

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

May 10, 2021
7:00 p.m.

Call to Order & Roll Call

Mayor Fisch called the 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 to order at 5:03 p.m. in the Mike Balkman Chambers at City Hall via Virtual Webex.

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

*Council Member Eriksson left the meeting at 11:25 p.m.

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Carol Schwab, City Attorney, proposed that Item CS-4 be added to the Closed Session agenda noting that staff had become aware of the need for the item after the posting of the agenda and she indicated that pursuant to Government Code Section 54954.2(b)(2): upon a determination by a two-thirds vote of the City Council that there is a need to take immediate action, the following item may be added:

CS-4 - CC - Conference with Legal Counsel - Anticipated
Litigation
Significant Exposure to Litigation - (1 item)
Pursuant to Government Code Section 54956.9(d) (2)

MOVED BY MAYOR FISCH AND SECONDED BY COUNCIL MEMBER MCMORRIN
THAT THE CITY COUNCIL, CULVER CITY HOUSING AUTHORITY BOARD,
CULVER CITY PARKING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO
THE CULVER CITY REDEVELOPMENT AGENCY ADD THE STATED ITEM TO THE
CLOSED SESSION AGENDA.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, FISCH, MCMORRIN, VERA
NOES: NONE
ABSTAIN: LEE

Mayor Fisch invited public comment.

Jeremy Green, City Clerk, indicated that no public comment had
been received for Closed Session.

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

Closed Session

At 5:07 p.m. the City Council, Culver City Housing Authority
Board, Culver City Parking Authority Board, and Successor Agency
to the Culver City Redevelopment Agency Board adjourned to
Closed Session to consider the following Closed Session Items:

CS-1 CC - Public Employee Appointment
Title: Police Chief
Pursuant to Government Code Section 54957 (b) (1)

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CS-2 CC - Conference with Real Property Negotiators
Re: 9240 Culver Boulevard
City Negotiators: John Nachbar, City Manager; Sol Blumenfeld,
Community Development Director, Todd Tipton, Economic
Development Manager
Other Parties Negotiators: K-ZO Restaurant

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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CS-3 CC - Conference with Real Property Negotiators

Re: 9500 Culver Boulevard

City Negotiators: John Nachbar, City Manager; Sol Blumenfeld, Community Development Director, Todd Tipton, Economic Development Manager, Todd Mooney, City Special Counsel

Other Parties Negotiators: OMCC Theater Owner, LLC

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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CS-4 CC - Conference with Legal Counsel - Anticipated Litigation Significant Exposure to Litigation - (1 item)

Pursuant to Government Code Section 54956.9(d) (2)

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Regular Session

Mayor Fisch reconvened the 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 to order at 7:01 p.m.

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Recognition Presentations

Item R-1

CC - Presentation of a Proclamation Designating May as Older Americans Recognition Month

Jeremy Green, City Clerk, presented the proclamation designating May as Older Americans Recognition Month.

Jill Thomsen, Recreation and Community Services Supervisor, thanked the City Council for recognizing Older Americans Month

and expressed appreciation to the older Americans in the City for their spirit over the past year.

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Item R-2

CC - Presentation of a Proclamation Designating May as Asian American and Pacific Islander Heritage Month 2021

Jeremy Green, City Clerk, presented the proclamation Designating May as Asian American and Pacific Islander Heritage Month 2021.

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Item R-3

CC - Presentation of a Proclamation Designating May as Historic Preservation Month

Christine Byers, Cultural Affairs Coordinator, indicated that Hope Parrish and members of the Historical Society were participating in the meeting.

Jeremy Green, City Clerk, presented the proclamation designating May as Historic Preservation Month.

Hope Parrish thanked the City for the recognition on behalf of the Culver City Historical Society; discussed the efforts of volunteers; work done during the pandemic; uncovering more of the history of the City; and she expressed eagerness to welcome everyone back in September or October for the re-launch.

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Pledge of Allegiance

Mayor Fisch led the Pledge of Allegiance.

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Closed Session Report

Mayor Fisch indicated that Item CS-2 had not been heard and would be continued to the next meeting, and Item CS-4 had been added to the agenda.

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Community Announcements by City Council Members/Information Items from Staff

Mayor Fisch indicated that additional information had been received from staff that the Council had not had a chance to consider, so Item A-1 would be continued to a future City Council meeting.

Jeremy Green, City Clerk, reported that Item C-9 would also not be considered.

Council Member McMorris announced Mental Health Awareness month noting that the theme is *You are Not Alone*, and she discussed the need to fight stigma, educate and advocate for policies that support people facing issues and their families.

Council Member Eriksson expressed appreciation for all the mothers who had worked hard to sustain their families during difficult times on Mother's Day.

Vice Mayor Lee reported receipt of an email from an unhoused individual who got her car impounded after restrictions were lifted; he asked that Culver City Police Department (CCPD) be encouraged to exercise leniency with those that they are aware are living in their cars; discussed consideration of connecting the Safe Parking Program to the unhoused; Asian American Awareness month; and he provided information regarding Mamie Tape and school integration in California.

