

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

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

March 14, 2022
7:00 p.m.

Call to Order & Roll Call

Mayor Lee called the regular meeting of the City Council, Culver City Housing Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board to order at 5:31 p.m. in the Mike Balkman Chambers at City Hall.

Present: Daniel Lee, Mayor
Albert Vera, Vice Mayor
Göran Eriksson, Council Member
Alex Fisch, Council Member
Yasmine-Imani McMorris, Council Member

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Mayor Lee invited public comment.

Jeremy Bocchino, City Clerk, indicated that no public comment had been received.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL, CULVER CITY HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY BOARD ADJOURN TO CLOSED SESSION.

Closed Session

At 5:32 p.m. the City Council, Culver City Housing Authority Board, 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: Yes In My Back Yard, et al. v. City of Culver City, et al.
Case No. 20STCV43253
Pursuant to Government Code Section 54956.9(d) (1)

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CS-2 CC - Conference with Legal Counsel - Existing Litigation
Re: Marilyn Newsome v. City of Culver City et al. USDC
Case No. 2:21-cv-06872-MCS-JC
Pursuant to Government Code Section 54956.9(d) (1)

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CS-3 CC - Conference with Legal Counsel - Anticipated Litigation
Re: Significant Exposure to Litigation - 1 Item
Pursuant to Government Code Section 54956.9(d) (2)

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Regular Session

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

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Recognition Presentations

Item R-1

CC - A Proclamation Declaring the Month of March 2022 as Women's History Month in Culver City

Jeremy Bocchino, City Clerk, presented the proclamation declaring the month of March 2022 as Women's History month in Culver City.

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Item R-2

CC - A Proclamation Declaring the Month of March 2022 as Red Cross Month in Culver City

Jeremy Bocchino, City Clerk, presented the proclamation declaring the month of March 2022 as Red Cross month in Culver City.

Grant Graves provided background on himself and discussed the work of the Red Cross; thanked the City for the honor; discussed raising awareness; public support; and indicated that additional information was available at redcross.org/la

Council Member Eriksson noted that the American Red Cross was working with the International Red Cross to provide support for Ukrainians in border countries, and he encouraged everyone to go to redcross.org to donate to Ukraine efforts.

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Pledge of Allegiance

Mayor Lee led the Pledge of Allegiance.

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Report on Action Taken in Closed Session

Mayor Lee indicated nothing to report out from Closed Session.

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Community Announcements by Members/Information Items from Staff

Council Member McMorris encouraged everyone to support Transit Drivers Appreciation Day on March 18, and she encouraged people to go to housingiskey.com for more information as the State Emergency Renter Assistance program would be closing at the end of the month.

Council Member Fisch announced that the 10th Anniversary Celebration of Walk and Rollers at the Wende Museum on March 19 was sold out but walkup tickets were available with additional information available at walkmorebikemore.org.

Vice Mayor Vera encouraged everyone to donate blood to the Red Cross and he wished everyone a Happy Pi Day.

Mayor Lee reported being asked to join other cities in inviting the Presidential Special Envoy for Climate, John Kerry, to speak to address climate issues noting that if the event happens he would share the information with the City Council and the community; he encouraged everyone to go see the first in-person production since the pandemic at the Kirk Douglas Theater; he discussed the Business License Permit Update; providing infrastructure; worker co-ops; community land trusts; Women's History month; the importance of recognizing women as whatever they want to be in addition to being healers and helpers; limiting the pathway of young women and girls by telling them what they are supposed to be; emotional labor; and he acknowledged that the meeting was presiding on the ancestral land of the Gabrielino Tongva people.

Heather Baker, City Attorney, reported that the Culver City and Sentinel Peak Resources (SPR) had extended the term of the 90-day Tolling Agreement entered into in November 2021 to explore alternatives noting that information was available on the City website.

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Joint Public Comment - Items NOT on the Agenda

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Jamie Wallace received confirmation that the issue of opening Main Street would be on the March 28 City Council agenda; she discussed reopening businesses and parking access; expressed support for allowing businesses to recover by following the staff recommendation to close Main Street on weekends and for the Farmers Market, but to keep it open at other times; and she expressed concern with creating more pollution by having cars go around.

Sade Cooper was called to speak but did not respond.

John Cohn was called to speak but was not present on Webex.

