOR METRO'S EXPO LIGHT RAIL TRANSIT STATION AT THE WASHINGTON/NATIONAL SITE *PROVIDED THAT* DISBURSEMENT OF SAID FUNDS SHALL BE SUBJECT TO BOTH (A) A MEMORANDUM OF UNDERSTANDING BETWEEN THE AGENCY AND METRO REGARDING THE WASHINGTON/NATIONAL SITE OF THE FUTURE EXPO STATION, AND (B) A FULLY EXECUTED DEFINITIVE AGREEMENT BETWEEN THE AGENCY AND METRO REGARDING EASEMENTS AND RELATED MATTERS AT THE WASHINGTON/NATIONAL SITE ARE APPROVED AND FULLY EXECUTED BY ALL PARTIES THERETO; AND,
2. AUTHORIZE THE AGENCY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE AGENCY.

o0o

Item A-2

Approval of an Agreement with Walker Parking Consultants to Provide Parking Consultation Services in Downtown Culver City

Item A-2
(Continued)

Staff provided a brief report on the item.

Stefan Turoof, Walker Parking Consultants, thanked the Council for their consideration.

Cary Anderson voiced concern that some parking issues were being overlooked.

Agency discussion included: whether another study would be needed after the Washington/National project is completed; support for the agreement; specifics on the services including an explanation of the data collection methods; and the need for further public notification.

MOVED BY MEMBER MALSIN, SECONDED BY MEMBER O'LEARY AND UNANIMOUSLY APPROVED THAT THE CULVER CITY REDEVELOPMENT AGENCY:

1. APPROVE AN AGREEMENT WITH WALKER PARKING CONSULTANTS IN AN AMOUNT NOT TO EXCEED \$166,100; AND
2. APPROPRIATE \$167,000 IN TAX EXEMPT BOND PROCEEDS TO FUND THE AGREEMENT; AND
3. AUTHORIZE THE AGENCY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
4. AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE AGENCY.
5. DIRECT STAFF TO RETURN IF NECESSARY WITH A REVISED COST ESTIMATE AND A RELATED BUDGET AMENDMENTS TO RECEIVE AGENCY DIRECTION ON ADDENDUM NO.1.

o0o

Item A-3

Approval of an Agreement with CBM Consulting, Inc. for General Engineering Services

MOVED BY MEMBER O'LEARY, SECONDED BY MEMBER MALSIN AND UNANIMOUSLY PASSED THAT THE AGENCY:

Item A-3
(Continued)

1. APPROVE AN AGREEMENT WITH CBM CONSULTING, INC., IN A FORM APPROVED BY AGENCY GENERAL COUNSEL, FOR GENERAL CIVIL ENGINEERING SERVICES, IN AN AMOUNT NOT TO EXCEED \$60,000; AND,
2. AUTHORIZE THE AGENCY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE AGENCY.

o0o

Item A-4

Invocation of the Provisions of the Polanco Redevelopment Act for Remediation of Contaminates Found at the 8801 Washington Boulevard Site

Frank Smolzinski Principal, TWS Products Company, provided corrections to the report.

A written comment from Marta Zaragosa was read into the record.

Staff provided clarification on why the Polanco Act was invoked.

MOVED BY MEMBER O'LEARY SECONDED BY MEMBER MALSIN AND UNANIMOUSLY APPROVED THAT THE CULVER CITY REDEVELOPMENT AGENCY:

1. INVOKE THE PROVISIONS OF THE POLANCO REDEVELOPMENT ACT AT 8801 WASHINGTON BOULEVARD; AND,
2. AUTHORIZE THE EXECUTIVE DIRECTOR TO TAKE ANY NECESSARY ACTIONS AUTHORIZED BY THE POLANCO REDEVELOPMENT ACT TO ACCOMPLISH THE CLEANUP, REUSE AND REDEVELOPMENT OF THE PROPERTY.

o0o

Item A-5

Confirmation that Carnivals are an Appropriate Short Term Temporary Use of Vacant Agency Property Pursuant to the Adopted Policy

Lou Reivers requested fee waivers on permits and rentals for the carnival, as all proceeds will go back to the community.

Carol Schwab, City Attorney, stated that the fee waiver was not agendaized and therefore not appropriate for discussion.

Agency and staff discussion included: time needed for the permit process; the importance of cost recovery; the Executive Director's authority versus the Council's; a suggestion to grant the Executive Director's authority on a one-time basis; the reason behind the decision on the site; a discussion of options in moving forward on the item; and an assertion that the proposed site is inappropriate for the carnival due to a lack of available parking and its proximity to a residential neighborhood.

Councilmember Silbiger asserted the policy was vague and he called for a review in order to make it more specific.

Chair Weissman announced that the item would be continued.

o0o

Receipt of Correspondence

MOVED BY CHAIR WEISSMAN, SECONDED BY MEMBER O'LEARY, AND UNANIMOUSLY CARRIED TO RECEIVE AND FILE CORRESPONDENCE.

o0o

Items from Staff

None.

o0o

Items from the Agency

Items from Chair Weissman

- Announced the second concert in the Music in the Chambers series, co-sponsored by the Redevelopment Agency

Items from Member Armenta

- Inquired about the L.A. County Animal Services invoice for January which includes an item for housing. Requested that staff investigate this.

Items from Member Silbiger

- Also requested that staff investigate whether animals are being housed at the Los Angeles County facility instead of the SPCA shelter.

Items from Member O'Leary

- Asked about the Board of Supervisors letter regarding additional restrictions on sex offenders.

Items from Member Malsin

- Commended the efforts on the new Channel 35 which broadcasts City information.

Adjourn In Memory

MOVED BY MEMBER MALSIN, SECONDED BY CHAIR WEISSMAN, AND UNANIMOUSLY CARRIED TO ADJOURN THE MEETING IN MEMORY OF RUSSELL JOHNSTON, LONG-TIME CULVER CITY RESIDENT AND MAJOR DONOR AND SUPPORTER OF THE CULVER CITY DOG PARK.

o0o

Adjournment

There being no further business, at 9:52 p.m., the Agency adjourned its meeting in memory of Russell Johnston to a Regular meeting on Monday, March 2, 2009.

o0o

Alice Prasad
SECRETARY of the City of Culver City Redevelopment Agency, California

APPROVED

Andrew Weissman
CHAIRPERSON of the Redevelopment Agency, City of Culver City, California