

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

April 29, 2024
7:00 p.m.

Call to Order & Roll Call

Mayor McMorris called the regular meeting of the City Council, Culver City Housing Authority Board, Culver City Parking Authority Board, Redevelopment Financing Authority, and Successor Agency to the Culver City Redevelopment Agency Board to order at 6:00 p.m. in the Mike Balkman Chambers at City Hall and via Webex.

Present: Yasmine-Imani McMorris, Mayor
Dan O'Brien, Vice Mayor
Freddy Puza, Council Member
Albert Vera, Council Member

Absent: Göran Eriksson, Council Member

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Closed Session

Mayor McMorris invited public comment.

The following member of the public addressed the City Council:

Justin Jampol, Wende Museum, provided comments on Item CS-2; discussed money spent to develop a comprehensive plan for an affordable housing initiative; impacts of the proposed housing; the importance of artists; collaboration with Artistic Freedom Initiative (AFI); support for political asylum seeking artists; development of housing in response to the unique needs of the community; unit size; support for families; maximizing the land; placement of a model home as a way of previewing the project; commitment of the Museum; creating a safe space for artists in the community; demonstrating that everyone is welcome in Culver City; he asked for support in moving forward with the lease; and he presented a video of the proposed project.

MOVED BY COUNCIL MEMBER VERA AND SECONDED BY VICE MAYOR O'BRIEN THAT THE CITY COUNCIL, CULVER CITY HOUSING AUTHORITY BOARD, CULVER CITY PARKING AUTHORITY BOARD, REDEVELOPMENT FINANCING AUTHORITY, AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY BOARD ADJOURN TO CLOSED SESSION.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: MCMORRIN, O'BRIEN, PUZA, VERA

NOES: NONE

ABSENT: ERIKSSON

At 6:10 p.m. the City Council, Culver City Housing Authority Board, Culver City Parking Authority Board, Redevelopment Financing Authority, and Successor Agency to the Culver City Redevelopment Agency Board adjourned to Closed Session to consider the following Closed Session Items:

CS-1 CC - Conference with Legal Counsel - Existing Litigation
Re: Adriana Christine Medina, et. al. v. City of Culver City,
et. al.

Case No. 2:23-CV-00704-E

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

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CS-2 CC - Conference with Real Property Negotiators

Re: 10860 Culver Boulevard

City Negotiators: John Nachbar, City Manager, Jesse Mays, Assistant City Manager; Tevis Barnes, Director of Housing and Human Services

Other Parties Negotiators: The Wende Museum Representatives

Under Negotiation: Price, Terms of Payment of Both, Including Use Restrictions, Development Obligations and Other Monetary

Related Considerations
Pursuant to Government Code Section 54956.8

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Reconvene

Mayor McMorrin reconvened the meeting of the City Council at 6:56 p.m. for Recognition Presentations with four Council Members present (absent Council Member Eriksson).

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Recognition Presentations

Item R-1

A Proclamation Declaring April as Sexual Assault Awareness Month in Culver City

Vice Mayor O'Brien presented a Proclamation declaring April as Sexual Assault Awareness Month in Culver City.

Marci Baun felt that the proclamation was important and hoped that it could help raise awareness and prevent further instances.

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Item R-2

Presentation of a Proclamation Declaring the Month of April as Fair Housing Month in Culver City

Mayor McMorrin presented a Proclamation declaring the month of April as Fair Housing Month in Culver City.

Tzung-lin (Lin) Fu, provided short presentation on legal services provided by Bet Tzedek; discussed their mission; the Preventing and Ending Homelessness Project; weekly virtual meetings; contact information; available programs and services; fliers available; and information on the Bet Tzedek website and at culvericity.org.

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Item R-3

Proclamation Declaring the Month of April as Records and Information Month in Culver City

Jeremy Bocchino, City Clerk, presented the Proclamation declaring the month of April as Records and Information Month in Culver City, noting the importance of proper record keeping for everyone, including the City Clerk's Office.

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Item R-4

Proclamation Declaring the Month of May as Older Americans Month in Culver City

Council Member Puza presented the proclamation declaring the month of May as Older Americans Month in Culver City and he encouraged anyone interested to register for the Senior Prom on June 1.

Jane Leonard thanked the City Council for the recognition; encouraged people to come to the Senior Center and consider becoming a member; discussed programming and activities; and she thanked staff and the City for their accomplishments.

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Regular Session

Mayor McMorris reconvened the regular meeting of the City Council, Successor Agency to the Culver City Redevelopment Agency Board, Redevelopment Financing Authority, Culver City Housing Authority Board, and Culver City Parking Authority Board at 7:17 p.m. with four Council Members present (absent Council Member Eriksson).

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Pledge of Allegiance

Mayor McMorris led the Pledge of Allegiance.

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Report on Action Taken in Closed Session

Mayor McMorris indicated nothing to report out of Closed Session.

