

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

June 11, 2018
5:30 p.m.

Call to Order & Roll Call

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

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

*Mayor Small was present for Closed Session from 5:30 p.m. to 7:08 p.m. via telephone from the Boston Marriott Copley Place Hotel, Room Number 3518, Huntington Avenue, Boston, MA 02116

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 Legal Counsel - Existing Litigation
Re: Brentwood Residents Coalition, et al. v. City of Los Angeles (The Boring Company, LAMTA, Culver City, et al., Real Parties in Interest)
Case No. BS173523
Pursuant to Government Code Section 54956.9 (d) (1)

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CS-2 Conference with Legal Counsel - Anticipated Litigation
Re: Significant Exposure to Litigation (Cure and Correct Letter Submitted by Peter Jacobs, Ron Bassilian, Anita Hedlund, Carrie Shapiro, Heather Wollin, Roderick Wollin, Bret Osterberg and Luther Henderson, Alleging a Brown Act Violation Pertaining to the City Council's Action on Agenda Item A-2 at Its April 30, 2018 City Council Meeting, Regarding the Election of Mayor and Vice-Mayor)
Pursuant to Government Code Section 54956.9(d) (2)

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Recognition Presentations

Item R-1

CC - Proclamation in Honor of Culver City Sanitation Workers Week 2018

Council Member Fisch presented the proclamation in honor of Culver City Sanitation Workers Week 2018.

Staff expressed appreciation for the recognition; discussed quarterly e-waste and paper shredding; and announced the next event on September 8 at McManus Park.

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Regular Session

Vice Mayor Sahli-Wells reconvened the meeting of the City Council and convened the meeting of the Culver City Housing Authority Board, and the Successor Agency to the

Redevelopment Agency Board at 7:11 p.m. with four Council Members present (absent Mayor Small).

Vice Mayor Sahli-Wells indicated that Mayor Small was representing Culver City in Boston for the U.S. Conference of Mayors but had been present via telephone from the Boston Marriott Copley Place Hotel, Room Number 3518, Huntington Avenue, Boston, MA 02116 for the Closed Session from 5:30 p.m. to 7:08 p.m.

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Invocation/Pledge of Allegiance

John Nachbar, City Manager, led the invocation and the Pledge of Allegiance was led by Mr. Schreibman.

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Report on Action Taken in Closed Session

Carol Schwab, City Attorney, reported that on May 29, 2018, the City Council reported out of closed session regarding a May 14, 2018 letter from Peter Jacobs, et al., submitted to the City pursuant to Government Code Section 54960.1 of the Brown Act; the City Council met in closed session regarding item CS-2 to further discuss the May 14th letter and directed her to make the following statement, which shall replace the May 29th report out of closed session: "After considering the advice of the City Attorney and outside legal counsel, the City Council has determined that it disagrees with the contentions in the May 14th letter. Nevertheless, out of an abundance of caution and to ensure there is no question concerning the City Council's April 30th vote regarding the election of the position of the Vice Mayor, and to continue its commitment to transparency, the City Council has directed the City Clerk to take the necessary steps for the City Council to reconsider the election of the position of the Vice Mayor by placing this matter on the June 25, 2018 City Council Agenda. The Mayoral Rotation Policy will also be placed on the June 25, 2018 City Council Agenda."; and she indicated that the City Council had directed her to prepare a written response to Mr. Jacobs, et al., in accordance with such determination.

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

Council Member Lee reminded everyone about the public meeting held by the Culver City Police Department on June 14 focused on the updated draft immigration policy and he announced a special meeting on the Inglewood Oil Field on June 20 in Council Chambers with additional information available at www.culverity.org.

Council Member Eriksson reported that The Actors' Gang had been awarded Non-Profit of the Year in Sacramento and he announced that fliers were available for an information session about Leadership Culver City on June 26 at West LA College.

Council Member Fisch announced the Culver City Unified School District Free Summer Lunch program at La Ballona Elementary School available for children Monday through Friday from June 18 - July 27, and a Living with Coyotes meeting on June 13 at Linn Howe Elementary School.

Vice Mayor Sahli-Wells thanked the volunteers who worked at the Habitat for Humanity Build on June 9-10 on Globe Avenue noting that the project had been in process for 10 years; she reported attending the 65th Annual Culver City Garden Club Show and Plant Sale; announced Walk with a Doc at Veterans Park on June 16; congratulated Culver City graduates noting that it was the last week of school; and she wished everyone a happy summer vacation.

