

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

April 11, 2017
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.

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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: 3725 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 of Both, including Use Restrictions, Development Obligations and Other Monetary Related Considerations
Pursuant to Government Code Section 54956.8

CS-2 Conference with Real Property Negotiators

Re: 3757 Robertson Boulevard

City and Successor Agency Negotiators: John Nachbar, City Manager and Executive Director; Sol Blumenfeld, Community Development Director and Assistant Executive Director; Murray Kane, City and Successor Agency Special Counsel
Other Parties Negotiators: Aliza Karney Guren, Karney Properties (Karney)

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 Clarke reconvened the City Council at 6:46 p.m. with all Members present.

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Recognition Presentations

Item R-1

Presentation of a Commendation to the Shinmoto Family for Their Contributions to the Refurbishment of the Culver City Memorial Garden, the Site of the Culver City Sign, at the Intersection of Centinela Avenue and Sepulveda Boulevard

Mayor Clarke presented a Commendation to the Shinmoto Family for their contributions to the refurbishment of the Culver City Memorial Garden.

Mr. Shinmoto thanked the City for the honor and for their assistance.

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Item R-2

Presentation of a Certificates of Recognition to Members of the Culver City Middle School 2017 Boys Basketball Team Champions

Council Members presented Certificates of Recognition to the Culver City Middle School 2017 Boys Basketball Team Champions.

DJ Vincent thanked the boys for their hard work the City for their support and recognition.

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Reconvene

Mayor Clarke reconvened the City Council meeting 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 7:05 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 Len Dickter.

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Report on Action Taken in Closed Session

Mayor Clarke reported that no action had been taken in Closed Session.

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

Council Member Sahli-Wells asked that the meeting be adjourned in memory of Lou Ollivier.

Thierry Olivier thanked the City Council for honoring his daughter and he thanked the City for their staff, services and support.

Council Member Small reported that the Transit Oriented District Visioning Process had gotten off to a good start; he discussed the pace of the process; and he reported that the meeting and workshop had been pushed to April 22.

Mayor Clarke announced Music in the Chambers on April 15; he recognized Janice Pober from Sony for the Smurf Village event; and he indicated that Item A-3 was mislabeled and would be heard as Public Hearing Item PH-2.

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Presentations

Item P-1

CC - 1) Presentation of the Draft Creative Economy Report of Culver City; and, 2) Questions of and/or Comments to Staff and the City's Consultant; and (3) Direction to the City Manager as Deemed Appropriate

Len Dickter, Cultural Affair Commission Chair, introduced Kimberly Ritter-Martinez with the Los Angeles Economic Development Corporation to present the report.

Kimberly Ritter-Martinez, LAEDC, reported that the report reflected the first time the LAEDC had done work at the City level; discussed data challenges; the large role of the creative industries in Culver City; defining the Creative Economy; Creative Economy industries; the top five creative metro areas in the country; creative sector jobs; job trends in the creative industries; direct labor income; self-employment in the creative industries; distribution of creative occupations; entry level education requirements; location quotients; the contribution analysis; the ripple effect; and economic impacts in Los Angeles County.

Len Dickter discussed the economic output from the Los Angeles Creative Economy and the Culver City share; quality of life and future prospects; and investments and choices to keep the City successful.

Christine Byers, Cultural Affairs Coordinator, discussed challenges with the datasets; internal data sources; interviews of community individuals; creative industries in Culver City; and she indicated that the report would be available for download from the City website.

Susan Obrow, Special Events Coordinator and Christine Byers, Cultural Affairs Coordinator, provided an overview of the reports.

Len Dickter, Cultural Affairs Commission Chair, discussed use of the findings; reviewed Commission recommendations including making targeted investments to attract creative enterprises and continued support of creative companies and organizations; he discussed successful competition with nearby creative economies; marketing Culver City; mutually beneficial partnerships; collaboration between Culver City and creative businesses; turning the report into an action plan; presentation of the report in Sacramento; and he expressed appreciation to the City and to the LAEDC.

Mayor Clarke invited public participation.