Mayor Fisch expressed support for parking leniency and discussed the life and legacies of Ann Douglas and Dr. Garry Sidney Brody, asking that the meeting be adjourned in their memory.

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CC - COVID-19 Update

Ken Powell, Fire Chief, announced that Los Angeles County had met the threshold for the least restrictive tier; discussed the newly revised health order and updated protocol; encouraged everyone 16 years and older to get the COVID-19 vaccine; he reported that appointments could be made on the vaccinate LA county website; stated that the disabled or those without internet access could call (833) 540-0473 for assistance; discussed current masking guidelines for fully vaccinated

people; reminded everyone to follow safe practices; and indicated that additional information was available on the Los Angeles County Department of Public Health website <http://publichealth.lacounty.gov>.

Jeremy Green, City Clerk, announced that the deadline for the annual recruitment process to fill vacancies for Committees, Boards and Commissions was May 17; she discussed open positions; youth positions; the ability of anyone 16 years and older to submit applications for consideration or to be kept on file for a later date for bodies with no current vacancies; completion of applications online; and she noted that more information was available at www.culvercity.org/serve, by calling (310) 253-5851, or by emailing city.clerk@culvercity.org.

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Joint Public Comment - Items NOT on the Agenda

Mayor Fisch discussed procedures for making public comment noting that due to the full agenda, a 30 minute time limit would be set for making Joint Public Comment for Items NOT on the Agenda.

The following members of the public addressed the City Council:

Gregory Jamrok provided background on himself; asked that the City Council agendaize a discussion of exclusionary zoning policies no later than June 14, 2021; discussed the importance of the topic; making Culver City more sustainable for more people; current zoning policies; people who have had to leave the City due to housing costs; ensuring diversity; and he expressed support for ending exclusionary zoning.

Jorge Sandoval provided background on himself; discussed employees that cannot afford to live in the City; and he asked that a discussion of ending exclusionary zoning be placed on a future agenda.

Jamie Wallace asserted that building denser housing would not lead to affordable housing; discussed the elimination of "cozy courts" which are affordable housing; she did not want to see the item go on the agenda until there was postcard notification, neighborhood meetings and neighborhood listening tours in every neighborhood; she requested clearly stated objectives, explanations and descriptions of the implications of eliminating R-1 single-family zoning; acknowledging racism; and she noted

significant effects on Asian Americans sent off to internment camps, many of whom came to Culver City and bought homes.

Shannon Gaulding provided background on herself; asked that the issue of exclusionary zoning be agendized; discussed the need for affordable housing; promoting environmental sustainability; providing a more equitable community; and she wanted to see affordable housing mandated.

Jeannine Wisnosky acknowledged the affordable housing shortage in California; clarified that the term exclusionary zoning was being used to mean elimination of single-family zoning; she asked the City Council to investigate and counteract the false narrative that single-family zoning is the cause of the affordable housing shortage and to lead the community in solving the problem of effective funding strategies to provide affordable, safe housing for people who want to live in Culver City; she felt that innovation and creativity could be used to ensure an inclusive welcoming City while preserving single-family housing and supporting affordable and equitable housing for all; noted the need for thoughtful, effective community-building solutions; she asserted that the call to eliminate single-family zoning and housing would not solve the affordability crisis and did not require, ensure or promise affordable housing; she asked the City Council to solve the crisis with compassion, humanity and facts; expressed concern with the narrow focus on ending single-family zoning; and she asked that the City take a thoughtful approach.

Jeff Schwartz asked that the City agendize a discussion of a COVID-19 vaccination mandate for City staff, especially CCPD; discussed the number of people who have involuntary interactions with the police; vaccination rates for police officers; data indicating that the leading cause of death in 2020 for police officers was COVID; liberty and personal choice arguments used to challenge mandates; requiring proof of vaccination; and the importance of protecting staff and those they serve.

Bubba Fish, Bike Culver City and the Advisory Committee on Housing and Homelessness (ACHH), spoke on behalf of himself calling for an agendized discussion of ending exclusionary zoning by June 14, 2021; provided background on himself; discussed keeping up with the need for housing; ensuring housing and equity; concern with creating a clogged City of commuters; the worsening jobs/housing imbalance; concern with opening up the floodgates for developers; and encouraging and incentivizing affordable housing and housing for all income levels.

Bryan Sanders noted that it was important to talk about housing even though it was not on the agenda; discussed the use of the phrase exclusionary housing as a political weapon or as racist; the suggestion that if you own a single-family home you are participating in a racist process; being mindful of language; being aware of the impact of words; support for single-family R-1 housing; and he emphasized the need to actually work together to find a solution.

Brady Borcharding discussed the need to agendize a discussion of exclusionary zoning and the way land is used in the City to find a solution to accommodate the people currently in the City and the people in the future.

