

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 25, 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 6:02 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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MOVED BY VICE MAYOR LEE, SECONDED BY COUNCIL MEMBER VERA 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 6:03 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 Item:

CS-1 CC - Conference with Real Property Negotiators

Re: 12337 to 12423 Washington Boulevard; 4061 to 4069 Centinela Avenue; and 4064 Colonial Avenue

City Negotiators: John M. Nachbar, City Manager/Executive Director; Sol Blumenfeld, Community Development Director/Assistant Executive Director; Todd Tipton, Economic Development Manager; and Todd Mooney, City Special Counsel/Successor Agency Special Counsel

Other Parties Negotiators: Culver Public Market, LLC

Under Negotiation: Both Price and Terms of Payment

Pursuant to Government Code Section 54956.8

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Reconvene

Mayor Fisch reconvened the City Council for Recognition Presentations at 6:53 p.m. with all Council Members present.

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Recognition Presentations

Item R-1

CC - Presentation of a Proclamation Designating October 25-31, 2021 as Annual Women in Business Week in Culver City

Gabby Monzon, Deputy City Clerk, presented the Proclamation Designating October 25-31, 2021 as Annual Women in Business Week in Culver City.

Colin Diaz, Culver City Chamber of Commerce, indicated that he could not hear the City Council meeting; discussed Women in Business Week 2020; acknowledging Women in Business; the pandemic; he noted that the greatest departure of employees and businesses have been women; and he invited everyone to attend the Women in Business Leadership Awards Dinner.

John Nachbar, City Manager, indicated that audio was available everywhere but on Webex.

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Item R-2

CC - Presentation of a Proclamation in Honor of Fiesta La Ballona 2021

Gabby Monzon, Deputy City Clerk, presented the Proclamation in honor of Fiesta La Ballona 2021.

Darren Uhl, Parks, Recreation and Community Services Manager, indicated that he could not hear what was going on in Council Chambers; stated that the Parks Department was thrilled to host Fiesta La Ballona again; discussed the in-person Halloween-themed event from October 29-31; thanked the Fiesta La Ballona Committee and staff for their efforts; and he invited everyone to attend.

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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

Mayor Fisch thanked Public Works Director Charles Herbertson for his service to the City.

Charles Herbertson indicated that it had been his honor to serve the City as Public Works Director for the past 17 years and he expressed appreciation to City employees for their dedication.

John Nachbar, City Manager, discussed the skillset and contributions of Mr. Herbertson; his legacy; infrastructure improvements; and the awarding of the City Tile.

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Item R-4

CC - City Council Presentation to Carol A. Schwab, City Attorney, in Commemoration of Her Retirement from the City of Culver City

Mayor Fisch thanked Ms. Schwab for being a wonderful advisor for the City.

Carol Schwab congratulated Charles Herbertson on his retirement

and expressed appreciation for his work; thanked the City Council for the honor; discussed her 34 years of service; challenges faced by the City; appreciation to the City Council for their handling of the pandemic; appreciation to the City Managers and department heads; appreciation for the support of the City; she congratulated Heather Baker; thanked her family; and discussed the honor of being City Attorney in her home town.

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Regular Session

Mayor Fisch reconvened the Culver City Housing Authority Board and the Successor Agency to the Culver City Redevelopment Agency Board at 7:16 p.m. with all Council Members present.

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Pledge of Allegiance

Carol Schwab led the Pledge of Allegiance.

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Report on Action Taken in Closed Session

Mayor Fisch noted there was nothing to report out from Closed Session.

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Community Announcements by Members/Information Items from Staff

Council Member Vera asked that the meeting be adjourned in honor of recent Culver City graduate Daina "Gucci" Monroe who was killed last week.

Council Member Eriksson received clarification that staff was coordinating with the Mayor on an agenda item to discuss Americans with Disabilities Act (ADA) violations with blocked sidewalks due to homeless encampments.

Vice Mayor Lee discussed Fiesta La Ballona from October 29-31; indicated that he would be at the opening of Fiesta and in the Culver City Democratic Club Booth on Friday; he thanked outgoing City Attorney Carol Schwab and Public Works Director Charles Herbertson for their service; reported getting his COVID booster

without any ill effects; and he encouraged those worried about getting vaccinated to move forward noting that the MRNA technology had been well-tested and proven for the SARS and MERS outbreaks.

Council Member McMorris discussed Latina Equal Pay Day on October 21; Fiesta La Ballona; and the contributions of the outgoing employees.

Mayor Fisch discussed Fiesta La Boollona noting that he may not be able to participate in the City Council booth due to family care issues but hoped to see the public there.

John Nachbar, City Council, introduced Public Works Director Yanni Demitri and discussed his experience and qualifications.

Yanni Demitri, Public Works Director, expressed eagerness to serve the City.

Gabby Monzon, Deputy City Clerk, indicated that audio issues had been resolved on Webex.

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Joint Public Comment - Items NOT on the Agenda

Mayor Fisch invited public comment noting that the comment period would be limited to 20 minutes.

The following members of the public addressed the City Council:

Lila Swenson expressed excitement to see the public and Council Members at Fiesta La Boollona; discussed Halloween themed activities; and she highlighted sponsors including Amazon Studios which is a gold sponsor.

