

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE CITY COUNCIL,
CULVER CITY HOUSING AUTHORITY BOARD,
CULVER CITY PARKING AUTHORITY BOARD,
AND SUCCESSOR AGENCY TO THE CULVER CITY
REDEVELOPMENT AGENCY BOARD

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

December 12, 2016
5:30 p.m.

Call to Order & Roll Call

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

Present: Jim B. Clarke, Mayor
Jeffrey Cooper, Vice Mayor
Göran Eriksson, Council Member
Meghan Sahli-Wells, Council Member
Thomas Small, Council Member

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

Mayor Clarke announced that the recognitions for Elliot Hefler, the Lions Club, and the sponsors of the Senior Citizen's Thanksgiving dinner had been pulled and postponed to a future date, and he reported the need to add an item to the closed session agenda, as it requires immediate action and arose after the posting of the agenda, and can be added with a two-thirds vote of the City Council pursuant to Government Code Section 549543.2 (b) 2.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL ADD AN ITEM TO THE CLOSED SESSION AGENDA REQUIRING IMMEDIATE ACTION THAT AROSE AFTER THE POSTING OF THE AGENDA: CS-2 - CONFERENCE WITH LEGAL COUNSEL, RE: CITY OF INGLEWOOD ET. AL., CASE NO. 56-2014-00451038-CU-BM-OXN, PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1).

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Closed Session

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

CS-1 Conference with Real Property Negotiators

Re: 3727 Robertson Boulevard

City Negotiators: John Nachbar, City Manager; Sol Blumenfeld, Community Development Director; Todd Tipton, Economic Development Manager

Other Parties Negotiators: Michael Halaoui and Bernard Ashkar of Icon West, Inc.

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

CS-2 Conference with Legal Counsel

Re: City of Inglewood et. al.

Case No. 56-2014-00451038-CU-BM-OXN

Pursuant to Government Code Section 54956.9 (d)(1)

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Reconvene

Mayor Clarke reconvened the City Council at 6:33 p.m. with all Members present.

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Recognition Presentations

Item R-1

**CC - Presentation of a Commendation to the Culver City
Lions Club for 35 Years of Sponsoring the Culver City
Senior Citizen Thanksgiving Dinner**

This item was postponed to a later date.

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Item R-2

**CC - Presentation of a Commendation to Elliot Heffler for
40 Years of Chairing the Culver City Senior Citizen
Thanksgiving Dinner**

This item was postponed to a later date.

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Item R-3

**CC - Presentation of Certificates of Recognition to the
Sponsors of the Culver City Senior Citizen Thanksgiving
Dinner**

This item was postponed to a later date due.

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Item R-5
(Out of Sequence)

**CC - Presentation of a Commendation to Police Officer Al
Casillas On the Occasion of his Retirement**

Council Member Small presented a Commendation to Police
Officer Al Casillas on the occasion of his retirement.

Officer Al Casillas thanked the City and the department for
the support.

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Item R-4

CC - Presentation of a Commendation to Police Officer Kirk Newman On the Occasion of his Retirement

Council Member Eriksson presented a commendation to Police Officer Kirk Newman on the occasion of his retirement.

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Sergeant Dan Sukai, Police Explorer Program, introduced the three newest Police Explorers: Matheus Dos Santos, Enrique Delgado, and Daniel Acevedo.

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Recess

Mayor Clarke called a brief recess at 6:44 p.m.

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Reconvene

Mayor Clarke reconvened the City Council and convened the Culver City Housing Authority Board, Culver City Parking Authority Board, and the Successor Agency to the Culver City Redevelopment Agency Board at 7:00 p.m. with all 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 John Cohn, President of the Exchange Club.

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Report on Action Taken in Closed Session

Mayor Clarke reported that an item had been added to the Closed Session agenda pertaining to litigation between the City and Los Angeles International Airport and he noted that no action had been taken in Closed Session.

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

Charles Herbertson, Public Works Director, reported that Culver City had received an award from the Southern California Chapter of the American Public Works Association for the Culver City Energy Efficiency Project, and he discussed the City-wide project and cost savings associated with the project.

Council Member Sahli-Wells asked that the City Council consider agendizing a discussion of a resolution requesting that the Internal Revenue Service (IRS) not tax rebates for water savings.

Mayor Clarke reported receipt of multiple requests to express opposition to the dog meat industry in Korea and noted that he had asked the Culver City Sister City Committee to investigate the matter; he indicated that he would move item A-1 forward on the agenda due to the number of speakers present; he asked speakers not to repeat comments previously expressed; noted the limited time available; and he discussed procedures.

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Joint Public Comment - Items Not on the Agenda

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

John Cohn, The Exchange Club, discussed the Car Show; construction at Parcel B; the need to temporarily move the location for 2017; and he received agreement from the City Council that a discussion of the item would be agendized in January 2017.

Rich Kissel expressed concern with increased traffic and speeds on Overland Avenue between West LA College and El Rincon Elementary School; asked that the City look at returning the street to being a residential feeder, look at more pedestrian and bicycle friendly options, and

provide Safe Routes to School for the children; he reported motorcycle accidents on Overland Avenue at Freshman Drive; felt that warnings should be posted; described unique issues related to motorcycle riding and that particular stretch of road; explained off-camber turns; and asked that the City post warnings at the point of turn and to bank the roadway properly.

Sharon Eisenberg discussed her small business and expressed concern with the requirement that she obtain a business permit when most of her business takes place outside of the City.

Mayor Clarke directed Ms. Eisenberg to speak with staff about the matter.

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Receipt and Filing of Correspondence

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE RECEIVED BY THE CITY CLERK'S OFFICE BEFORE 4:00 P.M. ON DECEMBER 12, 2016.

Jeremy Green, Deputy City Clerk, reported that correspondence had been received regarding items A-1 and PH-1.

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Order of the Agenda

Mayor Clarke indicated that item A-1 would be heard after the Consent Calendar items.

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Consent Calendar

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1, C-2, C-3, C-5, C-9, C-10 AND C-12.

Item C-1

CC:HA:SA - Cash Disbursements

THAT THE CITY COUNCIL, CULVER CITY HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR NOVEMBER 19, 2016 - DECEMBER 2, 2016.

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Item C-2

CC:HA:SA:PA - Meeting Minutes

THAT THE CITY COUNCIL, CULVER CITY HOUSING AUTHORITY BOARD, CULVER CITY PARKING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES FOR THE REGULAR MEETING OF NOVEMBER 28, 2016.