The following members of the audience addressed the City Council:

Steve Rose, Chamber of Commerce, expressed support for the report and for the quantification; noted the importance of balance; discussed Harry Culver and the founding of the creative economy; he expressed concern with action items noting that they were already in process; noted the results of the report are a reflection of 25 years of work done by the City; discussed fiber optics in the City; the work of the Chamber of Commerce; different economic tools; quality of life; and he encouraged the City to support current efforts.

Justin Jampol, Wende Museum, noted that the purpose of the report is to call attention to previous work done; he commended staff for pursuing the report; discussed identifying the impact of the creative economy on businesses; the importance of being a good citizen and civic engagement; shifting demographics; and creating a sense of place.

Discussion ensued between Kimberly Ritter-Martinez, staff and Council Members regarding providing information that can lead to policy recommendations; actionable items; arts education; affordable housing and creating spaces for artists to work;

nurturing and growing the high tech creative sector; strengthening the networks between the creative clusters; competitiveness with surrounding cities; arts innovation in the school district; highlighting specific arts organizations in the City; gentrification; business license data; self-employment data; self-classification of companies; attracting businesses in the creative industry; skilled workers; the clustering effect; taxing policies of the City; providing an educated workforce; factors involved in location decisions by businesses; infrastructure; identity and the future growth of the City; the importance of using the data cooperatively to help future growth of the City and improve quality of life; support for the growth of Virtual Reality in the City; and acknowledgement to Marla Koosed for starting the process, and to the Commission and City staff for their work on the report.

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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:

Dr. Janet Hoult announced that April is National Poetry month and reported that the second Centennial Poetry Reading held on April 7 had been a success; she indicated that the final Centennial Poetry Reading would be held at the Mayme A. Clayton Library in September; noted the designation of the City as a City of Kindness; cited a Los Angeles Times article, *Early Start in the Arts Pays Off For All*, in which Mayor Clarke was quoted; announced that April is Autism Awareness month; and she read lyrics for *Culver City You're A Star*.

Christopher Kim, Better America Foundation, reported distributing a report to Council Members on generating new tax revenue for the City; expressed appreciation for the pro-activeness of the City Council; and he requested a list of all City properties for sale.

Mayor Clarke indicated that the City would be moving forward with the Marijuana Task Force.

Sandrine Cassidy, Ballona Creek Renaissance (BCR), invited everyone to attend the BCR and BCR High School Club celebration of the Centennial and of Earth Day on April 22 at Overland and Ballona Creek.

Adam Guttentag, Harajuku Taproom, announced the upcoming opening of his new business; requested that the City agendaize discussion of an exemption policy for the planned relocation of Culver City bus stops; expressed concern with reduced parking; discussed outdoor dining; impacts to residential parking; lack of notice regarding the relocation of the bus stop; placement of the bus shelter; and he asked that an exemption be approved to leave the bus stop in its current location.

Discussion ensued between staff and Council Members regarding a suggestion to send the matter to the Parking and Traffic Committee; previous community meetings about the item; benefits of relocating bus stops on the far side of the intersection; the City-wide project to improve transportation mobility and transportation throughout the City; City support of businesses; and benefits to having a bus stop near your business.

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Receipt and Filing of Correspondence

MOVED BY MAYOR CLARKE, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE RECEIVED BY THE CITY CLERK'S OFFICE BEFORE 4:00 P.M. ON APRIL 11, 2017.

Patricia Mooney, Senior Management Analyst, reported that three pieces of correspondence had been received for Item A-1 and one piece for Item PH-2.

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Order of the Agenda

No changes were made.

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Consent Calendar

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 MARCH 18, 2017 - MARCH 31, 2017.

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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 JOINT SPECIAL MEETING OF THE PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION AND CITY COUNCIL OF MARCH 7, 2017, THE SPECIAL CITY COUNCIL MEETING OF MARCH 20, 2017 AND THE REGULAR CITY COUNCIL MEETING OF MARCH 27, 2017.

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Item C-3

CC - Approval of a Purchase Order with Hedstrom Environmental to Furnish and Deliver Three-Yard, Plastic Refuse, Recycling and Organics Containers in an Amount Not-to-Exceed \$58,719.00

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE ORDER WITH HEDSTROM ENVIRONMENTAL TO FURNISH AND DELIVER THREE-YARD, PLASTIC REFUSE, RECYCLING AND ORGANICS CONTAINERS IN AN AMOUNT NOT-TO-EXCEED \$58,719.00, INCLUDING ALL FEES AND TAXES.
2. AUTHORIZE THE PURCHASING OFFICER TO ISSUE SUCH PURCHASE ORDER.