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Joint Public Comment - Items Not on the Agenda

Vice Mayor Sahli-Wells invited public comment and discussed procedures for public speaking.

The following members of the audience addressed the City Council:

Dr. Janet Hoult reported on the official book launch for the Centennial Poetry Collection at the Senior Center; indicated that all proceeds from the book were going to the Culver City Historical Society; discussed comments from Paul Jacobs; noted a suggestion that copies of the book be presented to

Culver City Sister Cities; and she read a poem about the Sister Cities.

Paul Condran, Fleet Services Manager, discussed awards won; introduced Jason Olivera and Dean Familton; announced that the City had achieved Elite Fleet status for five consecutive years; he reported that he would be retiring; and he thanked the City Council for their support.

Vice Mayor Sahli-Wells thanked Mr. Condran for his excellent work; expressed eagerness to work with the new team; and she observed that Culver City had the second oldest municipal fleet in California.

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Receipt and Filing of Correspondence

Vice Mayor Sahli-Wells received clarification that three emails had been received regarding short term rentals, two for item A-1 and one for items not on the agenda.

MOVED BY COUNCIL MEMBER LEE AND SECONDED BY COUNCIL MEMBER FISCH THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, FISCH, LEE, SAHLI-WELLS

NOES: NONE

ABSENT: SMALL

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Order of the Agenda

Vice Mayor Sahli-Wells received clarification that item C-3 was being removed from the agenda at the request of staff; item C-6 had been erroneously placed on the Consent Calendar and was being renamed and moved to be item A-2, and items C-8 and C-10 would be pulled for corrections.

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Consent Calendar

MOVED BY COUNCIL MEMBER LEE AND SECONDED BY COUNCIL MEMBER FISCH THAT THE CITY COUNCIL APPROVE ITEMS C-1, C-2, C-5, AND

C-9.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, FISCH, LEE, SAHLI-WELLS

NOES: NONE

ABSENT: SMALL

Item C-1

CC:HA:SA - Approval of Cash Disbursements

THAT THE CITY COUNCIL: APPROVE CASH DISBURSEMENTS FOR MAY 19, 2018 TO JUNE 1, 2018.

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Item C-2

CC:HA:SA:PA:FA- APPROVAL OF MINUTES FOR THE REGULAR CONSOLIDATED CITY COUNCIL MEETINGS ON MAY 14, 2018 AND MAY 29, 2018 AND THE SPECIAL CONSOLIDATED CITY COUNCIL MEETINGS ON MAY 21, 2018 AND MAY 22, 2018

THAT THE CITY COUNCIL: APPROVE MINUTES FOR THE REGULAR CONSOLIDATED CITY COUNCIL MEETINGS ON MAY 14, 2018 AND MAY 29, 2018 AND THE SPECIAL CONSOLIDATED CITY COUNCIL MEETINGS ON MAY 21, 2018 AND MAY 22, 2018.

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Item C-3

CC - Adoption of a Resolution Approving an Encroachment Agreement with Crown Castle for Use of the Public Right-of-Way to Install 925 feet of Fiber Optic Cable Starting at the Intersection of Hayden Avenue and Warner Drive and running eastwards along Warner Drive to 8440 Warner Drive

This item was removed from the agenda per a request from staff.

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Item C-5
(Out of Sequence)

CC - Adoption of a Resolution Authorizing Staff to Submit Applications to June 30, 2019 for Grant Funding Associated with the Purchase of Alternative Fuel Vehicles and Other Emission Control Technologies

THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS AND ACCEPTANCE OF SUCH APPROVED FUNDING MADE AVAILABLE BY THE AQMD AND THE MSRC TO JUNE 30, 2019 FOR THE PURCHASE OF ALTERNATIVE FUEL VEHICLES AND OTHER EMISSION CONTROL TECHNOLOGIES.

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Item C-9

CC - (1) Approval of a New Three-Year Agreement with Tripepi Smith and Associates (TSA) for Communications Support; and (2) Consideration of a Budget Allocation of an Amount Not-to-Exceed \$127,900 for Fiscal Year 2018-19; and (3) Authorization to the City Manager to Approve Amendments to the Agreement for Two Additional One Year Terms

THAT THE CITY COUNCIL:

1. APPROVE A THREE-YEAR AGREEMENT WITH TRIPEPI SMITH AND ASSOCIATES IN AMOUNT NOT-TO-EXCEED \$127,900 FOR FISCAL YEAR 2018-19; AND
2. AUTHORIZE THE CITY MANAGER TO APPROVE OPTIONAL FOURTH AND FIFTH YEARS; 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-4

CC - Adoption of a Resolution Joining other California Cities, Counties and Local Government Associations in Supporting Extended Producer Responsibility (EPR) through Support of Legislative Initiatives and Supporting the Efforts of the California Product Stewardship Council (CPSC)

Council Member Eriksson felt that the stakeholders should have been consulted and he questioned whether affected businesses had provided any feedback to the City.

