

## **ATTACHMENT NO. 17**

REGULAR MEETING OF THE  
CITY COUNCIL, CULVER CITY  
HOUSING AUTHORITY BOARD,  
CULVER CITY PARKING AUTHORITY,  
AND SUCCESSOR AGENCY TO THE CULVER CITY  
REDEVELOPMENT AGENCY BOARD  
CULVER CITY, CALIFORNIA

August 27, 2018  
6:00 p.m.

### **Call to Order & Roll Call**

Mayor Small called the regular meeting of the City Council to order at 6:00 p.m. in the Mike Balkman Chambers at City Hall.

Present: Thomas Small, Mayor  
Meghan Sahli-Wells, Vice Mayor  
Göran Eriksson, Council Member  
Alex Fisch, Council Member  
Daniel Lee, Council Member

Note: The City Council also sits as Members of the  
Governing Board(s) convened as part of the meeting.

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### **Closed Session**

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

**CS-1 CC:PA** - Conference with Real Property Negotiators  
Re: 9077 Washington Boulevard  
City Negotiators: John Nachbar, City Manager; Sol Blumenfeld, Community Development Director; and Todd Tipton, Economic Development Manager  
Other Parties Negotiators: Culver City Toyota  
Under Negotiation: Price, Terms of Payment or Both, including use restrictions, development obligations and other monetary related considerations  
Pursuant to Government Code Section 54956.8

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### **Reconvene**

The City Council reconvened for Recognition Presentations at 6:52 p.m. with five Council Members present.

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### **Recognition Presentation**

#### Item R-1

**CC - Presentation of Commendations to Former Commissioners, Board Members, and Committee Members in Recognition of Their Service to the Culver City Community**

Vice Mayor Sahli-Wells presented a commendation to David Trovato for his service on the Finance Advisory Committee.

David Trovato thanked Council Member Eriksson and the founding members of the Finance Advisory committee.

Mayor Small presented a commendation to Ron Bassilian for his service on the Landlord Tenant Mediation Board.

Ron Bassilian thanked the City for the honor and privilege of playing an active role in the City.

Council Member Eriksson reported that Steve Reitzfeld was not present to receive his commendation for serving on the Finance Advisory Committee, but noted that it would be sent to him.

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### **Regular Session**

Mayor Small reconvened the meeting of the City Council and convened the meeting of the Culver City Housing Authority Board, Culver City Parking Authority, and the Successor Agency to the Redevelopment Agency Board at 7:00 p.m. with all Council Members present.

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### **Invocation/Pledge of Allegiance**

John Nachbar, City Manager, led the invocation and the Pledge of Allegiance was led by Jeff Muir.

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**Report on Action Taken in Closed Session**

Mayor Small indicated nothing to report out of Closed Session.

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

Council Member Lee reported attending the Blair Hills Neighborhood Association Summer Picnic.

Council Member Fisch reported that the General Plan Update process kick off would be held on September 5th at 6:30 p.m. at Turning Point School and he invited everyone to come, noting that childcare would be provided on site.

Mayor Small noted that the title of the event was "We Are the City" and he described the presentation by James Rojas.

Council Member Eriksson reported attending another successful Fiesta La Ballona.

Vice Mayor Sahli-Wells noted that the summer was officially over and she welcomed everyone back to school noting that both of her children were in high school now; she reported participating in a press conference in front of La Ballona Elementary School; she discussed the Go Human campaign; and she commented on the success of Fiesta La Ballona, commending staff for a job well done.

Mayor Small reported the passing of Eva-Marie Runnby, sister of Council Member Eriksson.

MOVED BY MAYOR SMALL, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF EVA-MARIE RUNNBY.

Mayor Small announced the Police Department-led Community Forum to discuss the coyote problem on August 28 in Council Chambers and he announced that Finance Director Jeff Muir would be moving on to work with the City of Beverly Hills.

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**Joint Public Comment - Items Not on the Agenda**

Mayor Small invited public comment.

The following members of the audience addressed the City Council:

Andrew Weissman, former mayor, thanked Jeff Muir for his service, wisdom and foresight.

Jeff Muir, Chief Financial Officer, thanked the City for the opportunity to serve.

Council Member Eriksson thanked Jeff Muir for his insightful guidance.

Linda Lockhard asked that the coyote issue be put on a City Council agenda; she felt that the residents had a right to be part of the discussion about how the City is handling the issue; discussed killing of animals in the neighborhood; balance; the increased coyote population in her neighborhood; she distributed an article about coyotes entering homes to find prey; discussed the directive to keep pets indoors; urbanized and habituated coyotes; culling coyotes as they are not an endangered species; and she felt the issue should be a priority.

Rich Kissel asked the City to protect residents against coyotes who are overrunning the neighborhoods; suggested that in the past, coyotes were privately removed; he asserted that the coyotes were a plague on the City; discussed California hunting regulations; negative impacts to his real estate business; and he wanted to see an eradication program to eliminate the threat to human and animal safety.

Susan Tillerson requested that the City Council agendaize an update of the Coyote Management Plan including a presentation on coyote killings in Culver City, documentation of recent losses, impacts to the community and potential solutions; she felt that coyotes were challenging the quality of life; she asserted that it was naïve for the City to tell residents to coexist and to eliminate food sources; discussed habituation; the fact that there are no natural predators for coyotes; she wanted to see trapping; and she asked for a special City Council meeting to address issues.



Geli Harris asked that the City Council agendize an update of the Coyote Management Plan including a presentation on coyote killings in Culver City, documentation of recent losses, impacts to the community, and potential solutions; she discussed distribution of coyote alert flyers at Fiesta La Ballona; lack of resident awareness of the meeting to address the issue; and she requested that the City do additional outreach.