Ron Ostrin, with one minute ceded by Mark Sulkin, thanked Charles Herbertson and Carol Schwab for their service to the City; discussed money invoiced by City attorneys from May 1 - September 30, 2021 for services related to the Hospital Hazard Pay ordinance; the possible recent motion to dismiss; appeals; he indicated that the Director of Service International Employees Union (SEIU) had been indicted; he encouraged the City to settle the case; and expressed concern with putting the City at risk and pro bono favors.

Vice Mayor Lee clarified that the Executive Director of SEIU

California had been indicted, but noted there are many different branches and the union involved in Southern California Hospital is separate.

Bryan Sanders was called to speak but did not answer.

Carolyn Libuser expressed concern with the homeless situation in the City; discussed the installation of tents in parks and the inability of the Culver City Police Department (CCPD) to remove them; concern that ordinances are not being enforced; an individual with a tent on the sidewalk by the Verizon store; homeless who are being pushed out of Los Angeles; and increased numbers of people camping on the Culver City side under the 405.

Kelli Estes asked that the City Council agendaize a discussion of enforcing the no camping ordinance; discussed ADA compliance; increased numbers of homeless in Culver City as they are pushed out of Los Angeles; she encouraged the City to stop taxing residents and taking lawsuits lightly; she asked that the City demand Measure H money and/or services from the county; discussed examining the return from Saint Johns; and she asserted that those who think it is too difficult to deal with the county should get out.

Crystal Alexander congratulated Charles Herbertson and Carol Schwab on their retirements; reported serving as a Planning Commissioner and City Treasurer; expressed concern with the Community Development Department's decision to leave Blair Hills out of the slope study; discussed costs for a study; safety issues; changes to the General Plan that could measurably increase density in hillside neighborhoods; rejecting increases until a slope study is done; discrimination; and she requested evidence that the Community Development Department is not abandoning responsibility for the Blair Hills neighborhood.

Colin Diaz announced the 6th Annual Women in Business Leadership Awards on November 4 at the Hilton with additional information available at culvercitychamber.com.

Melissa Sanders expressed concern with increased numbers of people at Vets Park with Fiesta La Ballona on Halloween; asked about additional police or traffic assistance on Sunday; echoed previous comments made by Ron Ostrin and Crystal Alexander; and she stated that under no circumstances should there be no Environmental Impact Study (EIR).

Responding to inquiry from Council Member Vera, Manny Cid,

Police Chief, reported plans to increase staffing in the City, especially in Vets Park.

Suzanne Debenedittis thanked Carol Schwab for her efforts and Heather Baker for taking over the position; discussed leadership and work done by the City to shut down the Inglewood Oil Field (IOF); she expressed continued support for matters of fairness, justice and the environment; and she thanked the City for all of their good work.

Charlie Sisk expressed opposition to R1 up zoning; discussed negative affects to the City; and strain placed on the infrastructure by the proposed changes.

David Kairo, with one minute ceded by Evelina Baras, discussed the proposed small cell installation in Fox Hills; due diligence; required expert review; training necessary to spot potential errors and omissions; the need for independent and trained consultants to review the applications to ensure the interests and safety of residents are protected; he urged the City Council to support Public Works staff in making decisions based on fact with knowledgeable consultants; discussed the consultant hired by the city of Malibu; making a thorough review of alternative sites; the petition opposing the proposed installation in Fox Hills; the absence of legal risk for the City to ask for a review of alternative sites; the positive relationship of the new Public Works Director with AT&T; the request of residents to move the installation one street over to a commercial area; financial repercussions; and eroding the trust of residents who elected the Council Members.

Jamie Wallace discussed people in wheelchairs and strollers forced to go in the street to get around sidewalks blocked by homeless encampments; ADA violations; the need for free access to ramps and sidewalks; she asked that an item be agendized to discuss the matter; echoed comments from Crystal Alexander about the slope study; and she expressed concern with people unable to register as the City website no longer accepts comments.

Kimberly Ferguson congratulated those retiring and those taking over positions; asked for closeups on individual Council Members so that they could be seen rather than a long shot of all five; and she expressed concern with the high salaries of Ms. Baker and the new Director of Public Works.

Mark Lipman noted that no one wanted to be judged on their worst day; discussed the unhoused; difficulties for those living on

the street in the rain; asked that people not judge those living on the street harshly; noted that those on the Advisory Committee on Housing and Homelessness (ACOH) are doing everything they can to address the humanitarian crisis; discussed the need for support from the City Council and the community; failed carrot and stick policies; openness to the possibility of real solutions; commitment of public money into programs that will do the most good; and helping programs succeed and making progress by saying yes to solutions and programs.

Rebecca Rona-Tuttle discussed the lack of affordable housing in the City; ideas for improvement; the outcry with the closure of the ice skating rink; and she proposed that the City reach out to the owners of the property and encourage construction of affordable housing with an ice skating rink.

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Receipt and Filing of Correspondence

Gabby Monzon, Deputy City Clerk, indicated that 35 pages of correspondence had been received.

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

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Order of the Agenda

Item C-6 was considered separately at the end of the Consent Calendar, and Item A-3 and Item A-2 were heard before Item A-1.