Cathi Vargas, Environmental Coordinator, clarified that the issue had been reviewed and discussed for the past 6-7 years; the item had been before the Chamber of Commerce twice; and she reported that feedback from the Chamber indicated that they were not opposed to it.

Council Member Eriksson suggested that information could have been included in the staff report, as well as information reflecting the fact that the Sustainability Subcommittee had also considered the issue.

Vice Mayor Sahli-Wells noted that since the item is a resolution, stakeholders would have a chance to weigh in if there were direct affects to them.

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION JOINING OTHER CALIFORNIA CITIES, COUNTIES AND LOCAL GOVERNMENT ASSOCIATIONS IN SUPPORTING EXTENDED PRODUCER RESPONSIBILITY (EPR) THROUGH SUPPORT OF LEGISLATIVE INITIATIVES AND THE EFFORTS OF THE CALIFORNIA PRODUCT STEWARDSHIP COUNCIL (CPSC); AND

2. SUPPORT THE CALIFORNIA PRODUCT STEWARDSHIP COUNCIL BY APPROVING AN ASSOCIATE FEE NOT TO EXCEED \$ 1,000.00 FOR FISCAL YEAR 2018/2019.

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Item C-7

CC - (1) Approval of a New 5-Year Memorandum of Understanding (MOU) with the Culver City Sister City Committee, Inc. (CCSCC) to Perform CCSCC Services, Consistent with the Goals of the City; and (2) Consideration of a Budget Allocation for the CCSCC Not-to-Exceed \$21,365 in Fiscal Year 2018-19

Vice Mayor Sahli-Wells indicated that while her family had actively participated in the program, the City Attorney had stated that there was no conflict of interest.

Council Members Eriksson and Fisch noted that they were members of the Sister City Committee but had been advised that there was no conflict of interest.

THAT THE CITY COUNCIL:

1. APPROVE A NEW FIVE-YEAR MOU BETWEEN THE CCSCC, INC. AND THE CITY OF CULVER CITY; 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; AND
4. AUTHORIZE AN AMOUNT NOT-TO-EXCEED \$21,365 FOR THE MOU FOR FISCAL YEAR 2018-19.

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Item C-8

CC - (1) Approval of an Agreement with ConvergeOne for the Purchase of Cisco Networking Infrastructure Equipment Replacements and Cisco SmartNet Maintenance in an Amount Not-to-Exceed \$360,142; and (2) Authorize the Chief Information Officer to Approve Amendments to the Agreement in an Additional Amount Not-to-Exceed \$36,014 (10% of Base Contract for Unexpected Costs)

Michelle Williams, Chief Information Officer, reported that the reference to the Municipal Code on page 3 of the staff report should indicate: "Exception to Bidding Requirements CCM Section 3.07.045".

Heather Baker, Assistant City Attorney, clarified that a delay in updating the online version of the purchasing ordinance had caused the discrepancy in items C-8 and C-10.

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH CONVERGEONE FOR THE PURCHASE OF CISCO NETWORKING INFRASTRUCTURE COMPONENTS AND CISCO SMARTNET MAINTENANCE SERVICES; AND
2. AUTHORIZE THE CHIEF INFORMATION OFFICER TO APPROVE AMENDMENT(S) TO THE AGREEMENT IN AN ADDITIONAL AMOUNT NOT-TO-EXCEED \$36,014 (10% OF BASE CONTRACT FOR UNEXPECTED COSTS);
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 - (1) Approval of a Five-Year Professional Services Agreement with Utility Systems, Science & Software (US3), for Maintenance of the Sanitary Sewer Pump Stations' Emergency Notification System (ENS); and (2) Receipt of Report Regarding Emergency Purchase for Services of US3 in the Amount of \$42,306.34

Council Member Fisch suggested more contemporaneous disclosures of emergency purchases.

