

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

October 11, 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, and Successor Agency to the Culver City Redevelopment Agency Board to order at 5:38 p.m. in the Mike Balkman Chambers at City Hall.

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

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Mayor Fisch invited public comment.

Gabby Monzon, Deputy City Clerk, indicated that no public comment had been received for Closed Session Items.

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

**Closed Session**

At 5:40 p.m. the City Council, Culver City Housing Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned to Closed Session to consider the following Closed Session Items:

**CS-1 CC - Public Employee Appointment**

Title: City Attorney

Pursuant to Government Code Section 54957(b) (1)

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**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)

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**Reconvene**

Mayor Fisch reconvened the City Council for Recognition Presentations at 6:34 p.m. with all Council Members present.

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**Recognition Presentations**

Item R-1

**CC - A Proclamation Designating October 2021 as National Arts and Humanities Month**

Gabby Monzon, Deputy City Clerk, presented the Proclamation Designating October 2021 as National Arts and Humanities Month.

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Item R-2

**CC - Presentation of a Proclamation Designating October as Disability Awareness Month 2021**

Gabby Monzon, Deputy City Clerk, presented the Proclamation Designating October as Disability Awareness Month 2021.

Marcy Sookne, Disability Advisory Committee, expressed support for the awards granted to Lindsey Crain and Leaps N Boundz, Inc. for their contributions to the City.

Robyn Tenensap, Disability Advisory Committee Chair, discussed events for Disability Awareness month and expressed appreciation to Lindsey Crain and Leaps N Boundz for the services provided to people with disabilities.

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Item R-3

**CC - City Council Presentation to Charles D. Herbertson, P.E. & L.S., Director of Public Works & City Engineer in Commemoration of His Retirement from the City of Culver City**

Gabby Monzon, Deputy City Clerk, indicated that the item had been removed.

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Item R-5  
(Out of Sequence)

**CC - Presentation of a Commendation to Lindsey Crain for her Contributions to Culver City Community Members with Disabilities**

Gabby Monzon, Deputy City Clerk, presented the Commendation to Lindsey Crain for her contributions to Culver City community members with disabilities.

Lindsey Crain expressed appreciation for the honor; thanked those who have supported her; discussed collaboration with the Culver City Unified School District (CCUSD); and she expressed eagerness to continue to serve.

Marcy Sookne, Disability Advisory Committee, thanked Ms. Crain for the important work she is doing to help parents with children in CCUSD.

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October 11, 2021

Item R-6  
(Out of Sequence)

**CC - Presentation of a Commendation to Leaps N Boundz, Inc. for their Contributions to Culver City Community Members with Disabilities**

Gabby Monzon, Deputy City Clerk, presented the Commendation to Leaps N Boundz, Inc. for their contributions to Culver City community members with disabilities.

A representative from Leaps N Boundz provided background on the organization; discussed the goal to increase accessibility; and expressed appreciation for the Commendation.

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Item R-4  
(Out of Sequence)

**CC - Proclamation in Recognition of Indigenous Peoples Day 2021**

Gabby Monzon, Deputy City Clerk, presented the Proclamation in Recognition of Indigenous Peoples Day 2021.

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Item R-7

**CC - Presentation of a Proclamation Designating October 2021 as National Breast Cancer Awareness Month**

Gabby Monzon, Deputy City Clerk, presented the Proclamation designating October 2021 as National Breast Cancer Awareness Month.

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Item R-8

**CC - Presentation of a Proclamation Designating October 2021 as "Walktober"**

Gabby Monzon, Deputy City Clerk, presented the Proclamation designating October 2021 as "Walktober".

Jim Shanman was called to speak but did not respond.

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### **Recess**

Mayor Fisch called a brief recess at 6:57 p.m. until the start of the regular session.

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### **Regular Session**

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

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### **Pledge of Allegiance**

Mayor Fisch led the Pledge of Allegiance.

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### **Report on Action Taken in Closed Session**

Mayor Fisch reported that Heather Baker had been unanimously appointed to serve as Acting City Attorney from November 1 through December 21, 2021 and on December 22, 2021 she will be appointed permanently as City Attorney, conditioned upon approval of an employment agreement which will be placed on the October 25, 2021 City Council meeting agenda.

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### **Community Announcements by Members/Information Items from Staff**

Council Member Vera discussed a conversation with a parent of a child with cerebral palsy who has difficulty riding his wheelchair to the bus due to homeless encampments on the sidewalk; ADA (Americans with Disabilities Act) complaints; sidewalks taken over by unhoused individuals who have no place to go; and he asked to agendize facilitating a conversation with staff and the City Council to come up with creative solutions.

Discussion ensued between Council Members regarding support for a Town Hall with educational dialogue; examining the Los Angeles

ordinance for sidewalks; taking the opportunity to educate the public on steps being taken by the City and in conjunction with the Westside Council of Governments; examination of what else needs to be done; email from concerned residents; the inability of law enforcement to act; concern with dialogue without action; Brown Act rules; and agreement to hold a Town Hall discussion of issues.

Council Member McMorris encouraged everyone to participate in the Equity and Human Relations Advisory Committee (EHRAC) virtual celebration for Indigenous Peoples' Day on October 12, and she asked that the City acknowledge the significance of National Coming Out Day.

Council Member Eriksson discussed work of the City on overflight issues; lawsuits; National League of Cities; his work on getting policies into the permanent policy document; the reauthorization bill; and he noted that Congress can mandate the Federal Aviation Administration (FAA) to make changes.

Vice Mayor Lee acknowledged Indigenous Peoples' Day and the virtual event put on by EHRAC on October 12; he noted that Culver City stands on Gabrielino/Tongva land; discussed land acknowledgements; community education; the founding of the country; enslavement of African people and the genocide of native peoples; the large indigenous community in Los Angeles; tribes that are not federally recognized; those who have fought against the erasure of their people; the recent Art Walk on October 9; Fiesta La Brea; Black Women for Wellness; Black men supporting Black women and their quest for reproductive justice; the 19<sup>th</sup> Reproductive Justice event in honor of Breast Cancer Awareness; Walktober; the importance of acknowledging the disabled; highlighting the need to acknowledge all people; recognizing people for the fullness of their humanity; he reiterated National Coming Out Day; and he noted the importance of making it safe for people of all sexual identities to exist in the world.

Mayor Fisch provided an update on items to be considered at upcoming meetings of the Westside Cities Council of Governments and the Southern California Association of Governments' Regional Council; he discussed the Helper Tool noting that more information is available at: [www.maps.scag.ca.gov/help](http://www.maps.scag.ca.gov/help); and he discussed the life and legacies of Sandra Ann Davis and Eleanor Osgood asking that the meeting be adjourned in their memory.