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Consent Calendar

Item C-1

CC:HA:SA - (1) Approval of Cash Disbursements for October 2, 2021 to October 15, 2021

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR OCTOBER 2, 2021 TO OCTOBER 15, 2021.

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Item C-2

CC:HA:SA - Approval of Minutes for the Regular City Council Meeting of October 11, 2021

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 11, 2021.

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Item C-3

CC - Approval of Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for the Construction of a Changeable Message Sign (CMS) and Traffic Signal Battery Backup Systems (BBS) on Sepulveda Boulevard between Sawtelle Boulevard and Centinela Avenue, Project No. PZ-429

THAT THE CITY COUNCIL: APPROVE THE FINAL PLANS AND SPECIFICATIONS AND AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR THE CONSTRUCTION OF A CHANGEABLE MESSAGE SIGN (CMS) AND TRAFFIC SIGNAL BATTERY BACKUP SYSTEMS (BBS) ON SEPULVEDA BOULEVARD BETWEEN SAWTELLE BOULEVARD AND CENTINELA AVENUE, PROJECT NO. PZ-429.

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Item C-4

CC - Approval of Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for Jefferson Boulevard Traffic Signal Communication Improvements Project, between Duquesne Avenue and Overland Avenue (Part of Culver City Bus Signal Priority System WLAN Communications Equipment Installation)

THAT THE CITY COUNCIL: APPROVE THE FINAL PLANS AND SPECIFICATIONS AND AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR THE CONSTRUCTION OF JEFFERSON BOULEVARD TRAFFIC SIGNAL COMMUNICATION IMPROVEMENTS BETWEEN DUQUESNE AVENUE AND OVERLAND AVENUE (PART OF CULVER CITY BUS SIGNAL PRIORITY SYSTEM WLAN COMMUNICATIONS EQUIPMENT INSTALLATION).

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Item C-5

CC - Approval of Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for Community Development Block Grant (CDBG) American Disabilities Act (ADA) Transition Plan Curb Ramps Project (CDBG Project No. 602150-19 and 602274-20)

THAT THE CITY COUNCIL: APPROVE THE FINAL PLANS AND SPECIFICATIONS AND AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR THE CONSTRUCTION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADA TRANSITION PLAN CURB RAMPS PROJECT (CDBG PROJECT NO. 602150-19 AND 602274-20).

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Item C-7

CC - (1) Approval of a Three-Year Professional Services Agreement with Go2Zero for SB 1383 Organic Site Assessment, Route Audit and Waste Characterization for Culver City's Commercial Sector in an Amount Not-to-Exceed: \$279,493.50 for FY 21/22 (\$254,085 Base Amount and 10% Contingency of \$25,408.50); \$287,777.70 for FY 22/23 (\$261,707.00 Base Amount and 10% Contingency of \$26,170.70); and \$296,513.80 for FY 23/24 (\$269,558.80 Base Amount and 10% Contingency of \$26,955.80); and (2) Authorize the Public Works Director to Approve Two Additional One-Year Terms in an Amount Not-to-Exceed: \$305,409.50 for FY 24/25 (\$277,645.00 Base Amount and 10% Contingency of \$27,764.50); and \$314,571.40 for FY 25/26 (\$285,974.00 Base Amount and 10% Contingency of \$28,597.40)

THAT THE CITY COUNCIL:

1. APPROVE A THREE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH GO2ZERO, FOR SB 1383 ORGANIC SITE ASSESSMENT, ROUTE AUDIT AND WASTE CHARACTERIZATION FOR CULVER CITY'S COMMERCIAL SECTOR IN AN AMOUNT NOT-TO-EXCEED: \$279,493.50 FOR FY 21/22 (\$254,085 BASE AMOUNT AND 10% CONTINGENCY OF \$25,408.50); \$287,777.70 FOR FY 22/23 (\$261,707.00 BASE AMOUNT AND 10% CONTINGENCY OF \$26,170.70); AND \$296,513.80 FOR FY 23/24 (\$269,558.80 BASE AMOUNT AND 10% CONTINGENCY OF \$26,955.80);

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR TO APPROVE TWO ADDITIONAL ONE-YEAR TERMS IN AN AMOUNT NOT TO EXCEED: \$305,409.50 FOR FY 24/25 (\$277,645.00 BASE AMOUNT AND 10% CONTINGENCY OF \$27,764.50); AND \$314,571.40 FOR FY 25/26 (\$285,974.00 BASE AMOUNT AND 10% CONTINGENCY OF \$28,597.40); 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-8

CC - Amendment to Existing Professional Services Agreement with Sikand Engineering Associates for Subdivision Map Act and Plan Review Services in an Amount Not-to-Exceed \$50,000

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH SIKAND ENGINEERING ASSOCIATES FOR SUBDIVISION MAP ACT AND PLAN REVIEW SERVICES IN AN AMOUNT NOT-TO-EXCEED \$50,000; 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-9

CC - Approval of a Five-Year Professional Services Agreement with Wittman Enterprises, LLC for Ambulance Billing and Collection Services in an Amount Not-to-Exceed \$105,450 for the First Two Years, and Authorization to the City Manager to Approve Contract Amendments in an Amount Not-to-Exceed 20% during the Course of the Agreement