THAT THE CITY COUNCIL:

1. APPROVE A FIVE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH UTILITY SYSTEMS, SCIENCE AND SOFTWARE (US3), FOR THE MAINTENANCE OF THE SANITARY SEWER PUMP STATIONS' EMERGENCY NOTIFICATION SYSTEM (ENS), AS THE RECOMMENDED PROPOSER FOR RFP #1838 FOR A NOT-TO-EXCEED ANNUAL AMOUNT OF \$560,486 IN YEAR 1; \$394,723 IN YEAR 2; \$395,123 IN YEAR 3; \$395,123 IN YEAR 4; AND \$395,123 IN YEAR 5, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$2,140,578; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS, IF NECESSARY, FOR A NOT-TO-EXCEED

ANNUAL AMOUNT OF \$42,811.56 (10% OF CONTRACT AMOUNT, OVER EACH OF FIVE YEARS); 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.

MOVED BY COUNCIL MEMBER ERIKSSON AND SECONDED BY COUNCIL MEMBER LEE THAT THE CITY COUNCIL APPROVE ITEMS C-4, C-7, C-8, AND C-10.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, FISCH, LEE, SAHLI-WELLS

NOES: NONE

ABSENT: SMALL

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Action Items

Item A-1

CC - Discussion and Direction on Implementation of the Culver Crest Hillside Study as prepared by John Kaliski Architects

Sol Blumenfeld, Community Development Director, provided a summary of the material of record.

Michael Allen, Planning Director, discussed the need for guidance on several items and reported receipt of email from community members expressing concern with the restrictiveness of the Floor Area Ratio (FAR) and setbacks.

William Kavadas, Assistant Planner, provided an overview of recommended code amendments.

Michael Allen, Planning Director, provided examples of projected build out ratios; discussed options accepted at the community meeting; and finding middle ground between the community groups.

Sol Blumenfeld, Community Development Director, indicated that staff was seeking direction and would craft code

amendments to be brought forward for public hearing over the next couple of months.

Discussion ensued between staff and Council Members regarding special consideration for outlier lots; ensuring that properties can be safely built on steep lots; reductions to building mass; slope band methodology; minimizing development on steeper slopes; the requirement that applicants provide a slope analysis; gradient identification; Planning Commission consideration; discretionary review; prohibitions; and clarification regarding detached garages.

Vice Mayor Sahli-Wells invited public input.

The following members of the audience addressed the City Council:

Rich Kissel expressed gratitude to the consultant, City Council and staff for their work; expressed support for the methodology used; felt there would be no negative impacts to the values and in fact, could make the area more valuable; and he expressed support for Option C which he felt offered better ridgeline protection.

Daniel Mayeda commended the consultant, City staff and the City Council for listening to residents and addressing concerns; he supported the reduction in the FAR with a minimum allowable build of up to 2500 square feet for even the small lots; he discussed attached garages and the 25% reduction; expressed concern that residents could be incentivized to create detached garages so that they would not be counted; and he expressed support for Option C.

Khin Khin Gyi recalled the 2005 mud slides; discussed Cranks Road; recommended caution for the area; discussed mineral rights; exposure to chemicals; and she suggested getting information with regard to geographical and geological topography with regard to the land mass.

Paul Asai urged the City Council to follow the guidelines provided by the consultants; felt the requirements were fair; expressed support for the slope band methodology; felt the FAR of .45 to be adequate; expressed concern that the proposal only concerns the zoning code; discussed revisions to the building code; overlapping areas; felt that additional information was needed for Option B; noted the need for clarification regarding additional requirements for approval;

the need to move forward; asked whether the building code and zoning code could be reviewed together; he urged that discretionary decision making be minimized to eliminate rule bending but acknowledged the need for flexibility; discussed integrity; and he asked for more specificity.

Gus Rendon discussed the multiple properties owned by his family in the area; felt that enough consideration had not been given to specific cases; discussed slope; and he expressed concern with potential negative impacts to his net worth.

Stanley Rendon felt the individual should determine the adequate size for their own home; stated that restrictions to the square footage of the size of a home were punitive to owners of large lots; noted that most building in the City was remodeling; wanted to see property owners allowed to approach the building department to request an exception or carve out; discussed exceptions for irregular lots; and the origin of issues in Culver Crest.

Nicholas Cregor expressed support for Option C and the slope band analysis; felt that it would have been good to have input from the Rendons 18 months ago when the process began; asserted that the process had been prompted by disregard for the neighbors with the development on Cranks Road; he wanted to see safe and responsible development on Culver Crest that could be a blueprint for the City; he thanked the City Council, Planning Department and consultant for listening to the neighbors; he discussed the catastrophic landslide; felt that garage space should be excluded from the overall FAR whether attached or not; questioned whether the minimum by-right building area regardless of lot size was still included; and he wanted to see a time frame for Building and Safety consideration of detailing standards relating to hillside development.