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Item C-3

CC - Adoption of a Resolution Reciting the Facts and Certifying the Results of the Special Municipal Election Held on November 8, 2016 per California Elections Code Section 10263; and (2) Adoption of a Resolution Setting the Regular Meetings of the City Council for the Calendar Year 2017

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION CERTIFYING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 8, 2016; AND
2. ADOPT A RESOLUTION SETTING THE REGULAR MEETINGS OF THE CITY COUNCIL FOR THE CALENDAR YEAR 2017.

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Item C-5

CC - Award of a Construction Contract to CT&T Concrete Paving, Inc., as the Lowest Responsive and Responsible

Bidder, for the Sidewalk Barrier & Removal Project, PS-011, CDBG #601788-16 in an Amount Not-to-Exceed \$205,712 (\$178,880 Plus \$26,832 in Contingency Authority)

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT TO CT&T CONCRETE PAVING, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE SIDEWALK BARRIER & REMOVAL PROJECT, PS-011, CDBG #601788-16, BASED ON ITS BID; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED \$26,832.00, IF NECESSARY; AND,
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-9

Adoption of a Resolution Approving a Revised Salary Schedule for City Employees Effective January 1, 2017

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING THE REVISED SALARY SCHEDULE FOR CITY EMPLOYEES EFFECTIVE JANUARY 1, 2017.

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Item C-10

CC - Adoption of a Resolution Approving Salary Schedule for Fire Safety Employees Effective July 1, 2016

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING THE SALARY SCHEDULE FOR FIRE SAFETY EMPLOYEES EFFECTIVE JULY 1, 2016.

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Item C-12

CC - (1) Adoption of a Resolution (a) Providing Additional Service Credit Pursuant to Government Code Section 20903 for Local Miscellaneous Members of the California Public Employees Retirement System (CalPERS); (b) Designating the Window Period as February 1, 2017 to June 1, 2017; and (c) Specifying the Eligible Group of Members; and (2) Authorize the Mayor to Execute the Certification of Compliance with Government Code Section 20903

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION (A) PROVIDING ADDITIONAL SERVICE CREDIT PURSUANT TO GOVERNMENT CODE SECTION 20903 FOR LOCAL MISCELLANEOUS MEMBERS OF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS); (B) DESIGNATING THE WINDOW PERIOD AS FEBRUARY 1, 2017 TO JUNE 1, 2017; AND (C) SPECIFYING THE ELIGIBLE GROUP OF MEMBERS; AND

2. AUTHORIZE THE MAYOR TO EXECUTE THE CERTIFICATION OF COMPLIANCE WITH GOVERNMENT CODE SECTION 20903.

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Item C-4

CC - (1) Consideration of the Community Development Block Grant Fund Allocation for Fiscal Year 2017/2018; (2) Adoption of a Resolution Authorizing the Filing of the Application for Funding; and (3) Approval of a Reimbursable Contract with the County of Los Angeles Concerning Culver City's Allocation

Mayor Clarke noted that the grant funds would be used for sidewalk improvements that would necessitate the removal of 17 street trees.

Christopher Evans, Project Manager, discussed procedures for addressing issues with street trees connected to sidewalk repair; notification; and appeals procedures.

Discussion ensued between staff and Council Members regarding replacement trees and the Urban Forest Master Plan; location of the trees; buckled sidewalks; and the possibility of the removal of multiple trees on a single street.

THAT THE CITY COUNCIL:

1. ALLOCATE FUNDING FOR THE PROPOSED FY 2017/2018 CDBG PROJECTS; AND,
2. ADOPT A RESOLUTION AUTHORIZING THE FILING OF THE FY 2017/2018 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 2017/2018 CDBG ALLOCATION; AND,
3. APPROVE THE CDBG REIMBURSABLE CONTRACT WITH THE COUNTY OF LOS ANGELES CONCERNING CULVER CITY'S FY 2017/2018 CDBG ALLOCATION; AND,
4. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-6

CC - Approval of (1) Final Allocation of Funds in the Aggregate Amount of \$76,100; and (2) Grantee Contracts for the 2017 Performing Arts Grant Program, as Recommended by the Cultural Affairs Commission

Responding to inquiry from Vice Mayor Cooper, Susan Obrow, Special Events Coordinator, clarified jurisdiction for the Baldwin Hills Overlook used for the grant awarded to the Society for the Activation of Social Space Through Art and Sound.

THAT THE CITY COUNCIL:

1. APPROVE THE FINAL ALLOCATION OF FUNDS FOR THE 2017 PERFORMING ARTS GRANT PROGRAM AS RECOMMENDED BY THE CULTURAL AFFAIRS COMMISSION AND AS OUTLINED IN THE STAFF REPORT; AND,

2. APPROVE THE GRANTEE CONTRACTS; 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

(1) Pursuant to Culver City Municipal Code Section 3.07.075(E) (3), Waiver of Formal Competitive Bidding Procedures; and (2) Approval of a Professional Services Agreement with NBS Inc. ("NBS") in the Amount of \$42,200 for Special Tax Administration Services for West Washington Assessment Districts No. 1 and 2 and District Formation Services for West Washington Area Improvement Project Phase IV Median Improvements

Council Member Sahli-Wells discussed public bidding and best practices.

Discussion ensued between staff and Council Members regarding the experience and track record of NBS; the project time frame; and agreement to discuss the item further after the Public Hearings and Action Items.

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Item C-7

CC - (1) Pursuant to Culver City Municipal Code Sections 3.07.075(E) (3), Waiver of Formal Competitive Bidding Procedures; and (2) Approval of a Professional Service Agreement with Commline Inc. to Purchase, Install, Integrate, and Service Body Camera Equipment in Certain Police Vehicles and Throughout the Police Department in an Amount Not-to-Exceed \$254,176.97

Mayor Clarke reported that the draft policy on how the body cameras are used and when the information is released to the public would be presented to the City Council.

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH COMMLINE, INC. TO PURCHASE, INSTALL, INTEGRATE, AND SERVICE BODY CAMERA EQUIPMENT IN CERTAIN POLICE VEHICLES AND THROUGHOUT THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$254,176.97.
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-11

Approval of a Professional Services Agreement with Absolute International Security for Veterans Memorial Complex Security Guard Services for a Term up to Three Years (Ending on December 31, 2019) with an Aggregate Amount Not-to-Exceed \$132,498 Over the Three-Year Term

In response to inquiry from Vice Mayor Cooper, Susan Obrow, Special Events Coordinator, clarified that during the review process staff became aware of enhanced services available through Absolute International Security.

Discussion ensued between staff and Council Members regarding training; service; and encouragement for clear articulation in the staff report.