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Community Announcements by Members/Updates from Commissions, Boards and/or Committees/Information Items from Staff

Council Member Puza reported attending a luncheon for the Exceptional Children's Foundation; discussed services offered; attending EarthFest at El Rincon; the Love Local event at the Westfield Mall; and future events in May and June.

Vice Mayor O'Brien discussed attending EarthFest; the Ballona Creek Renaissance (BCR) Creek Clean Up co-hosted by Assembly Member Isaac Bryan; representing Mayor McMorris at the Convening of Mayors; state legislation and policy representing the district; the actions of Culver City to address housing and homelessness issues; participation in the CTE (Career Technical Education) Advisory Committee; the Culver City Education Foundation's Taste of Culver City; the Culver City Symphony Orchestra Concert at Grace Lutheran Church; the 50th Anniversary of Culver Palms Meals on Wheels; and National Nurses Day on May 6.

Mayor McMorris discussed Denim Day on April 24; Small Business Week April 28 - May 4; the Education Foundation event; the California Community Choice Association (CalCCA) Conference; Culver City membership in the Clean Power Alliance; the African American Mayors' Conference and the Southern California Mayor's Conference; benefits to interfacing with other Mayors; appreciation for time with federal Senator Alphonso Butler to elevate issues in Culver City; and she thanked Assembly Member Isaac Bryan for the recognition as a part of Distinguished Women in Leadership in the 55th Assembly District.

Jeremy Bocchino, City Clerk, discussed the application period to fill upcoming vacancies on Commissions, Boards, and Committees (CBCs); the May 20, 2024 deadline; number of openings; creation of the Martin Luther King, Jr. Celebration and Juneteenth Celebration Advisory Committee; additional information available on the website; ways to access the application and apply; and information available at culvercity.org/serve.

Ted Stevens, Parks, Recreation and Community Services Director, discussed upcoming community meetings as part of the Parks Master Plan process; encouraged everyone to attend noting the importance of community feedback; and he indicated that additional information was available at culvercity.org.

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Joint Public Comment - Items NOT On the Agenda

Mayor McMorris invited public comment.

The following members of the public addressed the City Council:

Mary Daval, Bike Culver City, Women on Bikes Culver City, and Walk 'n Rollers, discussed upcoming free public events for Bike Month; she invited everyone to attend; and she indicated that additional information was available on social media.

Luther Henderson reported enjoying the Taste of Culver City event on April 28, and he discussed the birthday of Edward Kennedy "Duke" Ellington on April 29 and his connection to Culver City.

Marci Baun discussed the Overland Bike Path plans; the grant application with Metro; her support for better sidewalks, lighting, and canopies over bus stops; the existing bike paths on Washington and Overland; her extensive cycling experience; she proposed pushing people through Elenda and keeping them off the main roads; and she expressed concern with focusing on the proposed project given the already heavy staff workload.

Melissa Sanders expressed appreciation for the quick response of the Public Works Director on sidewalk issues; echoed concern expressed by Marci Baun regarding putting cyclists and cars on the same route when safer alternatives are available; noted that Elenda is a quiet street except during school drop off and pick up times; asked that May be proclaimed Jewish Heritage Month; discussed issues with antisemitism on the School Board and in the City; illegal Vote 16 signature gathering; the importance of teaching the right processes; and the importance of learning about issues rather than just voting the way their parents tell them to.

Jeannine Wisnosky Stehlin indicated serving on the Cultural Affairs Artist Laureate Subcommittee; discussed the current Artist Laureate; the opening of the *Dear Culver City* art

installation; the transformative potential of art to bring people together; and she thanked staff, the City Council, and everyone who participated in the project.

Ruth Roofless was called to speak but was not present in Council Chambers or online.

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Receipt and Filing of Correspondence

MOVED BY COUNCIL MEMBER VERA AND SECONDED BY VICE MAYOR O'BRIEN THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE RECEIVED BY 3:00 P.M. APRIL 29, 2024.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: MCMORRIN, O'BRIEN, PUZA, VERA
NOES: NONE
ABSENT: ERIKSSON

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Order of the Agenda

Items C-5 was considered separately.

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Consent Calendar

Item C-1

CC:HA:SA - Approval of Cash Disbursements for March 30, 2024 - April 19, 2024

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR MARCH 30, 2024 TO APRIL 19, 2024.

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Item C-2

CC:HA:SA:PA - Approval of Minutes of the Regular City Council Meeting Held on April 8, 2024

THAT THE CITY COUNCIL: APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON APRIL 8, 2024.

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Item C-3

CC - Receipt and Filing of (1) the Fiscal Year 2022-2023 Year-End Report and Audit Summary; (2) the Fiscal Year 2022-2023 Annual Comprehensive Financial Report (ACFR); and (3) the Fiscal Year 2022-2023 Popular Annual Financial Report (PAFR)

THAT THE CITY COUNCIL: RECEIVE AND FILE THE ATTACHED (1) FISCAL YEAR 2022-2023 YEAR-END REPORT AND AUDIT SUMMARY; (2) THE FISCAL YEAR 2022-2023 ACFR; AND (3) THE FISCAL YEAR 2022-2023 PAFR.