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Item C-4

CC - Adoption of a Resolution Adopting a Multi-Jurisdictional Hazard Mitigation Plan as the City's Hazard Mitigation Plan

Mayor Clarke discussed the amount of work involved in the item.

Joe Susca, Senior Management Analyst, provided background on the item; discussed the grant from the Federal Emergency Management Administration (FEMA) to prepare the plan; and discussed the process to create the content.

Starla Barker, Michael Baker International, discussed the content of the Plan; the work of the City and the School District to develop a plan; identification of risks and vulnerabilities associated with natural disasters that could impact the City; identified mitigation actions to protect people and property; policies and programs already in place; new strategies; breaking the cycle of disaster damage; reconstruction; reducing the loss of life and property associated with natural hazards; development of the plan by the steering committee; and community involvement in the process.

Discussion ensued between staff and Council Members regarding preparation of a seismic inventory of public and private buildings; FEMA funded projects; flooding risks; removing critical structure out of the flood plain; and the Ballona Creek Revitalization project.

THAT THE CITY COUNCIL: ADOPT A RESOLUTION ADOPTING THE MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN PREPARED AS THE CITY'S HAZARD MITIGATION PLAN.

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Item C-5

CC- (1) Acceptance of Work Performed by Pacwest American Scales, LLC, and (2) Authorization to File a Notice of Completion, for the Transfer Station Scale Replacement Project, PZ-948

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY PACWEST AMERICAN SCALES, LLC FOR THE TRANSFER STATION SCALE IMPROVEMENT PROJECT, PZ948; AND
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER'S OFFICE.

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Item C-6

CC - Approval of a Purchase Order with Toter, LLC for 64-Gallon and 96-Gallon Nestable Carts in an Amount Not-to-Exceed \$50,411.47

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE ORDER WITH TOTER LLC FOR 64- AND 96-GALLON NESTABLE CARTS IN AN AMOUNT NOT-TO-EXCEED \$50,411.47, INCLUDING ALL FEES AND TAXES; AND,
2. AUTHORIZE THE PURCHASING OFFICER TO ISSUE SUCH PURCHASE ORDER.

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Item C-7

CC - Adoption of a Resolution Authorizing the Submission of an Application to the League of California Cities Helen Putnam Award for Excellence for the Tilden Terrace Mixed-Use Affordable Housing Project under the Housing Programs and Innovations Category

THAT THE CITY COUNCIL: ADOPT OF A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE LEAGUE OF CALIFORNIA CITIES HELEN PUTNAM AWARD FOR EXCELLENCE FOR THE TILDEN TERRACE MIXED-USE AFFORDABLE HOUSING PROJECT UNDER THE HOUSING PROGRAMS AND INNOVATIONS CATEGORY.

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Item C-8

CC - Approval of an Amendment to the Existing Professional Services Agreement with the South Bay Regional Public Communications Authority for an Additional Amount Not-to-Exceed \$60,000

Responding to Council Member inquiry, Scott Bixby, Fire Chief, discussed the upgrade of the radio system and he provided an update on the Regional Communications Center.

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH THE SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS AUTHORITY FOR AN ADDITIONAL AMOUNT NOT-TO-EXCEED \$60,000;
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-9

CC - Adoption of a Resolution Approving an Encroachment Agreement with Time Warner Cable for Use of the Public Right-of-Way on Green Valley Circle Near Fox Hills Drive

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH TIME WARNER FOR 193 LINEAR FEET OF PROPOSED FIBER OPTIC TELECOMMUNICATION CABLE IN THE PUBLIC RIGHT-OF-WAY ALONG GREEN VALLEY CIRCLE NEAR FOX HILLS DRIVE;
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE DOCUMENTS ON BEHALF OF THE CITY.

