

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

December 10, 2018
5:00 p.m.

Call to Order & Roll Call

Mayor Small called the regular meeting of the City Council to order at 5:00 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

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

oOo

Closed Session

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

Carol Schwab, City Attorney, reported that an item requiring immediate action arose after the posting of the agenda.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADD AN ITEM TO THE CLOSED SESSION AGENDA REQUIRING IMMEDIATE ACTION THAT AROSE AFTER THE POSTING OF THE AGENDA: CONFERENCE WITH REAL PROPERTY NEGOTIATORS, RE: 11520 JEFFERSON BOULEVARD, CITY NEGOTIATORS: CHARLES HERBERTSON, PUBLIC WORKS DIRECTOR, KIM BRAUN, ENVIRONMENTAL OPERATIONS MANAGER, AND HEATHER BAKER, ASSISTANT CITY ATTORNEY, OTHER PARTIES NEGOTIATORS: AQUA-FLO SUPPLY INC.; PURSUANT TO GOVERNMENT CODE SECTION 54954.(2) (B) (2) .

CS-1 CC - Public Employee Performance Evaluation
Title: Fire Chief
Pursuant to Government Code Section 54957

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

CS-3 CC - Conference with Legal Counsel - Anticipated Litigation
Re: Initiation of Litigation - 1 Item
Pursuant to Government Code Section 54956.9(d) (4)

CS-4 CC - Conference with Legal Counsel - Existing Litigation
Re: Benedict Hills Estates Association, et al. v. Federal Aviation Administration, et al.
Case No. 16-1366
Pursuant to Government Code Section 54956.9 (d) (4)

CS-5 CC - Conference with Real Property Negotiators
Re: 11520 Jefferson Boulevard
City Negotiators: Charles Herbertson, Director of Public Works; Kim Braun, Environmental Operations Manager; and Heather Baker, Assistant City Attorney
Other Parties Negotiators: Aqua-Flo Supply Inc.
Pursuant to Government Code Section 54954.(2) (b) (2)

o0o

Reconvene

Mayor Small reconvened the City Council at 6:55 p.m. for recognition presentations.

o0o

Recognition Presentations

Item R-1

CC - Presentation of a Commendation to Culver City's Transportation Director, Art Ida, in Recognition of his Receiving the CTA Award for Transit Professional of the Year

Jaqueline Hamilton, Karen Bass's office, expressed support for small cities like Culver City; discussed the leadership of Art Ida in critical areas of transportation, and she presented him with a certificate of Congressional Recognition on the occasion of his receiving the California Transportation Association (CTA) Award for Transportation Professional of the Year.

Cesar Montoya, Field Representative from Sydney Kamlager-Dove's office congratulated Art Ida on behalf of the 54th District and the State Assembly, and presented the award for Transit Professional of the Year.

Mayor Small presented a Certificate of Recognition to Art Ida from the Senate of the State of California, signed by Holly J. Mitchell.

Vice Mayor Sahli-Wells presented a Commendation to Art Ida.

Art Ida, Transportation Director, expressed appreciation for the recognition; acknowledged that the work of his team had enabled his accomplishments; and he indicated that he would continue to do the best work he could for the community.

o0o

Regular Session

Mayor Small reconvened the regular meeting of the City Council and convened the Culver City Housing Authority Board, and the Successor Agency to the Redevelopment Agency Board to order at 7:06 p.m. with all Council Members present.

o0o

Invocation/Pledge of Allegiance

John Nachbar, City Manager, led the invocation and the Pledge of Allegiance was led by Darryl Cherness.

o0o

Closed Session Report

Carol Schwab, City Attorney, indicated that, prior to Closed Session, an item was placed on the Closed Session agenda by a vote of the City Council regarding a Real Property Negotiation; the item arose after the posting of the agenda and required immediate action; she reported direction from the City Council in Closed Session to add an open session item to the agenda for consideration of approval of a sublease or direct lease as applicable for the property located at 11520 Jefferson Boulevard for Public Works department storage and office use; she noted that staff had formulated a staff report with copies available to the public; and that a determination was needed as to whether to add the item under government code section 54954.(2)(b)(2) to take immediate action and that the need for the action arose after the posting of the agenda.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADD AN ITEM TO THE AGENDA REQUIRING IMMEDIATE ACTION THAT AROSE AFTER THE POSTING OF THE AGENDA: CONFERENCE WITH REAL PROPERTY NEGOTIATORS, RE: 11520 JEFFERSON BOULEVARD, CITY NEGOTIATORS: CHARLES HERBERTSON, PUBLIC WORKS DIRECTOR, KIM BRAUN, ENVIRONMENTAL OPERATIONS MANAGER AND HEATHER BAKER, ASSISTANT CITY ATTORNEY, OTHER PARTIES NEGOTIATORS: AQUA-FLO SUPPLY INC.; PURSUANT TO GOVERNMENT CODE SECTION 54954.(2)(B)(2).

Jeremy Green, City Clerk, indicated that the item number would be A-6 but could be taken in any order that the Mayor deemed appropriate.

Mayor Small indicated that Item A-6 would be the first Action Item heard.

o0o

Community Announcements by City Council Members/Information Items from Staff

Jeremy Green, City Clerk, announced that, due to the holidays, the Culver City Farmers Market would be closed on December 25 and January 1, but would resume on January 8, 2019.

Council Member Lee reported attending the Culver City Sister City Winter Party and playing a trivia game led by Mike Cohen.

Council Member Fisch thanked the Mayor and staff for their recent Prelude to the General Plan events noting that the events were available on YouTube for those unable to attend; he commended staff for the Tower Tree Lighting; and he displayed a copy of Culver City Living magazine noting that a digital copy was available online.

Council Member Eriksson announced that the Independent Cities Association seminars would be held February 1-2 in Santa Barbara; reported observing a National Conference to follow up on large forest fires in Sweden noting points that could apply to Culver City; discussed a recent conference on climate change and items for Culver City to look at; addressing issues by removing carbon from the air; and additional consideration by the Sustainability Subcommittee.

Vice Mayor Sahli-Wells expressed appreciation for the Tower Lighting ceremony and recognized those involved; discussed recent Community Conversations in Fox Hills and giving a voice to residents of Fox Hills in the visioning of their community; expressed appreciation to the Mayor for securing grant monies and to everyone involved for their efforts; and she suggested adjourning City Council meetings in celebration, not just in mourning.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY MAYOR SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADJOURN IN CELEBRATION OF THE BIRTH OF ARIA TO VANESSA HU AND NICK GRUMAN.