Elias Platte-Bermeo echoed previous speakers who requested a discussion of exclusionary zoning by the City Council no later than June 14; provided background on himself; discussed privilege and the term exclusionary zoning; diversity; amenities; asserted that current zoning perpetuated segregation; stated that as designed, the zoning prevented lower-income people from living in resource-rich neighborhoods; discussed obstacles to creating vibrant communities that can only be supported by density; legal requirements to add housing units; perpetuating economic and racial inequity; equitable distribution of homes throughout the City; and he asked that the City follow the lead of notable democrats in addressing exclusionary zoning.

Richard Glaser was called to speak, but was not present.

Patrick Meighan, Culver City for More Homes, asked that the City Council agendize a discussion of exclusionary zoning by June 14; asserted that there was no way to address issues without being able to build on the majority of the usable land; discussed affordable housing; the 2020 census; and the median income of homeowners vs. of renters.

Michael Ainslie provided background on himself; asked that the City agendize a discussion of exclusionary housing policies on a City Council agenda by June 14; expressed appreciation to Culver City for More homes for bringing awareness forward; discussed historic injustices; changes and development coming to the downtown corridor; changes already enacted by the state that had effectively eliminated R-1 zoning with Accessory Dwelling Units (ADUs); and he encouraged people to do more research on their own.

Colin Diaz, Culver City Chamber of Commerce, invited everyone to attend a weekly webinar series to increase awareness of May as Mental Health Awareness Month in partnership with Kaiser Permanente with registration at culvercitychamber.com, and he discussed marketing to aid in the recovery of the City by promoting the Eat, Shop, Stay and Play businesses in the City at discoverculver.com.

Khin Khin Gyi, ACHH, speaking on behalf of herself, expressed support for retaining R-1 zoning to prevent congestion in the interest of inclusivity and diversity; discussed the pandemic; repurposing of long-empty commercial buildings to solve the issue of affordable housing; AB2345; the state bonus program; efficient creation of affordable housing; allowing people to age in place; displacement of residents; and she noted existing diversity in R-1 neighborhoods.

Stephen Jones provided background on himself; asked that the City place a discussion of exclusionary housing on the agenda by June 14, 2021; asserted that there was no solution without the end to single-family zoning; discussed underbuilding of housing for decades; the racist past of the City; the climate crisis; and social costs for increased home values.

Steve Siegel asserted that single-family homes were not racist, there was no crisis, and the issue had nothing to do with climate change; he discussed the merit system in the United States; concern with taking someone's lifestyle away; increased traffic, noise and less safety if people are crammed together; he asked Mr. Jones to please reconsider his position; questioned whether a survey had been done in the City to determine the will of the residents; expressed concern with Council Members that have a fringe attitude; being inclusionary for those who can afford to have a home; and he expressed concern with turning Culver City into Palms with overcrowding and scarce parking.

Jeremy Green, City Clerk, indicated that the set time limit for Public Comment for Items Not on the Agenda had been reached.

Mayor Fisch asked that those addressing a different subject be allowed to speak, and that a list of those who want to address the same topic be provided to Council Members so that they may reach out to them; he received Council consensus for a discussion of exclusionary zoning including consideration of a 100% affordable housing overlay proposed by Vice Mayor Lee; discussed the term exclusionary housing; and the Supreme Court

Case of Ambler Realty vs. the Village of Euclid.

London McBride spoke on behalf of the Equity and Human Relations Advisory Committee (EHRAC) to invite everyone to register, attend and submit questions in advance for a Community Conversation on Webex that he would be moderating with Professor Marshall Wong to discuss the 2019 Hate Crimes Report on May 14.

Mimi Ferrel, City Clerk Specialist, noted speaking requests for Item A-1.

Jeremy Green, City Clerk, reported that Items A-1 and C-9 had been deferred to a future meeting.

Carol Iskiwitch expressed appreciation for the increased accessibility with online City Council meetings and she hoped that post-pandemic, virtual participation would continue to be an option.

Rosi Gabl provided background on herself and asked the City Council to issue a statement of no confidence in District Attorney George Gascon along with other cities in LA county citing his lack of filing of criminal charges for certain types of criminal offenses; she expressed concern with increased theft, trespassing and vandalism; discussed further destabilization of lawful society; and concern with intimidation and de-legitimization.

Rebecca Rona Tuttle read a statement on behalf of the EHRAC condemning hatred and violence against Asian Americans and Pacific Islanders.

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Receipt and Filing of Correspondence

Mayor Fisch reported receipt of 162 pages of email correspondence.

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

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Order of the Agenda

Closed Session Item CS-4 was added to the agenda, Closed Session Item CS-2, Consent Calendar Item C-9, and Action Item A-1 were not heard, Items C-7, C-10, and C-12 were considered separately at the end of the Consent Calendar, and Item A-3 was considered before Item A-2.

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Consent Calendar

MOVED BY VICE MAYOR LEE, SECONDED BY COUNCIL MEMBER MCMORRIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-6 AND C-8, C-11, AND C-13.

Item C-1

CC:HA:SA - (1) Approval of Cash Disbursements for April 17, 2021 to April 30, 2021

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR APRIL 17, 2021 TO APRIL 30, 2021.