Mimi Ferrell, City Clerk Specialist, reported that the Parks,

Recreation and Community Services Department was asking everyone to vote for their preferred Lindberg Park project at [www.culvercity.org/lindberg68](http://www.culvercity.org/lindberg68) until October 15 and to email or call with any questions at: [prcs.department@culvercity.org](mailto:prcs.department@culvercity.org) or (310) 253-6668.

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#### **Joint Public Comment - Items NOT on the Agenda**

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Lila Swenson was called to speak but did not respond.

Colin Diaz was called to speak but did not respond.

Khin Khin Gyi asked the City Council to hold hybrid meetings to allow those without access to the internet to participate; discussed disenfranchisement of those unable to be heard; participation by vaccinated individuals wearing masks; overflow rooms; the democratic process; and she wanted people to be able to see each other on Webex.

Lila Swenson discussed the Halloween theme for Fiesta La Ballona; planned events; and she thanked sponsors by name.

Jeannine Wisnosky thanked the City for recognizing Indigenous Peoples' Day and National Coming Out Day; she noted that National Hispanic Heritage Month was still going on, as well as National Domestic Violence Awareness Month, National Disability Employment Awareness Month, Breast Cancer Awareness Month, and National Arts and Humanities Month; she pointed out that Latina Equal Pay Day is October 21; discussed confusion surrounding information put out by the City on the Housing Element of the General Plan Update; lack of clarity regarding data on UrbanFootprint and how it is applied to the City; the plan of the City to adopt a Negative Declaration pursuant to the California Environmental Quality Act (CEQA); and she asked that staff find a way to provide clear, understandable information to residents so they can understand what is going on.

Ron Ostrin with extra time ceded by Leslie Ostrin, noted that at the last meeting, the Mayor had suggested that he write an apology to staff for suggesting that Cal Yimby (Yes In My Back Yard) had written the principles of the proposed Housing

Element; he discussed his research into the matter; and he asserted that the Mayor owed an apology to residents as well as Ashley Hefner Hoang. Mr. Ostrin's comments were cut short by an audio issue.

Mayor Fisch stated that Mr. Ostrin had asserted that someone else had written the Housing Element, not the Principles of the Housing Element, thereby erasing 100 hours of work by City staff.

Joshua Michael Edra provided background on himself; discussed unfair treatment; felt the proposal was encroaching on his rights and taking them away; he wanted to have the right to control his own body; felt there were other options available; and he indicated that he did not treat people with other views like this.

Ron Ostrin was called to speak but did not respond.

Bryan Sanders asked about UrbanFootprint; discussed the environmental impacts of policies; data used to write the Environmental Impact Report (EIR); and the computer generated data used for the Environment section of the Housing Element.

Ron Ostrin was called to speak but did not respond.

Kelli Estes observed that there were issues related to unmuting speakers and stated that she would give back her time as there were other issues she intended to speak about later in the meeting.

Mary Daval reported that the Mobility Subcommittee had decided that Main Street would stay as is until the end of the calendar year; she asked the City Council to agendize a discussion of Main Street Plaza before the end of 2021 to provide a voice for the public in the process; and she discussed choices to be made.

Council Member Eriksson noted that the Subcommittee had directed staff to bring back a report before the end of the year.

Kimberly Ferguson felt it was not fair that the most volatile issue was placed toward the end of the agenda to be considered at the end of the evening; she echoed comments made by Khin Khin Gyi about the importance of live meetings and seeing each other in person; discussed working on the Housing Element and the difficulty of getting through it; the need to do better; and she expressed appreciation for the City Council noting they were



doing a great job otherwise.

Jennifer Tanzilli was called to speak but did not respond.

Bubba Fish echoed comments made by Mary Daval regarding Main Street; discussed the 18 month experiment with an open Main Street; two-way car traffic on Culver Boulevard; access to parking garages; the need for public space; spending money on bollards; and he felt that Main Street should not just be open on weekends, but that it should stay open to people 24/7. `

Evelina Baras discussed 5G small cell installations; the Small Cells Facilities Ordinance; statements by the City that they cannot do anything to prevent the small cell installation in Fox Hills; communication with Public Works; she urged the City to improve the ordinance using ordinances from other cities as a guide; she offered to provide resources; and noted the importance of addressing 5G proliferation.

David Kairo discussed the proposed 5G cell towers in Fox Hills; decreased property values; and he asked Public Works to work to find more suitable locations.

David Coles discussed previous comments from Mary Daval and Bubba Fish; noted the need for a timely decision regarding Main Street; limited meetings before the end of the year; the default that Main Street reverts to cars in January; the need for a democratic process to find out what people actually want; and he hoped to see the item placed on an agenda as soon as possible.

Rebecca Rona discussed the proclamation for Indigenous Peoples' Day; details for the virtual Indigenous Peoples' Day celebration sponsored by the EHRAC on October 12; and she encouraged everyone to register for the event.

Karim Sahli echoed previous comments regarding Main Street; noted that the issue to be considered pertained to bollards; and he wanted to make sure that the issue came back to the City Council before the end of the year.

Ron Bassilian discussed comments from University of California (UC) Professor, Jemma DeCristo asserting that the YIMBY movement had run Black people out of San Francisco and reduced the once robust population to 5%; the gentrification of traditionally Black areas; white supremacy; the actions of the Mayor; and the need to think independently.

Discussion ensued between staff and Council Members regarding comments made by Jeannine Wisnosky about confusion with the General Plan; staff agreement to work to make things more understandable; the FAQ (Frequently Asked Questions); and time and effort spent to communicate.

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### **Receipt and Filing of Correspondence**

Gabby Monzon, Deputy City Clerk, indicated that 59 pages of correspondence had been received.

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

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### **Order of the Agenda**

Items C-4 and C-5 were discussed separately in the Consent Calendar; Item C-8 was considered after Item C-4 and C-5; Item C-9 was deferred to another meeting to be considered as an Action Item; Item A-4 was considered after the Public Hearing Item; and Item A-5 was deferred to another meeting.

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### **Consent Calendar**

Item C-1

**CC:HA:SA - (1) Approval of Cash Disbursements for September 18, 2021 to October 1, 2021**

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR SEPTEMBER 18, 2021 TO OCTOBER 1, 2021.