Mayor Small discussed changes in the City; the recent groundbreaking for Amazon Studios; partnership with Amazon; recent Community Conversations; engagement; the advisory Committee; the roundtable format; participation; the delegation who attended the inauguration of President López Obrador in Mexico City; Food for Action; the goal of bringing a Filipino restaurant to Culver City; and he announced the passing of Mary Tandelakis.

MOVED BY MAYOR SMALL, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED THAT IT BE ADJOURNED IN MEMORY OF MARY TANDELAKIS.

oOo

Joint Public Comment - Items Not on the Agenda

Mayor Small invited public comment.

The following members of the audience addressed the City Council:

Tevis Barnes, Housing Administrator, indicated that she and members of the Committee on Homelessness (COH) would update the City Council periodically on implementation of the updated Homeless Plan which was informed by Community Conversations on affordable housing and how to address homelessness, and she discussed the role of the new Homeless Coordinator.

Christina Stoffers, Homeless Coordinator, discussed the Homeless Hotline and indicated that the Homeless Toolkit and Hotline information would be available on the City website.

Vice Mayor Sahli-Wells received clarification that if an issue arises during hours when the Homeless Hotline is not staffed, the best course of action is to call 211.

Kimberly Gibson, Committee on Homelessness, discussed the new Homeless Toolkit.

Dr. Janet Hoult discussed the commendation presented to Transportation Director Art Ida, and her experiences with the kindness of City employees.

Barbara Silverstein, Culver City Senior Citizens Association, provided a report on the Holiday Certificate program, and she invited everyone to the Senior Center Holiday Party on December 14 where the new Board of Directors would be installed.

Keith Jeffreys, United States Veterans Artists Alliance, thanked the City for the recognition on Veterans Day; discussed the generosity of fellow nonprofits in Culver City; the environment in the City; and he expressed appreciation to Justin Jampol and the Wende Museum as well as to Tim Robbins and The Actors' Gang.

Tori Bailey, Chair for the 2018 Dr. Martin Luther King Jr. Celebration Committee, discussed the theme of the celebration and planned events.

Reverend Carolyn Wilkins, Chair for the 2019 Dr. Martin Luther King Jr., Celebration Committee, discussed honoring the life of Dr. Martin Luther King Jr.; creation of an all-day program to look at the values pursued by Dr. King as well as the principles of non-violence; and paths of leadership.

Council Member Lee expressed appreciation for the youth engagement planned.

Mike Meador, California Greenworks, thanked the City for their support of EarthFest LA and he presented an award to Vice Mayor Sahli-Wells for her support.

Mark Lipman presented a photograph of a Tiny Home that had been brought to City Hall for the presentation to the COH; he discussed the reaction of the Police Liaison; support by the COH to investigate the feasibility of a pilot program; costs; and he asked the City Council to consider allowing the COH to move forward with research on the project.

Discussion ensued between staff and Council Members regarding allowing the COH to do further research; contact with other jurisdictions who may have available land; feasibility of placing Tiny Homes on shared property; interfacing with staff to gather information about cost, time frames and grant funding; integration of the issue into Item C-16; feasibility studies; concern with changing the workplan of the COH without proper discussion; and clarification that Mr. Lipman was speaking on behalf of the COH.

Additional discussion ensued between Mr. Lipman, staff and Council Members regarding involvement of different organizations; basic outreach; the importance of full transparency; identifying relevant players and bringing them together; streamlining the process; and a request for additional information from staff before deciding at what level the item should be agendaized.

o0o

Receipt and Filing of Correspondence

Jeremy Green, City Clerk, reported that one email had been received for Items Not on the Agenda, one for Item A-2 and four for Item A-5.

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

o0o

Order of the Agenda

Mayor Small indicated that Item A-6 would be the first action item considered.

Carol Schwab, City Attorney, asked that Item A-5 be moved forward noting the presence of outside counsel, and she asked the public comment be taken for the item first.

o0o

Consent Calendar

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1, C-2, C-5, C-7, C-8, C-9, C-10, C-14, C-15, AND C-18.

Item C-1

CC:HA:SA - Approval of Cash Disbursements

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR NOVEMBER 3, 2018 TO NOVEMBER 30, 2018.

o0o

Item C-2

CC:HA:SA - Approval of Minutes for the Regular City Council Meeting on November 12, 2018

THAT THE CITY COUNCIL APPROVE MINUTES FOR THE REGULAR CITY COUNCIL MEETING ON NOVEMBER 12, 2018.

o0o

Item C-5
(Out of Sequence)

CC - 1) Adoption of an Ordinance Amending Culver City Municipal Code (CCMC), Section § 3.01.100 to Provide the City Council with the Authority, by Resolution, to Establish Regular City Council Meeting Dates; and 2) Adoption of a Resolution Setting the Regular Meetings of the City Council for Calendar Year 2019

THAT THE CITY COUNCIL:

1. ADOPT AN ORDINANCE AMENDING CULVER CITY MUNICIPAL CODE (CCMC) SECTION §3.01.100 TO PROVIDE THE CITY COUNCIL WITH THE AUTHORITY, BY RESOLUTION, TO ESTABLISH REGULAR CITY COUNCIL MEETING DATES; AND
2. ADOPT A RESOLUTION SETTING THE REGULAR MEETINGS OF THE CITY COUNCIL FOR CALENDAR YEAR 2019.

o0o

Item C-7
(Out of Sequence)

CC - Approval of a Five-Year Agreement with Waste Management Inc., for Processing of Construction and Demolition Material and Disposal of Municipal Solid Waste with Two Additional Two-Year Options

THAT THE CITY COUNCIL:

1. APPROVE A FIVE-YEAR AGREEMENT WITH WASTE MANAGEMENT, INC., FOR PROCESSING OF CONSTRUCTION AND DEMOLITION MATERIALS AND DISPOSAL OF MUNICIPAL SOLID WASTE WITH TWO ADDITIONAL TWO-YEAR OPTIONS; AND
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXERCISE EACH OF THE TWO ADDITIONAL TWO-YEAR OPTIONAL RENEWALS FOR CY 2024 THROUGH CY 2025 AND CY 2026 THROUGH CY2027.; 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.