Yohana Coronel, City Clerk Specialist, read a written comment submitted by:

Steven Gourley

Discussion ensued between staff and Council Members regarding consideration of subsurface dangers; safety measures in the building code; the required geotechnical analysis; required technical studies to build on a property; zoning code vs. building code; the General Plan Update; City Council

direction; concurrent updates to the building code amendment; requirements for slope stability through landscaping; the grading ordinance; requirements for geotechnical studies; projects that might apply for exemptions; concern with vague processes and possible exceptions; defining the process better in conjunction with the recommendations; procedures for slopes greater than 50% or uniquely shaped parcels; types of projects that would go before the Planning Commission; development of general findings; next steps in the process; work to study the hillsides; study recommendations; work on the zoning and building code amendments; findings for approving carve outs; attendance of public meetings; addressing garage space; support for consistency with general City policy; minimum build by-right size if it is safe; the tension between general rules and circumstance; the one-size-fits-all approach; concern with the .45 FAR for 0-15% slopes; separate consideration in the Blair Hills area; landscaping recommendations; slope stability; concern with piecemealing; general City-wide landscaping recommendations; retaining wall setbacks; conditions that require landscape improvements; feedback from community meetings; slope stability; the need for substantial landscaping with substantial grading; putting design features in place; concern with setting a precedent and therefore a standard for the entire City when they are not involved; safety; property values; appreciation for the hard work of the neighborhood; acknowledgement that the issue is not cut and dried; finding the right balance; public vetting; the importance of public input while the regulations are being created; crafting enforceable regulations; the carve out for uniquely shaped lots; the goal to finish before the moratorium expires; and clarification regarding minimum setbacks.

Michael Allen, Planning Director, presented the three options and received clarification that City Council consensus is to support the FAR slope band methodology; incorporate the minimum allowed 2500 square foot feet by-right provision; and adopt the setback scenario as proposed by staff combined with the recommendations regarding setbacks from John Kaliski.

Discussion ensued between staff and Council Members regarding the by-right provision; the number of bands in the slope band methodology; historical data research; allowing more variation for the second story; special consideration on the narrow side of the lot; additional setbacks on steeper sloping lots; construction issues created by required second

floor setbacks with remodeling; existing conditions; examination of requirements with respect to the legal non-conforming ordinance; resident support for option C; whether Option C with carve outs subject to a rigorous review process is more like Option B; support for having a rational and objective, no discretion rule with enough flexibility for unique lots; and support for additional community input.

Shane Evangelist discussed moving to Culver City; expressed concern with the FAR; asserted that people would not move into Culver Crest due to not being able to build as large a house; he did not want to see people being discouraged from moving into the area; discussed aesthetics; safety issues; and strengthening the hillside.

Sol Blumenfeld, Community Development Director, discussed consideration of additional grading requirements in the building code for certain size projects; requiring slope remediation; increased restrictiveness of the FAR as the slope becomes steeper; and reducing the amount of building footprint as the slope gets steeper.

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Item A-2
(Formerly Item C-6)

CC - (1) Discussion of Establishing Voluntary Collection Agreements (VCA) for Short Term Rental Transient Occupancy Tax (TOT); and (2) Direction to the City Manager as Deemed Appropriate

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

Council Member Eriksson received clarification regarding differences in agreements and policies of other cities.

Vice Mayor Sahli-Wells invited public comment.

The following members of the audience addressed the City Council:

Seth Horowitz, Culver Hotel, discussed concern regarding impacts of short term rentals to the hospitality industry; the unique nature of the Culver Hotel; other hotels in the area; he expressed concern with collecting fees before policy

is developed; noted safety and coding issues; discussed fairness to the neighbors; expressed concern with getting used to having the cash coming in before there is a policy in place; he discussed the direction that Santa Monica is going in; he felt it important to get a clear understanding of that the City wants to do with short term rentals; and discussed studies showing that short term rentals impact the availability of affordable housing.

Joe Stone asserted that a policy should be in place before fees are collected and he expressed agreeableness to having guests paying the fees to the platform.