THAT THE CITY COUNCIL:

1. APPROVE A FIVE-YEAR PROFESSIONAL SERVICES AGREEMENT, ENDING JUNE 30, 2026, WITH WITTMAN ENTERPRISES, LLC TO PROVIDE AMBULANCE BILLING AND COLLECTION SERVICES IN AN AMOUNT NOT-TO-EXCEED \$105,450 FOR THE FIRST TWO YEARS; AND,
2. AUTHORIZE THE CITY MANAGER TO APPROVE CHANGE ORDERS, DURING THE COURSE OF THE AGREEMENT, NOT-TO-EXCEED 20% OF THE PREVIOUS YEAR'S CONTRACT AMOUNT; 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

CC - Adoption of a Resolution Allowing the City to Continue Paying and Reporting the Value of Employer Paid Member Contributions in Accordance with Government Code Section 20636(c) (4) and pursuant to Government Code Section 20691

THAT THE CITY COUNCIL: ADOPT A RESOLUTION ALLOWING THE CITY TO CONTINUE PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) IN ACCORDANCE WITH GOVERNMENT CODE SECTION 20636(C) (4) AND PURSUANT TO GOVERNMENT CODE SECTION 20691.

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Item C-11
(Out of Sequence)

CC - Approval of Modifications to the Existing Sublease with The Actors' Gang for use of the Ivy Substation

Council Member Eriksson highlighted the agreement with the Actors' Gang to continue their activities at Media Park.

THAT THE CITY COUNCIL:

1. APPROVE MODIFICATIONS TO THE EXISTING SUBLEASE WITH THE ACTORS' GANG (TAG) FOR USE OF THE IVY SUBSTATION; 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.

MOVED BY VICE MAYOR LEE, SECONDED BY COUNCIL MEMBER MCMORRIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-1 THROUGH C-5 AND C-7 THROUGH C-11.

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Item C-6
(Out of Sequence)

CC - (1) Appointment of Heather Baker as City Attorney; and (2) Approval of an Executive Employment Agreement Confirming Such Appointment

Council Members congratulated and thanked Heather Baker for stepping up to take on the responsibilities of the job; discussed the agreement similar to those for previous City Attorneys; public comment regarding salary; the work, dedication and high degree of talent involved; difficulties with civil discourse; market salaries; the challenge of recruiting people to work as hard as is required; increased numbers of public records requests; and appreciation for the broad subject matter covered with limited staff.

Heather Baker, Acting City Attorney, thanked the City Council for the opportunity to serve.

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

1. APPOINT HEATHER BAKER AS THE CITY ATTORNEY; AND,
2. APPROVE AN EXECUTIVE EMPLOYMENT AGREEMENT CONFIRMING MS. BAKER'S APPOINTMENT AS CITY ATTORNEY EFFECTIVE DECEMBER 22, 2021; 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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Action Items

Item A-3
(Out of Sequence)

CC - Adoption of an Ordinance Approving Zoning Code Amendment P2021-0036-ZCA, Amending Culver City Municipal Code Title 17: Zoning Code, Section 17.610.010.D - Nonconforming Oil Use, to Terminate Nonconforming Oil and Gas Uses by November 24, 2026

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

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Heather Pearce, Sentinel Peak Resources (SPR), reported submitting another letter to all Council Members extending the offer to meet collaboratively; discussed willingness to advance conversations with the City and with oil field stakeholders; the inability to make a proposal without consideration of all interests; the need to meet with all stakeholders in the near term; concern with derailing conversations resulting in litigation; and she hoped the City would delay the ordinance to advance collaborative solutions.

Bryan Sanders was called to speak but did not respond.

Kelli Estes expressed concern with money spent on the process; questioned the need to move forward ahead of other cities; discussed the recent ruling in Marin county; being the test case; and she expressed support for following the county or the state.

Mark Lipman discussed the need to clean the soil; consideration of a new purpose for the land that would generate revenue; and creating the Inglewood Hemp Field.

Discussion ensued between staff and Council Members regarding eagerness to work collaboratively with SPR; length of the process; bringing people to the table; concern with litigation; creating a hostile environment; statements by SPR that the City was not responsive; a suggestion to table the item until January to allow discussion; working together to achieve the ultimate goal; timeliness of the response from SPR; constructive

engagement; fracking; clouding the issue; the blow out in Culver Crest; protecting residents that live closer to the oil field; delay tactics; concern with moving forward without real conversation with the operator and property owners; the need to come to an agreement; costs; allowing Council Member Vera to join the negotiation team; the agreement made between SPR and Los Angeles to phase out wells; finding real solutions and friendly agreements; concern that once the vote is taken, SPR would no longer be willing to negotiate; the importance of making fiscally sound decisions; the IOF as a small part of SPR's total holdings; the feeling that SPR is finally ready to negotiate; responsibility for protecting the money of the City; those being asked to wait and have patience; human costs to delays; an observation that SPR does not have to file a lawsuit; and work done over many years.

Vice Mayor Lee moved to accept the staff recommendation. Mayor Fisch seconded the motion.