o0o

Item C-8

CC - Approval of a Purchase Order with National Auto Fleet Group for Six (6) Transit Relief Vehicles in an Amount Not-to-Exceed \$248,000

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE ORDER WITH NATIONAL AUTO FLEET GROUP FOR SIX (6) TRANSIT RELIEF VEHICLES IN AN AMOUNT NOT-TO-EXCEED \$248,000, INCLUDING ALL FEES AND TAXES; AND,
2. AUTHORIZE THE PURCHASING OFFICER TO ISSUE SUCH PURCHASE ORDER.

o0o

Item C-9

CC - Adoption of a Resolution Approving an Encroachment Agreement with Zayo Group for Use of the Public Right-of-Way to Install 170 Feet of Fiber Optic Cable Starting on the West Side of Corryne Place, Running North to Slauson Avenue and then Running West Along Slauson Avenue

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH ZAYO GROUP FOR USE OF THE PUBLIC RIGHT-OF-WAY TO INSTALL 170 FEET OF FIBER OPTIC CABLE STARTING ON THE WEST SIDE OF CORRYNE PLACE, RUNNING NORTH TO SLAUSON AVENUE AND THEN RUNNING WEST ALONG SLAUSON AVENUE; 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.

o0o

Item C-10

CC - (1) Approval of Final Allocation of Funds in the Aggregate Amount of \$175,196, for the 2019 Performing Arts Grant Program as Recommended by the Cultural Affairs Commission; and (2) Approval of Related Grantee Contracts

THAT THE CITY COUNCIL:

1. APPROVE THE FINAL ALLOCATION OF FUNDS FOR THE 2019 PERFORMING ARTS GRANT PROGRAM AS RECOMMENDED BY THE CULTURAL AFFAIRS COMMISSION AND AS OUTLINED IN THE STAFF REPORT; AND,
2. APPROVE THE RELATED GRANTEE CONTRACTS; AND,
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH CONTRACTS ON BEHALF OF THE CITY.

o0o

Item C-14
(Out of Sequence)

CC - FOUR-FIFTHS VOTE REQUIREMENT: (1) Approval of a Proposed Budget Amendment to Appropriate \$16,550 in Recreation Facilities Reserve (420R) Funds for the Blair Hills Park Playground Improvement Project, PP005 (Requires Four-Fifths Vote); (2) Award of a Contract to Micon Construction, Inc., as the Lowest Responsive and Responsible Bidder, for the Base Bid of \$262,744; and (3) Approval of an Amount of \$26,274 in Change Order Authority for the Parks Manager, for the Blair Hills Park Playground Improvement Project, PP005

THAT THE CITY COUNCIL:

1. APPROVE A PROPOSED BUDGET AMENDMENT TO APPROPRIATE \$16,550 IN RECREATION FACILITIES RESERVE (420R) FUNDS FOR THE BLAIR HILLS PARK PLAYGROUND IMPROVEMENT PROJECT, PP005 (BUDGET AMENDMENT REQUIRES A 4/5THS VOTE); AND,
2. AWARD A CONTRACT TO MICON CONSTRUCTION, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE BASE BID OF \$262,744; AND,

3. APPROVE \$26,274 IN CHANGE ORDER AUTHORITY FOR THE PARKS MANAGER, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$289,018, FOR THE BLAIR HILLS PARK PLAYGROUND IMPROVEMENT PROJECT, PP005; AND,

4. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

Item C-15

CC - Approval of (1) an Agreement with Cubic Transportation Systems Inc. for the Purchase of Upgraded TAP Farebox Equipment in an Amount Not-to-Exceed \$883,702; and (2) TAP Farebox Upgrade Reimbursement Agreement with Los Angeles County Metropolitan Transportation Authority in the Amount of \$724,971, for the Regional Smart Card Program

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH CUBIC TRANSPORTATION SYSTEMS, INC. FOR THE UPGRADE OF THE TAP FAREBOXES IN AN AMOUNT NOT-TO-EXCEED \$883,702;

2. APPROVE A TAP FAREBOX UPGRADE REIMBURSEMENT AGREEMENT WITH LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY IN THE AMOUNT OF \$724,971;

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.

o0o

Item C-18
(Out of Sequence)

CC - (1) Adoption of a Resolution Authorizing Execution of Agreements with the California Department of Tax and Fee Administration to Administer and Collect the Local Transactions and Use Tax; (2) Adoption of a Resolution Authorizing Examination of Transactions and Use Tax Records;

**and (3) Approval of a Professional Services Agreement with
Hinderliter, De Llamas for Transactions Tax Audit and
Information Services**

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A "PREPARATORY AGREEMENT" AND AN "ADMINISTRATION AGREEMENT" WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION TO ADMINISTER AND COLLECT THE TRANSACTIONS AND USE TAX FOR THE CITY; AND
2. ADOPT A RESOLUTION AUTHORIZING EXAMINATION OF TRANSACTIONS AND USE TAX RECORDS; AND
3. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH HINDERLITER, DE LLAMAS AND ASSOCIATES FOR TRANSACTIONS TAX AUDIT AND INFORMATION SERVICES; AND
4. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

Item C-3
(Out of Sequence)

**CC - Approval of a Sublease with The Actors' Gang for Use of
the Ivy Substation for a 10-Year Term with an Option to Renew
for up to Eight Years**

Vice Mayor Sahli-Wells thanked The Actors' Gang for their outstanding work over many years and she received clarification regarding community days.

Discussion ensued between staff and Council Members regarding free classes for Culver City Unified School District (CCUSD) students; community benefit and programming; performances and workshops; performing arts grant recipients; other community organizations; scheduling; allowing community access to the theatre; and appreciation for The Actors' Gang.

THAT THE CITY COUNCIL:

1. APPROVE A SUBLEASE WITH THE ACTORS' GANG FOR A 10-YEAR TERM AND OPTION TO RENEW THE SUBLEASE FOR UP TO EIGHT ADDITIONAL YEARS REFLECTING THE TERMS AND CONDITIONS SET FORTH IN THE STAFF REPORT;
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.

o0o

Item C-4

CC - Receive and File the Measure Y Sales Tax Status Report as Approved by the Finance Advisory Committee

Vice Mayor Sahli-Wells expressed appreciation for the quarterly reports and transparency; noted the upward trend in gas sales that contribute to increased Measure Y tax revenue; discussed long-term analyses; and she questioned what was being done to reduce fossil fuel sales.