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Item C-10

CC - Approval of Purchase Order with FARO Technologies Inc. for the Purchase of One (1) X-330 HDR Laser Scanner Including Software, Accessories, Extended 3-Year Warranties, and Training in an Amount Not-to-Exceed \$104,025.00

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE ORDER FOR THE PROCUREMENT OF ONE (1) 3D LASER SCANNER X-330 HDR AND SOFTWARE FROM FARO TECHNOLOGIES INC. IN AN AMOUNT NOT-TO-EXCEED \$104,025.00; AND
2. AUTHORIZE THE PURCHASING OFFICER TO ISSUE SUCH PURCHASE ORDER.

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Item C-11

CC - Approval of an Agreement with McMurray Stern for the Purchase and Installation of Police Department Evidence Lockers in an Amount Not-to-Exceed \$32,500.00

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH MCMURRAY STERN FOR THE PURCHASE AND INSTALLATION OF POLICE DEPARTMENT EVIDENCE STORAGE LOCKERS IN AN AMOUNT NOT-TO-EXCEED \$32,500.00; 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

Approval of (1) a Purchase Order with Konica Minolta for a Color Copier/Printing System in an Amount Not-to-Exceed \$64,271; and (2) a Five-Year Maintenance Agreement with Konica Minolta at the Rate of \$.05 Per Page (Click Charge)

Vice Mayor Cooper received clarification regarding leasing vs. purchasing.

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE ORDER WITH KONICA MINOLTA FOR A COLOR COPIER/PRINTER SYSTEM IN AN AMOUNT NOT-TO-EXCEED \$64,271; AND
2. AUTHORIZE THE PURCHASING OFFICER TO ISSUE SUCH PURCHASE ORDER; AND
3. APPROVE A FIVE-YEAR MAINTENANCE AGREEMENT WITH KONICA MINOLTA AT A RATE OF \$0.05 PER CLICK; AND
4. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE ANY NECESSARY DOCUMENTS; AND
5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-13

CC - Approval of an Agreement with the County of Los Angeles to Obtain Aerial Photography and Related Imagery Products through the Los Angeles Region Imagery Acquisition Consortium (LAR-IAC) Program in an Amount Not-to-Exceed \$31,199

Council Member Sahli-Wells received clarification regarding making the mapping available to the public.

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH THE COUNTY OF LOS ANGELES TO OBTAIN AERIAL IMAGERY PRODUCTS THROUGH THE LOS ANGELES REGION IMAGERY ACQUISITION CONSORTIUM (LARIAC) PROGRAM IN AN AMOUNT NOT-TO-EXCEED \$31,199;
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.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-13.

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Public Hearings

Item PH-1

CC - Adoption of a Resolution Approving Tentative Tract Map, P2016-0177-TTM (with Map No. 69482), for the Creation of Three Lots and Construction of Two Condominiums on Each Lot for a Total of Six Condominium Units at 4227 Ince Boulevard in the Two Family Residential (R2) Zone

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.

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

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.

The following members of the audience addressed the City Council:

Captain Bernardo Herzer, property owner, provided background on the project.

Discussion ensued between Mr. Herzer, staff, and Council Members regarding preserving trees on the site; parking; use of space; Ballona Creek; driveway access; paving materials; and environmental impacts of the project.

Phil Roberts, Civil Engineer, discussed the proposed paving in the driveway and courtyard areas, and runoff.

Further discussion ensued between Mr. Herzer, staff and Council Members regarding a meeting that was supposed to have occurred to discuss issues with runoff and the trees;

concern with moving forward with final approvals before issues are addressed; the appeal period; tentative map conditions; making findings to apply the conditions; previous approval of the lot split; the lapse of the entitlements; changing times; new standards; solutions to keeping the mature trees; the plan of the developer; age and condition of the trees; the number of trees in question; the new plan; and direction that staff work with the applicant with a report back to the City Council.