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Item C-2

CC:HA:SA - Approval of Minutes for the Special City Council Meeting of April 19, 2021, the Joint City Council/Committee on Homelessness Meeting on April 19, 2021, and the Regular Consolidated City Council Meeting on April 26, 2021

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES FOR THE SPECIAL CITY COUNCIL MEETING ON APRIL 19, 2021, THE JOINT CITY COUNCIL/COMMITTEE ON HOMELESSNESS MEETING ON APRIL 19, 2021, AND THE REGULAR CONSOLIDATED CITY COUNCIL MEETING ON APRIL 26, 2021.

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Item C-3

CC - Adoption of a Resolution Authorizing Other Non-Residential Ground-Floor Uses, including Office Use, at The Lucky Development as permitted in the City's Mixed-Use Development Standards

THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING OTHER NON-RESIDENTIAL GROUND-LEVEL USES, INCLUDING PROFESSIONAL OFFICE AND MEDICAL AND DENTAL OFFICE FOR THE LUCKY MIXED-USE DEVELOPMENT LOCATED 12821 WASHINGTON BOULEVARD.

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Item C-4

CC - (1) Adoption of the Culver City Mass Debris Management Plan; and (2) Incorporate the Mass Debris Management Plan into the Existing City Council Approved Emergency Operations Plan

THAT THE CITY COUNCIL:

1. ADOPT THE MASS DEBRIS MANAGEMENT PLAN; AND,
2. AUTHORIZE THE INCLUSION OF THE PLAN IN THE CITY'S EMERGENCY OPERATIONS PLAN; AND,
3. AUTHORIZE THE CITY MANAGER OR DESIGNEE TO EXECUTE ANY NECESSARY ACTIONS OR DOCUMENTS ON BEHALF OF THE CITY REQUIRED TO IMPLEMENT THE MASS DEBRIS MANAGEMENT PLAN.

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Item C-5

CC - Approval of a Third Amendment to the Existing Professional Services Agreement with Tetra Tech, Inc. for Additional Technical Support Services for the Culver Boulevard Stormwater Filtration/Retention Project, PR-002 (the "Stormwater Capture Project") in an Amount Not-to-Exceed \$8,405

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH, INC. FOR ADDITIONAL TECHNICAL SUPPORT SERVICES FOR THE CULVER BOULEVARD STORMWATER CAPTURE PROJECT,

PR-002 (THE "STORMWATER CAPTURE PROJECT") IN AN AMOUNT NOT-TO-EXCEED \$8,405; 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-6

CC - Approval of an Amendment to the Existing Agreement with Concept Consultant, Inc. for the Removal of Existing Bus Stop Furniture and the Installation of New Bus Stop Furniture at Additional Locations in the City in an Amount Not-to-Exceed \$82,725

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING AGREEMENT WITH CONCEPT CONSULTANT, INC. FOR THE INSTALLATION OF NEW BUS STOP FURNITURE AT ADDITIONAL BUS STOPS IN AN AMOUNT NOT-TO-EXCEED \$82,725; 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-8
(Out of Sequence)

CC - Adoption of a Resolution (1) Declaring the City Council's Intention to Grant a Franchise to Torrance Valley Pipeline Company LLC for the Operation of an Existing Pipeline, Located in the Public Rights-of-Way, for the Transportation of Oil; and (2) Setting the Date, Time, and Place for a Public Hearing to be June 14, 2021 at 7:00 PM via Teleconference, at Which Any Person Having Any Objection to the Granting of this Proposed Franchise May Be Heard

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) DECLARING THE CITY COUNCIL'S INTENTION TO GRANT A FRANCHISE TO TORRANCE VALLEY PIPELINE COMPANY LLC FOR THE OPERATION OF AN EXISTING PIPELINE,

LOCATED IN THE PUBLIC RIGHTS-OF-WAY, FOR THE TRANSPORTATION OF OIL, AND (2) SETTING THE DATE, TIME, AND PLACE FOR A PUBLIC HEARING TO BE JUNE 14, 2021 AT 7:00 PM VIA TELECONFERENCE, AT WHICH ANY PERSON HAVING ANY OBJECTION TO THE GRANTING OF THIS PROPOSED FRANCHISE MAY APPEAR BEFORE THE CITY COUNCIL AND BE HEARD.

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Item C-9

CC - (1) Approval of a Purchase Order with New Flyer of America, Inc. In An Amount Not-To-Exceed \$6,580,070 (\$5,981,882 Base Plus \$598,188 Contingency) to Supply Six Battery Electric Buses; and (2) Approval of a Purchase Order with Creative Bus Sales in the Amount Not-To-Exceed \$504,885 (\$420,738 Base Plus \$84,148 Contingency) to Supply Three Electric Vans; and (3) Approval of a Purchase Order with A-Z Bus Sales In The Amount Not-To-Exceed \$242,978 (\$202,481 Base Plus \$40,496 Contingency) to Supply One Paratransit Vehicle

This item was deferred to another meeting.