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Item C-4

CC - Approval of a Five-Year Agreement with Elevators Etc., Inc. for the Maintenance and Repair of 13 Elevators at Nine Facilities in an Amount Not-to-Exceed \$546,929

THAT THE CITY COUNCIL:

1. APPROVE A FIVE-YEAR AGREEMENT WITH ELEVATORS ETC., INC. IN AN AMOUNT NOT-TO-EXCEED \$546,929 FOR MAINTENANCE AND REPAIR OF 13 ELEVATORS AT NINE FACILITIES; 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-5

CC - Adoption of Respective Resolutions Dissolving the General Plan Advisory Committee and Fiesta La Ballona Committee

Mayor McMorris invited public comment.

The following member of the public addressed the City Council:

Marci Baun asked about removal of incremental infill from the General Plan.

Discussion ensued between staff and Council Members regarding removal of incremental infill from the Land Use Element; Planning Commission and City Council consideration of the General Plan; additional references to incremental infill in the previously approved and certified Housing Element; and removal of references following approval of the General Plan and Zoning Code update in 2025.

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION DISSOLVING THE FIESTA LA BALLONA COMMITTEE AND RESCINDING RESOLUTION NO. 2012-R104; AND,
2. ADOPT A RESOLUTION DISSOLVING THE GENERAL PLAN ADVISORY COMMITTEE AND RESCINDING RESOLUTION NO. 2019-R086.

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Item C-6

CC - Adoption of a Resolution Initiating Proceedings to Levy and Collect Annual Assessments for the West Washington Benefit Assessment District No. 1 and Ordering the Preparation of the Engineer's Report Thereon for Fiscal Year 2024/2025

THAT THE CITY COUNCIL: ADOPT A RESOLUTION INITIATING PROCEEDINGS TO LEVY AND COLLECT ANNUAL ASSESSMENTS FOR THE WEST WASHINGTON BENEFIT ASSESSMENT DISTRICT NO. 1 AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT THEREON FOR FISCAL YEAR 2024/2025.

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Item C-7

CC - Adoption of a Resolution Initiating Proceedings to Levy and Collect Annual Assessments for the West Washington Benefit Assessment District No. 2 and Ordering the Preparation of the Engineer's Report Thereon for Fiscal Year 2024/2025

THAT THE CITY COUNCIL: ADOPT A RESOLUTION INITIATING PROCEEDINGS TO LEVY AND COLLECT AN ANNUAL ASSESSMENT FOR THE WEST WASHINGTON BENEFIT ASSESSMENT DISTRICT NO. 2 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT THEREON FOR FISCAL YEAR 2024/2025.

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Item C-8

CC - Adoption of a Resolution Initiating Proceedings to Levy and Collect Annual Assessments for the West Washington Benefit Assessment District No. 3 and Ordering the Preparation of the Engineer's Report Thereon for Fiscal Year 2024/2025

THAT THE CITY COUNCIL: ADOPT A RESOLUTION INITIATING PROCEEDINGS TO LEVY AND COLLECT ANNUAL ASSESSMENTS FOR THE WEST WASHINGTON BENEFIT ASSESSMENT DISTRICT NO. 3 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT THEREON FOR FISCAL YEAR 2024/2025.

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Item C-9

CC - (1) Waiver of Competitive Bidding Procedures Pursuant to Culver City Municipal Code Section 3.07.075.F.3; and (2) Approval of an Amendment to Existing Agreement with George Hills Company, Inc. for Liability Claims Adjusting and Administration Services to Extend the Term an Additional 12 Months through June 30, 2025

THAT THE CULVER CITY COUNCIL:

1. WAIVE COMPETITIVE BIDDING PROCEDURES PURSUANT TO CULVER CITY MUNICIPAL CODE SECTION 3.07.075.F.3; AND,
2. APPROVE AN AMENDMENT TO THE EXISTING AGREEMENT WITH GEORGE HILLS COMPANY, INC. FOR LIABILITY CLAIMS ADJUSTING AND ADMINISTRATION SERVICES TO EXTEND THE TERM AN ADDITIONAL 12 MONTHS THROUGH JUNE 30, 2025; 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-10

CC - Approval of a Three-Year Agreement with Ron's Maintenance, Inc. for Citywide Catch Basin Cleaning and Inspection Services,

in an Amount Not-to-Exceed \$188,000 Annually, with the Option to Extend the Agreement an Additional Two Years

THAT THE CITY COUNCIL:

1. APPROVE A THREE-YEAR AGREEMENT WITH RON'S MAINTENANCE, INC. FOR CITYWIDE CATCH BASIN CLEANING AND INSPECTION SERVICES IN AN AMOUNT NOT-TO-EXCEED \$188,000 ANNUALLY, WITH AN OPTION TO EXTEND FOR TWO ADDITIONAL YEARS; 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-11