Discussion ensued between staff and Council Members regarding forecasts of future revenue; providing commentary on items coming forth; items pulled for further discussion and analysis; and the long-term financial forecast.

THAT THE CITY COUNCIL RECEIVE AND FILE THE MEASURE Y SALES TAX REPORT.

o0o

Item C-6
(Out of Sequence)

CC - Adoption of a Resolution Reciting the Facts and Certifying the Results of the Special Municipal Election Held on November 6, 2018 per California Elections Code Section 10263

Council Member Fisch discussed the extraordinary turnout; community engagement; and Measure C.

THAT THE CITY COUNCIL: ADOPT A RESOLUTION CERTIFYING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 6, 2018.

o0o

Item C-11
(Out of Sequence)

CC - (1) Award of Construction Contract in the Amount of \$1,937,770 to All American Asphalt, as the Lowest Responsive and Responsible Bidder, for the 2019 Pavement Rehabilitation Project, PS-005; and (2) Authorize the Public Works Director/ City Engineer to Approve Change Orders in an Amount Not-to-Exceed \$168,000

Council Member Eriksson discussed bidding trends in Europe noting the practice of evaluating companies on whether they are carbon neutral during the Request for Proposal (RFP) process.

Discussion ensued between staff and Council Members regarding the requirement that sustainable construction practices be implemented with the project; specific practices planned for the project; next steps; the goal of carbon neutral projects; Sustainability Subcommittee consideration of the concept; a request to investigate squeezing in a bike lane over the bridge to get riders into the neighborhood; and the Bicycle and Pedestrian Action Plan.

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT TO ALL AMERICAN ASPHALT, AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE 2019 PAVEMENT REHABILITATION PROJECT, PS-005 IN THE AMOUNT OF \$1,937,770; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTORY/CITY ENGINEER TO APPROVE CHANGE ORDERS IN THE AMOUNT NOT-TO-EXCEED \$168,000, AND,
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

Item C-12
(Out of Sequence)

CC - (1) Consideration of the Community Development Block Grant Fund Allocation for Fiscal Year 2019/2020; (2) Adoption of a Resolution Authorizing the Filing of the Application for Funding; and (3) Approval of a Reimbursable Contract with the County of Los Angeles Concerning Culver City's Allocation

Vice Mayor Sahli-Wells asked that the City Council be included in the process; discussed constraints associated with the grants; noted that the only census tract eligible for the grant is already under construction; and she suggested that the City Council take a policy position on the CDBG funds.

John Nachbar, City Manager, suggested working the conversation into the budget process.

THAT THE CITY COUNCIL:

1. ALLOCATE FUNDING FOR THE PROPOSED FY 2019/2020 CDBG PROJECTS; AND,
2. ADOPT A RESOLUTION AUTHORIZING THE FILING OF THE FY 2019/2020 APPLICATION FOR FUNDING FROM THE CDBG PROGRAM, INCLUDING ALL CERTIFICATIONS; AND,
3. DESIGNATE THE CITY MANAGER AS THE AUTHORIZED CITY OFFICIAL TO EXECUTE AND FILE ALL DOCUMENTS PERTAINING TO THE CDBG PROGRAM, INCLUDING MAKING MINOR ADJUSTMENTS TO PROJECT FUNDING TO ADDRESS THE ACTUAL FY 2019/2020 CDBG ALLOCATION; AND,
4. APPROVE THE CDBG REIMBURSABLE CONTRACT WITH THE COUNTY OF LOS ANGELES CONCERNING CULVER CITY'S FY 2019/2020 CDBG ALLOCATION; AND,
5. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
6. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

oOo

Item C-13

CC:HA - Approval of a Professional Services Agreement with Keyser Marston Associates to Prepare an Inclusionary Housing Program including Market Analysis, Affordability Gap Analysis and Pro Forma Model to Formulate an Inclusionary Housing Ordinance

Council Member Lee requested that specifics be included in the studies; he asked about collaboration with the City of Los Angeles; reported meeting with Herb Wesson's land use staff; discussed parcels surrounding Culver City that are in both LA and Culver City; arranging a meeting with districts around Culver City; developing a policy for interacting with LA for dual incentives to increase the proportion of affordable housing and collaborating with homeless housing efforts; county property; awkwardly shaped parcels that prohibit traditional development; federal land; Caltrans land; expansion of the study to examine areas in multiple jurisdictions for the inclusionary zoning ordinance; combining Measure JJJ with the Culver City inclusionary zoning policy to build more affordable housing; consideration of manufactured homes that are well insulated for both heat and cold; and willingness to collaborate.

Discussion ensued between staff and Council Members regarding support from LA and Culver City; the Westside Cities Council of Governments Homeless and Affordable Housing Working Group; regional conversations; grants to support regional efforts; projects entitled in two jurisdictions; logistical barriers imposed by the state; state representatives; clean-up language; and including multi-jurisdictional parcels as part of the site survey selection in the feasibility studies for manufactured and modular housing, seasonal shelter and motel reuse.

THAT THE CITY COUNCIL AND HOUSING AUTHORITY BOARD: APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH KMA TO PREPARE AN INCLUSIONARY HOUSING PROGRAM INCLUDING MARKET ANALYSIS, AFFORDABILITY GAP ANALYSIS AND PRO FORMA MODEL TO FORMULATE AN INCLUSIONARY HOUSING ORDINANCE.

o0o

Item C-16
(Out of Sequence)

CC:HA - Approval of Professional Services Agreements with: (1) Lesar Development Consultants for a Temporary Seasonal Homeless Shelter Feasibility Study in an Amount Not-to-Exceed \$90,000; (2) John Kaliski Architects for a Motel Reuse Feasibility Study in an Amount Not to Exceed \$49,867; and (3) Lorcan O'Herlihy Architects for a Manufactured and Modular Housing Feasibility Study in an Amount Not-to-Exceed \$106,300

Mayor Small invited public comment.

The following member of the audience addressed the City Council:

Mark Lipman felt that Item C-16 embodied his frustration with Housing as there seem to be unlimited funds for consultants, studies and research, but not for housing; he discussed previous studies on multiple-jurisdictional issues; reverse engineering; concern with money for big developers; and he wanted to make sure that there would be money to house people.