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Item C-11
(Out of Sequence)

CC - Adoption of a Resolution Requesting a State Audit of Alleged Sexual Harassment, Discrimination, Bullying and Retaliation at the Metropolitan Water District of Southern California

THAT THE CITY COUNCIL: ADOPT A RESOLUTION REQUESTING A STATE AUDIT OF ALLEGED SEXUAL HARASSMENT, DISCRIMINATION, BULLYING AND RETALIATION AT THE METROPOLITAN WATER DISTRICT (MWD) OF SOUTHERN CALIFORNIA.

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Item C-13
(Out of Sequence)

CC:SA:HA:PA - (1) Receipt of the City Manager's/Executive Director's Proposed Budget for FY 2021/2022; and (2) Setting the Date and Time of the Public Hearing on the Proposed Budget for June 28, 2021 at 7:00 p.m.

THAT THE CITY COUNCIL:

1. RECEIVE THE PROPOSED BUDGET FOR FY 2021/2022; AND
2. SET THE TIME AND DATE FOR THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR JUNE 28, 2021 AT 7:00 P.M., OR AS SOON THEREAFTER AS MAY BE HEARD.

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Item C-7
(Out of Sequence)

CC - (1) Approval of Final Plans and Specifications for the MOVE Culver City - Downtown Corridor Project PS017 (Project); (2) Approval of a Professional Services Agreement with LNI Custom Manufacturing Inc. to Design, Fabricate, and Install Bus/Bike Platforms in an Amount Not-To-Exceed \$327,314.52; (3) Authorization to the City Manager to Negotiate and Approve the Final Terms of the Agreement; and (4) Authorization to the City Manager to Approve Amendments to the Agreement for Contingency Costs of 16% Not-to-Exceed \$52,685

Mayor Fisch invited public input.

The following members of the public addressed the City Council:

Brian Smith, Downtown Business Association (DBA), thanked staff for their work to reimage traffic in Downtown Culver City and he was looking forward to a discussion in a couple of weeks.

Eric Shabsis, Culver Studios, discussed the expected re-opening and lifting of the emergency orders on June 15, 2021; the need to maintain vehicular access on Culver Boulevard in each direction; and he was looking forward to hearing the proposed compromise by the DBA to satisfy all stakeholders.

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

1. APPROVE THE FINAL PLANS AND SPECIFICATIONS FOR THE MOVE CULVER CITY - DOWNTOWN CORRIDOR PROJECT (PS017); AND,
2. APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH LNI CUSTOM MANUFACTURING INC. TO DESIGN, FABRICATE, AND INSTALL BUS/BIKE PLATFORMS IN AN AMOUNT NOT TO EXCEED \$327,314.52; AND,

3. AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND APPROVE THE FINAL TERMS OF THE AGREEMENT; AND,

4. AUTHORIZE THE CITY MANAGER TO APPROVE AMENDMENTS TO THE AGREEMENT FOR CONTINGENCY COSTS OF 16% NOT-TO-EXCEED \$52,685; 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.

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Item C-10
(Out of Sequence)

CC - Adoption of a Resolution to Support State Legislation to End Child Marriage

Mayor Fisch invited public comment.

The following member of the public addressed the City Council:

Rima Nashashibi thanked Vice Mayor Lee for bringing the item forward and the City for advocating for the safety of the children.

MOVED BY VICE MAYOR LEE, SECONDED BY COUNCIL MEMBER MCMORRIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT OF A RESOLUTION TO SUPPORT STATE LEGISLATION TO END CHILD MARRIAGE.

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Item C-12
(Out of Sequence)

CC - Adoption of an Ordinance Establishing Premium Hazard Pay for On-Site Grocery and Drug Retail Workers

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Colin Diaz, Culver City Chamber of Commerce, reiterated comments he made when the item was initially proposed; felt that the City

should not mandate the process; cited increases provided by Trader Joe's and questioned what carve-outs were being made for those in the sectors that have already addressed compensation and safety; discussed equity; the intent of the ordinance; and exemptions.

Darryl Cherness urged the City Council to vote in favor of hazard pay for drug store and grocery store workers, and he commended residents and the City Council for their support of the ordinance.

Discussion ensued between staff and Council Members regarding Section 2 that addresses comments made by Colin Diaz; length of the term; other cities that have passed similar measures; and the easing of restrictions on June 15.

Emily Glick provided background on herself and spoke in support of comments made by Colin Diaz as she supported hazard pay but felt it made sense to take into account things that companies have already done to address the situation.

MOVED BY VICE MAYOR LEE AND SECONDED BY COUNCIL MEMBER MCMORRIN THAT THE CITY COUNCIL: ADOPT AN ORDINANCE ESTABLISHING PREMIUM HAZARD PAY FOR ON-SITE GROCERY AND DRUG RETAIL WORKERS.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FISCH, LEE, MCMORRIN

NOES: ERIKSSON, VERA

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Action Items

Item A-1

CC - Introduction of an Ordinance Establishing Premium Hazard Pay for On-Site Hospital Workers at Covered Hospitals

This item was deferred to future meeting.