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH ABSOLUTE INTERNATIONAL SECURITY FOR PROFESSIONAL SECURITY SERVICES FOR A TERM OF THREE YEARS (ENDING ON DECEMBER 31, 2019), WITH AN AGGREGATE AMOUNT NOT-TO-EXCEED \$132,498 OVER THE THREE-YEAR TERM; 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; OR
4. PROVIDE OTHER DIRECTION TO THE CITY MANAGER AS DEEMED APPROPRIATE.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL APPROVE CONSENT ITEMS C-4, C-6, C-7 AND C-11.

Mayor Clarke indicated that C-8 would be held for consideration after the Action Items and Public Hearings.

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This item was heard out of sequence.

Action Items

Item A-1

CC - (1) Discussion of an Enhanced Proposal from Ballona Creek Renaissance (BCR) to Ban Single-Use Polystyrene Take-Out Food Containers, Food Ware and Coolers; (2) Consideration of Related Measures, Including Anti-Littering Enforcement, Ballona Creek Litter Removal, Waste Handling and Recycling and Incentivizing the Use of Compostable Alternatives; and (3) Direction to City Manager as Deemed Appropriate

Mayor Clarke explained terminology used in the hearing and procedures.

Joe Susca, Senior Management Analyst, provided a summary of the material of record.

Council Member Sahli-Wells indicated that the results of the survey had not been presented as part of the staff report.

Joe Susca, Senior Management Analyst, provided a summary of the survey results.

Council Member Sahli-Wells reported an hour of testimony in support of the ban at the Sustainability Subcommittee meeting, which focused on receiving feedback from restaurants.

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Sandrine Cassidy, BCR, thanked the City for their consideration of the proposal to ban polystyrene service ware modeled on the Manhattan Beach ordinance; she urged the Council to vote in the best interests of the community and the global environment; and she presented a film illustrating support of coalition members.

Mayor Clarke asked about fish and meat trays packaged outside of the City that come into the City for sale in stores.

Craig Cadwallader, Surfrider Foundation, clarified that the Manhattan Beach ordinance did not include a ban on polystyrene meat and fish trays or polystyrene brought in from outside of the City due to jurisdiction issues but Malibu and San Francisco had added that to their ordinances.

Discussion ensued between the speakers and Council Members regarding potential issues with fish and meat trays ending up in the Creek; adding the restriction to meat and fish trays to the ordinance in the future; the potential lawsuit facing San Francisco; clarification that the proposal is a ban on all forms of polystyrene with an exemption for meat and fish trays and egg cartons and all polystyrene products brought in from outside of the City; service-ware sold and distributed in Culver City; clarification that prepackaged items using polystyrene containers that are bought at the grocery store are not included; coffee cups and takeout containers as the major source of trash in the Creek; health impacts to heating up food in polystyrene containers; clarification that containers marked with a 6 are polystyrene; possible replacement materials; expanded polystyrene vs. oriented polystyrene; the applicability of the ban to local food service preparers but not to things being shipped into the City; the impetus for the proposal; the carcinogenic nature of oriented polystyrene; the intention of the Food and Drug Administration to further study and perhaps ban styrene; naturally occurring styrene in the environment; added costs; unnecessary exposure; hardship clauses; instances of damages to businesses; the plastic bag ban; passing on increased costs for the use of alternative service ware products to consumers; adding a fee; and evidence that restaurants that are environmentally responsible are more successful.

Representatives of Girl Scout Troop #7925 asked the City Council to ban polystyrene due to environmental concerns; discussed restaurants in the City that have already stopped using it; alternatives; setting a good example for Sister Cities; and they reported on their experience picking up trash in Ballona Creek.

Representatives of Girl Scout Troop #15365 reported on their experience picking up trash in Ballona Creek; expressed support for a ban on polystyrene; indicated their willingness to pay extra for compostable containers; and expressed support for becoming the 100th City in California to ban polystyrene for the City's Centennial.

Scarlett Cunningham-Young and Lila Braggard, Linwood Howe Elementary School, asked the City to reduce the amount of plastic waste going into the Creek and into the ocean and to protect the health and well-being of the community; discussed the removal of polystyrene trays from School District cafeterias; and expressed support for the proposed ban.

Samuel Rodriguez, Culver City High School (CCHS) Student Body Recycling Coordinator, discussed the removal of polystyrene trays from School District cafeterias; pride in the forward-thinking environmental policies of the City; strengthening the role of the City in pollution control; and he asked that the City support the proposed ban on polystyrene.

Sami, India, Xochitl, and Izzy, Culver City Middle School (CCMS), expressed concern with toxins being absorbed into food from polystyrene containers; discussed effects on local businesses; experiences of previous cities; alternative materials; the length of time it takes for polystyrene to decompose; trash in Ballona Creek; and they asked the City to support the proposed ban.

Sullivan Barth, CCHS BCR Club presented video testimony in support of the proposed ban.

Megan Goss, CCMS, expressed support for the proposed ban; concern with negative effects on health and the environment; discussed the non-recyclable nature of

polystyrene; and she suggested using better alternatives instead.

David Harford, Surfrider Foundation, suggested that Culver City be a leader in getting polystyrene out of the environment; discussed the amount of polystyrene waste in the litter stream; evidence that polystyrene is bad for the environment; efficiency; passing along costs to consumers; and he asked the City Council to support the ban.

Yolanda Arenas asked that the City Council do due diligence; discussed the number of restaurants that have switched to environmentally friendly packaging; the quality of alternative containers; and she emphasized the importance of reviewing all options and doing research.

Khin Khin Gyi, Citizens Coalition for a Safe Community and the Culver City Democratic Club, discussed the placement of recycling bins along the bike path and she asked that the City support the proposed ban on Styrofoam.

Samantha Martinez, Plastic Food Service Packaging Group, discussed members of the group; support for recycling; opposition to bans; use of inferior or non-recyclable products; substitutions; the state-wide trash policy of the State Water Resources Control Board; leadership through working with Titus; support for the pilot program with Titus; reduction of waste through recycling; and concern that the City survey was biased.

Veronica Perez, California Restaurant Association, expressed opposition to all bans on polystyrene food service products; concern with increased costs to restaurant owners; the hardship exemption; and she submitted signed letters from local restaurant owners supporting expanded recycling and a petition in support of expanding the recycling program rather than a ban.

Discussion ensued between staff and Council Members regarding financial reporting requirements of small businesses; the hardship exemption clause; and practices of other cities.

Soe Lwin expressed concern with increased costs associated with enacting a ban on polystyrene and he asked the City Council to support recycling.

Discussion ensued between Council Members and Mr. Lwin regarding passing along costs to the consumers.

Michael Doshi, The Gnarly Beach Cleaner, discussed the amount of time it takes for various materials to break down; he quoted Albert Einstein; and he asked the City to support a ban on polystyrene.