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Item C-2

**CC:HA:SA - Approval of Minutes for the Special City Council Meeting of September 20, 2021 and the Regular City Council Meeting of September 27, 2021**

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF SEPTEMBER 20, 2021 AND THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 27, 2021.

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Item C-3

**CC - Adoption of a Resolution Amending the City's Conflict of Interest Code Pursuant to the Political Reform Act, Incorporating the Terms of the Fair Political Practices Commission's Model Conflict of Interest Code, as Set Forth in Title 2 of California Code of Regulations Section 18730, and Rescinding Resolution No. 2019-R016**

THAT THE CITY COUNCIL: ADOPT THE RESOLUTION AMENDING THE CITY'S CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT, INCORPORATING THE TERMS OF THE FPFC'S MODEL CONFLICT OF INTEREST CODE AS SET FORTH IN TITLE 2 OF CALIFORNIA CODE OF REGULATIONS SECTION 18730, AND RESCINDING RESOLUTION NO. 2019-R016.

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Item C-6  
(Out of Sequence)

**CC - Approval of an Amendment to the Existing Agreement with EVgo Services, LLC to (1) Upgrade the Electric Vehicle Charging Station Equipment Located at the Ince Parking Structure; (2) Commence EVgo's Payment of \$720 Per Month with a 1% Annual Rate Escalation for Use of the City's Parking Spaces; and (3) Extend its Term from October 13, 2025 to October 13, 2031**

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING AGREEMENT WITH EVGO TO UPGRADE THE EXISTING ELECTRIC VEHICLE CHARGING STATIONS AT THE INCE PARKING STRUCTURE, COMMENCE EVGO'S PAYMENT OF \$720 PER MONTH WITH A 1% ANNUAL ESCALATION TO THE CITY FOR RESERVING PARKING SPACES FOR THEIR CUSTOMERS USE, AND EXTEND ITS TERM FROM 2025 TO 2031; 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-7

**CC - (1) Approval of Professional Services Agreement with SWA Group for Engineering Design Services for Ballona Creek Path Sustainability, Safety, and Accessibility Improvement Project, PS-0018, in an Amount Not-to-Exceed \$333,110; and (2) Authorization to the Public Works Director/City Engineer to Approve Amendment(s) to the Agreement in an Additional Amount Not-to-Exceed \$50,000 (15%)**

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH SWA GROUP FOR ENGINEERING DESIGN SERVICES FOR BALLONA CREEK PATH SUSTAINABILITY, SAFETY, AND ACCESSIBILITY IMPROVEMENT PROJECT, PS-0018, IN AN AMOUNT NOT-TO-EXCEED \$333,110; AND

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE AMENDMENT(S) TO THE AGREEMENT IN AN ADDITIONAL AMOUNT NOT-TO-EXCEED \$50,000 (15%); AND

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

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

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Item C-10  
(Out of Sequence)

**CC - Approval of a Memorandum of Understanding with the Culver City Downtown Business Association for City-Sponsored Events in Calendar Years 2021-2022**

THAT THE CITY COUNCIL:

1. APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE CULVER CITY DOWNTOWN BUSINESS ASSOCIATION FOR CITY-SPONSORED EVENTS FOR CALENDAR YEARS 2021 AND 2022, 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-4  
(Out of Sequence)

**HA - Approval of an Amendment to the Existing Professional Services Agreement with Metropolitan Property Management, LLC for Property Management Services for the Nine-Unit Affordable Housing Complex Located at 4031 Jackson Avenue, Culver City, CA 90232 in an Amount Not-to-Exceed 10% of Gross Rental Proceeds Plus Reimbursement for Cost of Repairs for the Period July 1, 2021 through June 30, 2024, and the Replacement of the Aging Roof, Kitchen and Bathroom Countertops, and Cabinets in an Amount Not-to-Exceed \$250,000**

Responding to Council Member Eriksson, Sol Blumenfeld, Community Development Director, discussed the City-owned affordable housing project; income levels; the intent to keep the project affordable for the life of the project; and keeping the property in good repair.

Tevis Barnes, Housing Programs Administrator, discussed affordable income categories; income levels; and rents.

Council Member Eriksson thanked staff for the report noting that the project came out of redevelopment and is still being run out of Housing funds.

THAT THE CULVER CITY HOUSING AUTHORITY BOARD:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH METROPOLITAN PROPERTY SERVICES, LLC TO CONTINUE PROVIDING PROPERTY MANAGEMENT SERVICES FOR THE AFFORDABLE NINE-UNIT MULTI-FAMILY COMPLEX LOCATED AT 4031 JACKSON AVENUE, CULVER CITY, CA 90232 IN AN AMOUNT NOT-TO-EXCEED 10% OF GROSS RENTAL PROCEEDS (APPROXIMATELY \$10,000) AND REIMBURSEMENT FOR COST OF REPAIRS FOR THE PERIOD JULY 1, 2021 THROUGH JUNE 30, 2024, AND THE REPLACEMENT OF AGING ROOF, KITCHEN AND BATHROOM COUNTERTOPS, AND CABINETS IN AN AMOUNT NOT-TO-EXCEED \$250,000; AND

2. AUTHORIZE HOUSING AUTHORITY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND

3. AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE AUTHORITY.

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Item C-8  
(Out of Sequence)

**CC - (1) Authorization to Release a Request for Proposals for an Operator to Establish and Manage a City-Owned and Funded Safe Parking Site(s); and (2) FOUR-FIFTHS VOTE REQUIREMENT: Approval of Related Budget Amendment to Appropriate \$275,000 from the City General Fund's Unassigned Fund Balance to Support the Operation of a Safe Parking Program for One Year**

Helen Chin, Assistant to the City Manager on Homelessness, provided a summary of the material of record.

Mayor Fisch invited public comment.

The following member of the public addressed the City Council:

Darryl Cherness urged the City Council to authorize and fund safe parking for 20 vehicles for one year and he hoped the action would lead the City Council to take other measures to assist the homeless population.

Kelli Estes discussed approval of the Safe Parking program at the start of the pandemic; surprise at the length of the process; increased costs; other safe parking sites nearby; and she proposed applying for the county Request for Proposals (RFP) process to receive funding noting that if funding cannot be procured, perhaps the program is not the right program as there are others being pursued.

THAT THE CITY COUNCIL:

1. AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS IDENTIFYING A SAFE PARKING SITE OPERATOR TO MANAGE A CITY-OWNED OVERNIGHT PARKING LOT; AND

2. APPROVE A RELATED BUDGET AMENDMENT AUTHORIZING APPROPRIATION OF \$275,000 FROM THE CITY GENERAL FUND'S UNASSIGNED FUND BALANCE TO SUPPORT THE OPERATION OF A SAFE PARKING PROGRAM FOR ONE YEAR (REQUIRES 4/5THS AFFIRMATIVE VOTE).