Mary Daval discussed a report in Geekwire detailing bonuses

given to Amazon employees in Seattle who bike to work and active discouragement of driving by employees; City collaboration with all large employers in the City to incentivize alternate modes of transportation; providing the option to work at home; turning City streets over to corporate America; the importance of being a driver of regional mobility solutions; bringing more active transportation and housing to Culver City; concern with approving new office buildings with parking; staffing shortages; prioritizing housing; she wanted to see a pause in consideration of new housing until zoning can be changed; and she thanked Public Works for their transparency and responsiveness in compiling and posting a list of all projects pertaining to bicycle and pedestrian infrastructure.

Sade Cooper was called to speak but did not respond.

Sandrine Cassidy, Culver City Unified School District (CCUSD) Sustainability Coordinator, invited everyone to the next Environmental Sustainability meeting on March 24; announced a public meeting organized by Los Angeles County Public Works about the Ocean Cleanups Interceptor Pilot Clean Up project on March 23; and she indicated that additional information was available by emailing sustainability@ccusd.org.

Marci Baun felt it was important to allow traffic on Main Street during the week; discussed issues getting out of the City if the street is closed; support for closing Main Street for the Farmers Market and on the weekend; she questioned what was being done to combat the recent crime spree in the City; she felt that defunding the police was not in the best interests of residents; and she discussed up-zoning single-family homes and eliminating vaccine mandates.

Bryan Sanders asserted that driving downtown would be better if all lanes were available to cars and Main Street was open to vehicle traffic; expressed support for the staff recommendation; felt that crime should be an agenda item discussed by the City Council to provide for open dialog to come up with a plan; questioned where the data for the MOVE Culver City project was; discussed public records requests; and he noted that no traffic study had been done before the traffic lane had been eliminated.

Melissa Sanders echoed comments made by Jamie Wallace and Bryan Sanders; discussed additional mobility projects coming forward; reassessing the downtown area; concern with shutting down Main Street when a parking entrance had been installed by tenants; support for tenants having difficulty; deliveries; disabled

parking and drop off; extending the mobile buses to discourage driving in the downtown area; and she asked that traffic studies be conducted before making any further changes.

Judi Sherman discussed the recently updated design and development standards of the wireless ordinance; ensuring that the City has enough evidence to review the claims by the telecom carriers; information provided to the City; propagation maps; coverage gaps; testing by FCC (Federal Communications Commission) staff; FCC recommendations; proof of what telecom companies deem to be necessary installations; overwhelming inaccuracies in coverage maps from wireless carriers; and concern that the City is not fulfilling their duties for public safety and quality of life for citizens by not holding wireless companies accountable.

David Coles was pleased that CCUSD is holding regular sustainability meetings; wanted to see City Sustainability Subcommittee meetings reinstated noting that they had not met since 2020; he proposed examining how to get solar panels on all City buildings and City-owned parking lots; and he noted that there were many other sustainable ideas to be explored by the Committee.

Mayor Lee asked staff to reach out to members of the Sustainability Subcommittee to schedule a meeting; discussed revisiting the Reach Codes; and he noted the importance of quarterly Sustainability Subcommittee meetings.

Karim Sahli reminded everyone of the role of automobiles in the climate crisis; discussed benefits of keeping Main Street open to pedestrians; the intent of Main Street Plaza; Culver Steps; dedicating space to people; he indicated that the options presented by staff did not include parking on Main Street; and he indicated that opening up Main Street to cars would make that segment of downtown Culver City horrible.

Sade Cooper, Jazz Hands for Autism, provided background on the organization; discussed encouraging diversity outside of race by putting the autistic community in the forefront; non-profit autism organizations in the City; partnerships with local businesses in the Plaza; creating awareness with the event; being a good neighbor; best use of the space; and she requested City sponsorship for a family friendly event in Town Plaza on May 28.

Discussion ensued between staff and Council Members regarding consideration of the request by the Special Events Subcommittee; the annual calendar for the Plaza being created; coordination with staff; putting forth a recommendation before the full City Council; the sponsorship request; scheduling; and City Council consensus was achieved to remand the matter to the Special Events Subcommittee.

John Cohn was called to speak but was not present on Webex.

Discussion ensued between staff and Council Members regarding the intent of John Cohn to request sponsorship for the Car Show and the opportunity for him to speak at the end of the agenda.