Additional discussion ensued between staff and Council Members regarding delays to the process with litigation; looking at the issue through an equity lens; saving money in litigation; the decision informed by the deliberative process; the amortization study; lawsuits as expensive negotiation; conversations with SPR; the letter and statements made for the benefit of the public; the choice of SPR to continue speaking with the City; an observation that when businesses want to settle, they do; the ability to continue talks; and the campaign about the City during the lawsuit.

MOVED BY VICE MAYOR LEE AND SECONDED BY MAYOR FISCH THAT THE CITY COUNCIL: ADOPT AN ORDINANCE APPROVING ZONING CODE AMENDMENT P2021-0036-ZCA, AMENDING CULVER CITY MUNICIPAL CODE TITLE 17: ZONING CODE, SECTION 17,610.010.D - NONCONFORMING OIL USE, TO TERMINATE NONCONFORMING OIL AND GAS USES BY NOVEMBER 24, 2026, AND WAIVE FURTHER READING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item A-2

CC – Consideration of the Selection of Sweetflower Culver, LLC at 10000 Culver Boulevard for a Culver City Storefront Retail Commercial Cannabis Business Permit Pursuant to Culver City Municipal Code Chapter 11.17

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

Tim Dodd, Sweetflower, thanked the City for their efforts in the lengthy and stringent process; he presented a rendering of the location; discussed staffing; operations; the value-based company; diversity; inclusion; accountability; responsibility; charitable giving; local hires; local headquarters; events; education and engagement; social equity; mandated events; outreach and notification; stores operating in Los Angeles; taxes paid; letters of support; their proven track record; the culture of compliance; state and local regulations; insurance; Best-In-Class Operations; neighborhood engagement; customer service; union partnership; zoning; the traffic study; the parking and traffic mitigation plan; the Downtown Business Improvement District (BID); work with the community; design; improvements made; security; community engagement; and support of local businesses.

Mayor Fisch invited public comment.

Mimi Ferrel, City Clerk Specialist, discussed procedures for making public comment.

The following members of the public addressed the City Council:

Andrew Weissman was called to speak but did not respond.

Jamie Wallace spoke in support of Sweetflower and asked the City to let the business open.

Amy Howard spoke representing a group of residents in the area most impacted by the opening of the business; reported meeting with company representatives; and she discussed mitigations agreed to by the business in response to resident concerns.

Robert Ancill was called to speak but did not respond.

Andrew Weissman noted that he and other representatives from Sweetflower were present to answer questions.

Bryan Sanders was called to speak but did not respond.

Colin Diaz spoke in strong support of Sweetflower; discussed community contributions; well-paying local jobs; tax revenue; community responsiveness; length of the process; and Planning Commission support.

Ken Mand, TGSCC Ventures, the second ranked group in the City's retail cannabis permitting process, expressed support for Sweetflower and asked the City to approve the item.

Discussion ensued between Mr. Dodd, staff and Council Members regarding the extensive process; employment; the legality of prioritizing residents for hire; job fairs held in the City; diversity hiring practices; collaboration with community groups; appreciation for the diversity and inclusion efforts; the high standard for community engagement; appreciation for efforts made by the company and hopes that would continue; proximity of the location to the CCPD; clarification that Sweetflower does not have plans for a cannabis café in other areas; and the need to focus on a substance abuse campaign.

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

1. SELECT SWEETFLOWER CULVER, LLC TO BE AWARDED A STOREFRONT RETAIL COMMERCIAL CANNABIS BUSINESS PERMIT AT 10000 CULVER BOULEVARD; AND,
2. DIRECT THE CITY'S PERMIT ADMINISTRATOR TO ISSUE THE PERMIT, SUBJECT TO THE SUCCESSFUL COMPLETION OF THE REMAINDER OF THE PERMIT APPROVAL PROCESS ESTABLISHED BY THE CCMC AND CITY COUNCIL RESOLUTION NO. 2018-R014; AND,
3. DIRECTION TO THE CITY MANAGER AS DEEMED APPROPRIATE.

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Item A-1
(Out of Sequence)

CC - (1) Direction on Housing Element Adoption and Rezoning Timing per Assembly Bill (AB) 1398 Mandate; (2) Approval of an

Amendment to the Existing Professional Services Agreement with Raimi + Associates, Modifying the Scope of Services for the General Plan Update (GPU); and (3) FOUR-FIFTHS VOTE REQUIREMENT: Approval of a Related Budget Amendment Allocating \$136,510 from General Fund Unassigned Fund Balance to the Project

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

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Kimberly Ferguson discussed difficulties deciphering paperwork regarding additional services and fees for Raimi + Associates; the study, agreement, terms and estimated costs; disappointment in oversight of the program and conclusions drawn by the study; rebates for services that were not possible during the pandemic; additional community engagement; ensuring a better representation of actual residents and fairly worded and unbiased questions; the original contract; \$2.4 million allocated for services; the focus on businesses with participants that do not live in the City; and reported findings.

Bryan Sanders was called to speak but did not respond.

Stephen Jones expressed appreciation for the work done; discussed additional work necessary to ensure that the process is done properly; the early zoning deadline; the urgent need for housing; the Regional Housing Needs Assessment (RHNA); the importance of funding the work needed; ensuring that the plan comports with changes to the law; and he wanted the City to avoid the early rezoning deadline.