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

Additional discussion ensued between staff and Council Members regarding the inability of newly planted trees to adequately replace mature trees; a suggestion to insert a reference to the use of pervious pavers, reconfiguring the driveway at the street frontage, study of the entry design and preserving the existing street trees along the property line on page 4, item 5; notice to the community; outreach; whether the project fits in with the neighborhood; due diligence; addressing concerns; not wanting to slow down the process; Planning Commission direction to look into the trees prior to the issuance of a building permit; direction to staff that they double check the requirements; whether the trees could become a sticking point; unforeseen conditions that could result from the redesign; the request from the Commission to study the item; driveway entry; and due diligence.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING TENTATIVE TRACT MAP, P2016-0177-TTM (WITH MAP NO. 69482), SUBJECT TO THE CONDITIONS OF APPROVAL AS STATED IN THE PROPOSED RESOLUTION IN ORDER TO ALLOW THE CREATION OF THREE LOTS AND CONSTRUCTION OF TWO CONDOMINIUMS ON EACH LOT FOR A TOTAL OF SIX CONDOMINIUM UNITS WITH THE ADDITION OF THE THREE ITEMS ON PAGE 4, ITEM 5 TO INCLUDE REVIEW OF THE PERVIOUS PAVEMENT, THE TREES ALONG THE BOUNDARY LINE AND THE ENTRYWAY TO THE DRIVEWAY.

Vice Mayor Cooper exited the dais.

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Item PH-2
(formerly item A-3)

CC - Introduction of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code (CCMC), Section 17.210.015 - Residential Zoning District Land Uses and Permit Requirements, and Zoning Code Section 17.400.095 - Residential Uses - Accessory Dwelling Units (Zoning Code Amendment P2017-0052-ZCA)

Mayor Clarke clarified the action to be taken on the item.

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

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, ERIKSSON, SAHLI-WELLS, SMALL
NOES: NONE
ABSTAIN: COOPER

Sol Blumenfeld, Community Development Director, introduced Contract Manager, Michael Allen.

Vice Mayor Cooper returned to the dais.

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

Discussion ensued between staff and Council Members regarding impacts to development in Culver City; the number of accessory units; evolution of the zoning code; technology; the share economy; time spent abating garage conversions; changing thinking; the state mandate; minimizing disruption; development of affordable housing in the City; differences between state law and City practices; preserving the sanctity of R1 zoning; the intent of the state; ramifications of not following the state mandate; legal challenges; standard lot size in the City; provisions in the state law regarding City restrictions; preventing ADUs from being built; concern with placing an undue burden on being able to build ADUs; privacy issues; protecting views; discretionary approval; underlying zoning standards; providing distance between structures; solar panels; protecting investments; the mansionization guidelines; the

restriction on short-term rentals and enforcement; ensuring that mansionization restrictions are also placed upon ADUs; maximum square footage; verification of occupation; and parking requirements.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER ERIKSSON 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:

Daniel Mayeda discussed the hillside moratorium; asked for clarification regarding construction of ADUs in Culver Crest; suggested that the City use language from the proposed Los Angeles ADU ordinance indicating that "ADUs are not intended for sale and shall not be sold separate from the existing family dwelling unit"; he proposed adding language prohibiting construction of a detached ADU that is more than a single story structure and indicating that new ADUs shall not be allowed that, when combined with the primary dwelling unit, give the appearance from the ground floor of a more than a two story structure or could enable an owner to construct a three story or higher structure; and he indicated that he would provide a written outline of comments made by he and his neighbors.

Mayor Clarke clarified that the moratorium is in effect and the City has the ability to deal with the hillside development issue on ADUs separately.

Paul Asai questioned information provided by staff regarding the state mandate on ADU restrictions; discussed the purpose of R1 zoning; asserted that allowing ADUs converts an R1 zone to an R2 zone; felt the City had ample authority to enact restrictions on building ADUs in R1 zones; expressed concern with changing the character of the area; discussed traffic and parking issues; he implored the City Council to prohibit ADUs in R1 districts; noted that times were changing; discussed Floor Area Ratios and questioned whether they would pertain to ADUs; and he wanted to see a slope analysis mapping system utilized with the hillside ordinance.

Katherine Finamore discussed provision G in the current ordinance; asked for clarification regarding existing setback requirements; discussed multiple street frontages; asked that the draft be amended to require that any new ADU built on a corner lot be set back from each street; she asked that the City clarify that the 600 square-foot maximum includes enclosed, covered decks; discussed Provision I, kitchen and bathroom facilities; she suggested that Provision E indicate that no more than one accessory dwelling unit allowed on the property; and she asked the City to add that there can be no more than two kitchens per lot.