Stacie Vanags, Surfrider Foundation, provided background on herself; discussed the health of the ocean; and she asked the City to support a ban on polystyrene.

Deborah Gregory, BCR, presented a video showcasing three restaurants in the City that have voluntarily banned polystyrene from their restaurant use; she discussed the ineffective polystyrene recycling program in Los Angeles; and an informal survey she conducted that indicated that 75% of restaurants in the City had already stopped using polystyrene.

Brienna English discussed trash in the Creek after storms; the dangerous nature of polystyrene; the accumulation of toxins; the challenging nature of the ban; the importance of working together; and she asked that the City support a ban on polystyrene.

Warren Wagner reported attending the Sustainability Subcommittee meeting; discussed pollution in oceans around the world originating from the United States; his beach cleanup efforts; he noted that he is a downstream user; he asserted that consumers would be happy to pay more for environmentally friendly packaging; and he asked that the City support a ban on polystyrene.

Graham Hamilton, Surfrider Foundation, took inspiration from the civic engagement of the children who spoke earlier in the meeting; he discussed previously enacted bans in the state; the hardship exemption clause; well-documented threats to the community and the environment by single use plastics; alternatives available; and he felt that a ban was inevitable.

Margot Parker, Surfrider Foundation, discussed the gulf coast region of Texas which is unregulated and covered with polystyrene; and she encouraged the City Council to support the proposed ban.

Blake Hottle discussed tough choices faced by public officials; changes made in the 1970s to take lead out of gasoline and the removal of mercury in the 1980s; he asserted that Styrofoam did not belong in the natural environment; and he encouraged the City Council to enact the ban as it is the right thing to do.

David Haake, M.D., West Los Angeles Sierra Club, asked the City Council to protect the health and safety of residents by banning polystyrene; he discussed negative impacts to health; leaching of polystyrene into the food; the fat content of the material in humans resulting from their contact with the polystyrene; composition of the polystyrene and duration of exposure; fast food chains that have found cost effective ways to eliminate the packaging; and Santa Monica and Manhattan Beach city websites that provide compostable alternatives to polystyrene.

Discussion ensued between Dr. Haake and Council Members regarding leaching of polystyrene into meat and fish containers; jurisdictional issues; and direct contact.

Jim Shanman provided a picture of the natural state of Ballona Creek; he commented on the number of styrofoam cups in the picture while there are few plastic bags; discussed the disconnect between the ban of polystyrene in schools and it's allowance in restaurants; the positive environmental track record of the City; and he questioned financial figures used to indicate hardships on restaurants.

Discussion ensued between Mr. Shanman and Council Members regarding the suggestion by Vice Mayor Cooper to put a net at the eastern boundary of the City to collect the Styrofoam coming from Los Angeles; the screens to keep trash out of the storm drains; the Regional Water Quality Control Board criteria for trash in Ballona Creek; whether a screen would prevent small pieces of polystyrene from floating to the ocean; and the Creek as just one avenue for trash to get to the ocean.

Summer Breault, Surfrider Foundation, noted the opportunity to elevate the reputation of the City with the ban on polystyrene; discussed the growth of the City; rising property values; benefits to restaurants and small businesses; the need to adapt; and she expressed support for the proposed ban.

Michelle Weiner acknowledged that polystyrene is not good for the environment or for public health; she expressed frustration with the obfuscation of presented evidence with the introduction of the recycling program again; discussed replacements for Styrofoam and for hard polystyrene; the Manhattan Beach requirements; and she noted that plastic lids are recyclable.

Amy Rosenstein, President of BCR, indicated that the primary goal of BCR is to eliminate the use of polystyrene products; she noted that recycling of styrene does not work well; discussed the amount of plastic in the ocean today; damage done to the food chain; life before plastics; the petition opposing the ban; and she did not believe the City survey was biased.

Tim James, California Grocers Association, discussed food packaged and prepared in the store; shelf life; continued use of packaging after leaving the store; different types of packaging for different uses; temperatures; shelf stableness; oxygen transfer rates; moisture transfer rates; food safety; quality and freshness; regulation of meat trays; alternatives; compostable packaging; difficult challenges; whether recyclable replacements exist; and the importance of food safety and food quality.

Discussion ensued between Mr. James and Council Members regarding the paper between the meat and the Styrofoam container.

Rich Waters discussed the huge plastic gyre north of the Midway; the breakdown of plastics; ingestion by sea animals; ingestion of fish by humans; and the toxic nature of polystyrene and effects on the environment.

Georgia Tunioli, The Bay Foundation, discussed the mission of the Foundation; certification of restaurants; support for a ban on polystyrene; the importance of prevention through the use of reusable materials; ReThink Disposable; and restaurateurs that want to be part of the solution.

Aura Walker, Citizens Coalition for a Safe Community, encouraged the City Council to pass the ban and enforce the regulations for single use materials; noted that the Country is in a transition phase in terms of alternative materials; discussed creating a 20-year plan for

transition; moving forward in the use of plastic-like materials; and usage and encouragement of development of new materials.

Susan V. Collins, The Container Recycling Institute, discussed recycling vs. banning and expressed support for both options; the Titus Report; the amount of plastic being put into the ocean every year; and projections on the amount of plastic in the ocean.

Discussion ensued between Ms. Collins and Council Members regarding continued recycling of polystyrene; instituting a ban; recycling alternative materials; cross contamination of materials; the model used in British Columbia, Canada; moving forward with the pilot program with Titus while enacting a ban; and expanded polystyrene.

Marcus Eriksson, 5 Gyres Institute, discussed the mission of the organization; pollution on land vs. pollution in the ocean; the importance of mitigating the issue upstream; animals consuming Styrofoam; ecosystem-wide impacts; and he expressed support for a ban on polystyrene rather than increased recycling.

Karim Sahli asserted that the meeting was about accountability and he discussed green campaigning by various Council Members.

Daniel Lee, Culver City Community Coalition, felt that simple and complex issues must be addressed; the City should not wait for the perfect solution; he discussed bias on the issue; comments against the issue from non-residents; passionate comments from the students; and he felt it irresponsible to expose children to harmful materials.

Steven Rose, Culver City Chamber of Commerce, expressed support for a total recycling program followed by a ban on the use of polystyrene in restaurants; he felt that banning one item would not solve the trash problem; discussed replacing one problem with another; and he suggested educating the public on good, sustainable practices and examining City policies.

Craig Cadwallader, Surfrider Foundation, reported a petition by the Food and Drug Administration to remove clearance for styrene based on new information from Health

and Human Services; updated information from the Environmental Protection Agency based on the reports; he encouraged Council Members to read the reports; observed that each Council Member is concerned with a clean and healthy City; expressed support for secondary recycling; asserted that polystyrene would cost the City too much money; he discussed the hardship exemption clause and wording of the ordinance; and he displayed the coffee mug that he uses rather than disposable cups.