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CC - (1) Introduction of an Ordinance Amending, Title 5, Public Works, of the Culver City Municipal Code (CCMC) to Add a New Chapter 5.07 Entitled "Waste Reduction Regulations" and Repealing CCMC Chapter 11.18, Polystyrene Regulations;; and (2) Adoption of a Categorical Exemption Relating Thereto, Pursuant to the California Environmental Quality Act (CEQA)

Kim Braun, Environmental Programs and Operations Manager, introduced the item.

Channel Kincaid, Senior Management Analyst, provided a presentation on the first reading of the Waste Reduction Regulations; discussed the polystyrene amendment; current policy vs. the new policy; effective dates for different regulations; exemptions; amendments; takeout reusable food service ware; sale vs. distribution; other cities with the ordinance; packing material regulations; meat, fish, poultry and produce tray regulations; dine-in reusable food service ware; and providing time for companies to prepare.

Discussion ensued between staff and Council Members regarding outreach to businesses; the feasibility study; the survey; aligning the dates for compliance; economics behind decisions made; active discussions regarding polystyrene meat trays; concern with inadvertently getting rid of the existing polystyrene ban; clarification that the current ban is not rescinded until the new ban takes effect; and the phase-in.

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

David Coles urged the City Council to pass the ban; discussed his experiences observing plastic trash in oceans; the responsibility to ensure that the materials are taken out of the environment as soon as possible; he hoped that the City of Los Angeles would take the same action; expressed concern with compliance; discussed the existing ordinance; overtaxing current staff; and the need for additional staff and regular reporting on the program.

David Juarez, California Restaurant Association, discussed drive-through service; customer frustration; unnecessary interaction between the worker and the customer; actions of LA

city and county; consistency; the mandate for reusable service ware for onsite dining; space limitations; modification to restaurant layout; additional costs imposed; and he urged the City to work with the restaurant industry to come up with solutions that work for everyone.

Craig Cadwallader, South Bay Chapter of the Surf Rider Foundation, discussed the existing ordinance vs. the new ordinance; gaps; delayed implementation dates; elimination of the existing ban on sales of expanded polystyrene for food service providers and businesses until January 2023; repeal of prohibitions for City facilities that are not reinstated until July 2021; the need for clarity regarding the City's Organic Collections Program; the repeal of upon request items that is not reinstated until later; timing of the sales ban; and he offered to work with staff to address gaps in implementation.

Sandrine Cassidy, Ballona Creek Renaissance, expressed appreciation to staff for their work; discussed due diligence and outreach done; ensuring the existing policy is kept in place while new regulations become effective; support for changing the effective date to July 2022 for the ban on the sale of polystyrene food service ware; the dine-in section of the ban; proposed changes as defeating the push for dine-in businesses to use reusable service ware; money savings with reusables; businesses that have already converted and are thriving; she asked that staff direct businesses to the non-profit organization, Plastic-Free Restaurants for assistance with the costs of converting; and she asserted that policy worked to create positive change as evidenced by the plastic bag ban.

Emily Glick expressed sympathy for Restaurant Association concerns; noted available choices; felt there was no time to waste to protect the environment; discussed length of time to make the changes; and she asked the City Council to vote in support of the item.

Discussion ensued between staff and Council Members regarding the need to eliminate all City-usage of plastic items; the importance of being mindful of issues that might arise for restaurants; costs transferred to the consumer; waste ending up in the Creek; addressing the problem on a larger scale; controlling what happens in the City; putting pressure on the state to figure out a better way; issues that still need to be worked out; providing sturdier options than paper containers for to-go provisions; the Re-use Pilot Program being used in other areas; paper products with liners; compostable products;

finding go-to items; providing effective options; the alternatives product list; doing better throughout the region; the study illustrating how reusable initiatives result in savings; parameters of the organic collections program; new products coming; reusable dine-in service ware; limited products allowed for dine-in; appreciation to staff for their work done; trash in Ballona Creek; including other solutions to address problems; installation of trash cans in the Creek; the value of coordination; a suggestion to wait until it is clear what Los Angeles county is doing; concern with creating confusion; the prohibition on plastic water bottles; hygiene and health; the Ballona Creek Task Force; actions by a limited number of other cities; restaurants without dishwashers; enforcement; abdication of corporate responsibility by large polluters to forestall policy change to address the climate crisis; the feeling that personal responsibility alone will not be enough; the need for substantive changes on the state and federal level; whether the City needs to wait for approval from Los Angeles city and county; instances where Los Angeles has followed the lead of Culver City; the need to support policy; the updated ban; large brands that have been offering bottled water in cans; moving the retail sale date of compliance to July 2022; the importance of making changes as soon as possible; confirmation that the existing provisions will remain in place as other parts are phased in; the lack of attendance by Culver City restaurant owners vs. the Restaurant Association; the attempt to frame the actions of the City Council as fringe and not transparent; compliance with notification requirements; concern with the omission of the word "sale" in section A of 155.07.015; the undue hardship exception; and certain actions that are more successful at the local level rather than at the state level.