Discussion ensued between staff and Council Members regarding support for Mr. Lipman and his views; oversight and conscience; collaboration with Los Angeles; per capita funding; ensuring that work is done, not just studied; leveraging staff time; net zero modular homes; pursuing a pilot project in Culver City; making the studies more actionable; direction to staff to conduct a pilot project while the studies happen; fast tracking the conversation by allowing people to see the infrastructure as the studies are happening; using the pilot programs to do outreach; identification of sites; the parking lot at Vets; the stigma of homelessness; feedback from the COH on how the pilot should work; City Council consensus to allow staff discretion to move forward with conversations; the pending question of the Tiny Homes; bathroom facilities; logistics; answering basic questions before approaching other cities; safety considerations; concern with sending staff in too many different directions at once; prioritizing which projects to move forward with and in what order; Venice Community Housing; the best way to proceed; including multi-jurisdiction as part of the study; annexation; focusing on Tiny Homes; examination of potential sites; including the issue of services in the study; identifying sites that can accommodate modular housing, including Tiny Homes; length of the study; criteria; serving

the site; accessibility; distilling which sites meet various criteria and are worthy of redevelopment; folding items into the existing scope; LA CoMotion; and feasible housing prototypes.

THAT THE CITY COUNCIL AND CCHA BOARD:

1. APPROVE PROFESSIONAL SERVICES AGREEMENTS WITH:

- LESAR DEVELOPMENT CONSULTANTS FOR A FEASIBILITY STUDY FOR SITE IDENTIFICATION, PLANNING, COST ESTIMATES AND IMPLEMENTATION TO PROVIDE HOMELESS TEMPORARY SEASONAL SHELTER SERVICES FOR A TERM UP TO EIGHT MONTHS IN AN AMOUNT NOT-TO-EXCEED \$90,000; AND
- JOHN KALISKI ARCHITECTS FOR A MOTEL REUSE FEASIBILITY STUDY FOR THE DEVELOPMENT OF AFFORDABLE HOUSING INCLUDING SITE IDENTIFICATION, PLANNING, COST ESTIMATES AND IMPLEMENTATION FOR A TERM OF SEVEN MONTHS IN AN AMOUNT NOT-TO-EXCEED \$49,867; AND
- LORCAN O'HERLIHY ARCHITECTS FOR A MANUFACTURED AND MODULAR HOUSING FEASIBILITY STUDY FOR THE DEVELOPMENT OF AFFORDABLE HOUSING INCLUDING SITE IDENTIFICATION, PLANNING, COST ESTIMATES AND IMPLEMENTATION FOR A TERM OF FOUR MONTHS IN AN AMOUNT NOT-TO-EXCEED \$106,300.

2. AUTHORIZE STAFF TO NEGOTIATE THE FINAL TERMS OF THE AGREEMENTS, PROVIDED THE FINAL CONTRACT PRICE DOES NOT INCREASE MORE THAN THE CITY MANAGER'S CONTRACT AUTHORITY; AND,

3. AUTHORIZE THE CITY ATTORNEY/CCHA GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

4. AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

o0o

Item C-17

CC - Approval of a Professional Services Agreement with Degenkolb Engineers for Soft Story Seismic Retro-fit Consultant Services for a Term up to One Year in an Amount Not-to-Exceed \$170,370, Plus up to \$3,000 for Reimbursable Expenses

Vice Mayor Sahli-Wells thanked Peter Erdelyi and acknowledged his role in bringing the issue forward.

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH DEGANKOLB ENGINEERS FOR SOFT STORY SEISMIC RETRO-FIT CONSULTANT SERVICES FOR A TERM UP TO ONE YEAR IN AN AMOUNT NOT-TO-EXCEED \$170,370, PLUS UP TO \$3,000 FOR REIMBURSABLE EXPENSES; AND,
2. AUTHORIZE STAFF TO NEGOTIATE THE FINAL TERMS OF THE AGREEMENT, PROVIDED THE FINAL CONTRACT PRICE DOES NOT INCREASE MORE THAN THE CITY MANAGER'S CONTRACT AUTHORITY; 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.

o0o

Item C-19
(Out of Sequence)

CC - (1) Consideration of a Position in Support of Southern California Edison's (SCE) Grid Safety and Resiliency Program and (2) Approval of the Use of the City's Seal and Mayor's Signature in SCE's Sign on Letter to the California Public Utilities Commission

Mayor Small invited public participation.

The following member of the audience addressed the City Council:

Diane Forte, Southern California Edison (SCE), discussed the recent wildfires; collaboration in staffing the EOC; the Grid Safety and Resiliency Program; investments to high fire risk areas; covered conductors to minimize the possibility of being an ignition source; high resolution cameras; weather stations; support for the investment from Culver City; utility finance; infrastructure spread across the service territory; and impacts to the average consumer.

Discussion ensued between Ms. Forte, staff and Council Members regarding the inverse condemnation rule; responsibility for payment of damages when there is a fire; eminent domain rights of public utilities; the Bright Coalition; whether the final proposal would include a suggestion to change the inverse condemnation rules; the infrastructure proposal; clarification that the funds are not used for advocacy and the item is solely about resiliency; whether investor or stockholder funds are used for infrastructure upgrades; concern regarding the state of infrastructure; ensuring that there is nothing included that could absolve SCE of responsibility; infrastructure upgrades; cooperation with ongoing investigations; the importance of grid resiliency; concern with being unable to review the plan going to the Public Utilities Commission (PUC); the Clean Power Alliance; supporting something less than the entire item; the desire for immediate action; length of the fire season; actions of Pacific Gas and Electric (PGE) to avoid liability; the specific proposal going in front of the California Public Utilities Commission (CPUC); support for the concept; staff review of the item from a Clean Power Alliance perspective; vegetation management; focusing on infrastructure upgrades; and City Council agreement to write a short letter supporting hardening infrastructure, bolstering situation awareness capability, and enhanced operational practices.

MOVED BY COUNCIL MEMBER LEE, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT THE CITY MANAGER TO COMPOSE A LETTER SUPPORTING CERTAIN RESILIENCY MEASURES FOR THE GRID TO BE DETERMINED BY STAFF FOR SIGNATURE AS SOON AS POSSIBLE.