Mary Daval stated that polystyrene is not biodegradable; discussed the expensive process of recycling polystyrene; continuing the dependence on fossil fuel consumption; hundreds of communities around the world that have banned the use of polystyrene with no ill effects; the already proven nature of the ban; decreasing the carbon footprint; the will of the citizens in favor of a ban; and she asked that the City ban the use of polystyrene.

Karen Hilsberg expressed concern about the environment and discussed the impact if a ban is not adopted; projections of plastic in the ocean by 2050; and she asked that the City Council be leaders and role models by enacting a ban.

Jim Lamm, BCR, discussed cities in the watershed working together to reduce the impact on the environment, restore ecological function and improve the waters; he asserted that everyone is part of the problem and part of the solution; he cautioned the City Council to stay focused; and he asked the City Council to enact a ban.

Alex Fisch expressed support for the ban as proposed by BCR; cited previous examples of successful bans; asserted that California has the best economy in the country and is business friendly; he noted that recycling is not an alternative to the ban; and he asserted that not enacting a ban would be subsidizing businesses and would not be sustainable.

Walter Lamb, Ballona Wetlands Land Trust, discussed the ban on lead gasoline; those who oppose bans on harmful materials; and he asked the City Council to impose a ban on polystyrene.

Ben Kay discussed the ban in Santa Monica, encouraged the City Council to ban polystyrene containers; discussed

safety concerns; recycling; recovery rates; and government involvement in business.

Mayor Clarke questioned why Santa Monica had not instituted a ban on rigid polystyrene.

Jim Lissner expressed concern with viruses in Ballona Creek and suggested that the Creek be diverted to Hyperion for processing.

Kristen Pawling thanked the children who spoke on the issue and she asked that the City Council move forward with the proposed ban.

Jeremy Green, Deputy City Clerk, read written comments submitted by:

Bronwyn Jamrock
Rich Hibbs

Mike Centers, Titus Recycling, asserted that a ban would not stop litter issues; presented a slide show on Titus; discussed materials missed at the blue bin facility; changing technology; benefits of inner city employment; expanded polystyrene (EPS) and polystyrene bales; and he preferred to see other innovative solutions besides banning.

Discussion ensued between Council Members and Mr. Centers regarding the waste characterization report back to the City; cities that Titus recycles for; the market driven nature of solutions; the mix of materials necessary; sorting; the amount of trash; the six-month pilot program; ways to improve the program; recycling rigid polystyrene and EPS; the price of oil; capacity; value of materials; the pilot study load; the CR&R load; the inability of CR&R to separate Culver City materials from Los Angeles materials; education of residents and of CR&R; shifting material from the black bin to the blue bin; cities trying to recycle the black bin; whether the ban would have much effect on the revenue stream; materials that the primary Materials Recovery Facilities are getting but are not set up to recycle; clamshell food containers; the financial feasibility of recycling polystyrene; challenges; land-fill avoidance costs; and considering all the waste streams together.

Discussion ensued between staff and Council Members regarding potential difficulties in the ordinance.

Discussion ensued between staff, Council Members and BCR representatives regarding recycling compostable alternatives; allowing restaurants to use whatever alternative they like rather than limiting them to compostable or biodegradable alternatives; concern with replacing one thing in a landfill over another; differing markets for different materials; the failed pilot program for polystyrene recycling conducted by ~~with~~ CR&R; the need to include CR&R in the conversation; the fact that Titus is the only company available; advocacy for reusables rather than disposables; the use of compostables; the Culver City organic recycling program; state mandates; curbside composting; AB1826; 70 retail establishments that qualify for the organic waste program; phasing in additional establishments; compliance enforcement; the budget; the Refuse Enterprise Fund; refuse collection rates; compostable food ware; inclusion of residential users in the green waste program; food waste in the green waste bin; working with the composting contractor to determine acceptable materials; home composting; compostable containers; differences in the time to break down compostable containers vs. organic materials; business incentives for recycling and composting programs; solutions found once polystyrene is taken away; enforcement; staff augmentation; budget concerns; voluntary compliance percentages in other cities; the success of the plastic bag ban; outreach and education; costs; figuring out the replacement to polystyrene; the actions of other cities; online complaints; having restaurants institute a charge similar to the charge for plastic bags; procedures to address violations; and the appropriate period of time to allow restaurants to use the inventory of polystyrene materials on-hand.

Additional discussion ensued between staff and Council Members regarding the State Water Board Report; understanding the big picture; the small increase to trash in San Francisco after their ban; the many items that go into the Creek; placing recycling bins along the Creek and emptying them; diversion from landfills; the additional trash diverted from landfills by Titus; replacing polystyrene with compostable items; confusion between plastic, polystyrene and EPS; education; reaching the

state-mandated diversion rate from landfills; street sweeping; whether there is justification to go after oriented polystyrene; placing a large sticker on the inside of trash bins indicating what goes in each bin; establishing a City recycling center; building consensus; support for enacting a ban without specifying materials to be used instead; and clarification on recovery and recycle rates for Titus.

Responding to inquiry from Council Member Sahli-Wells, Susan V. Collins, The Container Recycling Institute, discussed PET reclaimers; the manufacturing process; clamshell food containers; individual markets; the percentage of PET clamshell food containers in bales; and clarification that one cannot make a blanket statement that clamshell food containers are not recyclable because they are.

Further discussion ensued between staff and Council Members regarding service credit for high schoolers attending tonight's meeting; appreciation for the video from the CCHS BCR Club; the lengthy process; achieving consensus; impacts of polystyrene; the failure of recycling to solve the problem; available alternatives; the 99 cities in the state with bans; the experience of other cities; the inefficiency of polystyrene; price as the main selling point of polystyrene; outsourcing the increased costs to use alternative products to others; the six-month pilot problem; support for additional diversion from the landfill; claims by Los Angeles regarding polystyrene recycling; issues with polystyrene not solved by recycling; additional education; industry talking points; the survey; supporting businesses through the process; making sure businesses know about alternatives and where to find them; misconceptions about costs; having an opt-in for cutlery; having businesses charge a take-out fee; incentives for bringing your own containers; the Climate Action Plan; an observation that there is less trash on Culver City streets than in Los Angeles; concern with replacing one plastic with another; use of compostable items; enacting a ban on EPS; support for asking before providing utensils; a feeling that patrons will stay with the restaurant even with a small cost increase; specifics of the penalty provision and the hardship exemption clause; littering; trash bins; education regarding recyclable items; price difference between different items; Restaurant Depot; helping

businesses find alternatives; signage in restaurants regarding additional charges for takeout containers; encouraging patrons to bring their own containers; exempting food trays for raw meat and fish; items prepared outside of the City; retail; banning the sale of foam cups in stores; foam coolers; and flatware and straws.