Marla Koosed expressed concern that a VCA would send the wrong message to the public that Culver City is going to change City zoning and create an ordinance to reflect an acceptance of short term viability in residential zones; she noted that a vetting of stakeholders had not been done and expressed concern that it would not be done; discussed the Short Term Rentals Task Force; expressed concern with the expedited process; wanted the matter sent back to the Planning Commission for additional research and public engagement to develop the appropriate ordinance and zoning code; she suggested research on the actions of other municipalities with an examination of positive and negative impacts; and she wanted to ensure that changes are not forced on the City by outside business looking for profits that are not in the interests of the entire community.

Robert Zirgulis, Short Term Renters Association of Culver City, suggested allowing platforms to collect the tax moving forward; noted that strangers do not come to Culver City, guests do; he did not see short term rentals as negatively affecting the housing situation; and he suggested that fees collected could be put toward helping the homeless.

Rhea Witt indicated no issues with the platform collecting the fees through VCAs and she discussed her experience as a host.

Gillian Clark discussed being a host on many platforms; she noted that there were many ways to make progress in Culver City; discussed the sharing economy; provided background on herself and her need to rent rooms in her house to afford it; she expressed support for regulation; and suggested putting the fees toward affordable housing.

Discussion ensued between staff and Council Members regarding the work of the Short Term Rentals Task Force; taxing an illegal activity in the City; formulation of regulations; the Planning Commission; the cannabis discussion; a suggestion to make the issue a priority but create regulations before collecting taxes; an observation that while it is illegal under the code, it is also taxable under the code; concern with missing out on revenue while regulations are crafted; the importance of proceeding with research; the length of time to craft regulations; looking at the VCAs as a settlement agreement; support for additional public comment and research on the actions of other cities; concern that some people will not be able to operate with the passage of regulations; enforcement; the financial viability of collecting from other platforms; collection services; support for additional stakeholder meetings; whether the City would be morally compromised by moving forward before regulations are in place; ensuring that short term regulations are put in place by the end of the year; the feeling that the Task Force did not work; holding community meetings; hearing from all stakeholders; making people aware with broad public outreach; the World Café format; creating dialogue; the difficulty of having the dissenting opinion; feeling heard; having a survey to hear from the broadest possible audience; Planning Commission involvement; the feeling that going through the exercise of taxing informs the process; data from the Short Term Rental companies; business licenses and business taxes; auditing; limits; a suggestion that companies that do not cooperate are prohibited; ensuring that enforcement is possible; identifying information about the hosts; cooperation; the procedure from Airbnb to combine hosts into one tax remittance; monthly information; the auditing process; proprietary methods of tracking used by outside companies to get data for smaller platforms; reasons that Airbnb does not share data; the permit process; regulatory possibilities; moving forward quickly but not hastily; negotiation of the VCA; time to implement; encouragement to negotiate with the largest vendors first; and the ability to terminate in 30 days without consequence.

Ron Smoire expressed concern with the ramifications of moving forward with fee collection before regulations are in place; broadening the base for privacy reasons; ensuring that the City is in charge, not the hosts; taking money and then deciding not to take it; lost revenue; and conflicts.

Additional discussion ensued between staff and Council Members regarding the value of the VCA in informing the final decision; an observation that many people in the City do not know that short term rentals are not allowed in the City; education opportunities; stakeholder outreach; TOT collection by autumn; assurance that regulations would be formulated; the analysis in the staff report; broad outreach; postcards sent to each resident in the City to get the most representative feedback; an observation that the hosts are aware of the process but non-hosts are not; obtaining input from non-hosts for final crafting of the policies; priorities; City Council consensus to direct staff to move forward in negotiating VCAs; and clarification that the City Council does not support the use of collection services.

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Public Comment - Items Not on the Agenda

Vice Mayor Sahli-Wells invited public comment.

No cards were received and no speakers came forward.

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Items from Council Members

Vice Mayor Sahli-Wells reported that the Habitat for Humanity agreement stipulates that if all of the houses are not complete, no one is allowed to move in and she received City Council consensus to direct staff to look at allowing people to move in before all homes are completed.

MOVED BY COUNCIL MEMBER FISCH AND SECONDED BY COUNCIL MEMBER LEE THAT THE CITY COUNCIL ADJOURN IN MEMORY OF WAYNE PULLIAM.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, FISCH, LEE, SAHLI-WELLS
NOES: NONE
ABSENT: SMALL

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Adjournment

There being no further business, at 10:16 p.m., the City Council, Successor Agency to the Culver City Redevelopment Agency Board, Culver City Parking Authority, Redevelopment Financing Authority and Culver City Housing Authority Board adjourned in memory of Wayne Pulliam to June 18, 2018.

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

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