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Receipt and Filing of Correspondence

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER MCMORRIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Order of the Agenda

Items C-3 and C-5 were considered at the end of the Consent Calendar.

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Consent Calendar

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY VICE MAYOR VERA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-1, C-2, C-4, AND C-6.

Item C-1

CC:HA:SA - Approval of Cash Disbursements for February 19, 2022 to March 4, 2022

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR FEBRUARY 19, 2022 TO MARCH 4, 2022.

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Item C-2

CC:HA:SA - Approval of Minutes for the Regular City Council Meeting of February 28, 2022

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES FOR THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 28, 2022.

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Item C-4
(Out of Sequence)

CC - (1) Approval of a Change Order to the Existing Purchase Order with Toter LLC in an Additional Amount of \$55,000 to Purchase approximately 745 32-, 64- and 96-Gallon Refuse, Recycling, and Organics Carts at approximately \$72 Per Cart, Resulting in an Aggregate Amount Not-To-Exceed \$175,000 for FY 2021/2022; and (2) Approval of a Purchase Order with Toter LLC for the Purchase of approximately 2,600 32-, 64- and 96-Gallon Refuse, Recycling, and Organics Carts at approximately \$72 Per Cart for FY 2022/2023 and 2023/2024 in the Amount of \$175,000 Annually; and (3) Authorization to the Public Works Director to Approve Two Additional One-Year Terms in an Amount Not-to-Exceed \$175,000 for FY 2024/2025, and \$175,000 for FY 2025/2026

THAT THE CITY COUNCIL:

1. APPROVE A CHANGE ORDER FOR THE EXISTING PURCHASE ORDER WITH TOTER LLC IN AN ADDITIONAL AMOUNT OF \$55,000 TO PURCHASE APPROXIMATELY 745 32-, 64-, AND 96-GALLON CARTS AT APPROXIMATELY \$72 PER CART, RESULTING IN AN AGGREGATE AMOUNT NOT-TO-EXCEED \$175,000 FOR FY 2021/2022; AND,
2. APPROVE A PURCHASE ORDER WITH TOTER LLC FOR FY 2022/2023 AND 2023/2024 IN THE AMOUNT OF \$175,000 FOR EACH FISCAL YEAR; AND,
3. AUTHORIZE THE PUBLIC WORKS DIRECTOR TO APPROVE TWO ADDITIONAL ONE-YEAR TERMS IN AN AMOUNT NOT TO EXCEED \$175,000 FOR FY 2024/2025, AND \$175,000 FOR FY 2025/2026.
4. AUTHORIZE THE PURCHASING OFFICER TO ISSUE SUCH CHANGE ORDER AND PURCHASE ORDERS ON BEHALF OF THE CITY.

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Item C-6
(Out of Sequence)

CC - Eleventh Review and Approval of the Need for Continuing the Local Emergency Declared on March 14, 2020 by the City Manager, as Director of Emergency Services, under City of Culver City Emergency Authority, Due to the Coronavirus Respiratory Disease (COVID-19) Pandemic, in Accordance with the Requirements of Government Code Section 8630

THAT THE CITY COUNCIL: PURSUANT TO GOVERNMENT CODE SECTION 8630, CONDUCT AN ELEVENTH REVIEW AND APPROVE THE NEED FOR CONTINUING THE LOCAL EMERGENCY DECLARED ON MARCH 14, 2020 BY THE CITY MANAGER, AS DIRECTOR OF EMERGENCY SERVICES, UNDER CITY OF CULVER CITY EMERGENCY AUTHORITY, DUE TO THE CORONAVIRUS RESPIRATORY DISEASE (COVID-19) PANDEMIC.

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Item C-3
(Out of Sequence)

CC - (1) Approval of a Change Order to the Existing Purchase Order with Hedstrom Environmental in an Additional Amount of \$90,000 to Purchase approximately 70 Two-Cubic Yard Plastic Organic Waste Containers, at approximately \$1,300 Per Container, Resulting in an Aggregate Amount Not-to-Exceed \$210,000 for FY 2021/2022

Responding to inquiry from Mayor Lee, James Pledger, Acting Programs and Operations Manager, reported that the item was to purchase additional equipment as required by AB1383.