CC - Approval of Fifth Amendment to CWE Corporation Professional Services Agreement for Design Services on Washington Boulevard/ Costco Stormwater Project PR-001 for an Additional \$160,000

THAT THE CITY COUNCIL:

1. APPROVE A FIFTH AMENDMENT TO EXISTING PROFESSIONAL SERVICES AGREEMENT WITH CWE CORPORATION FOR THE WASHINGTON BOULEVARD STORMWATER DIVERSION PROJECT NOT-TO-EXCEED \$160,000; 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-12

CC - (1) Waiver of Competitive Bidding Procedures Pursuant to Culver City Municipal Code Section 3.07.075.F.3; and (2) Approval of Amendment to the Existing Professional Services Agreement with Duke's Root Control, Inc. for Root Control Services on City-Owned Sewer Mainlines to Increase the Not-to-Exceed Amount by \$230,000 and Extend the Term through June 30, 2025

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING AGREEMENT WITH DUKE'S ROOT CONTROL, INC. FOR AN ADDITIONAL AMOUNT NOT-TO-EXCEED \$230,000 THROUGH JUNE 30, 2025; 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-13

CC - Adoption of a Resolution Approving the Final Map for Tract Number 82562 Consisting of the Creation of Five Residential Air Space Units on an Existing Lot for Condominium Purposes for the Project Located at 3906 Tilden Avenue

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING THE FINAL MAP FOR TRACT NUMBER 82562 CONSISTING OF CREATION OF FIVE RESIDENTIAL AIRSPACE UNITS ON AN EXISTING LOT FOR CONDOMINIUM PURPOSES AT 3906 TILDEN AVENUE.

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Item C-14

CC - Adoption of an Ordinance Amending Subchapters 9.10.005, et seq. through 9.10.600, et seq. of Culver City Municipal Code (CCMC) Chapter 9.10 (Parks, Public Buildings and Property)

THAT THE CITY COUNCIL: ADOPT AN ORDINANCE AMENDING SUBCHAPTERS 9.10.005, ET SEQ. THROUGH 9.10.600, ET SEQ. OF CCMC CHAPTER 9.10 (PARKS, PUBLIC BUILDINGS AND PROPERTY).

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Item C-15

CC - (1) Approval of a Non-Bid Construction Contract with Miracle Playground Sales in the Amount of \$94,000 for the El Marino Park Age 2 - 5 Playground Equipment Replacement Project; and (2) Authorization to the Parks, Recreation and Community

Services Director to Approve Change Orders in an Amount Not-to-Exceed \$26,000

THAT THE CITY COUNCIL:

1. APPROVE A NON-BID CONSTRUCTION CONTRACT WITH MIRACLE PLAYGROUND SALES IN THE AMOUNT OF \$94,000 FOR THE EL MARINO PARK AGE 2 - 5 PLAYGROUND EQUIPMENT REPLACEMENT PROJECT; AND,
2. AUTHORIZE THE PRCS DIRECTOR TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED \$26,000; AND,
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-16

CC - (1) Adoption of a Position of Support for Assembly Constitutional Amendment (ACA) No. 16 Regarding Environmental Rights; and (2) Direction to Distribute the City's Position Letter to State Legislators

Mayor McMorris invited public comment.

Alicia Ide, Senior Management Analyst indicated that the person who signed up to speak was not present in Council Chambers or online.

THAT THE CITY COUNCIL:

1. ADOPT A POSITION OF SUPPORT FOR ACA 16; AND
2. DISTRIBUTE THE LETTER OF SUPPORT FOR ACA 16.

MOVED BY COUNCIL MEMBER PUZA AND SECONDED BY COUNCIL MEMBER VERA THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-16.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: MCMORRIN, O'BRIEN, PUZA, VERA

NOES: NONE

ABSENT: ERIKSSON

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Action Items

Item A-1

CC - (1) Discussion of Proposals from Ballona Creek Renaissance to Ban Single-Use Plastic Beverage Bottles, Balloons, Smoking, and Single-Use Bags not Exempted by California Public Resources Code; and (2) Direction to City Manager as Deemed Appropriate

Yanni Demitri, Public Works Director, provided a summary of the material of record.

Sean Singletary, Senior Management Analyst, provided a presentation regarding the potential expansion to waste reduction regulations, plastic carryout regulations, and smoking regulations; discussed Ballona Creek Renaissance (BCR) proposals coming from a watershed health perspective; pollutants found in the Creek; single-use plastic beverage bottles; the City ban; the City-wide mandate for on premises dining; SB 54; the actions of other cities; pros and cons for items being considered; balloons; AB 847; bans by other agencies; biodegradable vs. marine biodegradable; fires and power outages caused by mylar balloons; educational campaigns; the plastic carryout bag ban; the City and state code; SB 270; inability to recycle thick plastic bags; increased plastic bag usage since the ban went in place; decreased efficiency with plastic bags getting stuck in pumps for the Culver Boulevard Storm Water project; acclimation to alternatives; the upcoming ban on produce bags; SB 1046; paper alternatives; regulation at the state level; AB 2236 and SB 1053 to ban all plastic shopping bags in California; redundancy in addressing things at the local level; the proposed smoking ban; AB 935; impacts of proposed changes; staffing levels and workload; the need for outreach, education, and engagement with the proposed changes; and lack of identified funding.