Katherine McKinney asked that the City Council agendize an update of the Coyote Management Plan and a formal presentation including a presentation on coyote killings in Culver City, documentation of recent losses, and impacts to the community with solutions; she discussed evidence-based studies on coyote management; the inadequacy of hazing; the unabated population; the need for trapping; she read from an academic study regarding coyote behavior; discussed stages of behavioral changes of coyotes; experiences and actions of other cities; and culpability of the City if there is a human attack.

Lila Swenson asserted that the City was not currently following the Coyote Management Plan; acknowledged that trapping and killing was not an effective solution to control the population but she saw no other solution; and she felt the City would be inviting a lawsuit if they did not take action.

Steve Sheftel felt that the safety of the City had been shattered with the recent killings of pets; he expressed concern for the safety of his mother when she walks her dog; asserted that the City had an epidemic of aggressive coyotes; he felt that City plans in place were ineffective; and he asked that the City Council agendize an update of the Coyote Management Plan and a formal presentation including a presentation on coyote killings in Culver City, documentation of recent losses, impacts to the community, and potential solutions.

Ron Bassilian announced that he was running to be the Republican candidate for the Congressional District this November, challenging incumbent Karen Bass; reported that Karen Bass had held a Congressional Conversation in Council Chambers and he requested equal time; discussed rejection of his request; the concept of equal time; he asked that if he were not allowed to use Council Chambers that he be allowed to use the Patacchia Meeting Room or another location; he discussed the contentiousness of the election season; his invitation to the Culver City Democratic Club; allegations

regarding white supremacy; he asked for the opportunity to defend his position; discussed fair and honest elections; efforts to bring the two sides together; granting his campaign legitimacy; restoring civil conversation; and healing the divide.

Richard Jebejian, Culver City Senior Softball Association, discussed diamond maintenance; work with Mr. Lakin to put together rehabilitation bids from bonded contractors; the desire of Ron Gaylen to make a donation to get the diamonds put back into proper shape; he reported submission of a letter detailing plans for the donation and diamond rehabilitation; he asked for consensus to move forward with the matter; and he discussed timing.

Kay Monk, Culver Palms United Methodist Women, discussed their mission; invited everyone to a spiritual retreat at Culver Palms United Methodist Church on September 15; and she discussed planned activities.

Mark Lipman discussed the recently declared fiscal emergency; he felt that Measure C was a regressive tax that would affect the poorest people in the community the most; he discussed business taxes; and he suggested a corporation tax to make the richest in the community pay their fair share.

Mary Preyer, Culver Palms United Methodist Church, invited everyone to come out to their monthly events and she announced a scholarship fundraiser in October for needy students in the community.

Dr. Janet Hoult discussed the Go Human Campaign; safety; preserving pedestrian safety; reducing car speeds; minimizing unsafe driving practices; scooters; helmets; focusing on surroundings; taking responsibility for your own safety; driverless cars; and she read a poem about pedestrian safety.

Cameron Spencer discussed the coyote issue; asked that the City Council agendaize an update of the Coyote Management Plan and a formal presentation including a presentation on coyote killings in Culver City, documentation of recent losses, impacts to the community and potential solutions; felt that hazing was ineffective; discussed making neighborhoods inhospitable for coyotes; expressed concern with pushing coyotes to another neighborhood; and she asked that the City follow the Coyote Management Plan and trap and kill the predators.

Doug Graham reported seeing a cat killed on July 28-29; recounted other incidents; noted that the situation had changed; and he felt that hazing was ineffective.

Steven Gourley expressed agreement with all of the people who had spoken before him; discussed 5909 Coalview; approval during the moratorium; concern with undermining by staff; errors made; serious misconduct; incorrect decisions with respect to property on the hill; and he asserted that there was no such thing as an enclosed pergola with a bathroom and an air conditioner.

Gary Silbiger noted that the current City Council had not agendized a discussion regarding the issue of drones; discussed reasons for disbanding the program before harm is caused; concern with the use of drones to spy on residents; lawsuits; militarizing the community; creating a false sense of a massive amount of crime; true costs of the program; problems with the Police Department policy; and he asked the City Council to agendize a full discussion of drones in Culver City.

Vaikunta Pria felt the solution to the coyote issue should be more sophisticated than not feeding them and keeping pets inside; expressed concern that the austerity was put on residents; she reported finding animal parts around the neighborhood; discussed coyote sightings; concern with the safety of toddlers in the neighborhood; and the change in lifestyle by keeping cats inside.

Rachel Bleemer, LA Film Festival, announced the third year of the Festival at the Arclight Cinemas from September 20-28; discussed construction at Culver Studios; the hub at the Arcadia Gallery; parking issues; work showcased from all around the world; patrons brought into the City; the mission of the Festival; and she thanked the City for their support.

Mayor Small was looking forward to seeing everyone at the meeting on August 28 for a more robust discussion about coyotes.

Council Member Eriksson reported that additional notice about the coyote meeting had been sent out.

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**Receipt and Filing of Correspondence**

Jeremy Green, City Clerk, reported receipt of six pieces of correspondence for Items Not on the Agenda, one for Item PH-1, and one for Item A-3.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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**Order of the Agenda**

No changes were made.

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**Consent Calendar**

Jeremy Green, City Clerk, noted that there were changes to Item C-3 and no speaker cards had been received for any Consent Items.

MOVED BY COUNCIL MEMBER LEE, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-1, C-2, C-4, C-5, C-7 AND C-9 THROUGH C-15.