Jamie Wallace noted the ability to receive a letter of substantial compliance quickly that would not trigger a shorter zoning period; she asserted that if the largest zoning issues were eliminated from the process it would go much more smoothly and quickly; discussed Assembly Bill (AB) 1398; she proposed rewriting the Housing Element to reflect true, economic and realistic projections and not pushing density in residential areas beyond what the state has proposed; she noted that there was not a housing crisis but rather an affordable housing crisis; discussed placing the focus on recyclable properties to create truly inclusive, mixed income and affordable housing; studying incremental infill; examining experiences of other

cities; studying the 100% affordable overlay and subsidized housing; creating transitional housing to get people off the street; and she suggested reformatting the Housing Element without controversial and unproven theories and adding a focus on realistic potential for economic and residential development.

Khin Khin Gyi, ACOHH, expressed appreciation for the EIR on the new Housing Element; discussed collaboration with the city and county of Los Angeles; leveraging Measure H funds; and City land owned in the city of Los Angeles.

Jeannine Wisnosky asked that voting on the Housing Element not be rushed, nor money spent on it until findings from HCD were received; she discussed errors that need to be fixed; the affordable housing crisis; meeting RHNA requirements without an outside focus on incremental; the importance of focusing on affordable housing; the need for additional public input; AB 1397; slowing down to achieve community consensus; public comment received on the Housing Element; support for waiting for the findings to see what additional work needs to be done to fix the Housing Element; and she noted the need for a consultant that does not push an agenda.

Boris Gresley, Carpenters Contractors Cooperation Committee, provided background on the organization; discussed the need for the Housing Element to plan for a more equitable society; taking a more serious look at worker abuse; honest contractors unable to compete against law breakers; the public cost of low wage jobs in the construction industry; worker vulnerability; lost monies that could be spent on education, infrastructure and public safety; consideration of safeguards to ensure that workers are treated fairly; and the need for City support of responsible contracting practices in order to create careers that benefit the community as a whole.

Robin Turner was called to speak but did not respond.

Kelli Estes encouraged the City Council to vote no on additional funding for the consultant; discussed reevaluation after comments from the state are received; the possibility of using a consultant that is not seen as pushing an agenda; and comments from Assembly Member Isaac Bryan about his lack of support for Senate Bill (SB) 9 and 10 due to the lack of support from his constituents.

Crystal Alexander echoed comments of Jeannine Wisnosky and Jamie Wallace; discussed the rushed work being done; errors being

found by HCD; ensuring that the whichever consultant is hired can do a reputable job; and she asked that the City wait to move forward until information comes back.

Suzanne Debeneditis asserted that an independent investigation of errors in the Housing Element should be done before allocating any more money to the consultant; stated that if the item is approved, live neighborhood meetings should be conducted; she asked to be involved in the process; discussed the original intent to diversify housing and provide low income affordability; the influx of new high paying jobs into the City; gentrification; and she echoed comments from Jeannine Wisnosky and Jamie Wallace.

Charlie Sisk, Culver City High School Senior, expressed concern that the City Council did not want to hear public opinion; asserted that the majority of people in the City did not want the matter to go through; discussed rushing the item and going against public opinion; the effect of the proposed changes on future generations; concern with increased traffic and overpopulation over the past five years; and he encouraged the City Council to delay the vote to ensure the best outcome for the City.

Melissa Sanders asserted that no more money should be paid to the problematic consultants; she did not feel that in-person meetings were necessary; expressed opposition to changes to R1 zoning; noted that a class for architects and designers was not necessary for something that residents did not need or want; she proposed that the City meet the guidelines without making any changes; wanted to see the City wait until the letter from HCD was received to see what needs to be done before spending more money; discussed errors made by the consultants; and she noted that HCD had gotten more letters from Culver City than from any other city in California.

Ron Ostrin, with one minute ceded from Marc Sulkin, opposed the fee increase for the consultants; discussed errors and the pre-set agenda of the consultants; he felt that a rebate was in order; discussed the lack of a slope study for Blair Hills; inadequate public outreach; City Council direction that 20-25% of R1 zone lots be dedicated to affordable housing; he wanted to see staff conduct the work in-house; discussed the Negative Declaration in an attempt to avoid an EIR; bad faith; environmental impacts of densifying Culver City; the YIMBY majority of the City Council; creating an urban heat trap;

increased global warming; strain placed on the electrical grid; and he expressed disappointment in the City Council.

Julie Sisk expressed agreement with the previous speaker; discussed the importance of voting for City Council Members; errors in the Housing Element; people in the City that do not know what is going on; opposition to up zoning and getting rid of parking minimums; the need to talk to the people; and she did not want any more money spent on the Housing Element.

Joe Perez, Regional Council of Carpenters, expressed support for the Housing Element; wanted the City Council to require use of a local skilled and trained workforce; discussed guiding principles of the General Plan Update; climate action; local hire requirements that reduce environmental impacts while benefitting the local economy; he cited a report called Putting California on the High Road: The Job and Climate Action Plan for 2030; discussed the South Coast Air Quality Management District; positive effects to climate mitigation efforts with a skilled and trained workforce requirement; and minimizing vehicle miles travelled.