Discussion ensued between staff and Council Members regarding discussion of issues at the state level; clarification that the intent of staff was to gauge City Council interest before moving forward with outreach; absence of issues with the City-wide ban on water bottles at City facilities; the need for research on the impacts of a potential smoking ban; the actions of other cities; allowable areas to smoke in the City; areas where smoking is prohibited; clarification that smoking indoors is

banned under state law; the proposal to ban smoking in all public spaces; building in hardship clauses; and phasing in changes.

Mayor McMorris invited public comment.

The following members of the public addressed the City Council:

Marci Baun discussed lack of control over single-use plastic containers for processed foods; people who would like to bring in their own reusable containers to buy food at grocery stores; carcinogens in paper straws; chemicals released when heating aluminum containers; concern with what would replace plastics; earthquake preparation; and ensuring that what replaces plastic is safe for people and the environment.

Michael Kopulsky provided background on himself; suggested a lifecycle analysis of items; discussed unintended consequences; the importance of reduce, reuse, recycle; difficulty recycling certain items; his privately held milk jug recycling business; and affects to sales tax revenue.

Sandrine Cassidy, Ballona Creek Renaissance, provided background on the organization; discussed events; volunteers; partnerships; and the history of collaboration with the City.

Craig Cadwallader, South Bay Chapter of the Surfrider Foundation, provided background on the organization; discussed plastic ordinances in the state; fearmongering; lack of evidence that the ordinances harm businesses; research indicating cost savings associated with the bans rather than being a detriment to the restaurant industry; single-use plastic vs. single-use aluminum; waste found at beach cleanups; issues with balloons; the poor grade achieved by Culver City on the American Lung Association Report Card; the outdoor smoke-free issue; lack of demonstrated harm in other cities with the suggested change to the outdoor smoking ordinance; and smoking bans in other cities.

Mayor McMorris requested additional time for the speaker since the item had been requested by them.

Craig Cadwallader, Surfrider Foundation, discussed compliance with smoking bans; increased tax revenue with the ban; similar ordinances as to what is being proposed in other cities; and he noted that recycling is actually downcycling.

Melissa Sanders discussed the importance of considering pros and cons as well as data; the value of studies; unintended consequences; potential revenue losses; environmental savings; she expressed support for smoking bans; and noted that the process was not a simple one and required thoughtful consideration.

Tim James, California Grocers Association, expressed willingness to work with the City; discussed unbalanced consideration of the issue; lack of engagement; minimal information presented to the City Council; the importance of considering all voices, especially those impacted by City decisions; noted benefits to sharing data from grocers who are the experts; the importance of making lasting sustainable change with involvement of the full community; he offered partnership; and he asked that the issue be referred to the Sustainability Subcommittee with direction to engage all stakeholders.

Discussion ensued between staff and Council Members regarding written comment received; lack of staff outreach to other cities to verify information; making an individual decision to discontinue usage of single-use plastic water bottles; costs and difficulty of discontinuing single-use plastic bottles; more expensive alternatives to providing plastic bottles of water; passing along costs to customers; decreased profit margins; the need for proper community and business engagement in the process; enforcement; education; bringing people along with the changes; making voluntary changes; and Small Business Month.

Additional discussion ensued between staff and Council Members regarding previous actions of the fossil fuel and plastics industry to place the responsibility for plastics and pollution on the public; blame placed by the smoking industry on smokers for smoking related injuries; statistics regarding the use of plastics, plastics recycling, and amount of plastic ingested or inhaled; the path to net zero emissions; individual behavioral changes; ensuring that Ballona Creek is safe and clean; the need for leadership; policy; adaptations; polystyrene; businesses that saved money; net profit; policy changes coupled with personal responsibility; support for outreach to business and the communities; consideration of recommendations by BCR; making changes at the same time; phased implementation of changes; second-hand smoke; and support for a ban on public smoking.

Further discussion ensued between staff and Council Members regarding appreciation to the speakers; enforcement challenges; the City's recycling contractor; the amount of recyclable blue

bin waste; the recycling market; domestic markets; impacts to marine life; greenhouse gas impacts; decomposition; human health; BPA leeching; environmental impacts of aluminum vs. plastic vs. glass; the track record of other cities; lessening negative impacts of humans on the earth; benefits of the Ballona Creek Interceptor; the proposed ban on the 4 Bs: balloons, butts, bags, and bottles; information on school bans; the need for more outreach to determine impacts; having a ban on helium rather than on the balloons; placing a ban on balloons for City events and in public places; affects to marine wildlife; tax revenue from cigarettes; investigation of impacts; enforcement; support for waiting for state action on the single-use plastic bag ban; Sanitation District meetings; waste to energy for organics in District 5; impacts of glass and aluminum; coated aluminum cans; impacts to businesses; and the need for additional staff research to ensure that Culver City is making the right environmental decisions.