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Item C-5  
(Out of Sequence)

**CC - Adoption of a Resolution Granting an Alcohol Use Permit to the Exchange Club to Conduct a Beer and Wine Garden in Veterans Memorial Park during the 2021 Fiesta La Ballona**

Responding to Mayor Fisch, Armando Abrego, Parks, Recreation and Community Services Director, discussed the commitment made by staff to define a process to allow the Committee to advise and make a more thorough selection by allowing other organizations to apply for next year and he noted that the subcommittee would work with staff to create the process.

THAT THE CITY COUNCIL: ADOPT A RESOLUTION GRANTING AN ALCOHOL USE PERMIT TO THE CULVER CITY EXCHANGE CLUB TO CONDUCT A BEER AND WINE GARDEN IN VETERANS MEMORIAL PARK DURING THE 2021 FIESTA LA BALLONA.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY VICE MAYOR LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-7, AND C-10.

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Item C-8  
(Continued)

**CC - (1) Authorization to Release a Request for Proposals for an Operator to Establish and Manage a City-Owned and Funded Safe Parking Site(s); and (2) FOUR-FIFTHS VOTE REQUIREMENT: Approval of Related Budget Amendment to Appropriate \$275,000 from the City General Fund's Unassigned Fund Balance to Support the Operation of a Safe Parking Program for One Year**

Discussion ensued between staff and Council Members regarding concern with requesting money before the RFP; the location of the program; the need for more clarity before moving forward; lack of funding by Los Angeles Housing Services Authority (LAHSA); the process; City Council direction; location and program parameters; Bill Botts Field; lighting; access; distance from sensitive receptors; funding appropriation; release of the RFP; the competitive process; disbursement of Safe Parking programs in different Service Provider Areas (SPAs); local control over the program; rules and guidelines; uncertainty

regarding funding; ensuring that funds are available to award the contract once the vendor is selected; skepticism with releasing the funding information before the RFP has been issued and releasing funding ahead of time; clarification that the Purchasing Ordinance requires budget verification prior to releasing an RFP or an RFQ to ensure that the money is available for the project; Proposition H monies awarded to the City for specific programs; the county RFP process; the City implementation grant; funded activities; the Rapid Rehousing Program; the Blue Ribbon Committee looking into LAHSA; sales tax generated by Culver City; concern with mismanagement of monies by LAHSA; the high fire risk area selected; consultation with the Fire Department; finding a different process where the amount of money is not indicated before the RFP; the need for LAHSA to be pushed to start taking action with the monies received; emergency access to the area; program parameters; administration of the contract and budgeting; the survey of Los Angeles county Safe Parking programs; normal costs to administer the program; staff oversight of the contract; day to day management of the program by the operator; concern with costs; future LAHSA funding; the one year program with a request for an appropriation to continue after the first year; quarterly reports to the Advisory Committee on Housing and Homelessness and the City Council Subcommittee on the progress of the program; and clarification that the chosen location is not included in the Fire Department's High Fire Severity Zone.

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

1. AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS IDENTIFYING A SAFE PARKING SITE OPERATOR TO MANAGE A CITY-OWNED OVERNIGHT PARKING LOT; AND,
2. APPROVE A RELATED BUDGET AMENDMENT AUTHORIZING APPROPRIATION OF \$275,000 FROM THE CITY GENERAL FUND'S UNASSIGNED FUND BALANCE TO SUPPORT THE OPERATION OF A SAFE PARKING PROGRAM FOR ONE YEAR (REQUIRES 4/5THS AFFIRMATIVE VOTE).

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## **Public Hearings**

Item PH-1



**CC - PUBLIC HEARING: 1) Reopening of Public Hearing from August 10, 2020 Regarding an Appeal of the Public Works Director's Prior Decision to Approve the Request for Removal of Two City-Owned Parkway Trees Located at 10729-31 Northgate Street; 2) Consideration of a Revised Decision by the Public Works Director to Preserve One of the Two Trees Provided a Capital Improvement Project is Approved to Substantially Widen and Lengthen the Galvin Street Parkway; and (3) Direction to the City Manager as Deemed Appropriate**

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

Discussion ensued between staff and Council Members regarding the age of the Brisbane Box tree; timing of repairs made; Council discretion; the Municipal Code; judicial review of the City Council decision; the Substantial Evidence Standard in the Code; the formal process; and clarification on what a writ is.

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

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Craig Jablin, appellant, the Ad Hoc Committee to Save the Northgate/Galvin Trees, provided background on the project; discussed the inability of the Committee to participate in the process; the public records request that showed negotiation between the City and the applicant's attorney since March 2021; the plan developed and paid for by the applicant being presented by Public Works; false statements by the non-resident applicant; claims of property damage without evidence or documentation provided; City concern with being sued; concern that Public Works will settle for any solution that will make the issue go away; the property management issue; bullying the City to pay for the property management responsibilities; concern with arbitrary and heavy handed interpretation of the City Code; lack of applicable criteria for tree removal; and he asked that the City Council honor the commitment made in the Urban Forest Master Plan to be a City of Trees by rejecting the request for \$80,000 in Capital Improvement Funds and work with all stakeholders to find a solution.

Brooke Bryant, the Ad Hoc Neighborhood Committee Standing in Strong Support of Saving the Northgate/Galvin Trees, expressed support for saving the trees; discussed benefits of the trees; the case made in August 2020 to save the trees; the motion made at that time to delay the decision until the Public Works Director could return to the City Council with an evaluation of alternative solutions; the fact that alternative solutions have not been presented; continued secret communication; the misleading document put out on September 28; the biased proposal; and mutualist facilitative relationships in trees.

Julissa Lopez was called to speak but did not respond.

Vered Mirmovitch provided background on herself; opposed the plan submitted to remove one of the trees; discussed length of time for trees to grow; benefits of trees; replacement trees; the amount of carbon dioxide removed by the trees; the essential role of the Urban Forest; environmental impacts; water quality; air temperatures; and services provided by the trees.

Rosanne Giza read a statement for Lisa Skelley who could not be present providing background on herself and expressing support for maintaining the trees; discussing costs to remove the tree; the pandemic; food lines at Grace Diner; lack of funding; the pain of the unhoused; directing funding to the needs of the unhoused rather than catering to the wishes of a non-resident landowner; annexing City land to add to the value of the property; and the importance of deciding what kind of City Culver City is.