Nicholas Cregor reported that he had become the spokesperson for 50 homeowners on Culver Crest who voted that the lot size requirement should be 6,000 square feet; he discussed Provision L; specific design standards to protect privacy of adjacent properties and encourage compatibility with existing structures on the side; he asked that protocol be spelled out for the process of determining whether design standards are met, with authority given to the Planning Commission; expressed concern with having design standards set by a single staff person; felt that the ordinance should specify that the parking space should be a standard size; expressed concern with multiple exemptions; he wanted to see a requirement that all ADUs provide a minimum of one standard parking space; he asked that subparagraph H.3.a be deleted; and he discussed genuine granny flats.

Steven Gourley agreed with previous comments; expressed appreciation that the issue was set aside so the hillside ordinance could be discussed; he questioned how ADUs would be enforced; observed that it is easier to keep a building from being built rather than undoing it; he requested that neighbors within 1,000 be notified; discussed enforcing the owner's obligation to make plans available to area homeowners; he questioned what the City had done to tell the state that it is a bad law; expressed concern with diminished local power; and he asked about the position of the League of Cities on the issue.

Patricia Mooney, Senior Management Analyst, read a written comment submitted by:

David Metzler

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

Discussion ensued between staff and Council Members regarding consistency with the Los Angeles provision that a property not be intended for sale; whether the ADU can be limited to a single-story structure; the hillside prohibition in place that applies to ADUs; preemption of the City to act on ADUs in the R1 zone; using the slope mapping system from Los Angeles; deck permitting; limitations on the number of kitchens; the square footage limitation; setting a standard for the developable area of a lot; addressing privacy standards; Commission consideration; discretionary consideration; grading standards; the inability to require additional parking; enforcement of ADUs; increases to noticing requirements; discretionary permits; the ability to protest or appeal; requiring the owner to make plans available at the public counter; FAR and ADUs; co-mingling regular development standards with ADU standards; the inability of design review other than application of development standards; concern with unduly burdening the ability to build an ADU; the need for more housing; hillside development standards; amendments after staff study of other issues; and putting standards in place.

Katherine Finamore expressed concern with discretionary review and requested that it be specified that only two kitchens are allowed per lot.

Sol Blumenfeld, Community Development Director, indicated that there was a requirement for one kitchen in ADUs.

Additional discussion ensued between staff and Council Members regarding a clarification in Section I, Habitability, to indicate "...and shall include one kitchen and one bathroom facility..."; the intent of the state; the need for multiple kitchens for religious reasons; support for expanding the square footage when the item comes back; concern if changes that come back for the second reading are substantive; amending the ordinance at a later date; state requirements; staff investigation of the number of lots that meet the square footage requirement; concern with creating a burden; concern with getting an ordinance in place in a timely fashion; the default to the state requirements if no local ordinance is in place; moving

forward with the proposed ordinance with the ability to make amendments; and further staff research.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: INTRODUCE AN ORDINANCE APPROVING ZONING CODE AMENDMENT P-2017-0052-ZCA, AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE (CCMC), SECTION 17.210.015 - RESIDENTIAL ZONING DISTRICT LAND USES AND PERMIT REQUIREMENTS, AND ZONING CODE SECTION 17.400.095 - RESIDENTIAL USES - ACCESSORY DWELLING UNITS.

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Action Items

Item A-1

CC - (1) Introduction of an Ordinance Adding Chapter §11.18, Polystyrene Regulations to Title 11, Business Regulations, of the Culver City Municipal Code; and (2) Adoption of a Categorical Exemption Relating Thereto, Pursuant to the California Environmental Quality Act (CEQA)

Discussion ensued between staff and Council Members regarding viable alternatives for hard polystyrene; the #5 lid introduced by Starbucks; and exempted items.

Joe Susca, Senior Management Analyst, reported a correction in the ordinance to the operative date on page 6 noting that the intent is to provide a 6-month window for food providers to find substitute products so November 8, 2017 should be listed as the date.

Additional discussion ensued between staff and Council Members regarding adding items to the exemption list; whether changing language in the amendment from annually to as needed would be considered a substantive change; staff research and discretion; what triggers as needed changes; and clarification that taking Exemption C away would create a substantive change.

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Chris Wade, Surfrider Foundation, expressed support for the ordinance and wanted to see a ban on rigid polystyrene in addition to expanded polystyrene.