Item C-1

**CC:HA:SA - Approval of Cash Disbursements**

THAT THE CITY COUNCIL: APPROVE CASH DISBURSEMENTS FOR JULY 17, 2018 TO AUGUST 17, 2018.

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Item C-2

**CC:HA:SA:PA - Approval of Minutes for the Regular City Council Meetings on June 25, 2018 and July 23, 2018**

THAT THE CITY COUNCIL: APPROVE MINUTES FOR THE REGULAR CITY COUNCIL MEETINGS ON JUNE 25, 2018 AND JULY 23, 2018.

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Item C-4  
(Out of Sequence)

CC - Approval of On-Call Professional Services Agreements with the Selected Firms to Support the City's Capital Improvement Program, from July 1, 2018 to June 30, 2023: General Civil Engineering Firms (14 Each); Traffic Engineering Firms (8 Each); Construction Management and Inspection Firms (12 Each); and Geotechnical Engineering and Material Testing Firms (7 Each)

THAT THE CITY COUNCIL:

1. APPROVE ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH THE FOLLOWING FIRMS TO SUPPORT THE CITY'S CAPITAL IMPROVEMENT PROGRAM, FROM JULY 1, 2018 TO JUNE 30, 2023:

A) GENERAL CIVIL ENGINEERING SERVICES FIRMS (14):  
ALTA, GHD, KABBARA, KCG, KOA CORPORATION, MNS ENGINEERS, NCE, NV5, PALLER-ROBERTS ENGINEERING, INC., QUANTUM CONSULTING, INC., RTI CONSULTING INC., TRANSTECH, VCA, AND WILLDAN;

B) TRAFFIC ENGINEERING SERVICES FIRMS (8):  
ADVANTEC, ALBERT-GROVER ASSOCIATES, CSG, KIMLEY-HORN, KOA CORP, STANTEC, VCA, AND WILLDAN.

C) CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FIRMS (12):  
ANNEALTA GROUP, CSG, FCG CONSULTANTS, INTERWEST CONSULTING GROUP, NV5, QUANTUM CONSULTING, INC., RTI CONSULTING INC., SA ASSOCIATES, SIMPLUS MANAGEMENT GROUP, THE NICKERSON COMPANY, TRANSTECH, AND WALLACE & ASSOCIATES CONSULTING, INC.

D) GEOTECHNICAL ENGINEERING AND MATERIAL TESTING SERVICES FIRMS (7):  
ASSOCIATED SOILS ENGINEERING, INC., LABELLE-MARVIN, INC., NINYO AND MOORE CONSULTANTS, PSI (PROFESSIONAL SERVICE INDUSTRIES.), RMA GROUP, SCST, AND TERRACON CONSULTANTS, INC.; 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 C-5

**HA - Approval of the Certification and Submission of the  
Section 8 Management Assessment Program (SEMAP)**

THAT THE HOUSING AUTHORITY:

1. APPROVE THE CERTIFICATION AND SUBMISSION OF THE SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AND,
2. AUTHORIZE THE CHAIR AND THE EXECUTIVE DIRECTOR TO EXECUTE THE SEMAP CERTIFICATION.

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Item C-7  
(Out of Sequence)

**CC:PA - Approval of an Agreement with Slater Waterproofing  
Company for Restoration Services Related to the Ince, Cardiff  
and Watseka Parking Structures in an Aggregate Amount Not-to-  
Exceed \$407,000**

THAT THE CITY COUNCIL AND PARKING AUTHORITY:

1. APPROVE AN AGREEMENT WITH SLATER WATERPROOFING COMPANY FOR RESTORATION SERVICES RELATED TO THE INCE, CARDIFF AND WATSEKA PARKING STRUCTURES IN AN AGGREGATE AMOUNT NOT-TO-EXCEED \$407,000; AND,
2. IF THE CITY COUNCIL AND PARKING AUTHORITY BOARD APPROVE THE AGREEMENT WITH SLATER WATERPROOFING COMPANY, AUTHORIZE STAFF TO NEGOTIATE THE FINAL TERMS OF THE AGREEMENT, PROVIDED THE FINAL CONTRACT PRICE DOES NOT INCREASE MORE THAN THE CITY MANAGER'S CONTRACT AUTHORITY; AND,
3. AUTHORIZE THE CITY ATTORNEY/PARKING AUTHORITY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY AND PARKING AUTHORITY.

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Item C-9

CC - Adoption of a Resolution Authorizing the City Manager or Designee to Submit a Claim to the Los Angeles County Metropolitan Transportation Authority (Metro) for Transportation Development Act (TDA) Funds for FY 18/19

THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO SUBMIT A CLAIM TO THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO) FOR TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS FOR FY 18/19.

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Item C-10

CC - Approval of an Amendment to an Existing Professional Services Agreement with Safety Research Consultants, Inc. for Solid Waste Safety Training Services in an Amount Not-to-Exceed \$97,000 annually for FY 18/19 and FY 19/20

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH SAFETY RESEARCH CONSULTANTS, INC. TO INCLUDE ADDITIONAL TRAINING SERVICES IN AN AMOUNT NOT-TO-EXCEED \$97,000 ANNUALLY FOR FY 18/19 AND FY 19/20;

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

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

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Item C-11

CC - Approval of a Purchase Order with MSA Systems, Inc for the Purchase of Fifteen (15) Zebra Enterprise ET5 Tablets and Fifteen (15) Zebra ZQ520 Printers and Included Accessories in an Amount-Not-To-Exceed \$55,000.00

THAT THE CITY COUNCIL:

1) APPROVE A PURCHASE ORDER WITH MSA SYSTEMS FOR THE PURCHASE OF FIFTEEN (15) ZEBRA ENTERPRISE, ET5 TABLETS AND FIFTEEN (15) ZEBRA, ZQ520 PRINTERS AND INCLUDED ACCESSORIES IN AN AMOUNT NOT-TO-EXCEED \$55,000.00.; AND



2) AUTHORIZE THE PURCHASING OFFICER TO ISSUE SUCH PURCHASE ORDER.