Peter Sebastian, Ad Hoc Neighborhood Committee to Save the Northgate/Galvin Trees, provided background on himself; noted that the tree is no closer than any other tree in the City to other properties; discussed the condition of the retaining wall and the sidewalk; illegal trimming of the tree; rewarding a wrong-doer; concern with moving forward with an unnecessary and destructive plan; he asserted that the owner has no standing to bring any significant legal action; and he asked that the enormous asset to the neighborhood be preserved.

Claire Skelley was called to speak but did not respond.

Jack Skelley was called to speak but did not respond.

Anne Fishbein expressed support for previous statements made in support of retaining the trees; concern with being asked to remove an asset to fight heat and pollution; she cited the

National Geographic cover story on beating the heat; discussed efforts to save and protect trees; concern with replacement trees planted in the City dying; lack of maintenance; water requirements for the planned replacement trees; and the lack of a commitment to protect and monitor the replacement trees.

Jeffrey Weber, attorney for the applicant, discussed the determination that the tree is a hazard by an expert arborist retained by the City; lack of evidence presented by the appellant to overturn the Public Works Director's determination to remove the tree; applicant agreement with the proposal to replace one tree with two and to enlarge the parkway; and the requirement that an error in fact or dispute of findings be made in order to overturn the decision of the Director.

Cynthia Mabus, appellant, provided background on herself; discussed her request for the removal of the tree and creation of a park; her efforts to maintain the property and be a good neighbor; her agreement to pay for and maintain the new trees and the park area for the community to use; work to help and support the community; and she thanked the City Council and requested their support.

Suzanne Debeneditis with one minute ceded by Mike Garcia, discussed information from Public Works that remediations involving killing the tree were not needed; proximity to the Oil Field; alternatives to the current proposal; she pointed out that Public Works does not have environmental landscapers and the arborist does not have specialization in water reclamation; discussed contamination of the potential water reclamation site; understanding the impacts that removal of the tree can have; concern that removing one tree would kill both because of the entwined root systems; threats of a lawsuit; lack of evidence; the expansion of the parkway; over irrigation; remediation that can be done without killing the trees; swaying branches; root cutting; she asserted that the trees were not creating any nuisance and discussed their benefits; and she suggested connecting with a landscaper that can accommodate the trees and community needs.

Ron Ostrin with one minute ceded by Leslie Ostrin, discussed benefits of trees; the dead end street; developers coming in with the elimination of R1 housing; the need to protect the City and the Urban Forest; liability and costs associated with lawsuits; writs vs. general lawsuits; concern with creating an urban heat trap; the irreplaceable trees; lack of imminent

danger; the need for a better solution to mediate the situation; and he suggested moving forward cautiously.

Pieter Severynen was called to speak but did not respond.

Kelli Estes noted that repair to the area had been done earlier in the year; reported that the owner provides two average priced rentals for the area and the property is well-maintained; discussed safety; cost of maintenance to the City; sidewalk uplift; use of the area by the neighborhood; the proposed compromise; the amount of money allocated; the non-native, invasive species; and concern that leaving one tree would hinder the growth of the new tree.

Ron Bassilian discussed the importance being given to the tree; instances when a tree needs to be removed; the urban environment; support for the opinion of the arborist hired by the City; and he welcomed the applicant to contact him at [protectculvercity.org](mailto:protectculvercity.org).

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

Discussion ensued between staff and Council Members regarding a previous statement in a previous case that just because a resident has the means to remove the tree, does not make it right; preserving and protecting the trees; feedback from residents in support of the tree; importance to the environment; the task of the City Council to determine whether the Director made an error or if there is a dispute in the findings; distinguishing factors; damage that is likely to continue; the determination by the expert hired; empathy for community members that want to save the tree; the original application of the applicant to remove both trees; the revised recommendation of the Public Works Director; providing more growth space for the tree by narrowing the street; benefits of trees; the need for more trees; finding a way to preserve both trees; frequent complaints about ficus trees; criteria to make the determination; ficus trees as a known problem species; damage to the curb, street, sidewalk and private property; repeated damage to the area caused by the tree; news stories about ficus trees being diseased or infected by insects in southern California; concerns with proposed alterations; widening the parkway; improving the situation; damage to the right of way and the curb; continued issues with the sidewalk; continued damage to the private wall if the tree remains; long-term plans

to address the older ficus trees in the City; taking the opportunity to replace ficus trees with more appropriate species; opposition to removal of ficus trees; addressing requests on a case by case basis; trees that meet the criteria for removal; the feeling that the Public Works Director did not make an error; the desire to retain the trees; lack of a definition of disputed findings; consideration of the whole record, not just the appeal; disputed findings as including statements from the neighbors; widening the parkway for the second tree; the garden wall and the sidewalk; responsibility for paying for damage over time; clarification that if one agrees to defray costs to the City, that should not be a factor in decision making; public monies; and expanding the unpaved area.

Additional discussion ensued between staff and Council Members regarding other trees with similar issues in the City; concern with setting a precedent; direction to staff to return with additional research into finding a way to save both trees by expanding the parkway; clarification that one parking space would be lost with expansion of the parkway for both trees; length of time to create a new proposal; the process; allocating money to widen the parkway in the budget process; reasons for the appeal; and clarification that the decision is based upon evidence that the wall has not suffered further damage since being repaired, and raising and subsidence from oil extraction could be the reason for damage.

MOVED BY VICE MAYOR LEE, SECONDED BY COUNCIL MEMBER VERA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OVERTURN THE DECISION OF THE PUBLIC WORKS DIRECTOR WITH DIRECTION TO THE DIRECTOR TO LOOK AT PUBLIC SPACE ALTERATIONS TO SAVE THE TREES.

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#### **Action Items**

Item A-4  
(Out of Sequence)

**CC - (1) Direction on Proposed Modifications to the UC Prytaneum Collaboration to Test a Community Engagement Model Related to Land-Use Decision-Making; and (2) Approval of a Related Collaborative Research Agreement with the UC Team**

Ashley Hefner Hoang, Advance Planning Manager, provided a summary of the material of record.

Responding to concerns that the system would be used to suppress or screen out comments, UC Riverside Professor Kevin Esterling, discussed the intent of the project to improve the quality of Town Hall meetings and provide more opportunity to understand the different perspectives of the community; bias and shaping the conversation as undermining the purpose of the system; and he indicated he has been working on finding ways to improve technology in Town Hall meetings and has not been involved with housing issues.