Blake Hottle, BCR, expressed concern with the recent addition of Exemption C to the regulations and asked that it be removed.

Michael Doshi, Gnarly Beach Cleaner, expressed support for moving forward with the ordinance.

Margot Parker, Surfrider Foundation, expressed support for the ban; thanked the City Council; noted the critical need to move away from products using polystyrene; and she asked that the City Council omit or revise Exemption C noting that Exemption B would take care of any issues.

Tina Segura, Surfrider Foundation, thanked the City for their efforts and expressed concern regarding Exemption C.

Steven Johnson, Heal the Bay, thanked the City for their efforts; discussed Section D; increasing awareness; and Culver City as a leader in environmental issues.

Jim Lamm, BCR, provided background on the item; thanked staff for their efforts; expressed concern with uncertainty created by Exemption C and willingness to work with the City; and he hoped to see everyone at the Up the Creek event.

David Harford, Surfrider Foundation, expressed support for the ordinance asking that Exemption C be struck.

Craig Cadwallader, Surfrider Foundation, thanked everyone for their hard work on one of the top five ordinances in the state; expressed concern with Exemption C as the clause could create an approved polystyrene food service item list; reported that no ordinance in the state has such a clause; he discussed the hardship clause; and he urged the removal of paragraph C from the exemption clause.

Shea Cunningham, Balanced Approach and BCR, provided background on herself; urged the City Council to pass a strong, meaningful, and effective ordinance to reduce toxic polystyrene pollution in Ballona Creek; discussed Measure CW and the money spent annually on urban runoff; and she felt there was no need for further exemptions.

Alex Fisch expressed support for the ordinance; urged the City Council to omit Exemption C; discussed cases where there is no reasonably feasible alternative for a specific and necessary polystyrene service item; the authority of the City Manager; the appeals process; easing the enforcement process; and concern with attracting organized outside influences.

Sasha Gutierrez, Surfrider Foundation, asked the City Council to hinder the use of an obsolete product.

Carlene Brown, Culver City Community Coalition, congratulated the City Council on their efforts to become a sanctuary city and she asked the City Council to do the right thing for the planet.

Daniel Lee asserted that it would not do the community any good to have the ban passed with Exemption C in place; he noted that the hardship clause would provide options for business owners; discussed Culver City business owners in support of the ban; efforts of the plastics and polystyrene industries; and the importance of a strict ban with the leeway to apply for hardship or use other products as necessary.

Charlotte Potter expressed concern with the health of the oceans and beaches, and support for an ordinance to ban polystyrene.

Ben Kay expressed support for a ban and wanted rigid polystyrene at retail stores included; he noted that polystyrene is a known carcinogen; wanted to see Exemption C deleted; expressed concern with the potential loophole; and he thanked the City Council for their efforts.

Michelle Weiner congratulated the City Council for their efforts; agreed that Exemption C weakened the ordinance; discussed toxicity and public safety; she reported public concern with the potential loophole created by Exemption C; and she asked the City to approve the ordinance without Exemption C.

Liz Wang, Surfrider Foundation, applauded efforts of the City to bring the ordinance forward and she urged the City to adopt the ban without Exemption C.

Sullivan Barth, Culver City High School BCR, asked that the ordinance be approved without Exemption C; noted that Earth Day is coming up; and he thanked the City for putting forward an image of a City who helps the environment.

Patricia Mooney, Senior Management Analyst, read written comments submitted by:

Warren Wagner, Surfrider Foundation

Discussion ensued between staff and Council Members regarding the education component; enforcement; making the approved list and exempt list clear; non-compliance in Manhattan Beach; succeeding where other cities have not; whether eliminating Exemption C would slow the process down; the successful bag ban; being cognizant of staff burden; resident reporting of violations; concern with confusion caused by language in the Exemption and unnecessary staff time; the Sustainability Subcommittee; alternative items available; time and effort dedicated to partnering with businesses; adding a look back provision; alternatives available for all hard polystyrene; making a clear statement to businesses there are no exemptions for hard polystyrene; mom and pop restaurants; violations; viable alternatives; substituting one form of plastic for another; using environmentally sustainable materials; exemptions for food delivered from Los Angeles into Culver City; concern with lengthening the process; economic hardship; the annual preparation of a list to go before the City Council; and clarification that adding a look back clause would not necessitate bringing back the ordinance.