Mark Lipman expressed disappointment in the Housing Element; discussed bringing forward new ideas; facilitating broad conversations within the community to find the best solutions; the mono-focus on up zoning to the detriment of everything else; time spent caring about housing for the missing millionaires rather than for those who need it the most; the need for an affordable housing plan; racial restorative housing justice; concern with double-dipping on up zoning; and the need for a conversation on a community land trust to build social housing for people who need it the most.

Disa Lindgren discussed insufficient housing for people of all income levels in the City; negative characterizations of Council Members, City staff, and consultants; work done on the Housing Element; acknowledgement that improvements can be made; people in future Culver City; adhering to the current cycle so as not to incur additional costs; she urged authorization for the Director to make technical revisions, to move forward with the consultant services and approve the amendment to the agreement with Raimi + Associates; noted the need for up zoning; and the need to represent those who have not spoken.

Responding to inquiry, Ashley Hefner Hoang, Advanced Planning Manager, reported that HCD acknowledges that it takes three rounds for their review and revision by the City to get the

Housing Element to substantial compliance; she discussed the process; and the extent that edits will need to be made.

Mayor Fisch congratulated Ms. Hefner Hoang, noting that they were sorry to lose her.

Discussion ensued between staff and Council Members regarding the shortfall with reliance on existing zoning to meet the RHNA; meeting the RHNA by focusing density along the corridors; the infill option; SB 9; an observation that in-fill development would not create any affordability; local control; the resolution that Los Angeles is working on with regards to maneuvering SB 9; state control; errors on the site inventory; avoiding the hard choices; cities within Southern California Association of Governments (SCAG) that do not reach goals; the broad coalition in the City; infrastructure build-out; the February 11 deadline; waiting on comments on the first draft before moving forward; resident comments; the importance of compromise; the lack of affordable housing in R1; the EIR; Negative Declaration; the actions of Santa Monica; people with sites in the City they want to develop; utilizing shopping malls for mixed use housing; achieving affordable housing in large developments; the feeling that a joint meeting with the Planning Commission is not fair to the public; allowing for sufficient public input; not rushing forward; maintaining the proposed schedule; consideration at the January meeting with comments received from the state; removing the infill; the original commitment of the City and the proposed increase to \$2.6 million; ensuring that consultants do what they agree to do for the \$2.4 million that they are currently receiving; and examining how to achieve the balance of units needed.

Council Member Eriksson asked that a discussion of how to manage SB 9 be placed upon a future agenda.

Additional discussion ensued between staff and Council Members regarding inclusionary zoning; the shortfall; areas of commonality; being willing to address needs; research and the experience of the rest of the world; focusing on the corridors; opportunity sites; affordability; consideration of a 100% affordable housing overlay zone; infill; affordable units; providing effective incentives; managing speculators; infrastructure; the one-year rezoning; site identification; unrealistic sites; Tito's Tacos; the HDC Pro-Housing designation; the Infill Infrastructure grant; the Transformative Communities grant program; authorizing the Director to make technical revisions; the democratic process;

other elements of the General Plan process; putting out information in a digestible way; people fearful that their neighborhood will be ripped apart; creating development conditions to facilitate the construction of housing; previous prioritization of commercial development; prioritizing affordable housing; community land trusts; providing permanent affordability; compliance with the deadline and state law; the budget; paying debts; efforts of staff to respond to concerns; the importance of gaining public support; being right vs. getting it right; implications of decisions being made; errors in the Housing Element; concern with rushed and sloppy work; lack of public support; the need to tackle the affordable component; working with HCD; in-person outreach; providing the ability to influence the process; and items not connected to the Housing Element.

Further discussion ensued between staff and Council Members regarding staff responsiveness to homeowners; the importance of housing for all price points; class segregation; equity; ensuring that the burden of housing is shared by all; adding credibility to the process; the need for compromise; different housing needs; the value of R1 and R2 neighborhoods; compliance with SB 9; issues to be addressed with SB 9; positive feedback received for up zoning and infill; using infill to get to RHNA numbers in a practical way; the feeling that things will change over time; cities that do not want to reach RHNA numbers; lack of space to develop in the City; funding to incorporate the concerns of the community; use of polarizing language; ensuring that the final version of the Housing Element is provided to HCD by February 11, 2022; the process; timing; scheduling; and City Council agreement to meet on December 10 to hear comments from staff and HCD and consider adoption on January 24.

Additional discussion ensued between staff and Council Members regarding the budget; making a request for Raimi + Associates to take monies out of their contingency budget; tasks taking more effort than was originally scoped; disappointment in outreach efforts; concern with allocating more money; the pandemic; extraordinary circumstances; acclimating to new circumstances; and placing a priority on in-person outreach and compliance.

Mayor Fisch moved to amend the contract with a request that there be three additional General Plan Advisory Committee (GPAC) meetings in person; remove \$12,800 from the budget for Volunteer Communications Network; add neighborhood and community engagement discussions around land use as suggested by GPAC

members; facilitate an in-person design charrette with architects and designers to discuss objective design guidelines that address existing scale and context in the potential implementation of incremental infill in existing single family neighborhoods complying with SB 9; amend the Task and Alternatives for Areas of Change to address issues of added building density and design in Blair Hills; amend Task 5.6 to select preferred direction; evaluate and prepare additional land use changes anticipated to result from outreach meetings with residents and stakeholders; compliance with SB 9; outreach and meetings; and including optional tasks. Council Member McMorris seconded the motion.