Discussion ensued between Professor Esterling, staff and Council Members regarding comments made in correspondence between the Mayor and Professor Esterling; prioritizing underrepresented groups; manipulation of questions and their presentation to elected officials; clarification that the people who show up at City Council meetings are not representative of the City; finding ways to provide perspective on what a cross-section of residents think about a project; use of the system as a supplement to public meetings in the same way a survey is used; re-weighting public opinion to reflect a true cross-section of the City; concern with making assumptions; the value of using surveys to understand public opinion; democratic representation; understanding the views of all constituents; the pilot project; clarification that Culver City would be one of the first pilot programs; the experience of Mr. Esterling working with members of Congress; the system as a tool to provide a deeper set of data to work from; analysis and evaluation; the pandemic; and being open to using other ways to engage constituents.

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Philip Lelyveld discussed his consultation with professors who indicated that disclosure of personal information before making public comment would likely not stifle public comment except for the extremely poor or extremely wealthy; unintended consequences; efficacy of such policies; and concern with triggering internalized unintended biases before speaking.

Andrea Bardin was called to speak but did not respond.

Shelly Papadopoulos provided background on herself; felt that software was not necessary to let the City Council know how they feel; discussed the will of the voters; concern with skewing

the findings; and the feeling that Culver City should not be used as a test.

Crystal Alexander stated that the UC Prytaneum system is a community engagement model for land use decision making; discussed the software using Artificial Intelligence (AI) algorithms to filter public comment coming to the City Council; she noted that the system is being sold as a way to ensure that voices, often unheard by the City Council, are raised; she expressed concern that filtering by AI did not qualify as a public comment, but rather, solicited comment; discussed information from The Times indicating frequent racial bias with AI; concern with a lack of interest in true public comment; silencing voices; and the death of democracy in the City.

Oliver Salter was called to speak, but Amy Bushansky spoke instead noting that she had not been processed; she discussed improving the quality of Town Halls by having them in person; accuracy; the importance of listening to constituents; evasive, dark politics; chaos by design; the commitment of the Mayor and his comments made to Council Member Vera; the need for human connection; concern with attempts to manipulate the future of the City; and she felt that the majority of the City Council needed to go.

Joan Davidson discussed use of the Prytaneum software to silence those who disagree with the majority; statements made on the website of the Professor that were not reflected in his statements to the City Council; the ability to delete objectionable comments; taking away constitutional rights; tradeoffs and constraints; the destruction of neighborhoods; trust in the ability to serve; the engagement summary; and she asserted that the use of the system would not increase trust.

Bryan Sanders stated that use of the Prytaneum System was baked into the process that Professor Elmendorf from UC Davis has been working on with Mayor Fisch for the entire year; he read correspondence from Professor Elmendorf from April 3, 2021 regarding ways for YIMBY City Council Members to guide the work of their consultants; discussed Professor Elmendorf's disagreement with the City consultant; other professors on the team; the plan to up zone Culver City, with the UC team's software as a way to control public dialogue; and comments made regarding going through the exercise based upon the tenor of public meetings.

Jody Reichel was called to speak but did not respond.

Bonnie Wacker was called to speak but did not respond.

Ron Bassilian, Protect Culver City, discussed the Town Hall meeting on the AmVets shelter; the rent control issue; creating a demographic that doesn't exist; drowning out people who do show up; activists who show up while residents barely hear about the issue; the reference to the June 23 meeting regarding up zoning; and the need to elect Council Members who truly represent the will of residents.

Khin Khin Gyi discussed testing an experimental model on residents; the need for the process to clear the Internal Review Board (IRB) of the institutions where the professors are located; the consent of residents; concern with ethics; and she indicated that she did not consent to being an experimental subject in the Prytaneum platform experiment.

Rosalind LaBriola expressed opposition use of the Prytaneum platform; discussed concerns with virtual meetings and limited speaking time; participation in a civic lottery in order to participate in important issues; concern with prioritizing questions from the public by demographic groups; allowing all the opportunity to question; concern with serving as a guinea pig; and she urged the City Council not to put the Prytaneum pilot into use in Culver City.

Kimberly Ferguson discussed the need to correct comments made by Professor Esterling in his letter if he intends what he stated earlier in the meeting; statements in the letter regarding monitoring and prioritizing members of the community's engagement in public meetings; fairness and democracy; making government even more remote to the people; the plan to test the system on the important and controversial land use issue; the undemocratic and dangerous practice of artificially censoring or weighting public comment; conducting a trial without prior public consent; use of software to weed out non-supporters; the one-sided and prejudicial agenda already being used on the issue; properly gathering statistical data; making unmanipulated data available to the public; making public comment work to their advantage; social monitoring and social credit systems; and she indicated that she did not consent to have the process used on her.

Kelli Estes indicated that she did not consent to the experiment; asserted that Culver City was not a disadvantaged community; discussed current participation by a cross-section



of the community; length of the meetings; the pilot filled with bugs; she proposed the method be tested on Congress first; and she felt that the City Council should reject the proposal and keep the focus on trees, sidewalks and crumbling City infrastructure.

Ron Ostrin with time ceded by Leslie Ostrin, discussed the work of YIMBYs through invasion, gentrification and infiltration; the work of the Mayor since January 21, 2021; treating real property as a business opportunity and taking it out of local control; elimination of R1 zoning; consequences to the middle class or people of color; statements by Professor DeCristo that there is no moment when expensive apartments become cheap; comparisons between YIMBY and white supremacy due to the displacement of people of color and the middle class; YIMBY as a faux movement of tech workers in collusion with the real estate industry; research done by Dr. Bryan Sanders; the need to vote out anti-democratic Council Members; he expressed opposition to the untried system designed to filter out the public and allow YIMBYs to control the narrative; stated that democracy, social and racial progress were now on the line; and he asserted that the citizens of the City did not consent to be guinea pigs.

Jeannine Wisnosky provided background on herself; expressed support for AI; discussed social media; irreparable harm caused by use of AI that is unchecked and unmonitored or monitored by the wrong people; she urged the City Council to reject the Prytaneum proposal; discussed censoring of voices; time limits placed on public comment; feedback from renters and members of the BIPOC (Black, Indigenous and People of Color) community; proper notification; outreach; and Disabilities Awareness month.

Andrea Bardin Schainen was called to speak but did not respond.

Melissa Sanders echoed comments regarding the undemocratic AI program; discussed gathering demographic information; assuming that those in a certain demographic agree; the wide range of opposition to up zoning; collusion and corruption; market research; she asked that the idea be dropped; and she indicated that she did not consent to participate in the process.