THAT THE CITY COUNCIL:

1. APPROVE A CHANGE ORDER TO THE EXISTING PURCHASE ORDER WITH HEDSTROM ENVIRONMENTAL IN AN ADDITIONAL AMOUNT OF \$90,000 TO PURCHASE APPROXIMATELY 70 TWO-CUBIC YARD PLASTIC ORGANIC WASTE CONTAINERS, AT APPROXIMATELY \$1,300 PER CONTAINER, RESULTING IN AN AGGREGATE AMOUNT NOT-TO-EXCEED \$210,000 FOR FY 2021-2022; AND,

2. AUTHORIZE THE PURCHASING OFFICER TO ISSUE THE CHANGE ORDER ON BEHALF OF THE CITY.

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Item C-5
(Out of Sequence)

CC - Adoption of a Resolution (1) Certifying the Jackson Gate Project (Consisting of the Opening of the Ballona Creek Access Gate at the Southern End of Jackson Avenue and Related Public Improvements) will be Completed by a Skilled and Trained Workforce; and (2) Determining the Jackson Gate Project is Statutorily Exempt from the California Environmental Quality Act (CEQA)

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Jamie Wallace questioned whether any rigorous safety studies had been conducted regarding impacts to driveway access and ability to turn around at the end of Jackson; she wanted to see a detailed, time limited study of the neighborhood impacts; discussed opening the gate 24/7 vs. limited hours for a pilot study; determining usage by bikers; potential changes to crime or vandalism in the area; those directly impacted by the change; bicycle access; and she felt more investigation was necessary before moving forward.

Khin Khin Gyi provided background on herself; discussed jurisdiction of the Mountain Recreation County Authority; requirements for a lead agency; fires along Ballona Creek; the Army Corps of Engineers; impacts to flora and fauna on the Creek; the multi-jurisdictional matter; consultation with other agencies with authority over the Bike Path; assisting homeless residents in finding suitable accommodations; and safety and security.

Discussion ensued between staff and Council Members regarding concern with the way the item was moved forward; CEQA certification; the exemption determination; design; taking driveway access points into consideration; clearance; the County Flood Control District; the County Department of Public Works; City maintenance of the Bike Path; due diligence and responsibilities; resident concerns; voting on the item; and concern with an unwillingness to compromise.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER MCMORRIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEM C-3.

MOVED BY COUNCIL MEMBER FISCH AND SECONDED BY COUNCIL MEMBER MCMORRIN THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION CERTIFYING THE JACKSON GATE PROJECT (CONSISTING OF THE OPENING OF THE BALLONA CREEK ACCESS GATE AT THE SOUTHERN END OF JACKSON AVENUE AND RELATED PUBLIC IMPROVEMENTS) WILL BE COMPLETED BY A SKILLED AND TRAINED WORKFORCE; AND (2) DETERMINING THE JACKSON GATE PROJECT IS STATUTORILY EXEMPT UNDER CEQA; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO FILE A NOTICE OF EXEMPTION WITH THE LOS ANGELES COUNTY CLERK'S OFFICE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FISCH, LEE, MCMORRIN

NOES: ERIKSSON, VERA

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Action Items

Item A-1

CC - Consideration and, if Desired, Adoption of a Resolution Standing with Ukraine and Condemning the Russian Invasion of Ukraine

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

Mayor Lee invited public comment.

Jeremy Bocchino, City Clerk, indicated that no public comment had been received.

Discussion ensued between staff and Council Members regarding anti-war activism in Russia, and City Council consensus was achieved to incorporate proposed language from Culver City Artist Laureate, Alexey Steele in support of anti-war activists within Russia.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION STANDING WITH UKRAINE AND CONDEMNING RUSSIAN INVASION OF UKRAINE AS AMENDED.

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Item A-2

CC - (1) Discussion of Whether to Return to In-Person City Council, Commission, Board, and Committee Meetings; (2) Adoption of a Resolution to Continue the Ability to Hold Teleconference Meetings for City Council and all City Commissions, Boards and Committees, as Required by AB361 Every 30 Days, During the COVID-19 Proclaimed Local Emergency and California State of Emergency; (3) Discussion of Whether to Retain, Modify, or Rescind the COVID-19 Vaccination Verification Requirement for In-Person Meetings, Certain Types of Businesses, and Public Facilities; and (4) Direction to the City Manager if Deemed Appropriate

Jesse Mays, Assistant City Manager, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding holding teleconference meetings in concert with virtual meetings; AB361; procedures for reverting to virtual meetings if conditions change; employee presence in City Hall; lifting of masking requirements; and City Council discretion.