MOVED BY COUNCIL MEMBER LEE, SECONDED BY COUNCIL MEMBER FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-3, C-4, C-6, C-11, C-12, C-13, C-16 AND C-17.

o0o

Public Hearings

Item PH-1

CC - (1) Conduct a Public Hearing Pursuant to the Requirements of Tax and Equity Fiscal Responsibility Act and the Internal Revenue Code of 1986, as Amended; and (2) Adoption of a Resolution to Approve the Issuance of Revenue Bonds by the

California Enterprise Development Authority to Assist in the Financing or Refinancing of the Wildwood School, Inc.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVITS OF PUBLICATION AND POSTING OF NOTICES AND CORRESPONDENCE RECEIVED IN RESPONSE TO THE PUBLIC HEARING NOTICE.

Kambiz Borhani, Assistant Chief Financial Officer, provided a summary of the material of record.

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

Mayor Small invited public comment.

No cards were received and no speakers came forward.

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

Discussion ensued between staff and Council Members regarding the position of the City as a pass-through entity; effects to the City; and liability.

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

1. CONDUCT THE PUBLIC HEARING UNDER THE REQUIREMENTS OF TEFRA AND THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"); AND

2. ADOPT A RESOLUTION APPROVING THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY FOR THE BENEFIT OF THE WILDWOOD SCHOOL, INC., A CALIFORNIA NONPROFIT CORPORATION, TO PROVIDE FOR TAX-EXEMPT FINANCING IN AN AMOUNT NOT TO EXCEED \$17,000,000 FOR THE PURPOSE REFINANCING THE OBLIGATIONS OUTSTANDING, COSTS OF THE ACQUISITION, CONSTRUCTION, RENOVATION, FURNISHING AND EQUIPPING OF SCHOOL'S EDUCATIONAL FACILITIES. SUCH ADOPTION IS SOLELY FOR THE PURPOSES OF SATISFYING THE REQUIREMENTS OF TEFRA, THE INTERNAL REVENUE CODE AND CALIFORNIA GOVERNMENT CODE SECTION 6500.

o0o

Item PH-2

CC - PUBLIC HEARING Adoption of a Resolution Confirming the Business Improvement District Advisory Board's Annual Report and the Levy of the Downtown Culver City Business Improvement District Assessment for 2019; and (2) Appointment of Members to the Business Improvement District Advisory Board for Calendar Year 2019; and (3) Approve an Amendment to Extend the Management Agreement Through 2019/2020

Mayor Small announced that this was the time and place for the hearing of protests or objections to the continuation of the Downtown Culver City Business Improvement District.

Jeremy Green, City Clerk, announced that the Resolution of Intention which included the Notice of the Public Hearing was published in the Culver City News on November 22, 2018 and was mailed to all affected businesses.

Glenn Heald, Economic Development Project Manager, provided a summary of the material of record.

MOVED BY COUNCIL MEMBER LEE, SECONDED BY COUNCIL MEMBER FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING AND RECEIVE PUBLIC COMMENT.

Mayor Small invited public comment.

No cards were received and no speakers came forward.

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

Mayor Small indicated that a majority protest did not exist.

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

1. (ABSENT A MAJORITY PROTEST) ADOPT THE PROPOSED RESOLUTION CONFIRMING THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD'S ANNUAL REPORT AND THE LEVY OF THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FOR 2019; AND

2. APPOINT ERIC SIMS, KATHRYN LUNDEEN, KARL KUHN, DARREL MENTHE AND DEBBIE WEISS AS MEMBERS OF THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD; AND

3. APPROVE AN AMENDMENT TO EXTEND THE MANAGEMENT AGREEMENT THROUGH 2019/2020.

o0o

Item PH-3

CC - PUBLIC HEARING (1) Adoption of a Resolution Confirming the 2019 Annual Work Plan and Levy of Assessments for the Culver City Arts District Business Improvement District; (2) Appointment of Members to the Culver City Arts District Business Improvement Advisory Board for 2019; and (3) Approval of an Amendment to Extend the Management Agreement Through 2019/2020

Mayor Small announced that this was the time and place for the hearing of protests or objections to the continuation of the Culver City Arts District Business Improvement District.

Jeremy Green, City Clerk, announced that the Resolution of Intention which included Notice of the Public Hearing was mailed to all affected businesses on November 1, 2018 and published in the Culver City News on November 29, 2018.

Elaine Warner, Economic Development Project Manager, provided a summary of the material of record.

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

Mayor Small invited public comment.

The following member of the audience addressed the City Council:

Janiece Russell thanked the City Council for accepting the 2019 Work Plan.

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

Jeremy Green, City Clerk, reported that no protests had been received.

MOVED BY COUNCIL MEMBER LEE, SECONDED BY VICE MAYOR SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT THE PROPOSED RESOLUTION CONFIRMING THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD'S ANNUAL REPORT AND THE LEVY OF THE CULVER CITY ARTS DISTRICT BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FOR CALENDAR YEAR 2019.

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

1. APPOINT THE 2019 ADVISORY BOARD AS RECOMMENDED BY THE CULVER CITY ARTS DISTRICT BUSINESS IMPROVEMENT DISTRICT; AND
2. APPROVE AN AMENDMENT EXTENDING THE MANAGEMENT AGREEMENT THROUGH DECEMBER 31, 2019.

o0o

Action Items

Mayor Small noted that this item had been added to the agenda and was being considered out of sequence as had been discussed at the start of the meeting.

Item A-6
(Out of Sequence)

CC - Consideration of the Approval of a Sublease (or Direct Lease, as Applicable) for the Property Located at 11520 Jefferson Boulevard for Public Works Department Storage and Office Use

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCIL MEMBER FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE A MEMO DISTRIBUTED TO THE CITY COUNCIL.

Charles Herbertson, Public Works Director, provided a summary of the material of record.

Mayor Small received clarification on the availability of the staff report to the public.

Mayor Small invited public comment.

No cards were received and no speakers came forward.

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

1. APPROVE A SUBLEASE WITH AQUA-FLO SUPPLY INC. OR A DIRECT LEASE WITH THE PROPERTY OWNER AS APPLICABLE FOR THE PROPERTY LOCATED AT 11520 JEFFERSON BOULEVARD FOR PUBLIC WORKS DEPARTMENT STORAGE AND OFFICE USE; AND
2. AUTHORIZE THE CITY MANAGER TO MAKE MINOR MODIFICATIONS TO THE SUBLEASE PRIOR TO EXECUTION; 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.

o0o

Item A-1

CC - Consideration of a Recommendation of the City Council Ad Hoc Naming Policy Subcommittee to Name a Portion of the Parkway located at 4130 Overland Avenue the Judge Harold I. Cherness Memorial Parkway

Vice Mayor Sahli-Wells reported on subcommittee consideration of the matter; the decision to grandfather the item; finding a solution to follow the spirit of changes to the naming policy; and she indicated that the family was amenable to the proposal.