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Item C-12

CC:PA - (1) Approval of a Blanket Purchase Order with First Data Merchant Services, LLC for Electronic Payment Processing Services; (2) Authorization for Payment of Remaining Fiscal Year 2017-18 Invoices; and (3) Approval of a Related Budget Amendment (FOUR-FIFTHS VOTE REQUIREMENT)

THAT THE CITY COUNCIL:

1) APPROVE A BLANKET PURCHASE ORDER WITH FIRST DATA MERCHANT SERVICES, LLC FOR ELECTRONIC PAYMENT PROCESSING SERVICES;

2. AUTHORIZE THE PURCHASING OFFICER TO ISSUE SUCH PURCHASE ORDER;

3. AUTHORIZE PAYMENT OF REMAINING FISCAL YEAR 2017-18 INVOICES; AND

4. APPROVE THE RELATED BUDGET AMENDMENT AS PROPOSED FOR FY 2017-18 (BUDGET AMENDMENT REQUIRES A 4/5THS VOTE).

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Item C-13

CC: (1) Authorize the City Manager to Approve up to \$49,000 in Annual Contingency for the Professional Services Agreement with Marina Landscape for City-Wide Landscape Maintenance Services

THAT THE CITY COUNCIL: AUTHORIZE THE CITY MANAGER TO APPROVE UP TO \$49,000 IN ANNUAL CONTINGENCY FOR THE PROFESSIONAL SERVICES AGREEMENT WITH MARINA LANDSCAPE FOR CITY-WIDE LANDSCAPE MAINTENANCE SERVICES.

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Item C-14

CC - Adoption of Resolution Approving a Revised Classification and Salary Plan for Miscellaneous Employees, (2) Approval of Proposed Budget Amendments for Fiscal Year 2017-18 (Four-Fifths Vote Requirement), and (3) Approval of Proposed Budget Amendments for Fiscal Year 2018-19 (Four-Fifths Vote Requirement)

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING A REVISED CLASSIFICATION AND SALARY PLAN FOR MISCELLANEOUS EMPLOYEES; AND
2. APPROVE THE BUDGET AMENDMENTS AS PROPOSED FOR FY 2017-18 (BUDGET AMENDMENT REQUIRES A 4/5THS VOTE); AND
3. APPROVE THE BUDGET AMENDMENTS AS PROPOSED FOR FY 2018-19 (BUDGET AMENDMENT REQUIRES A 4/5THS VOTE).

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Item C-15

CC - Adoption of a Resolution, Denying Without Prejudice, T-Mobile's Application for a Proposed Wireless Telecommunications Facility in the Public Right-of-Way West of 10876 Culver Boulevard

THAT THE CITY COUNCIL: ADOPTION OF A RESOLUTION, DENYING WITHOUT PREJUDICE, T-MOBILE'S APPLICATION FOR A PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY IN THE PUBLIC RIGHT-OF-WAY WEST OF 10876 CULVER BOULEVARD.

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Item C-3  
(Out of Sequence)

CC - Approval of a Purchase and Sale Agreement with WS Investments Property LLC to Purchase a Portion of a City-Owned Property Located Adjacent to 4201 Jackson Avenue

Joe Susca, Senior Management Analyst, discussed necessary changes to figures in the document as a result of an incorrect figure provided by the appraiser.

Discussion ensued between staff and Council Members regarding ensuring that the project moves forward and brings up the aesthetic; height of the fence; safety; visibility; lighting; and staff agreement that the City Council review designs before the project moves forward.

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE AND SALE AGREEMENT TO SELL A PORTION OF CITY PROPERTY LOCATED ADJACENT TO 4201 JACKSON AVENUE TO WS INVESTMENTS PROPERTY LLC FOR ITS FAIR MARKET VALUE; AND
2. AUTHORIZE THE CITY ATTORNEY TO 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-6  
(Out of Sequence)

**CC - Approval of an Amendment to an Existing Professional Services Agreement with Marina Landscape Services Inc. for City-Wide Landscape Maintenance Services to include the Baldwin Avenue Rain Garden Rehabilitation Landscaping and Irrigation Services**

Kim Braun, Environmental Programs and Operations Manager, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding ensuring proper plant selection, and maintenance for future and existing rain gardens.

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH MARINA LANDSCAPE SERVICES, INC. FOR CITY-WIDE LANDSCAPE MAINTENANCE SERVICES TO INCLUDE THE BALDWIN AVENUE RAIN GARDEN REHABILITATION LANDSCAPING AND IRRIGATION SERVICES; AND
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW AND 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-8  
(Out of Sequence)

**CC - Approval of and (if Desired) Direction Related to the Finance Advisory Committee (FAC) Work Plan**

Discussion ensued between staff and Council Members regarding review and update of the business tax; discussion of the item at the budget retreat; inclusion of the business tax review as part of the review and make recommendations on revenue opportunities; concern that the review and update of the business tax should be emphasized as a priority; extensive outreach during the process; creation of a formal analysis above and beyond what is done by the Finance Advisory Committee (FAC); next steps; the initial review by the consultant; and communication with Mr. Lipman.

THAT THE CITY COUNCIL:

1. APPROVE THE FAC REVISED WORK PLAN; AND
2. PROVIDE DIRECTION TO THE FAC AS DEEMED APPROPRIATE.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-3, C-6 AND C-8.