Discussion ensued between staff and Council Members regarding gathering information from other area cities to gain a framework to understand impacts to the local economy and sustainability goals of the cities; taxes; revenue; implementation and logistics; alternatives for approaching sustainability goals; grants; funding to support the City in sustainability goals; supporting the future of Culver City so that people can live and thrive; working to combat the climate crisis; partnership with the community and researchers; enforcement; next steps; deferring to the state on certain items; moving forward with more outreach; follow up meetings utilizing the Sustainability Subcommittee; targeted outreach to various communities; best practices for other California cities doing this work; education and data; research; coordination with the county; outreach to the community; and staff agreement to research and bring back recommendations and additional information to the City Council after engaging with the community with several Sustainability Subcommittee meetings before the end of the year.

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Item A-2

CC - (1) Approval of a Three-Year Contract with StarChase to Provide Pursuit Mitigation Technology in an Amount Not-To-Exceed \$143,689; and (2) Discussion of the Police Department's Draft StarChase Pursuit Management System Policy

Jason Sims, Culver City Police Department (CCPD) Chief, introduced the item.

Andrew Bellante, CCPD Captain, provided a summary presentation of the material of record on StarChase technology for vehicle pursuit; discussed mitigating inherent risks and dangers of vehicle pursuit; prioritization of pursuit safety; pursuit policies; tracking suspects without engaging in high speed chases whenever possible; strategies to combat crime and apprehend criminal offenders; the increased number of vehicle pursuits; balancing the need to apprehend suspects with safety; the current practice to cancel the majority of vehicle pursuits; de-escalation of vehicle pursuits; liability mitigation; increasing success in apprehension with GPS tracking devices; ensuring that CCPD can effectively carry out their duties; he presented a video depicting how the StarChase system works; discussed data storage and ownership; information gathered; records; feedback from the Chief's Advisory Panel (CAP); City Attorney review of the policy; proprietary equipment; the staff recommendation; and funding approved in the 2023-2024 budget.

Discussion ensued between staff and Council Members regarding deployment distance; increases to the number of vehicle pursuits over the past year; expected reduction to pursuits; the intent to engage before a pursuit is needed; in-car cameras; making determinations as to when pursuits should be cancelled; removal of the tracker when the pursuit is ended; and documentation of deployment in Watch Commander Reports and in Police Reports.

Mayor McMorris invited public comment.

The following members of the public addressed the City Council:

Jamie Wallace was called to speak but was not present in Council Chambers or online.

Melissa Sanders expressed support for using technology for the betterment of the community; she was looking forward to seeing the data; and felt that StarChase could be a good, non-invasive tool.

Stephen Jones noted that StarChase had the least restrictive policy; discussed the position of the ACLU (American Civil Liberties Union); reducing harm when it is limited to situations where there could be a high speed chase that could potentially hurt people; concern with allowing the policy for general use; other policies that do not allow tracking for a misdemeanor or before a traffic stop has been initiated; concern with a lack of limits in the policy being proposed; limits in policies of

other police departments; and he questioned when trackers would be taken off.

Bubba Fish with one minute ceded from Aaron Lieberman, discussed street safety; situations in which the policy allows the tracker to be deployed; the broad policy being considered; growth of the powers and arsenal of CCPD over the past two years; the General Plan Public Safety Element that was created and then thrown out; revisions to the Pretextual Traffic Stop Policy without public input or notice; additional monies to be spent on a GPS tracking system that can be put on any car for any reason without a warrant; changes over the past 10 years; whether changes make things safer; the degree of surveillance technology and military grade weapons at CCPD's disposal; public support indicated in a survey from LMU (Loyola Marymount University) for changing priorities; reallocation of resources; and he expressed hope that one day the focus would be shifted to answering the question of what make space safe.

Discussion ensued between staff and Council Members regarding equipment approvals; the number of pursuits terminated by the officer or supervisors; reasons for cancellation; recognition of the dangers related to pursuits; criteria for tracker deployment; requirement of a warrant for placement on parked vehicles; law related to when trackers can be deployed; ensuring safety during a pursuit; the return to normal driving patterns for a pursued vehicle within two minutes of officer disengagement; technology accommodating those who support less involvement; retrieval of the tracker when a car leaves Culver City; inter-agency tracking; and collaboration with other agencies.

Additional discussion ensued between staff and Council Members regarding determining how much of a surveillance state one wants to live in; concern with who has access to the data; support for narrowing the scope of use; and eliminating the ability to place the tracker prior to the attempted stop.

Carey Goldberg, StarChase, discussed benefits to deployment before initiating a traffic stop; policies developed for pre-deployments for probable cause; Automated License Plate Readers (ALPRs); and stolen vehicles.