MOVED BY VICE MAYOR LEE AND SECONDED BY COUNCIL MEMBER MCMORRIN THAT THE CITY COUNCIL:

1. INTRODUCE AN ORDINANCE AMENDING, TITLE 5, PUBLIC WORKS, OF THE CULVER CITY MUNICIPAL CODE TO ADD A NEW CHAPTER 5.07 ENTITLED "WASTE REDUCTION REGULATIONS" AND REPEALING CHAPTER CCMC 11.18 POLYSTYRENE REGULATIONS; AND

2. ADOPT A CLASS 8 CATEGORICAL EXEMPTION (ACTIONS BY REGULATORY AGENCIES FOR PROTECTION OF THE ENVIRONMENT) 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: FISCH, LEE, MCMORRIN, VERA

NOES: ERIKSSON

Council Member Eriksson asserted that the action was an overreach.

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Item A-2
(Out of Sequence)

CC - Discussion of Refuse Fund Rate Increases; and (2) Direction to the City Manager as Deemed Appropriate

Kim Braun, Environmental Programs and Operations Manager, introduced the item; discussed Refuse Fund rate increases; the existing budget; the 25% reserve policy; the China ban on recycling; recyclable materials; the existing polystyrene ban; the stormwater program; reporting to the county and the state; SB 1383; addressing structural considerations of the Transfer Station; increased transportation costs; the Request for Proposals (RFP) for the Rate Consultant; the Rate Analysis; timing; the pandemic; losses; bad debt; the waste reduction ordinance; funding for outreach; organics collection; compliance; rate increases anticipated by other cities; new developments that will require waste management from the City; additional operations costs; rate options; and decreased reserves as a result of operating at a deficit.

Vida Quinn, SCS Engineers, discussed rate options; working capital reserve; cash flow deficits; enacting a one-time large rate adjustment; inflation; the need for regular increases; concern with creating a drastic impact on residents; the five-year plan; the minimal working capital target; anticipated building of commercial office space; the need for large increases over the next few years; and the lack of a financial scenario that doesn't entail finding a way to bring in significant additional revenue in the near term.

Kim Braun, Environmental Programs and Operations Manager, discussed comparisons with other cities.

Discussion ensued between the consultant, staff and Council Members regarding collection of bad debt; holding back final permits until fees are paid; use of a hybrid model; starting with a large increase and then instituting gradual increases;

the difficulty of raising the rate by 30% all at once; audited financials; revenue that has been deemed uncollectible; accumulated monthly losses; looking at ways to reduce costs; staffing; cumulative revenue loss; the improving economy; savings by taking things to landfill rather than recycling; direct operating costs; daily collection operations; cost elements; capital improvements; landfill rates; volatility of the recycling market; increased revenue and expenses; pricing compared to other cities; privatization in Los Angeles; the choice not to raise rates last year due to COVID; COVID relief funds from the federal government; application of funds to the Enterprise Fund vs. the General Fund; the proposed budget; the recent forecast; average residential rate; the amount of the actual increase proposed; the month to month increase for the essential service; putting the City in the best long-term fiscal position; percentage of increase vs. actual dollars; state and federal provisions for recovery; the American Recovery Plan; state surplus funds; waste management revenue from commercial vs. from residential; stratification of the fee increase; the Revenue Sufficiency Analysis conducted; revenue within the City's control; planning for increases; the rate basis; Prop 218; setting of rates based on the cost of services; taxes vs. fees; and conducting a full cost of service study.

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Emily Glick suggested collecting a sizeable deposit for a portion of the roll off fees at the beginning of the job and holding the permit pending payment; expressed support for a hybrid solution; and noted the small increase in costs for landlords.

Further discussion ensued between the consultant, staff and Council Members regarding the impact on businesses vs. the impact on residents; increases to other expenses; the importance of framing the increase; minimizing impact while achieving goals; different options; the potential to need to use funds from the General Fund; unexpected expenses; and open financial questions.

MOVED BY COUNCIL MEMBER ERIKSSON AND SECONDED BY COUNCIL MEMBER VERA THAT THE CITY COUNCIL MOVE FORWARD WITH OPTION 3 AS PROPOSED IN THE STAFF REPORT.

THE MOTION CARRIED BY THE FOLLOWING COTE:

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

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Item A-4
(Out of Sequence)

CC - (1) Adoption of a Resolution Amending City Council Policy 3002, City Commissions, Boards and Committees; Appointed Representatives to Outside Agencies and Boards to Clarify Non-Residency Requirements may be Established by CBC Bylaws, Include Language Encouraging Diversity in Appointments, and Make an Additional Clean-Up Revision; and (2) Direction Regarding Removal of the Residency Requirement for Members of the Equity and Human Relations Advisory Committee

Heather Baker, Assistant City Attorney, provided a summary of the material of record.

Council Member McMorris thanked staff for their efforts noting the intent to ensure that the City would not be excluding voices.

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Mark Lipman questioned whether there were any updates from the previous meeting or for the subcommittee.