Jeremy Green, City Clerk, requested that the Mayor sign off on the housing verification.

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Mayor Small called a brief recess from 8:21 p.m. to 8:30 p.m.

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**Public Hearings**

Item PH-1

CC - PUBLIC HEARING: (1) Introduction of an Ordinance Amending the Culver City Zoning Map, as Referenced in Title 17, Zoning, of the Culver City Municipal Code (CCMC), Section 17.200.015 - Zoning Map (Zoning Code Map Amendment, P2017-0021-ZCMA); and (2) Adoption of a Resolution Amending the General Plan Map (General Plan Map Amendment, No. P2017-0021-GPMA) and Approving a Reduction in the Number of Required Parking Spaces through the Use of an In-Lieu Fee, for the Development of a 3 to 4 Story Office Building (Known as The Brick and the Machine) with Ground Floor Retail and Restaurant at 9735 Washington Boulevard

MOVED BY COUNCIL MEMBER LEE, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND THE FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF NOTICES AND CORRESPONDENCE RECEIVED IN RESPONSE TO THE PUBLIC HEARING NOTICES.

Jose Mendivil, Senior Planner, provided a summary of the material of record.

Sol Blumenfeld, Community Services Director, discussed Condition 18; the applicant request for less than the required parking; the proposed shared parking program for the project; the staff recommendation for an in-lieu parking payment; unknown outcomes in the downtown area; potential negative impacts; funding for alternative peripheral parking programs consistent with the Transit Oriented Development (TOD) study; addressing parking and mobility issues; and the applicant request for a revision to the condition.

Council Member Eriksson questioned how the proposed in-lieu fee compared with fees of other cities.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCIL MEMBER FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING AND RECEIVE PUBLIC COMMENT.

Mayor Small invited public comment.

The following members of the audience addressed the City Council:

Frank Stefan, DOJ Capital Real Estate Partners, provided background on the project; discussed over-parking the project; the on-site attendant; the Transportation Demand Management (TDM) plan outlined in Condition 17: bicycle parking; proposed

contributions towards mobility; afterhours parking provided for local use over a ten-year period; the independent parking demand study; and work to address concerns of Southern California Hospital.

Trevor Abramson and Marco Marraccini, Abramson Teiger Architects, provided a presentation on The Brick and The Machine project; discussed orientation of the site, the path of the sun and thermal imbalance; sustainable features; project design; building context; interconnectivity to neighboring projects; activating the streetscape; mobility features; the public art component; landscaping; and sustainable components.

Discussion ensued between staff and Council Members regarding the view of the public art from the street; sliding doors; an observation that Disney Hall does not use their open facades due to vermin issues; Health Department requirements; the closed kitchen necessary with an open façade; opening up the corner; allowing visual transparency; and concern that the doors would be closed all the time.

Darryl Menthe, Downtown Business Association (DBA), expressed support for the project; discussed Condition 18; public benefit to the DBA; the need for extra parking; and in-lieu fees.

Colin Diaz, Chamber of Commerce, expressed support for the project.

Seema Samimi, Jeffer, Mangels, Butler & Mitchell, spoke on behalf of Southern California Hospital, discussed resolution as a result of good faith negotiations with the developer; the need for continued cooperation in order to effectuate mitigation measures; the noise monitoring program; appreciation to the City, the Planning Commission and the developer for taking concerns seriously; adjustments to hauling routes; and clarification that the majority of noise concerns were related to the construction phase.

Ken Mand discussed ensuring that the rooftop garden and restaurant are guaranteed to be open to the public; public benefit; the goal of minimizing parking; in-lieu fees; whether using Culver Studios as a point of reference is appropriate; requiring that lane closures occur during off-hours; and the importance of minimizing construction impacts.

Jeremy Green, City Clerk, read a written comment submitted by:

Steven Gourley

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING AND RECEIVE PUBLIC COMMENT.

Discussion ensued between staff and Council Members regarding appreciation for those who worked on the project; the message from Soul Play Yoga; the importance of the General Plan process; parking and new thoughts about how cities work; adding jobs but not homes to an already impacted area; Condition 18; balancing competing considerations; use of public space; whether it is appropriate to cede the public benefit to the DBA; support for the payment to the mobility fund; and the in-lieu fee.

Council Member Fisch suggested allowing the building owner to manage the parking for profit, with an annual stipend or profit share on the parking value paid to the City over ten years.

Additional discussion ensued between staff and Council Members regarding consistency with in-lieu fees of other cities; major developments; the importance of public process; adaptive reuse; the need for more context before moving forward; the proposed zoning change; the different approach to mobility and parking; input and buy-in from the community; the iconic nature of the downtown area; the importance of thinking through the function of the building and zoning; the Culver Steps project; the need for more homes and less restaurants; taking a holistic view of the area; the need for a collaborative approach; whether this is the use that Culver City needs right now; appreciation for the sustainable elements; consideration of multi-use racks for bicycles and scooters; making the mobility options palatable; construction traffic; focusing construction priorities on housing; support for the rooftop garden restaurant; concern with delaying the project and missed opportunity; public input so far; impacts from previous projects which did not pay in or did not pay in enough; concern with placing a burden on a project; balance; monetizing the parking spaces; generating money for the mobility fund; keeping the funds flexible; housing currently being built nearby in Los Angeles; the zoning change; the genesis of the in-lieu parking fee level; support for the project; acknowledgement of outstanding issues; tenanting;