Discussion ensued between staff and Council Members regarding proximity to the vehicle in order to launch the tag; vehicles identified as being wanted for a crime; launching during safe driving conditions; pre-deployment for felony vehicles or DUI

(Driving Under the Influence); including specific situations for pre-deployment in the policy; narrowing the scope to felonies; clarification that a DUI is a misdemeanor; the requirement for supervisor approval of different scenarios; the difficulty of including an exhaustive list; the fact that lists are not usually included in policy; liability; and supervisor discretion.

Carey Goldberg, StarChase, indicated that he was not aware of many police departments not using StarChase for misdemeanors, and he discussed reversal of legislative oversight in 2022 - 2023 that had precluded all Washington agencies from pursuing anything outside of a violent ongoing felony.

Further discussion ensued between staff and Council Members regarding ALPR data; Flock arrests; minimizing dangerous contact; pursuits related to Flock hits; data indicating that 92% of arrestees are not Culver City residents and 70% of crimes committed use a vehicle; using technology to prevent high speed chases; absence of language indicating that the technology cannot be used to surveil; the court ruling allowing short-term tracking; clarification that the technology is not meant for long-term tracking; ensuring no one is harmed in the pursuit process; and support for adding a prohibition for long-term surveillance.

Additional discussion ensued between staff and Council Members regarding appreciation for public comment; evaluating technology needs; the potential for increased vehicle pursuits with implementation of ALPRs; consideration of alternative pursuit mitigation technology; spike strips; use of StarChase by other area jurisdictions; data regarding overall chases in the past 10 years; causes of chases; misdemeanors vs. felonies; the increase in pursuits; number of cancelled pursuits; cancellation of felony pursuits; initiation of pursuits; pursuit monitoring by supervisors; taking public safety into account; low-level misdemeanor violations; number of murders in Culver City; data indicating that half of the pursuits last year ended in a traffic accident; interaction of different technology; the purpose of StarChase to mitigate pursuit risk; 26 intersections in Culver City with ALPR; mounting systems; unlimited trackers provided by StarChase for 36 months and evaluation for contract renewal at that time; two tags provided to each car for deployment; the eight hour battery life for tracking; training to utilize the technology; clarification that the tracking devices do not damage cars; number of DUI arrests; clarification that the majority of pursuits were for felonies; policy; the

goal to reduce interaction; the feeling that surveillance is interaction; monitoring positionality; the cost breakdown of \$1,000 per felony; the seven accidents related to pursuits in the past two years; expanding carceral systems; efficacy of programs; expanding surveillance in Culver City for a low number of pursuits; support for continued monitoring of existing technologies such as Flock before adding more; the need for more outreach before policy implementation; concern with opening the door to lawsuits; appreciation for the attention to detail; and examination of data.

Discussion ensued between staff and Council Members regarding the First Amendment; search and seizure; and reasons for the increase in pursuits over the past year in Culver City and in the region.

MOVED BY VICE MAYOR O'BRIEN AND SECONDED BY COUNCIL MEMBER VERA THAT THE CITY COUNCIL:

1. APPROVE A THREE-YEAR AGREEMENT WITH STARCHASE TO PROVIDE PURSUIT MITIGATION TECHNOLOGY IN AN AMOUNT NOT-TO-EXCEED \$143,689 INCLUDING PROPOSED ADDITIONS AS DISCUSSED; 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 FAILED BY THE FOLLOWING VOTE:

AYES: O'BRIEN, VERA
NOES: MCMORRIN, PUZA
ABSENT: ERIKSSON

Council Member Vera questioned why changes were proposed and discussed but then the proposal was denied.

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Item A-3

CC - (1) Consideration of a Request by Keter Environmental Services to Waive Refuse Penalty Incurred and Assessed on September 1, 2023 in the Amount of \$16,602.39; and (2) If Desired, Authorization to the City Manager to (A) Waive

Penalties in an Amount Determined by the City Council; or (B) Deny the Request for Waiver

Sean Singletary, Senior Management Analyst, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding concern with the amount of the fine for being one week late; the small error made; a suggestion to agendaize discussion of the fine schedule; providing a stepped schedule; the feeling that the penalty is not in alignment with the mistake; clarification that the next item is recommended for a waiver due to a postal delay; the administrative policy relating to the municipal code that lays out reasons for waiving and upholding a penalty; consistency; the policy for waivers for postal delays; lack of evidence that the business reached out to verify the amount due; fining a company for an internal processing error; fee waivers when administrative policy is followed; concern with setting a precedent; and whether a lesser penalty would be appropriate.