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Jamie Wallace requested a return to in-person meetings; questioned whether a hybrid approach would be allowed for audience participation; discussed those with difficulty sitting for long periods of time in Council Chambers; concern with multi-tasking; and she commented on a Council Member who was engaging in a chat with a local political club during the City Council meeting.

Crystal Alexander felt that the public should have the option to attend virtually while Council Members should be required to participate in person; expressed concern with inattention at meetings by Council Members who are tweeting to outside labor union representatives or attending other meetings at the same time; discussed the continued pattern of disrespect for residents; the position held by Mayor Lee; handing the meeting over to the Vice Mayor; and monitoring participation.

Ronald Ostrin felt it was time to bring back in-person meetings; discussed indifference to the needs and desires of residents; social distancing; the divide between Council Members and residents; the recall; the spirit of small-town democracy; and the importance of facing residents rather than hiding behind Webex.

Khin Khin Gyi discussed the elimination of the mask mandate; she felt it was time for City Council meetings to be hybrid with attendees wearing masks to protect the immunocompromised; discussed vaccination requirements; allowing Commissions, Boards and Committees to decide their meeting format; and living with cautious optimism.

Leah Pressman discussed the dramatic increase in comment and expansion of public participation with the virtual meeting format; accessibility; closed captioning; translation; level of risk for immunocompromised individuals; safety issues; enforcement and security; hate speech used during meetings; assaults; and she urged the City to keep the meetings virtual.

Melissa Sanders expressed support for hybrid meetings; discussed stakeholder participation; the feeling that City employees and affected officials should be present in person; concern with Council Members who are doing other things and not focusing on the meeting; and allowing continued input from everyone.

Colin Diaz discussed those who prefer to attend in person; the actions of other cities to return to in-person meetings; equity; and support for using a hybrid model for upcoming meetings.

Carolyn Libuser thanked Information Technology staff for making it easy for people who are hard of hearing to follow the meeting; discussed closed captioning; support for hybrid meetings; Commission meetings where Commissioners have their cameras off; those who rely on visual cues; and the importance of access for the disabled to all meetings.

Mayor Lee clarified that his staff handled his Twitter account and often attended other meetings for him.

Discussion ensued between staff and Council Members regarding consideration of returning to in-person meetings; equity; those without access to a vaccine; those who are immunocompromised; increased numbers of cases in other parts of the world with a new variant; reasons for concern and to move forward cautiously; ensuring a hybrid option for all bodies; increased engagement;

masking requirements; service to the City; concern with divisive comments; lack of staffing to conduct hybrid meetings for Commissions, Boards and Committees; vaccination requirements; the typical practice of the individual Commissions, Boards and Committees to follow City Council procedures; attendance data for Commissions, Boards and Committees; the ability to reach quorum; findings required for AB361; setting policy as a Council; the Brown Act; teleconference requirements; proper noticing procedures; challenges from an IT perspective; alleviating the load on staff with the number of Commissions, Boards and Committees; racist stereotypes; real time transcription to Spanish; improving access; continuing hybrid meetings for the City Council; the importance of consistency and clarity in messaging; signaling the current phase; having the law follow the practice; support for being in alignment with the county; vaccination rates in the City; the importance of booster shots; the feeling that the findings do not exist for AB361; allowing public comment in the Council Chambers and remotely; the teleconferencing option; Brown Act requirements; allowing people to phone in via Webex as a courtesy for City Council meetings if there are technology issues; and agreement to resume in-person meetings at the first meeting in April.

Vice Mayor Vera moved to return to in-person City meetings in April and Council Member Fisch seconded the motion.

Additional discussion ensued between staff and Council Members regarding masking requirements; capacity to hold hybrid meetings for the Planning Commission; public interest; and requiring Council Members to wear masks if it is required of the public.