further work with the developer and staff to ensure that the project works as intended; a suggestion to refer the project back to the Planning Commission for consideration; the General Plan process; mobility standards; putting the data together to generate the fee; creation of a capital program; working with finance and/or a consultant to generate a cost per unit; codification of TAP card subsidies; having a vetted mobility policy; enforcement of policy; creating a clear policy with which to move forward; the proposed mobility fee structure; whether to take a ten minute recess to sort out issues or continue the matter for proper study; understanding repercussions or unintended consequences of the suggestion made by Council Member Fisch; the need for further study; creating a menu of impact fees and mobility options; public benefit; concern that it would be inappropriate to make a quick decision; serious underlying questions regarding the retail and restaurant component; slowing down the restaurantification of downtown; removing parking incentives; concern with vacant buildings; studying absorption of retail and restaurants given Culver One and Culver Steps; the process; the Site Plan Review; having the Planning Commission reconsider their recommendation to the City Council; allowing the process to move forward; imagining what Venice Boulevard will look like in five years; concern with revenue lost with delays; adaptive reuse; concern with imposing constraints that could create a vacant space in the future; the retail plan for the project; affordable commercial; concern with over-parking and generating single car trips; concern with the City Council deciding the type of retail that should go in; and support for having a plan going forward.

Mayor Small moved to send the item back to the Planning Commission. Vice Mayor Sahli-Wells seconded the motion and the discussion continued.

Frank Stefan, DOJ Capital Real Estate Partners, indicated that they were prepared to address any concerns or return to the City Council and staff; he questioned the reason for returning to the Planning Commission; discussed community meetings and noticing; the retail level; their desire and intent to have successful tenants; lessons learned; shallower depths; fees; and he indicated that they would prefer to return to the City Council rather than to the Planning Commission.

Trevor Abramson, Abramson Teiger, pointed out that the project was not in plan check yet; discussed the timeline; the amount

of time that it takes to return to the Planning Commission; and he noted that time was becoming critical.

Discussion ensued between staff and Council Members regarding clarification that the in-lieu parking issue, zone change and General Plan amendment are the purview of the City Council; bypassing the Planning Commission; options for moving forward; securing Letters of Intent; hybrid usage; adding to the workload of the City Council; efficiency; willingness of the City Council to take on the work rather than have the item take longer by going through the Planning Commission; timing; and upcoming agenda items.

Mayor Small amended his motion and moved that the item be brought back for City Council consideration on October 22, 2018 rather than returning to the Planning Commission. Vice Mayor Sahli-Wells accepted the amendment.

MOVED BY MAYOR SMALL, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DIRECT STAFF TO BRING THE ITEM BACK FOR CONSIDERATION AT THE OCTOBER 22, 2018 CITY COUNCIL MEETING.

Mayor Small thanked the applicants for their diligence and patience, noting that the action placed a burden on the team to solve the issues and to work in the spirit of collaboration and compromise.

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#### **Recess/Reconvene**

Mayor Small called a brief recess from 10:30 p.m. to 10:37 p.m.

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#### **Action Items**

Item A-3  
(Out of Sequence)

**CC - Authorization to Release a Request for Proposals (RFP) to Prepare an Economic Development Implementation Plan**

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



Mayor Small invited public comment.

The following members of the audience addressed the City Council:

Gurbax Sahota, California Association for Local Economic Development, provided a presentation on economic development; discussed practitioner perspective; defining economic development; trends in the public sector; expertise lost with the loss of Redevelopment; job development; business retention; identification of goals; the RFP process and action plan; trends; the role of the public sector; identification of unique qualities of the community; understanding how Culver City competes with other communities; understanding the data, community expectations and what a community can support; knowing what you want and measuring your progress; key issues for economic development; understanding how Culver City fits in with the region; and what's next.

Darin Chidsey, Southern California Association of Governments (SCAG), provided background on SCAG; discussed growth; demographic shifts; median home value; opportunities; resources in the community; projections for the future; housing; commutes; changes happening in technology and transportation; transit priority areas; automated vehicles; maximizing resources; and the importance of planning.

Discussion ensued between the speakers, staff and Council Members regarding a request for input from the City Council on anything missing in the RFP; clarification that the implementation plan should be about meeting needs in addition to economic development; the importance of studies; challenges; gentrification; displacement; emphasizing the need for housing; shared prosperity; helping every neighborhood in Culver City to thrive; concern with people being pushed out of the City; the thriving creative community; finding a way to address housing and small business issues along with economic development issues; collaboration with Los Angeles; areas in the City that have benefitted from developments more than others; providing community benefits in underserved areas; smart city technology and infrastructure; economic development in the General Plan Update; migration; branding in the TOD area; environmental graphics and wayfinding; creating wealth for the entire community; taking stock of where the City is now and maintaining until the General Plan is in place; the importance of ensuring that equity is included in the RFP; an

email comment from Marla Koosed asking that the Creative Economy be included; implementation of the recommendations of the Creative Economy Report; placing an emphasis on retention of businesses; project scope; and appreciation to staff and the subcommittee for their work.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS FOR THE PREPARATION OF AN ECONOMIC DEVELOPMENT IMPLEMENTATION PLAN WITH ADDITIONAL ITEMS INCLUDED AS DISCUSSED.

Vice Mayor Sahli-Wells asked that staff provide Council Members with a copy of the presentation, including the video that there was not time enough to show.

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Item A-1

CC - Conformance Review for Comprehensive Plan, P2017-0042-CP, to Determine Whether the Revised Plans Provide Screening to Minimize Glare and Views into the Parking Structure, and Confirm If Designs for Converting a Portion of Parking into Outdoor Dining Space is Consistent with the Intent of Condition No. 9 of City Council Ordinance No. 2018-004 to Reduce Building Massing

Gabriela Silva, Associate Planner, provided a summary of the material of record.