Vice Mayor Cooper suggested that the City ban polystyrene products within City facilities to set a good example.

MOVED BY MAYOR CLARKE AND SECONDED BY VICE MAYOR COOPER THAT THE CITY COUNCIL NOT BAN THE SALE OR USE OF VARIOUS POLYSTYRENE PRODUCTS CITYWIDE. THE MOTION FAILED UNANIMOUSLY.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH AN ORDINANCE THAT BANS FOOD SERVICE PROVIDERS USE OF SINGLE-USE POLYSTYRENE FOAM FOOD WARE CONTAINERS, CUPS, BOWLS AND PLATES CITYWIDE.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH AN ORDINANCE THAT BANS FOOD SERVICE PROVIDERS USE OF SINGLE-USE POLYSTYRENE HARD PLASTIC FOOD WARE CONTAINERS, CUPS, CUP LIDS, BOWLS, PLATES, CUTLERY AND STRAWS CITYWIDE.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH AN ORDINANCE THAT PROHIBITS RETAILERS FROM SELLING SINGLE-USE POLYSTYRENE FOAM FOOD WARE CONTAINERS, CUPS, BOWLS AND PLATES CITYWIDE.

MOVED BY COUNCIL MEMBER SMALL AND SECONDED BY COUNCIL MEMBER SAHLI-WELLS THAT THE CITY COUNCIL: DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH AN ORDINANCE THAT PROHIBITS RETAILERS FROM SELLING SINGLE-USE POLYSTYRENE HARD PLASTIC FOOD WARE CONTAINERS, CUPS, CUP LIDS, BOWLS, PLATES, CUTLERY AND STRAWS CITYWIDE.

THE MOTION FAILED BY THE FOLLOWING VOTE:

AYES: SAHLI-WELLS, SMALL

NOES: CLARKE, COOPER, ERIKSSON

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH AN ORDINANCE THAT PROHIBITS RETAILERS FROM SELLING POLYSTYRENE FOAM COOLERS NOT ENCASED IN HARD PLASTIC CITYWIDE.

Council Member Sahli-Wells received clarification that the requirement that food providers use alternative food ware products that are compostable or biodegradable was not part of the BCR proposal or part of the Manhattan Beach ban.

Discussion ensued between Council Members regarding ensuring that biodegradable and compostable items are available; ensuring that recycling is in place; restaurants that use recyclable plastics that do not have the same health concerns that polystyrene does; providing direction as to the way the City wants to go; adding an amendment that the replacement has to be recyclable but once a compostable program is in place the materials should be compostable or biodegradable; encouragement through education; the footprint of bioplastics; additional study on the footprint of compostables; and City Council consensus to direct staff to include verbiage encouraging use of alternative food ware products that are compostable or biodegradable as the City Council is working toward a requirement in the future.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH AN ORDINANCE THAT REQUIRES FOOD SERVICE PROVIDERS TO ASK THEIR CUSTOMERS WHETHER THEY WANT CUTLERY INCLUDED WITH THEIR TAKE-OUT ORDER.

Discussion ensued between staff and Council Members regarding direction to staff to make the hardship exemption clause non-intrusive and easy to access; ensuring that meaningful information is obtained; and to work with the Finance Department to find a workable solution.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH AN ORDINANCE THAT INCLUDES A HARDSHIP PROVISION EXEMPTING COMPLIANCE WITH THE BAN FOR THOSE FOOD SERVICE PROVIDERS THAT ARE ABLE TO DEMONSTRATE:

I. THAT DUE TO THEIR UNIQUE CIRCUMSTANCES, NO REASONABLE ALTERNATIVES ARE AVAILABLE; OR

II. THAT COMPLIANCE WOULD CREATE AN UNDUE FINANCIAL HARDSHIP.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH AN ORDINANCE THAT DELAYS THE BAN'S EFFECTIVE DATE BY SIX MONTHS TO ALLOW FOOD SERVICE PROVIDERS TO DEplete EXISTING SUPPLIES AND TO SECURE ALTERNATIVE PRODUCTS.

Council Member Sahli-Wells received clarification that the provisions for handling violators is similar to what was adopted with the plastic bag ban.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH AN ORDINANCE THAT SUBJECTS VIOLATORS OF THE BAN TO THE PENALTIES AND OTHER PROVISIONS CONTAINED IN CCMC TITLE 1, CHAPTER §1.01 GENERAL PROVISIONS AND CHAPTER §1.02 ADMINISTRATIVE CITATIONS.

Discussion ensued between Council Members regarding clarification that there is not a ban on private usage of the product.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO RETURN TO THE CITY COUNCIL WITH AN ORDINANCE THAT BANS THE USE OF ALL POLYSTYRENE PRODUCTS IN ALL CITY FACILITIES IMMEDIATELY.

Discussion ensued between Council Members regarding a suggestion to increase the amount from \$5,000 to \$10,000 for development and implementation of an outreach and education program to businesses; including a not-to-exceed amount; and the potential need for additional outreach.

Council Member Sahli-Wells moved to amend the proposed

motion to allocate up to \$10,000 in Refuse Disposal Enterprise Funds to develop and implement an outreach and educational program.

Additional discussion ensued between staff and Council Members regarding the number of restaurants that would receive notices; including grocery stores with delis and markets that sell food; putting labels on blue bins; and the responsibility of the City to explain available alternatives.

MOVED BY COUNCIL MEMBER SAHLI-WELLS AND SECONDED BY COUNCIL MEMBER SMALL THAT THE CITY COUNCIL DIRECT STAFF TO ALLOCATE UP TO \$10,000 IN REFUSE DISPOSAL ENTERPRISE FUNDS TO DEVELOP AND IMPLEMENT AN OUTREACH AND EDUCATIONAL PROGRAM THAT INCLUDES DEVELOPMENT OF A CITY WEBPAGE, INFORMATIONAL BROCHURES, AND WORKSHOPS FOR FOOD SERVICE PROVIDERS THAT ARE DESIGNED TO EXPLAIN THE BAN AND TO IDENTIFY ALTERNATIVE PRODUCTS AND THEIR SUPPLIERS.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, ERIKSSON, SAHLI-WELLS, SMALL
NOES: COOPER

Discussion ensued between staff and Council Members regarding adjusting the workplan for the next budget year to include additional recycling bins along Ballona Creek, in City parks, at bus stops and other City facilities; enhanced education for residents regarding use of the blue bins to recycle polystyrene; signage around bins to alert people that polystyrene is recyclable; sending out notices to condominiums and apartment associations; cost of recycling bins; maintenance; special compacting trashcans; and gauging demand.