Carolyn Libuser, UCLA Anderson School of Management, discussed the limits of academic theories in the real world; feedback from experts at USC's Information Sciences Institute indicating that the involvement of AI in the app is very limited and used as a

trigger word to sell the app; statements in the Prytaneum proposal indicating that an AI powered algorithm would be employed in the future, but the initial product would rely entirely on a human moderator and graduate student assistants; and she expressed concern with censoring the voices of citizens who are opposed to changes to R1 zoning.

Michelle Weiner stated that the proposal sounded like an attempt to have a more balanced reading of what is going on in the City than is currently being experienced; she discussed anger being expressed; privileged speakers; providing more representation; the Council discussion; insights from the City Council; and concern with being unwelcoming to other opinions.

Discussion ensued between Professor Esterling and Council Members regarding personal information disclosure triggering biases; personal information; facilitating participation; interpersonal barriers to conversation with in-person meetings; gender; IRB protocol; the opportunity to consent to participate in the research; data removal requests; community reaction; positive feedback from other cities about ensuring that voices are heard; using survey research methods; grant proposals being written for the AI component; clarification that if those who speak at meetings are truly representative of the City, the algorithm would not do anything; deliberative democracy; identifying constructive solutions to society's problems; direction to use Prytaneum at the Environmental Justice Workshop; ensuring that engagement is adequate and no voices are stifled; concern with tying in the new system with the land use issue; use of the neutral moderator; concern with involving an outside source; the need to create trust; transparency; collecting demographic data from people who provide comments; people who provide comment as not being reflective of the community; other jurisdictions that have data indicating that comments made are not representative of the entire community; helping voices that are not heard to be heard; the Government Alliance on Race and Equity (GARE); Diversity, Equity and Inclusion (DEI) training; focusing on what privilege and entitlement look like; centering those who cannot be present to make comment; the rhetoric that Council Members are subjected to; intimidating and harmful comments; those who dominate the conversation; large groups who are not being heard from; race, class and privilege; support for using tools to ensure that the community is being heard; useful information being collected; the special City Council meeting on inclusionary housing and the item put in on late notice; the staff report; the idea based on certain assumptions going back to critical theory; counting

comments for or against; feedback classified as angry; bias; rude comments made to all Council Members; the way discourse has developed in the City; the importance of making eye contact and behaving respectfully; and differently privileged voices depending on the issue.

Additional discussion ensued between staff and Council Members regarding the YIMBY viewpoint; the need for more housing in the City; in-person public comment; looking at things from other people's perspectives; offering hybrid meetings to allow those who have difficulty participating in person a chance to be heard; clarification that the pilot program would not preclude making public comment in person; bias in the people who program the AI algorithms; clarification that participation is voluntary; attempts to paint the City as polarized; the need to explore social media more; instances where the City has been successful in taking chances by trying new things and being first; successful efforts to expand participation in elections; citizen lotteries; polling and surveys; increasing awareness; people who are angry about other things; honoring concerns of disadvantaged community members; demographic polling; how to do better at representing all constituents; the intent to bring people together; bridging gaps; organizing that occurred on Facebook which is powered by AI and designed to encourage dissent; building trust in the process; and the ability of people to choose not to participate.

Mayor Fisch moved to modify the proposal as suggested and address the question of how do Culver City residents in general, and members of disadvantaged communities in particular, think the City should solicit input around the concerns of disadvantaged communities with respect to land use decision making. Vice Mayor Lee seconded the motion.

Further discussion ensued between staff and Council Members regarding the obligation to listen to all constituents; building trust in the community; the Public Safety survey; people who responded multiple times to skew the results; whether people will be truthful with their demographic information; making sure that there is a safe space for people to engage; the ability to identify multiple submissions; similar problems faced in academia; and proactive discussions with UC Davis.

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

1. DIRECT STAFF TO MOVE FORWARD WITH THE MODIFIED PROPOSAL; AND

2. ADDRESS THE QUESTION OF HOW DO CULVER CITY RESIDENTS IN GENERAL, AND MEMBERS OF DISADVANTAGED COMMUNITIES IN PARTICULAR, THINK THE CITY SHOULD SOLICIT INPUT AROUND THE CONCERNS OF DISADVANTAGED COMMUNITIES WITH RESPECT TO LAND USE DECISION MAKING; AND

3. APPROVE A RELATED RESEARCH COLLABORATION AGREEMENT WITH THE UC TEAM FOR THE SELECTED OPTION; 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.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FISCH, LEE, MCMORRIN

NOES: ERICKSSON, VERA

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Mayor Fisch indicated that Item C-9 would be deferred to another meeting due to the lateness of the hour.

Item A-1

**CC - 1) Discussion of a COVID-19 Vaccination Verification Requirement for Patrons and Staff at Culver City Food and Drink, Health and Fitness, and Personal Care Businesses, Public Facilities, and for City Officials; and (2) Direction to the City Manager as Deemed Appropriate**

Jesse Mays, Assistant City Manager, provided a summary of the material of record and, responding to inquiry, he clarified that Los Angeles county and West Hollywood had specified that employees at covered businesses must get vaccinated, but the city of Los Angeles did not address the issue.

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Colin Diaz was called to speak but did not respond.

Darrel Menthe was called to speak but did not respond.

Joshua Michael Edra expressed disappointment at what is going on; he felt his rights were being taken away and he wanted to have control over his body; he discussed people quitting their jobs because they do not want to comply; alternatives available; blackmail; censorship; the need for debate; opposition to Donald Trump; the vaccines as made by Donald Trump and the military; interventionism; foreign imperialism; and the Geneva Convention.

Mayor Fisch noted that any decision would be made by the City Council so he did not want staff to be held responsible and he cautioned people to consult their doctor before taking Ivermectin or hydroxychloroquine.

Colin Diaz, Culver City Chamber of Commerce, discussed the diverse business populations represented in the City; a recent survey of businesses; the actions of West Hollywood, the county and city of Los Angeles; impacts on the business community; unintended consequences; concerns from the business community; extending to other industries; and impacts to the personal care industry.

Melissa Stucky expressed concern with creating more discrimination, segregation and medical racism; questioned why the mandate would be enacted with reduced numbers of cases; discussed people who have already had COVID; the vaccine as not preventing the Delta variant; concern with killing small businesses; and she asked the City Council not to consider enacting a mandate.