MOVED BY COUNCIL MEMBER VERA AND SECONDED BY MAYOR MCMORRIN THAT THE CITY COUNCIL AUTHORIZE THE CITY MANAGER TO DENY THE REQUEST FOR WAIVER OF PENALTY INCURRED AND ASSESSED ON SEPTEMBER 1, 2023 IN THE AMOUNT OF \$16,602.39 FROM KETER ENVIRONMENTAL SERVICES.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: MCMORRIN, PUZA, VERA
NOES: O'BRIEN
ABSENT: ERIKSSON

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Item A-4

CC - (1) Consideration of Request by SRM Construction to Waive Refuse Penalty Incurred and Assessed on October 1, 2023 in the Amount of \$10,820; and (2) If Desired, Authorization to the City Manager to (A) Waive Penalties in an Amount Determined by the City Council; or (B) Deny the Request for Waiver

Sean Singletary Senior Management Analyst, provided a summary of the material of record.

Mayor McMorris invited public comment.

Jeremy Bocchino, City Clerk, reported no requests to speak.

MOVED BY COUNCIL MEMBER VERA AND SECONDED BY COUNCIL MEMBER PUZA THAT THE CITY COUNCIL: AUTHORIZE THE CITY MANAGER TO WAIVE PENALTIES IN THE AMOUNT OF \$10,820.21.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: MCMORRIN, O'BRIEN, PUZA, VERA

NOES: NONE

ABSENT: ERIKSSON

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Item A-5

CC - (1) Discussion of and, if Desired, Authorization to Sign Onto the California Equal Pay Pledge; (2) Direction as to Dissemination of the Pledge; and (3) Direction to the City Manager, as Deemed Appropriate

Shelly Wolfberg, Assistant City Manager, provided a summary of the material of record.

Mayor McMorris invited public comment.

The following member of the public addressed the City Council:

Melissa Sanders expressed support for the item noting that if there is any other group experiencing the same situation, they should be included as well.

Discussion ensued between staff and Council Members regarding appreciation to Shelly Wolfberg for her work and the outreach done to other cities and entities; providing notice to the state team that the City Council supports signing on to the Pledge; and a suggestion to have a roll out next year when Equal Pay Day comes around.

MOVED BY MAYOR MCMORRIN AND SECONDED BY VICE MAYOR O'BRIEN THAT THE CITY COUNCIL:

1. AUTHORIZE SIGNING ONTO THE CALIFORNIA EQUAL PAY PLEDGE; AND,
2. PROVIDE DIRECTION TO STAFF ON HOW TO DISSEMINATE THE STATEMENT.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: MCMORRIN, O'BRIEN, PUZA, VERA

NOES: NONE

ABSENT: ERIKSSON

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Public Comment - Items Not on the Agenda (Continued)

Mayor McMorris invited public comment.

The following member of the public addressed the City Council:

Denise Neal questioned the status of preparation for sports events, reparations, and addressing budget deficits.

Mayor McMorris noted work being done on the Racial Equity Action Plan (REAP); asked staff to reach out to Ms. Neal; and indicated that the Historical Context Study had been released and was available on the City's website.

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Items from Council Members

None.

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Council Member Requests to Agendize Future Items

Vice Mayor O'Brien received City Council consensus from Mayor McMorris and Council Members Puza and Vera to agendize a discussion of the fine schedule ordinance.

Discussion ensued between staff and Council Members regarding revisiting penalties for business licenses; different fine schedules; and agreement to consider the Sanitation fine schedule first.

Vice Mayor O'Brien discussed communication from a cannabis licensee; the narrow policy; he received consensus to revisit the cannabis license policy from Mayor McMorris and Council Member Puza; consensus from Mayor McMorris and Council Members Puza and Vera to consider creating an entrance to Ballona Creek

at Ince; and consensus from Mayor McMorris and Council Member Puza to consider Council Member compensation.

Mayor McMorris discussed public/private partnerships; identification of gaps and opportunities to help meet the needs of the community: she received City Council consensus from Vice Mayor O'Brien and Council Members Puza and Vera to direct the Economic Development Subcommittee to examine public/private partnerships; and she expressed condolences to the family of former Culver City Principal, Mina Shiratori and asked that the meeting be adjourned in her memory.

Vice Mayor O'Brien extended condolences to the family of Mina Shiratori.

MOVED BY MAYOR MCMORRIN AND SECONDED BY VICE MAYOR O'BRIEN THAT THE CITY COUNCIL ADJOURN IN MEMORY OF MINA SHIRATORI.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: MCMORRIN, O'BRIEN, PUZA, VERA
NOES: NONE
ABSENT: ERIKSSON

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Adjournment

There being no further business, at 11:02 p.m., the City Council, Culver City Housing Authority Board, Culver City Parking Authority, Redevelopment Financing Authority, and Successor Agency to the Culver City Redevelopment Agency Board adjourned in memory of Mina Shiratori to a regular meeting to be held on May 13, 2024.

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Jeremy Bocchino
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, Redevelopment Financing Authority, Culver City Housing
Authority Board, and Culver City Parking Authority, Culver
City, California

YASMINE-IMANI MCMORRIN
MAYOR of Culver City, California and CHAIR of the Successor
Agency to the Culver City Redevelopment Agency Board,
Redevelopment Financing Authority, Culver City Housing
Authority Board, and Culver City Parking Authority

Date: _____