Further discussion ensued between staff and Council Members regarding efforts to respond to critique of the flawed process; the focus on ensuring that the needs of those with no housing concerns are met; centering the people with most privilege; the need for the consultant to work with the client; and clarification that that handout distributed to the City Council from Council Member Eriksson would be included in the public record and made available to the public.

MOVED BY MAYOR FISCH AND SECONDED BY COUNCIL MEMBER MCMORRIN THAT THE CITY COUNCIL: DIRECT STAFF TO AMEND THE CONTRACT WITH A REQUEST THAT THERE BE THREE ADDITIONAL GPAC MEETINGS IN PERSON; REMOVE \$12,800 FROM THE BUDGET FOR VOLUNTEER COMMUNICATIONS NETWORK; ADD NEIGHBORHOOD AND COMMUNITY ENGAGEMENT DISCUSSIONS AROUND LAND USE AS SUGGESTED BY GPAC MEMBERS; FACILITATE AN IN-PERSON DESIGN CHARRETTE WITH ARCHITECTS AND DESIGNERS TO DISCUSS OBJECTIVE DESIGN GUIDELINES THAT ADDRESS EXISTING SCALE AND CONTEXT IN THE POTENTIAL IMPLEMENTATION OF INCREMENTAL INFILL IN EXISTING SINGLE FAMILY NEIGHBORHOODS COMPLYING WITH SB 9; AMEND THE TASK AND ALTERNATIVES FOR AREAS OF CHANGE IN PARTICULAR TO ADDRESS ISSUES OF ADDED BUILDING DENSITY AND DESIGN IN BLAIR HILLS; AMEND TASK 5.6 TO SELECT PREFERRED DIRECTION; EVALUATE AND PREPARE ADDITIONAL LAND USE CHANGES ANTICIPATED TO RESULT FROM OUTREACH MEETINGS WITH RESIDENTS AND STAKEHOLDERS; COMPLIANCE WITH SB 9; OUTREACH AND MEETINGS; AND INCLUDING OPTIONAL TASKS.

THE MOTION FAILED BY THE FOLLOWING VOTE:

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

Responding to inquiry, Ashley Hefner Hoang, Advance Planning Manager, indicated that she would communicate with staff and the consultant on how to move forward.

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Item A-4

CC - (1) Adoption of a Resolution Pursuant to AB361 to Continue the Ability to Hold Virtual Meetings or Hybrid Meetings for City Council and all City Commissions, Boards and Committees, During the COVID-19 Proclaimed Local Emergency and California State of Emergency; and (2) Direction to City Manager as Deemed Appropriate

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

Vice Mayor Lee received clarification regarding the permissibility of allowing hybrid meetings without a change of state law.

Lisa Vidra, Senior Deputy City Attorney, noted a minor omission at the bottom of page 4, Section 3 beginning on Line 21 that should read: "...declares that as a result of the findings in Section 2 above, the City Manager is authorized to continue to implement teleconferenced public meetings for the City Council and the City's Commissions, Boards and Committees pursuant to Assembly Bill 361", and she indicated that she would provide the correction to the City Clerk if the resolution is adopted.

Discussion ensued between staff and Council Members regarding holding truly hybrid meetings with proof of vaccination and social distancing protocols followed; cities that have already adopted a hybrid approach; the vaccination rate in Culver City; Brown Act meetings; participation rates; and the order to be issued by the City Manager soon.

Mayor Fisch invited public comment.

The following member of the public addressed the City Council:

Mark Lipman expressed support for the item and discussed maintaining a hybrid model and the importance of maximizing public input.

Additional discussion ensued between staff and Council Members regarding support for a hybrid model; bringing back people who enjoy live sessions; increased engagement on local issues; those with non-traditional jobs; schedules that do not allow for in-person attendance of meetings; the holiday season; concern with people relaxing safety protocol; support for allowing wider access; vaccination status; staffing; those with issues who need to participate virtually; support for delaying in-person meetings to next year; and having a welcome back event to increase awareness.

MOVED BY VICE MAYOR LEE, SECONDED BY COUNCIL MEMBER MCMORRIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION PURSUANT TO AB 361 TO CONTINUE THE ABILITY TO HOLD VIRTUAL MEETINGS OR HOLD HYBRID MEETINGS FOR CITY COUNCIL AND ALL CITY COMMISSIONS, BOARDS AND COMMITTEES, DURING THE COVID-19 PROCLAIMED LOCAL EMERGENCY AND CALIFORNIA STATE OF EMERGENCY.

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Public Comment – Items Not on the Agenda

None.

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Items from Council Members

None.

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Council Member Requests to Agendize Future Items

None.

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Adjournment

There being no further business, at 11:14 p.m., the City Council, Housing Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned in memory of Daina "Gucci" Monroe to a regular meeting on November 8, 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

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: _____