ML expressed opposition to a mandate; discussed discriminatory practices; the Housing Element; creating second class citizens; data and research showing the vaccines are ineffective and the vaccinated as just as likely to spread the virus as the unvaccinated; outdoor activities as proven not to be spreading events; the decreasing current positive daily average; the 40% decrease in businesses in New York since they have put those measures in place; vaccination rates for people of color; the Tuskegee experiment; the vaccinations for emergency use; and length of time it takes before autoimmune issues are apparent.

Discussion ensued between staff and Council Members regarding support for moving forward with the mandate; the actions of surrounding and comparable cities; increasing vaccination rates; specific categories; team sports; those under 18; vaccine

availability and effectiveness; creating the safest community possible; economic recovery; lifting of emergency orders; support for requiring vaccines at bars, restaurants and health and fitness facilities; concern with loss of revenue for personal care establishments; using common sense; use of good safety protocol; enforcement; involvement of the police; Culver City public facilities; parks; Veterans Memorial; employees who are leery of the vaccination; immigration concerns; unintended consequences; concern with overreach; Brown Act meetings; CCUSD requirements for students 12 and over; weekly testing at schools; infrastructure to support minors to become vaccinated; the availability of tests to allow a loophole for young people; transmission of cases during team sports; polling of members of the Chamber of Commerce; letting people know where it is safe to go get vaccines and tests for those who do not want to get the vaccination; county rules; the percentage of vaccinated people in the City and in the region; demographics; targeting certain groups to encourage them to get vaccinated; not requiring vaccinations for outside activities; encouraging physical activity; those not willing to be tested regularly; concern with putting employers in an awkward position as enforcer; loss of employees; occupancy based requirements for certain businesses; one on one businesses; concern with creating problems when so many people are already vaccinated; The Plunge; safety protocols; City officials; consistency; defining boundaries; aligning with Los Angeles; ensuring that employees of covered businesses are vaccinated; people concerned about eating indoors because of unvaccinated employees; employees commuting from areas with much lower vaccination rates; providing cover for employees; providing trust; indoor public facilities; accommodations for people who come to City Hall and want to speak; testing 12-18 year olds; concerns of undocumented workers; outreach to promote the Fire Department vaccination service; Sanctuary City status; notification signage; promoting Culver City as a safe place to shop, dine and get personal services; communication with the Downtown Business Association; coordination with a mobile clinic to provide vaccinations; providing resources and every tool possible; putting a sunset on the provision; the dynamic nature of the situation; new data; providing flexibility; not requiring the vaccine for minors; providing weekly regular testing; enforcement from the CCUSD; consensus to require vaccines for personal care and employees; concern with enforcement falling to the Police Department; the Community Risk Reduction Unit; routine complaints; awareness of the process; and the upcoming CCUSD Town Hall event on COVID-19 vaccines on October 14.

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Item A-2

**CC - (1) Award of \$3,020.50 Off-Cycle Special Event Grant and Designation of the Asian World Film Festival Art Show as a City-Sponsored Event, as Recommended by the Special Events Grant Program City Council Ad Hoc Subcommittee; and (2) Authorization to the City Manager to Administratively Approve Applicable City Permits and Licenses Needed to Conduct the Event**

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

1. AWARD \$3,020.50 IN AN OFF-CYCLE SPECIAL EVENT GRANT AND DESIGNATE THE ASIAN WORLD FILM FESTIVAL ART SHOW AS A CITY-SPONSORED EVENT, AS RECOMMENDED BY THE SPECIAL EVENTS GRANT PROGRAM CITY COUNCIL AD HOC SUBCOMMITTEE; AND,

2. AUTHORIZE THE CITY MANAGER TO ADMINISTRATIVELY APPROVE APPLICABLE CITY PERMITS AND LICENSES NEEDED TO CONDUCT THE EVENTS, PROVIDED SUCH PERMITS AND LICENSES ARE CONSISTENT WITH THE SCOPE OF THE EVENT AS SET FORTH IN THE GRANT APPLICATION (SUCH AUTHORITY SHALL NOT APPLY TO THE REQUIRED SPECIAL EVENTS PERMIT, WHICH SHALL CONTINUE TO BE ISSUED BY THE COMMITTEE ON PERMITS AND LICENSES).

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Item A-3

**CC - (1) Adoption of an Ordinance Amending the Culver City Zoning Map Establishing Planned Development Zone No. 16 and Approving the Comprehensive Plan for a Five-Story, 230 Unit Mixed Use Development at 11111 Jefferson Boulevard (Project); and (2) Adoption of a Resolution Approving the In-Lieu Parkland Fees for the Project, Inclusive of a Recreational Facilities Credit**

William Kavadas, Assistant Planner, provided a summary of the material of record.

Mayor Fisch invited public comment.

The following member of the public addressed the City Council:

Colin Diaz was called to speak but indicated that he wanted to remove his comments.

Council Member Eriksson thanked staff for finding a solution.

Mayor Fisch expressed appreciation to staff for their hard work.

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

1. ADOPT AN ORDINANCE APPROVING A ZONING MAP AMENDMENT ESTABLISHING PLANNED DEVELOPMENT ZONE NO. 16 (P2021-0025-ZMA) AND APPROVING THE COMPREHENSIVE PLAN (P2021-0025-CP) FOR THE PROJECT, AND WAIVE FURTHER READING; AND
2. ADOPT A RESOLUTION APPROVING THE IN-LIEU PARKLAND FEE, INCLUSIVE OF AN APPROVED RECREATIONAL FACILITIES CREDIT.

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Item A-5

**(1) Consideration of the Economic Development Subcommittee's Recommendation to Pursue Digital Informational Kiosks in the Public Right-of-way; and (2) Direction to the City Manager as Deemed Appropriate**

This item was deferred to a future meeting.

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Item C-9

**CC - (1) Approval of a Conceptual Plan for the Revitalization of Media Park and (2) Direction to the City Manager as Deemed Appropriate**

This item was deferred to another meeting to be considered as an Action Item.

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**Public Comment - Items Not on the Agenda**



None.

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**Items from Council Members**

Council Member Eriksson received City Council consensus to request that staff prepare a detailed memo on the impact of AB 1398.

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**Council Member Requests to Agendize Future Items**

None.

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**Adjournment**

There being no further business, at 12:30 a.m., Tuesday, October 12, 2021, the City Council, Housing Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned in memory of Dr. Saundra Davis and Eleanor Osgood to a special meeting on October 18, 2021 at 6:00 p.m.

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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, and Culver City Housing Authority Board  
Culver City, California

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ALEX FISCH  
MAYOR of Culver City, California and CHAIR of the Successor  
Agency to the Culver City Redevelopment Agency Board, and  
Culver City Housing Authority Board

Date: \_\_\_\_\_