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Public Hearings

Item PH-1

CC - (1) Approve New Intersections/Approaches for Automated (Red Light) Photo Enforcement; and (2) Approve an Amendment to the Agreement with Redflex Traffic Systems, Inc., to (A) Discontinue Automated Enforcement Services at (i) Washington Place and Centinela Avenue;

**(ii) Washington Boulevard and Sawtelle Boulevard; and
(iii) Washington Boulevard and Helms Avenue; and (B)
Provide Automated Enforcement Services at (i) Washington
Boulevard and Overland Avenue; (ii) Washington Boulevard
and Sepulveda Boulevard; and (iii) Washington Boulevard
and National Boulevard; and (C) Increase the Annual
Contract Amount by \$114,000 to a New Not-To-Exceed Annual
Amount of \$807,576.00**

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF NOTICES AND CORRESPONDENCE.

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

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Jim Lissner noted that the staff report did not provide data before 2014 although the City has had cameras for 17 years; he distributed information to Council Members that the City had filed with the Judicial Council; noted that data suggested that, other than Jefferson/Overland, the cameras have not reduced collisions; he discussed other California cities that have not seen significant improvements with red light cameras; engineering improvements and collision reduction; tickets for rolling right turns; the proposed new cameras; he asserted that red light cameras would discourage driving and shopping in the City; he suggested providing funding to make intersection improvements identified by studying individual accidents; requested a monthly report on the disposition of red light camera violations made by vehicles with protected plates, a report on the number of flashes of Culver City residents and the number of tickets eventually issued to Culver City residents, and information in the collision section on the 2015 annual report; and he questioned whether the City would support the 2017 legislation permitting speed camera photo radar tickets in California.

Ken Mand expressed concern with notification; discussed the Helms/Washington and the Washington/National intersections; traffic; reduced gridlock; ensuring access in and out of the Arts District; and he asked that a camera not be installed at Ivy Station, as those logistics are in flux and it is not needed from a safety stand point per the staff report.

Elizabeth Kinnon reported her previous support of red light cameras; felt that studies were not conclusive in regards to improved safety with red light cameras; she felt that red light cameras existed for revenue rather than safety; and she felt that fines were excessive and punitive.

Discussion ensued between staff and Council Members regarding confidential license plates; violations by residents vs. non-residents; whether the City supports 2017 legislation regarding photo radar speeding tickets; information for 2015; rates for the fines; the rate of collisions at red light intersections; right turn violations; objectivity of photo enforcement; the camera at Helms; traffic surveys; clarification that once a camera accomplishes the goal of reducing red light infractions it is removed; the gridlock law; changes in the Washington/National intersection due to development; the percentage of rejected violations; yellow light phasing; Police Officer review of the tickets; the volume of cars through photo enforcement intersections; the breakdown of fees received; communication with Public Works and Community Development; protected bike lanes; concern with placing a camera in an intersection that is about to go through changes; the transit oriented area; unknown variables; engineering issues with the Helms/Washington intersection; concern with negative impacts to removing the camera; clarification that cameras are not meant to enforce gridlock; bicycle patrols; warning signage; concern with potential driver confusion; and the 30-day warning period.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Council Members regarding licenses for bicyclists; tickets for bicyclists

running red lights; and clarification that the red light camera does not pick up bicyclists running red lights.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE NEW INTERSECTIONS/APPROACHES FOR AUTOMATED (RED LIGHT) PHOTO ENFORCEMENT; AND
2. APPROVE AN AGREEMENT AMENDMENT WITH REDFLEX TRAFFIC SYSTEMS, INC., TO (A) DISCONTINUE AUTOMATED ENFORCEMENT SERVICES AT (I) WASHINGTON PLACE AND CENTINELA AVENUE (II) WASHINGTON BOULEVARD AND SAWTELLE BOULEVARD; AND (III) WASHINGTON BOULEVARD AND HELMS AVENUE; AND (B) PROVIDE AUTOMATED ENFORCEMENT SERVICES AT (I) WASHINGTON BOULEVARD AND OVERLAND AVENUE; (II) WASHINGTON BOULEVARD AND SEPULVEDA BOULEVARD; AND (III) WASHINGTON BOULEVARD AND NATIONAL BOULEVARD; AND (C) INCREASE THE ANNUAL CONTRACT AMOUNT BY \$114,000 TO A NEW NOT-TO-EXCEED ANNUAL AMOUNT OF \$807,576.00; 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 PH-2

CC - Public Hearing: Introduction of an Ordinance Repealing and Replacing Sections 9.02.005-9.02.075 ("Fire Code Adoption and Amendments"), and 9.02.200-9.02.240 ("Fireworks") of Chapter 9.02 of Title 9 of the Culver City Municipal Code and Adopting By Reference the 2016 California Fire Code with Local Amendments; and (2) Adoption of a Resolution Making Express Findings for the Modification of the Fire Code Based on Local Climatic, Geological, and Topographical Conditions

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF NOTICES AND CORRESPONDENCE.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Clarke invited public comment.

No cards were received and no speakers came forward.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Council Members regarding fireworks permits granted each year and adjusting language to allow for another community event.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. INTRODUCE AN ORDINANCE REPEALING AND REPLACING CHAPTER 9.02, SECTIONS 9.02.005-9.02.075 ("FIRE CODE ADOPTION AND AMENDMENTS"), AND 9.02.200-9.02.240 ("FIREWORKS") OF CHAPTER 9.02 OF TITLE 9 OF THE CULVER CITY MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2016 CALIFORNIA FIRE CODE, WITH LOCAL AMENDMENTS; AND,

2. ADOPT A RESOLUTION MAKING EXPRESS FINDINGS FOR MODIFICATION TO THE FIRE CODE BASED ON LOCAL CLIMATIC, GEOLOGICAL, AND TOPOGRAPHICAL CONDITIONS INCLUDING AND AMENDING LANGUAGE THAT PERMITS A SECOND COMMUNITY ORGANIZATION TO APPLY FOR A FIREWORKS PERMIT.

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Item PH-3

CC - (1) Adoption of a Resolution Confirming the Business Improvement District Advisory Board's Annual Report and the Levy of the Downtown Culver City Business Improvement District Assessment for 2017; (2) Appointment of Members to the Business Improvement District Advisory Board for Calendar Year 2017; and (3) Approval of the Management Agreement Through 2017/2018

Mayor Clarke announced that it was the time and place to hear protests or objections to the continuation of the bid.

Jeremy Green, Deputy City Clerk, indicated that the Resolution of Intention including the public notice had been published.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Clarke invited public comment.