MOVED BY VICE MAYOR VERA, SECONDED BY COUNCIL MEMBER FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. DIRECT THE CITY MANAGER TO RETURN TO IN-PERSON CITY COUNCIL, COMMISSION, BOARD AND COMMITTEE MEETINGS IN APRIL; AND,
2. ALIGN WITH LOS ANGELES COUNTY REGARDING THE COVID-19 VACCINATION VERIFICATION REQUIREMENTS FOR IN-PERSON MEETINGS, CERTAIN TYPES OF BUSINESSES, AND PUBLIC FACILITIES; AND,
3. KEEP WEBEX AS AN OPTION FOR THE PUBLIC ATTENDING CITY COUNCIL AND PLANNING COMMISSION MEETINGS AND REQUIRE MASKING IN CHAMBERS.

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Item A-3

CC - (1) Consideration of a Recommendation from the Fiesta La Ballona Committee to Schedule the Fiesta La Ballona on the Weekend Preceding Halloween in Calendar Years 2022 through 2026; and (2) Direction to the City Manager as Deemed Appropriate

Dani Cullens, Recreation and Community Services Manager, provided a summary of the material of record.

Council Member McMorris received clarification regarding survey distribution.

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Michele Lachoff discussed the importance of considering other events taking place in the community; reasons to change some things; and the summertime tradition.

Ken Mand asked the City not to change the date citing impacts to many individuals in the City; he discussed flawed survey results; conflicts with numerous community events; and he recommended that the City Council direct Parks and Recreation to add heat mitigation measures to the event in August.

Darrel Menthe, Culver City Downtown Business Association, encouraged the City Council not to move the event to the weekend before Halloween noting conflicting events with the proposed date change; he pointed out that the Fiesta does not need to be at the end of October, but Halloween does; he discussed the flawed process; public notice; and City-sponsored events.

Greg Guzzetta, Fiesta La Ballona Committee Chair, discussed the efforts of staff to gain feedback; the date chosen for 2021 due to the pandemic; addressing one of the biggest complaints about Fiesta which is the heat; cooling mitigation measures; success of the event in 2021; using Halloween and fall as a theme; the family event; he asserted that the event did not conflict with trick or treating events; and he indicated that the Committee would very much like to move the event.

Discussion ensued between staff and Council Members regarding attendance in 2021 vs. for previous years; revenue generated; other events taking place in the community at that time; support

for the work of the Committee and for the process; absorbing the event; difficulty of change; those who want to keep Fiesta in the summer as an event before going back to school; a suggestion to do two events; making use of the Committee to plan other City events; survey results; activating the Plaza; concern with financial impacts to other events; the temporary change in 2021 due to the pandemic; weather anomalies; climate change; a suggestion to hold the event in September; and the different outcome with use of approval voting in the survey.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: KEEP THE DATE OF FIESTA LA BALLONA AS THE LAST WEEKEND IN AUGUST.

Additional discussion ensued between staff and Council Members regarding support for the work of the Fiesta La Ballona Committee; agendizing a discussion of having the Committee work on other events throughout the year; concern with creating additional work for staff; Committee bylaws; the role of the Committee; the need for City Council discussion before the role of the Committee could potentially be expanded; and obtaining feedback from the Committee.

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Item A-4

CC - (1) Presentation on Mid-Year Budget Monitoring Report; (2) Receipt and Filing of the Fiscal Year 2021/2022 Mid-Year Budget Monitoring Report; (3) Notification to Public Inviting Comment and Input for the Upcoming Proposed Budget for Fiscal Year 2022/2023; (4) Approval of Proposed Blanket Purchase Order Amendments; (5) Adoption of a Resolution Approving Salary Schedules for Miscellaneous Employees; and (6) FOUR-FIFTHS VOTE REQUIREMENT: Approval of Proposed Budget Amendments

Lisa Soghor, Chief Finance Officer, thanked the entire Finance team for helping her get up to speed, and she provided a summary of the material of record on the mid-year budget report for Fiscal Year 2021-2022, as well as a review of proposed mid-year budget adjustments and the 10-year financial forecast for the General Fund.

Mayor Lee invited public comment.

Jeremy Bocchino, City Clerk, indicated that no requests to make public comment had been received.