Council Member Eriksson moved to accept the staff recommendation and Vice Mayor Cooper seconded the motion.

Council Member Small proposed a substitute motion adding an amendment to include a look back provision.

Further discussion ensued between staff and Council Members regarding including a sunset if, after the first year, no items are included on the list and it is not needed as determined by the City Manager, Exemption C would expire.

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

1. INTRODUCE AN ORDINANCE ADDING CHAPTER §11.18

POLYSTYRENE REGULATIONS TO TITLE 11, BUSINESS REGULATIONS OF THE CULVER CITY MUNICIPAL CODE RELATING TO POLYSTYRENE FOOD WARE WITH THE PROPOSED SUNSET OF EXEMPTION C IF NO ITEMS ARE ON THE LIST AFTER THE FIRST YEAR; AND

2. ADOPT A CATEGORICAL EXEMPTION RELATED THERETO PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FINDING THAT THE PROPOSED POLYSTYRENE REGULATIONS DO NOT CREATE ANY POTENTIALLY SIGNIFICANT ADVERSE IMPACTS ON THE ENVIRONMENT.

THE MOTION FAILED BY THE FOLLOWING VOTE:

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

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

1. INTRODUCE AN ORDINANCE ADDING CHAPTER §11.18 POLYSTYRENE REGULATIONS TO TITLE 11, BUSINESS REGULATIONS OF THE CULVER CITY MUNICIPAL CODE RELATING TO POLYSTYRENE FOOD WARE; AND

2. ADOPT A CATEGORICAL EXEMPTION RELATED THERETO PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FINDING THAT THE PROPOSED POLYSTYRENE REGULATIONS DO NOT CREATE ANY POTENTIALLY SIGNIFICANT ADVERSE IMPACTS ON THE ENVIRONMENT.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item A-2

CC - Establishment of a Short-Term Rentals Task Force and Appointment of One or Two City Council Members Thereto

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

Discussion ensued between staff and Council Members regarding having a member of the Landlord Tenant Mediation

Board serve on the task force; the ability of the task force to vote; clarification that the task force would be a Brown Act entity; whether there would be voting or recommendations; ensuring that the task force has an odd number of members; and including two Council Members in the task force.

Mayor Clarke invited public comment.

The following member of the audience addressed the City Council:

Stephen Paull suggested that whomever joins the Task Force be committed to residents rather than trying to monetize short term rentals for tax revenue; he discussed enforcement; recognized those involved in the process; reported that residents are afraid of coming out to discuss the item and turning their neighborhoods into feuds; he discussed the number of short term rentals in the City that are directly affected by any action taken; and he noted that there were far more short term rentals and neighbors being affected negatively than it appears.

Mayor Clarke indicated that the City was not viewing the issue as a revenue generator; noted the illegal nature of short-term rentals; and he discussed the intimidation factor for neighbors.

Discussion ensued between Mr. Paull and Council Members regarding confidential online surveys; outreach; the length of the process; meeting notification; concern with outside people filling out confidential surveys; expeditious direction from the subcommittee; the actions of Hermosa Beach; and ADU use for short-term rentals.

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

1. ESTABLISH THE SHORT-TERM RENTALS TASK FORCE AS DESCRIBED IN THE STAFF REPORT, OR AS MODIFIED BY CITY COUNCIL; AND
2. APPOINT CITY COUNCIL MEMBER ERIKSSON AND MAYOR CLARKE TO THE SHORT-TERM RENTALS TASK FORCE.

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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

Council Member Sahli-Wells requested a discussion on disposal of toxic trash and received Council consensus to agendize a discussion of the Extended Producer Responsibility Resolution to put responsibility on the producer rather than on the tax-payer.

Discussion ensued between Council Members regarding the California Products Stewardship Council; the Sustainability Subcommittee; the Southern California Association of Governments Environmental Committee; receiving an informational presentation on the matter; previous bills passed; generalized resolutions; and City Council consensus to agendize the matter.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF LOU OLLIVIER.

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Adjournment

There being no further business, at 12:10 a.m., Tuesday, April 12, 2017, the City Council, Housing Authority Board, Parking Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned in memory of Lou Ollivier.

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