No cards were received and no speakers came forward.

Jeremy Green, Deputy City Clerk, reported that no protests had been received and a majority protest did not exist.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Council Members regarding the running deficit; rollover amounts from previous years; depleting carryovers from the previous year; quarterly reports; the annual budget; and reserves and roll-overs.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT THE PROPOSED RESOLUTION CONFIRMING THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD'S ANNUAL REPORT AND THE LEVY OF THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FOR CALENDAR YEAR 2017; AND
2. APPOINT ERIC SIMS, KATHRYN LUNDEEN, KARL KUHN, AND DARREL MENTHE AS MEMBERS OF THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD; AND
3. APPROVE THE PROPOSED BID MANAGEMENT AGREEMENT.

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Item A-3
(Out of Sequence)

CC - (1) Discussion of Consultant Selection for the Preparation of a Visioning Study for the Culver City Transit Oriented Development (TOD) District; and (2) Direction to City Manager as Deemed Appropriate

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Steven Rose expressed concern with misstatements regarding the track record of the Redevelopment Agency on housing and he presented a report of Redevelopment Agency accomplishments to Council Members.

Ken Mand noted that red light cameras were part of mobility; expressed concern with compromised safety at the Helms/Washington intersection due to the elimination of the red-light camera and inadequate consideration of the item due to the lateness of the hour; and he noted the excitement of the community regarding the collaborative nature of the visioning process.

Council Member Small provided a subcommittee report noting the three key criteria for the process and he discussed the subcommittee recommendation for the Johnson Fain team.

Vice Mayor Cooper noted that the issue affects the entire City; discussed the goal to have a document that can be used throughout the City; implementation with the upcoming General Plan; and he felt that the extra cost was worthwhile.

Discussion ensued between staff and Council Members regarding negotiating a better deal with Johnson Fain; City Council direction; appreciation for the time and effort put in by the subcommittee; the time and care put into the presentation from Johnson Fain; concern that Johnson Fain did not have a policy tool kit like the others did; the fact that pop-ups were not part of the presentation; understanding the locked-in nature of the Arts District, the collision of grids and the pressure of Playa Vista; the quality of the Nelson Nygaard presentation; the importance of place-making; the 8-80 rule and connectivity; possible traffic mitigation fees and funds; the amount of time allocated for public outreach in the Johnson Fain proposal; strength of the

team; support for Nelson Nygaard; and concern with the amount of overhead included in the Johnson Fain proposal.

MOVED BY COUNCIL MEMBER SMALL AND SECONDED BY VICE MAYOR COOPER THAT THE CITY COUNCIL:

1. APPROVE THE HIRING OF JOHNSON FAIN TO SERVE AS THE CONSULTANT FOR THE PREPARATION OF A VISIONING STUDY FOR THE CULVER CITY TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT; 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.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, SAHLI-WELLS, SMALL
NOES: ERIKSSON

Mayor Clarke received clarification that item C-8 could be referred to another date.

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Item A-2
(Out of Sequence)

CC - (1) Adoption of a Resolution Amending City Council Policy Statements 3001 (Scheduling of Council Chambers) and 3003 (Issuance of City Parking Decals), and Rescinding Resolution No. 95-R005, Which Adopted City Council Policy Statement 2201 (Block Parties); and (2) Direction to the City Manager to Issue an Administrative Policy/Procedure relating to Block Parties, as Recommended by the Ad Hoc City Council Policies Subcommittee

Council Member Sahli-Wells received clarification regarding the School Board use of City Council Chambers.

Discussion ensued between staff and Council Members regarding priorities in the use of Council Chambers and concern that the School Board be included the policy.

Mayor Clarke invited public comment.

No cards were received and no speakers came forward.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION AMENDING CITY COUNCIL POLICY STATEMENTS 3001 (USE AND SCHEDULING OF COUNCIL CHAMBER) AND 3003 (ISSUANCE OF CITY PARKING PERMITS), AND RESCINDING RESOLUTION NO. 95-R005, WHICH ADOPTED CITY COUNCIL POLICY STATEMENT 2201 (BLOCK PARTIES), AS RECOMMENDED BY THE AD HOC CITY COUNCIL POLICIES SUBCOMMITTEE; AND
2. DIRECT THE CITY MANAGER TO ISSUE AN ADMINISTRATIVE POLICY/PROCEDURE RELATING TO BLOCK PARTIES, AS RECOMMENDED BY THE AD HOC CITY COUNCIL POLICIES SUBCOMMITTEE.

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Item A-4
(Out of Sequence)

CC - Adoption of a Resolution (1) Approving the 2017 Legislative and Policy Platform that Guides the City's Support of, or Opposition to State and Federal Legislation, and (2) Rescinding Resolution No. 2015-R002.

Shelly Wolfberg, City Manager's Office, thanked the subcommittee for their efforts, and proposed a modification on page 7 to remove the bullet point: Evaluate Los Angeles County's Homeless initiative strategies to combat homelessness efforts, due to its redundancy with the following item.

Discussion ensued between staff and Council Members regarding concern with the emphasis on the legislative aspects; the ability to take a policy position; clarifications regarding requests to individual Council Members; providing flexibility; and ensuring that taking a position does not bind the City to using resources or staff.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION AS AMENDED APPROVING THE 2017 LPP AND RESCINDING RESOLUTION NO. 2015-R002; AND
2. AUTHORIZE AND DIRECT THE MAYOR AND VICE MAYOR (AS NECESSARY), AS REPRESENTATIVES OF THE CITY COUNCIL TO SUBMIT THE APPROPRIATE DOCUMENTS AND CORRESPONDENCE IN KEEPING WITH THE GOALS OF THE 2017 LPP; AND
3. AUTHORIZE THE TESTIMONY OF ANY MEMBER OF THE CITY COUNCIL BEFORE A LEGISLATIVE BODY, WHEREUPON THE POSITION ADVOCATED IS CONSISTENT WITH CITY COUNCIL POLICY AND THE 2017 LPP; AND
4. AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO PROVIDE TESTIMONY BEFORE A LEGISLATIVE BODY AND/OR EXECUTIVE BRANCH DEPARTMENT CONSISTENT WITH THE 2017 LPP.

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Public Comment - Items Not on the Agenda

Mayor Clarke invited public comment.

No cards were received and no speakers came forward.

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Items from Council Members

Mayor Clarke noted City Council consensus to agendize a future discussion of IRS rules on the Water Rebate Program and he clarified that item C-8 would be considered at a later date.

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Adjournment

There being no further business, at 1:11 a.m., December 13, 2016, the City Council, Housing Authority Board, Parking Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned its meeting.

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Jeremy Green

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

JIM B. CLARKE

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