Darrel Menthe discussed the make-up of the Financial Advisory Committee (FAC); the proposed amendment to the FAC bylaws; gender equity; California law; and the need to change City policy to ensure gender equity for all City Committees within 5 years.

Michelle Weiner spoke in support of removing the residency requirement for members of the EHRAC as she felt that input from neighbors enriched the conversation and helps the work of the Committee.

Jeannine Wisnosky thanked Darrel Menthe for his comments about gender equity; asked that the issue be agendaized for consideration; and she expressed support for removing the residency requirement for the EHRAC.

Discussion ensued between staff and Council Members regarding asking the Policy Subcommittee to consider the recommendation for gender equity by Darrel Menthe; new employees and the way that they interact with City services; differences between Commissions, Boards and Committees; hesitancy with requiring a percentage; concern with tokenizing people for their identity; improving outreach; yielding rich diversity that mirrors the community; outreach to varied and traditionally marginalized voices; female-dominated leadership in Culver City; community groups; and continuing the discussion in the Equity Subcommittee.

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

1. ADOPT A RESOLUTION AMENDING CITY COUNCIL POLICY 3002, CITY COMMISSIONS, BOARDS AND COMMITTEES; APPOINTED REPRESENTATIVES TO OUTSIDE AGENCIES AND BOARDS; AND
2. PROVIDE DIRECTION WITH REGARD TO REMOVAL OF THE RESIDENCY REQUIREMENT FOR MEMBERS OF THE EQUITY AND HUMAN RELATIONS ADVISORY COMMITTEE (NOTE: COUNCIL DIRECTION WAS PREVIOUSLY PROVIDED ON APRIL 21, 2021 TO REMOVE THE RESIDENCY REQUIREMENT FOR MEMBERS OF THE ADVISORY COMMITTEE ON HOUSING AND HOMELESSNESS (ACHH)); AND
3. DIRECT STAFF TO RETURN WITH RESPECTIVE AMENDMENTS TO THE ACHH AND EHRAC BYLAWS TO IMPLEMENT THE CHANGES OF THE AMENDED CBC POLICY AS DIRECTED BY THE CITY COUNCIL.

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Public Comment - Items Not on the Agenda

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Disa Lindgren indicated that she was pleased that exclusionary housing with a 100% affordable housing overlay would be placed on a future agenda for discussion.

Emily Glick thanked the City Council for committing to agendizing a discussion of exclusionary housing; discussed diversity and housing prices in her neighborhood; the title documents for her home containing racist covenants; taking action to remedy the racist history of the City; changing

zoning; meritocracy; homeless individuals; and she expressed support for conducting a community survey.

Council Member Eriksson left the meeting at 11:25 p.m.

Freddy Puza was called to speak, but could not be heard.

James MacGaffey was called to speak, but did not respond.

Jeannine Wisnosky pointed out that the Mayor had not indicated that there would be another opportunity to speak for those who had not been able to speak earlier in the meeting due to the time limit.

Mark Lipman asserted that upzoning was not a mistake that could be corrected and that Culver City would be irrevocably changed forever; he expressed support for honest conversation but did not trust the process; pointed out that there were no ground rules for the debate or metric to ensure that all ideas are given fair consideration; discussed the General Plan Update for Housing; proper format for the conversation; concern with undermining the process by setting up a potential vote in June to prejudice the process; greenlining; the need to work from the bottom-up rather than from the top down; artificially inflating the value of land; viable alternatives to upzoning that would provide truly affordable housing; concern that his ideas would be swept under the rug and ignored; the market-rate Regional Housing Needs Assessment (RHNA) mandate and the failure of upzoning plans to show how that would be addressed; he asserted that his ideas would accomplish RHNA goals; reported that Abundant Housing LA and YIMBY which provided the talking points for many of the earlier speakers are funded by major corporations like Apple and Amazon who want to take over the community; and he questioned whether the City would have an honest conversation with the community in mind or were working for Jeff Bezos toward a foregone conclusion.

Matt Tweedy was called to speak, but did not respond.

Michelle Weiner expressed support for the conversation about exclusionary housing.

Steve Seigel was called to speak, but did not respond.

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Items from Council Members

None.

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Council Member Requests to Agendize Future Items

Council Member McMorris received clarification that the Equity Subcommittee would discuss membership requirements for Committees, Boards and Commissions.

Vice Mayor Lee discussed Safe Parking; noted that less than half of all unhoused people deal with mental health and substance abuse issues; and he asked that leniency toward people living in their cars be considered.

Mayor Fisch received City Council consensus to consider agendizing a discussion of support for AB1401.

MOVED BY MAYOR FISCH, SECONDED BY COUNCIL MEMBER VERA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADJOURN IN MEMORY OF DR. GARRY SIDNEY BRODY AND ANN DOUGLAS.

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Adjournment

There being no further business, at 11:43 p.m., the City Council, Housing Authority Board, Parking Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned in memory of Ann Douglas and Dr. Garry Sidney Brody to a regular meeting to be held on May 24, 2021.

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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

ALEX FISCH
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

Date: _____