Mayor Small invited public input.

The following members of the audience addressed the City Council:

John Nehas, Regency Centers, introduced the item noting that a comparison would be provided between what was originally shown to the Planning Commission and the current proposal with City Council and Commission input incorporated, and he discussed reduced parking.

Aaron Benefield, GRDV, presented renderings; discussed options for screening the garage; style of the building; and features of the design.

John Nehas, Regency Centers, discussed the requirement to mechanically ventilate the garage on the first level.

Discussion ensued between John Nehas, staff and Council Members regarding sustainability and energy; operational expenses; noise related to the HVAC unit; and rooftop exhaust fans.

Additional discussion ensued between staff and Council Members regarding making a garage with a market hall look like a market hall with a garage; the community meeting; the circulation issue; appreciation for efforts made by the developer; ensuring that residents feel heard and that their concerns matter; and the lack of negative resident feedback.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE THE CONFORMANCE REVIEW, FINDING THE PROPOSED REVISED PLANS PROVIDE THE SCREENING NECESSARY TO MINIMIZE GLARE AND VIEWS INTO THE PARKING STRUCTURE AS REQUIRED BY CONDITION NO. 9 OF CITY COUNCIL ORDINANCE NO. 2018-004.

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Item A-2

**CC - Approval of Temporary Use Permit No. P2018-0126-TUP to Allow Early Construction Hours Related to the Development Project at 8888 Washington Boulevard**

Michael Allen, Current Planning Manager, provided a summary of the material of record.

Jeremy Green, City Clerk, distributed a late email to City Council Members.

Discussion ensued between staff and Council Members regarding the time period for unmitigated noise; evening out impacts on the street; providing relief; the intent to make the traffic impact before rush hour; shortening the construction period; and addressing the concerns expressed in the email.

Mayor Small invited public comment.

The following members of the audience addressed the City Council:

Joseph Miller, Runyon Group, indicated that the request was the same as had been granted to their neighbors for the same purposes; discussed the goal to reduce impacts; length of time for the request; impacts on the overall schedule; and the feeling that the change benefits the community.

Bonifacio Bravo reported owning 8925 Lindblade Street; discussed his property and business; current issues with construction noise; he expressed opposition to allowing the extension of construction hours; noted that his tenants were disabled and deserved the ability to rest; indicated that he was being squeezed out by Mr. Miller; and he felt that the extension was not fair to his tenants.

Discussion ensued between staff and Council Members regarding the noise study; the differential between the projected noise level and the City's noise standard; allowable actions; concrete pours; soil excavation and hauling; and estimated hourly averages.

Responding to inquiry, Joseph Miller stated that the extended hours would shorten the time frame for construction by 2-3 months; he offered to provide cell phone numbers to tenants; discussed sensitive receptors; and accommodations provided to his neighbors.

Bonifacio Bravo noted that his tenants were not able to communicate and the cell phone numbers provided by Mr. Miller would not be helpful to them; he discussed offensive comments made about his tenants by the architect; pounding and noise during excavation; noise generated by the concrete pour; he noted that Mr. Miller had run into water during construction and further and deeper excavation would be necessary; he felt that the code should be followed; he did not agree that the construction period would be shorter; and responding to inquiry, he clarified that the other project that had been granted extended hours was further away and did not impact him.

Further discussion ensued between staff and Council Members regarding the other development that received the extended hours; the General Plan; the standard for review; available guidance; and the ability to revoke a Temporary Use Permit (TUP).

Discussion ensued between Mr. Miller and Council Members regarding individual provisions for onsite sound mitigations;

rules; being treated in the same manner as others; and a previous instance where a sound wall was installed.

Mr. Bravo reported that Mr. Miller had encroached onto his property line during construction; he asserted that no acoustic wall had been put up in the past; and he stated that there was no way to mitigate that type of sound or to protect his tenants.

Additional discussion ensued between staff and Council Members regarding a study that found no feasible mitigation above a certain level; willingness to put up a sound wall; benefits of shortening the construction period; sound created by concrete pours vs. excavation; ensuring that Mr. Miller works with Mr. Bravo to mitigate sound impacts; monitoring the situation; neighbor outreach; proximity issues with the surrounding developments; the different situation with this development; the sound study; concern with not accepting the information provided; standard conditions for revocation; sound blanket installation; the need to conduct steel erection during daytime hours; the inspector; the standard for review; perception of sound at 5 a.m. vs. 10 a.m.; City Council discretion; standard construction hours; and giving special consideration to the developer to enable shortening the construction period.

Vice Mayor Sahli-Wells indicated that she would need to go to the site at 5:00 a.m. to listen for herself.

Joseph Miller indicated that he could not agree to allow one person's opinion of whether something is too loud to determine the outcome.

Discussion ensued between Mr. Miller, staff and Council Members regarding testing to determine whether the noise level exceeds allowable levels; the conditional process; the net benefit to the entire City as a result of the exception; the number of tenants that currently live at the location; being a good neighbor; granting the exception to other parties; and concern with being subject to one person's discretion.

Further discussion ensued between staff and Council Members regarding responsibility for funding inspections and studies; proximity of Mr. Bravo and his tenants; differences between this situation and the other situation; trying to come to a compromise; measuring noise and vibration; standards for review; remediation; the ability of the City Council to revoke

the TUP at any time; and encouragement to Mr. Bravo to return if noise levels are egregious.

Additional discussion ensued between Mr. Miller, Mr. Bravo, staff and Council Members regarding sound wall specifications; establishing parameters; placement of the scaffolding to hold up the sound blanket; and increasing housing stock.