Discussion ensued between staff and Council Members regarding appreciation to the Cherness family for their perseverance and dedication.

Mayor Small invited public comment.

The following members of the audience addressed the City Council.

Darryl Cherness discussed the length of the process and thanked the City Council.

Carolyn Cherness related a story about Judge Cherness and positive feedback he received.

Council Member Eriksson noted that the application had triggered a re-visitation of the naming policy adopted in 2006; he discussed adoption of the revised policy in spring 2018; consideration of the naming request under the old 2006 policy; the feeling that the application would not have been approved under the new policy; public outreach requirements; the requirement that contributions are of an extraordinary nature; acknowledgement of the accomplishments of Judge Cherness; and the naming of a City property or facility under Level 3.

Discussion ensued between staff and Council Members regarding awards received by Judge Cherness in his lifetime; his choice to stay in Culver City rather than going to Los Angeles Superior Court; the level of outreach required in the new policy vs. the suggestion of outreach in the previous policy; discussions with the Mayme Clayton Board; refining the existing naming policy; the outpouring of support from the community; recognizing Judge Cherness at the appropriate level; the importance of due diligence; the written record; being careful with assigning namings; other people in the City with similar accomplishments; and other, more appropriate recognition.

MOVED BY COUNCIL MEMBER FISCH AND SECONDED BY VICE MAYOR SAHLI-WELLS THAT THE CITY COUNCIL: APPROVE THE CITY COUNCIL AD HOC NAMING POLICY SUBCOMMITTEE'S RECOMMENDATION TO NAME A PORTION OF THE PARKWAY LOCATED AT 4130 OVERLAND AVENUE THE JUDGE HAROLD I. CHERNESS MEMORIAL PARKWAY.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FISCH, LEE, SAHLI-WELLS, SMALL
NOES: ERIKSSON

o0o

Item A-5
(Out of Sequence)

CC - (1) Introduction of an Ordinance Amending Culver City Municipal Code Section 11.20.025 to Allow Applications for the Placement of Telecommunications Facilities in the Public Rights-of-Way to be Administratively Approved by the Public

Works Director/City Engineer; (2) Introduction of an Ordinance Adding Section 11.20.065, "Wireless Facilities in the Public Rights-of-Way" to Chapter 11.20 to Establish the Regulatory Framework and Design Standards for Permitting the Installation of Wireless Facilities Within the City's Public Rights-of-Way; (3) Adoption of a Resolution Establishing Standard Conditions of Approval for Wireless Encroachment Permits to Install Wireless Facilities in the Public Rights-Of-Way Pursuant to Culver City Municipal Code Section 11.20.065.H.1; and (4) Adoption of a Categorical Exemption Relating Thereto, Pursuant to the California Environmental Quality Act

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

Roland Miranda, Deputy City Attorney, discussed comments received; clarifications to the ordinance to address comments; he read revised language for: Section F, Applications F3, subpart b under Content, "An applicant shall provide written notice of its application to all residents and businesses within 500 feet of any proposed facility."; Section F, changing 6 to, "Application Incompleteness, For personal wireless facilities and eligible facilities requests, applications will be processed and notices of incompleteness provided in conformance with state, federal and local law. If such application is incomplete, the Public Works Director/City Engineer may notify the applicant and specify the material omitted from the application."; Section F, adding 7, "Applications Denied Without Prejudice, To promote efficient review and timely decisions, the City may deny an application without prejudice when the applicant fails to tender a substantive response to the City within 180 calendar days after the City deems the application incomplete in written notice to the applicant. In the event the application is denied without prejudice as provided herein and the applicant seeks to pursue an application for the same facility, the applicant shall be required to submit a new application and application fee."; and adding a new sentence at the end of G, Findings, Decisions and Consultants: "Decisions shall be sent by overnight mail, electronic mail or other means to the applicant and to any person who submitted written comments on the application."

Discussion ensued between staff and Council Members regarding available information; clarification that the item is a first reading and will come back to the City Council; changes to address comments received; clarification on the process; City

responsibilities; FCC requirements; development of guidelines; minimizing visual impacts; 5G wireless services; the necessary infrastructure to implement the next version of cellular service in the country; limited ability of the City to affect the process; small cell wireless installations; creating the capacity that 5G requires; increased density of small cell facilities; City influence on location and aesthetics; federal rules that preempt City authority; state law allowing telephone companies to use the public right of way to install facilities; court interpretation of language; safety issues; impacts of RF emissions; evidence required for denial decisions; design standards; undergrounding requirements; concern with utility boxes on the sidewalk; placing equipment inside the pole; and subcommittee consideration.

Mayor Small invited public comment.

The following members of the audience addressed the City Council:

Daisy M. Uy Kimpang, Verizon Wireless, reported sending a letter from counsel outlining the position of Verizon; she expressed appreciation for the work of the City and staff; she requested deference of the introduction of the first reading as revised, and continued work with the industry to develop the draft ordinance; she noted that Verizon wanted to see language regarding some of the subjective design criteria eliminated along with the appeals process that was added, with mandatory undergrounding as well as the post RF requirement for onsite testing eliminated; she discussed the FCC order taking effect in January 2019; the criteria for approval; and she reiterated the request for a deferred introduction of the draft ordinance with revisions to avoid subjective determination that could contradict the new FCC regulations.

Michael Cintron, Crown Castle, provided background on the company; reported submission of an email to the City requesting changes to the code that would bring it into compliance with state and federal law; he applauded the City's efforts to provide a clarified process; and he suggested taking additional time with the code.

Ken Mand discussed changes made to incorporate public concerns and he wanted to see the City move forward.

Ursula Moran, AT&T, thanked the City for incorporating some of the comments and she asked that the matter be continued to allow additional time to examine the complex topic.

Discussion ensued between staff and Council Members regarding the January 14, 2019 deadline; banning local governments from adopting a moratorium on accepting applications while updating the ordinance; losing the opportunity to have influence if the matter is deferred; adopting the ordinance and making amendments later; thorough consideration of all comments supplied; time left for industry input as the standards are not finalized; establishing interim standards before January 14, 2019; willingness to work with the industry on developing the standards; the ability to take input before adopting final standards; the Smart City Infrastructure subcommittee; fee structure; franchise rights; rental fees; legacy lampposts; and continued conversation.