Discussion ensued between staff and Council Members regarding clarification regarding a one-time adjustment under the Department of Industrial Relations; addressing funding gaps; the Business License Tax; the Affordable Housing Ballot Measure; Project Homekey; appreciation to Council Member Fisch and the voters for support received from Measure RE; voters who value services; wanting the government to solve problems; the potential to go from a City in structural deficit to a City that can reinvest in core services; Culver City as a full-service local government; outreach to inform the public of the success of the City in supporting services; communicating the budget to the public; lack of public interest and attendance in budget meetings; changes to the City budget process; ongoing adjustments; additional costs for renewable energy; the Power Charge Indifference Adjustment (PCIA); locking in rates; volume of electricity used by the City; contract term; efforts to upgrade Culver City parks; the amendment to provide funding for the Jackson Gate; state standards for City purchasing processes; the need to bank any surpluses; reinvestment in staff; finding funding sources for Project Homekey operational costs; providing regular budget updates; transparency; collaborative purchasing with the School District; opening the Jackson Gate without increased expense; updates to key processes; changes to the way people do business; finding ways to address decreases to the Utility Users Tax (UUT) and other traditional revenue streams; and appreciation for the work of staff.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER MCMORRIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. RECEIVE A PRESENTATION ON THE MID-YEAR BUDGET MONITORING REPORT; AND,
2. RECEIVE AND FILE THE FISCAL 2021/2022 MID-YEAR REPORT AS PROVIDED IN ATTACHMENT 1; AND,
3. PROVIDE NOTIFICATION TO PUBLIC INVITING COMMENT AND INPUT FOR THE UPCOMING PROPOSED BUDGET FOR FISCAL YEAR 2022/2023; AND,
4. APPROVE THE BLANKET PURCHASE ORDER SUMMARY AMENDMENTS AS PROPOSED IN ATTACHMENT 3; AND,
5. ADOPT THE RESOLUTION APPROVING THE SALARY SCHEDULE FOR MISCELLANEOUS EMPLOYEES; AND,

7. APPROVE THE BUDGET AMENDMENTS AS PROPOSED IN ATTACHMENT 2 (BUDGET AMENDMENT REQUIRES A FOUR-FIFTHS VOTE).

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Item A-5

CC - (1) Discussion of the Commercial Tenant Eviction Moratorium and; (2) Direction to the City Manager as Deemed Appropriate

Elizabeth Garcia, Redevelopment Project Manager, provided a summary of the material of record.

Council Member Fisch received clarification that data was not available regarding the number of vacancies observed after the removal of the tenant eviction moratorium.

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Ronald Ostrin expressed concern that rent would be due when the moratorium was over; discussed the indiscriminate and generous moratorium; putting commercial tenants in harm's way; the amount of time to pay the rent back; minimum payments; vacancies observed in town; market adjustments; weaning tenants off the moratorium; proving COVID-related income issues; and providing time to become current.

Juri Ripinsky discussed results of the Commercial Tenant Eviction Moratorium (CTEM); abuse by tenants with large net worth; gaming the system by not paying rent when it could be afforded; removing the commercial portion of the Tenant Eviction Moratorium; clarification that nothing in the measure excuses a tenant from paying back the rent; concern that people will not be able to pay back what is owed; and he suggested allocating projected budget surplus to grants for mom and pop tenants.

Discussion ensued between staff and Council Members regarding clarification that the City budget surplus is short term; mitigating harm or loss to contributors to the City; empty store fronts; loss of revenue to the City; delineation between types of tenants; making modifications to be sensitive to tenants and landlords; the demarcation by number of employees; the current repayment period; the actions of other area jurisdictions to end CTEMs; tenants and landlords who have worked things out together; potential options for repayment plans; challenges for

property owners; tying the moratorium to the end of the public emergency; the concern that tenants will not make any repayment for 12 months and then just leave; starting the 12-month grace period; finding a compromise; and support for stopping the CTEM and moving forward with a scale that works for both sides.

Ugo Pascarella provided background on himself; expressed appreciation for the support of the CTEM; discussed arriving at a workable solution; continuing decreased levels of business; and he asked that the moratorium be extended to allow businesses more time to recover.