Sol Blumenfeld, Community Development Director, discussed conditions including checking the sound level in the early morning in conformance with the City's noise ordinance; installation of the sound blankets; revocation if construction noise is in excess of allowable standards in the noise ordinance; and he received City Council direction to have a separate conversation with the developer.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE TEMPORARY USE PERMIT P2018-0126-TUP FOR RUNYON GROUP TO CONDUCT CONSTRUCTION ACTIVITIES TO COMMENCE AS EARLY AS 5:00 A.M. DAILY, IN CONNECTION WITH THE COMMERCIAL (OFFICE, RETAIL, RESTAURANT) BUILDING PROJECT (PROJECT) LOCATED AT 8888 WASHINGTON BOULEVARD, SUBJECT TO THE CONDITIONS OF APPROVAL HEREIN, BEGINNING THE EFFECTIVE DATE OF THE TUP, BASED ON THE FINDINGS SET FORTH IN THE STAFF REPORT; AND
2. AUTHORIZE THE COMMUNITY DEVELOPMENT DIRECTOR TO PREPARE AND ISSUE A TEMPORARY USE PERMIT ON BEHALF OF THE CITY.

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Item A-4

CC - (1) Designation of the City's Voting Delegate and up to Two Alternate-Delegates for the 2018 League of California Cities Annual Conference; (2) Consideration of a Position on the League of California Cities' Resolution Pertaining to Local Authority, Control, and Revenue and (3) Consideration of a Position on the League of California Cities' Resolution Pertaining to Repealing Preemption of Regulating Pesticides at the Annual Conference



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

Discussion ensued between staff and Council Members regarding staff recommendations for the resolutions; support for local control; concern with costs to implement preparation of ballot measures or a constitutional amendment; League costs passed along to member cities; pesticides; support for protecting the environment; unclear direction; concern with the vagueness of the first resolution; support for examining City policies in terms of the rodenticides used; concern with grouping the resolutions together; local control; Redevelopment funds; affordable housing; minimum wage; pre-emption; concern with inclusion of pesticides with the first resolution; circumventing local control; exploration of preparation of a ballot; the policy commitment of the League to support local control; clarification that the constitutional amendment ensures automatic support of local control rather than discretionary support; legislation via ballot measure or constitutional amendment; and concern with corporate influence.

Mayor Small invited public comment.

No cards were received and no speakers came forward.

MOVED BY COUNCIL MEMBER LEE, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DESIGNATE MAYOR SMALL AS VOTING DELEGATE AND COUNCIL MEMBER FISCH AS ALTERNATE VOTING DELEGATE.

Discussion ensued between staff and Council Members regarding the details of Resolution Number 1; the rule of the League to defend the rights of the cities; state infringement on local authority; clarification on what the resolution does; whether a ballot measure is the way to protect local authority; exploration and assessment; concern with the wording; consideration of a fundamental change; the constitutional amendment; and sending a signal vs. creating a law.

MOVED BY VICE MAYOR SAHLI-WELLS AND SECONDED BY COUNCIL MEMBER LEE THAT THE CITY COUNCIL: TAKE A POSITION IN OPPOSITION TO RESOLUTION NUMBER 1.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FISCH, LEE, SAHLI-WELLS

NOES: ERIKSSON, SMALL

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY MAYOR SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL TAKE A POSITION: IN SUPPORT OF RESOLUTION NUMBER 2.

MOVED BY MAYOR SMALL, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL AUTHORIZE THE VOTING DELEGATE AND ALTERNATE VOTING DELEGATE TO CAST VOTES EXERCISING REASONABLE DISCRETION IN THE CASE CIRCUMSTANCES AT THE GENERAL ASSEMBLY WARRANT A CHANGE IN VOTE.

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#### **Public Comment - Items Not on the Agenda**

Mayor Small invited public comment.

No cards were received and no speakers came forward.

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#### **Items from Council Members**

Council Member Lee received clarification that parking would be available for the LA Film Festival and he suggested revisiting the drone policy.

Discussion ensued between staff and Council Members regarding further consideration and vetting of the drone policy; public meetings; the pilot program; refining the policy; and City Council consensus was achieved to agendize a policy discussion on drones.

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#### **Council Member Requests to Agendize Future Items**

Vice Mayor Sahli-Wells received City Council consensus to agendize a discussion of possible endorsement of Measure W, the safe, clean water measure from LA county on the November ballot and she agreed to provide a model resolution.

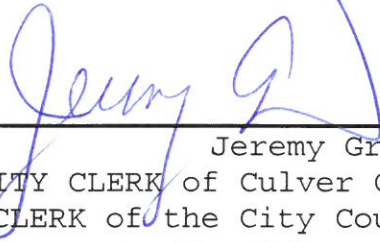
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**Adjournment**

There being no further business, at 1:02 a.m. on Tuesday, August 28, 2018, the City Council, Successor Agency to the Culver City Redevelopment Agency Board, Culver City Parking Authority, and Culver City Housing Authority Board adjourned in memory of Eva-Marie Runnby to September 11, 2018.

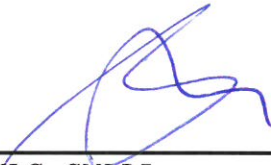
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Jeremy Green

CITY CLERK of Culver City, California  
EX-OFFICIO CLERK of the City Council and SECRETARY of the  
Successor Agency to the Culver City Redevelopment Agency  
Board, Culver City Parking Authority,  
and Culver City Housing Authority Board  
Culver City, California



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THOMAS SMALL

MAYOR of Culver City, California and CHAIR of the Successor  
Agency to the Culver City Redevelopment Agency Board, Culver  
City Parking Authority, and Culver City Housing Authority  
Board