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

1. INTRODUCE AN ORDINANCE AS AMENDED, AMENDING CULVER CITY MUNICIPAL CODE SECTION 11.20.025 TO ALLOW APPLICATIONS FOR THE PLACEMENT OF TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY TO BE ADMINISTRATIVELY APPROVED BY THE PUBLIC WORKS DIRECTOR/CITY ENGINEER; AND
2. INTRODUCE AN ORDINANCE AMENDING CHAPTER 11.20, TELECOMMUNICATIONS REGULATORY REQUIREMENTS, OF THE CULVER CITY MUNICIPAL CODE TO ADD SECTION 11.20.065, WIRELESS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY, TO ESTABLISH THE REGULATORY FRAMEWORK AND DESIGN STANDARDS FOR PERMITTING THE INSTALLATION OF WIRELESS FACILITIES WITHIN THE CITY'S PUBLIC RIGHTS-OF-WAY; AND
3. ADOPT A RESOLUTION ESTABLISHING STANDARD CONDITIONS OF APPROVAL FOR WIRELESS ENCROACHMENT PERMITS TO INSTALL WIRELESS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO CULVER CITY MUNICIPAL CODE SECTION 11.20.065.H.1.;
4. ADOPT A CATEGORICAL EXEMPTION RELATED THERETO PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FINDING THAT THE PROPOSED ORDINANCES AND RESOLUTION DO NOT CONSTITUTE A PROJECT WITHIN THE MEANING OF SECTION 15378; AND
5. DIRECT THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO DEVELOP, IN CONJUNCTION WITH THE SMART CITY INFRASTRUCTURE GUIDELINES

SUBCOMMITTEE, INTERIM DESIGN AND DEVELOPMENT STANDARDS FOR INSTALLATIONS OF WIRELESS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY, PENDING APPROVAL BY THE CITY COUNCIL OF THE FINAL DESIGN AND DEVELOPMENT STANDARDS.

o0o

Item A-2

CC - Appointment to Fill a Vacancy for Seat No. 6 on the Finance Advisory Committee for a Full Term Ending June 30, 2022

Jeremy Green, City Clerk, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding email from Randall Lentz; support for both candidates; and communication between Council Members and the applicants.

Mayor Small invited public comment.

No cards were received and no speakers came forward.

MOVED BY VICE MAYOR SAHLI-WELLS, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPOINT CHRISTOPHER HARRIS TO SEAT NO. 6 - LOCAL BUSINESS REPRESENTATIVE ON THE FINANCE ADVISORY COMMITTEE FOR A FULL TERM ENDING JUNE 30, 2022.

o0o

Item A-3

CC:HA - Authorization to Establish the Mobile Home Repair and Replacement Program for Seniors and Disabled Persons

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

Mayor Small invited public comment.

No cards were received and no speakers came forward.

Discussion ensued between staff and Council Members regarding the need for immediate action; preventing homelessness; effective use of redevelopment funds; wraparound services;

appreciation to Code Enforcement for development of the program; solutions to keep people off the street; hoarders; inspections and follow-up; protecting health and safety; protecting neighbors; mental illness; hoarding complaints that trigger homelessness; appreciation for the compassion of staff; willingness to find solutions; and public service.

MOVED BY MAYOR SMALL, SECONDED BY COUNCIL MEMBER FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL AND HOUSING AUTHORITY BOARD: AUTHORIZE THE CREATION AND APPROVE THE ELIGIBILITY REQUIREMENTS FOR THE MOBILE HOME REPAIR AND REPLACEMENT PROGRAM FOR SENIORS AND DISABLED PERSONS.

o0o

Item A-4

CC - Adoption of a Resolution Amending City Council Policy Entitled Commemorative, In Memoriam, Naming of City Property and Facilities, as Recommended by the Ad Hoc City Council Policies Subcommittee and Rescinding Resolution No. 2018-R021

Serena Wright-Black, Assistant City Manager, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding Level 4 criteria; whether the person has to be tied to Culver City; the need for buy-in from residents in the immediate neighborhood; geographic boundaries; individuals within the Culver City community; whether the work has to be done within the City or affect the City; clarification that the namings are in memoriam; the need for great renown in order to name a street; cumulative requirements for the succeeding levels; different requirements for Level 4 criteria; trusting future City Councils; significance outside of the community; City Council agreement to minor language changes to allow for flexibility; ensuring that there is a record of things named in the City to date; visual examples; expressing intent; the historical record; including information on previous namings as an attachment to the policy; and the Historical Society.

Mayor Small invited public comment.

No cards were received and no speakers came forward.

MOVED BY COUNCIL MEMBER LEE, SECONDED BY MAYOR SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION

AMENDING THE CITY COUNCIL POLICY ENTITLED COMMEMORATIVE, IN
MEMORIAM, NAMING OF CITY PROPERTY AND FACILITIES AS AMENDED.

o0o

Public Comment - Items Not on the Agenda

Mayor Small invited public comment.

No cards were received and no speakers came forward.

o0o

Items from Council Members

None.

o0o

Council Member Requests to Agendize Future Items

Council Member Lee received consensus to agendize a discussion of creating a community benefits framework, and he reported a meeting with Chief Bixby and Chief White with Professor Toby Hur from the UCLA Social Welfare Department on December 12 regarding creating an addendum to mental health programs in the Police and Fire Departments.

Discussion ensued between staff and Council Members regarding the need for additional resources; folding the item into the budget discussion; and utilizing resources from UCLA rather than the City.

Vice Mayor Sahli-Wells discussed the mansionization study and received City Council consensus to agendize a discussion of removing the requirement for covered parking as that adds mass.

Discussion ensued between staff and Council Members regarding community benefits; Community Development staff; and the installation of the new School Board on December 11.

o0o

Adjournment

There being no further business, at 11:14 p.m., the City Council, Successor Agency to the Culver City Redevelopment Agency Board, and Culver City Housing Authority Board adjourned in celebration of baby Aria and in memory of Mary Tandelakis, mother of Phil Tandelakis, to January 14, 2019.

o0o

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, 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, and
Culver City Housing Authority Board