Discussion ensued between staff and Council Members regarding feedback from commercial landlords; problem tenants; data regarding financial hardship; businesses that are not invested in the community; clarification that Los Angeles county has ended their CTEM; the repayment plan option used by West Hollywood; different options for businesses with 21 tenants and above; termination of the ordinance with options in place; economic pressure still being felt by tenants; allowing landlords to recoup more money and tenants a bit more time to get on their feet; compelling testimony from Mr. Pascarella; allowing 12 months as a minimum for all businesses to pay back rents, invest and save; concern with rewarding those who game the system or punishing those who are not gaming the system; mitigating damage; being fair while preserving the business ecosystem; power dynamics; businesses that disappear; increased land prices and real estate value; the protection of real wealth for the landlords; allowing businesses that have managed to hang on, to keep hanging on; those who are paper-rich and money poor; repayment options for back rent after the moratorium ends; tools for eviction; providing protection for landlords; landlords and tenants who have already worked out agreements; ensuring that extra work is not created for staff by having to track compliance; allowing additional time for tenants to get back on their feet; the timeframe for the termination and repayment period; compromise; and other cities that ended the moratorium in September 2021.

Council Member Eriksson moved to terminate the CTEM on June 1, 2022 and Vice Mayor Vera seconded the motion.

Further discussion ensued between staff and Council Members regarding the benefits of allowing additional time for businesses to recover; summer business; the outdoor dining program; compromising by extending the CTEM to July; expiration on the last day of the month; terminating the CTEM on June 30

with adoption of the West Hollywood program; allowing 12 months to repay and if the longer repayment period is chosen, repayments would have to be made in order to forestall eviction; options presented as minimums; longer-terms if there is an agreement in place between the landlord and tenant; the similar arrangement adopted by the city of Downey; stipulating a required minimum payment and the percentage required; equal payments vs. graduated payments over 24 months; providing direction to staff to formulate a reasonable graduated payment plan for the 24-month period and the 30-month period; procedures for issuance of the public order; Council opportunity to make changes when the public order comes back for confirmation; concern with allowing businesses enough time to re-start; payment options; centering the conversation on the power and resource dynamic; the harmful narrative of people trying to game the system; and different experiences for different businesses in the City.

MOVED BY COUNCIL MEMBER ERIKSSON AND SECONDED BY VICE MAYOR VERA THAT THE CITY COUNCIL DIRECT THE CITY MANAGER TO ISSUE A PUBLIC ORDER TO TERMINATE THE COMMERCIAL TENANT EVICTION MORATORIUM ON JUNE 30, 2022 WITH DIRECTION TO STAFF TO WORK WITH THE CITY ATTORNEY AND CITY MANAGER'S OFFICE TO COME UP WITH A GRADUATED PAYMENT PLAN FOR A 24-MONTH AND 30-MONTH PERIOD, OTHERWISE REPAYMENT WOULD HAVE TO OCCUR IN 12 MONTHS.

THE MOTION FAILED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, VERA
NOES: FISCH, LEE, MCMORRIN

Further discussion ensued between staff and Council Members regarding allowing additional time for businesses to get on their feet; late fees and interest; and following the example of the city of Downey in having no late fees applied.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY VICE MAYOR ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT THE CITY MANAGER TO ISSUE A PUBLIC ORDER TO TERMINATE THE COMMERCIAL TENANT EVICTION MORATORIUM ON JULY 31, 2022 WITH DIRECTION TO STAFF TO WORK WITH THE CITY ATTORNEY AND CITY MANAGER'S OFFICE TO COME UP WITH A GRADUATED PAYMENT PLAN FOR A 24-MONTH AND 30-MONTH PERIOD, OTHERWISE REPAYMENT WOULD HAVE TO OCCUR IN 12 MONTHS, AND NO LATE FEES APPLIED.

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Public Comment - Items Not on the Agenda

Mayor Lee invited public comment.

Jeremy Bocchino, City Clerk, indicated that no additional requests to speak had been received.

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Items from Council Members

None.

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Council Member Requests to Agendize Future Items

Council Member Eriksson reported receipt of a text from John Cohn requesting consideration of City sponsorship of the Car Show; he clarified that the event takes place at West Los Angeles College so it does not involve City resources other than hanging banners; and he received City Council consensus to agendize consideration of City sponsorship for the Car Show.

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Adjournment

There being no further business, at 12:12 a.m., Tuesday, March 15, 2022 the City Council, Housing Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned to a regular meeting to be held on March 28, 2022.

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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, and Culver City Housing Authority Board
Culver City, California

DR. DANIEL LEE
MAYOR of Culver City, California and CHAIR of the Successor
Agency to the Culver City Redevelopment Agency Board, and
Culver City Housing Authority Board

Date: _____