OFFICIAL MINUTES

SPECIAL MEETING OF THE
CITY COUNCIL AND CULVER CITY
HOUSING AUTHORITY BOARD
CULVER CITY, CALIFORNIA

December 5, 2022
6:00 p.m.

Call to Order & Roll Call

Vice Mayor Vera called the special meeting of the City Council and Culver City Housing Authority Board to order at 5:41 p.m. in the Mike Balkman Chambers at City Hall.

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

*Mayor Lee arrived at 5:50 p.m.

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Closed Session

MOVED BY COUNCIL MEMBER MCMORRIN AND SECONDED BY COUNCIL MEMBER ERIKSSON THAT THE CITY COUNCIL AND CULVER CITY HOUSING AUTHORITY BOARD ADJOURN TO CLOSED SESSION.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

At 5:43 p.m. the City Council and Culver City Housing Authority Board adjourned to Closed Session to consider the following Closed Session Items:

CS-1 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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CS-2 CC - Conference with Legal Counsel - Anticipated Litigation
Re: Initiation of Litigation (1 Item)
Pursuant to Government Code Section 54956.9(d)(4)

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Regular Session

Mayor Lee reconvened the regular meeting of the City Council and Culver City Housing Authority Board at 6:15 p.m. with five Council Members present.

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Pledge of Allegiance

Mayor Lee led the Pledge of Allegiance.

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Report on Action Taken in Closed Session

Mayor Lee indicated nothing to report out of Closed Session.

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Community Announcements by Members/Information Items from Staff

Council Member McMorrin reported that Congresswoman Karen Bass had her 2022 Legislative Report-Back and she wished her the best in her new role as Mayor of Los Angeles; announced International Day of Persons with Disabilities on December 3, World Aids Day on December 1, and Native Women's Equal Pay Day on November 30; she noted the importance of raising awareness of issues of equity and public health; discussed the rise in cases of COVID, flu and RSV, and encouraged mask wearing indoors; and she announced that Supervisor Sheila Kuehl would be hosting an Expungement Clinic on December 6.

Council Member Eriksson urged everyone to get the flu vaccine and COVID booster, and he expressed appreciation to the Downtown Business Association, Parks and Recreation staff, and sponsors for the Tree Lighting downtown.

Council Member Fisch congratulated Dan O'Brien and Freddy Puza on being elected to serve on the City Council, and he expressed appreciation for the approval of Measure BL noting that the City would be in good financial condition.

Mayor Lee reported attending the Legislative Report-Back from Congresswoman Bass and he was looking forward to seeing her serve as Mayor of Los Angeles; he expressed appreciation to the Equity and Human Relations Advisory Committee for their Paper Tigers screening noting that Trauma-Informed Instruction was the partial focus of his Masters and Doctorate program in Social Work; announced a food distribution on December 9 in conjunction with SHARE and Culver Palms United Methodist Church for the food insecure and unhoused with potential additional supplies from The Giving Spirit; discussed efforts to connect people with housing; volunteers from Apple; and he thanked sponsors of the Kwanzaa Night Market at Ivy Station on December 16 to promote Black businesses in the county and in the City.

Jeremy Bocchino, City Clerk, indicated nothing to report out of Closed Session; she noted that the Mayor had joined the meeting at 5:50 p.m.; and that the Votecast system was not working so votes would be announced with a timer used for public comment.

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Joint Public Comment - Items NOT on the Agenda

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Glenn Spann expressed gratitude to the City Council and staff for their work; discussed well-thought-out changes and plans for the City; the Culver Boulevard Realignment and Stormwater Project; increased safety; appreciation for the Bike Path; and the importance of listening to the community first.

Kelli Estes requested information on the status of Project Roomkey; discussed the deadline to receive state and federal funding; impacts to those evicted from the hotels; and costs to the City.

Mayor Lee discussed delays to the project due to supply chain issues and work on interim arrangements for those expecting to move in in November.

Margaret Wehbi expressed appreciation for MOVE Culver City; discussed increased accessibility; increases in usage; usage by children; the small vocal group that wants the lanes removed; the indoor smoking ban; data indicating MOVE Culver City is a success; and she wanted to see the program maintained.

Adrian Killigrew provided background on himself; discussed bicycle usage to get around town; a friend who was hit by a car in Santa Monica while riding in a bike lane; the need for protected bike lanes; the importance of making changes in how people get around; the need for more protected lanes; money allocated from the state toward e-bikes; and he wanted to see protected bike lanes for all streets in Culver City.

Beverly Isaacs was called to speak but was not present online.

Melissa Sanders discussed concern with the comparison between those against MOVE Culver City and those against the indoor smoking ban; the bus and bike lane on Venice Boulevard; lack of data to support assertions that MOVE Culver City is a success; she felt that MOVE Culver City should be removed; and she noted that the motel continued to be a problem.

David Metzler was called to speak but was not present online.

Carlos Gutierrez wished everyone Happy Holidays; discussed the passage of Measure BL; extortion; landlords; small claims court; and he questioned who did the tax collection.

Jay Garacochea thanked staff for their assistance in various matters as well as outgoing Council Members Mayor Lee and Council Member Fisch, and he reminded everyone to check their yards for standing water after the recent rains.

Marci Baun noted that other cities had fully re-opened and requested that The Plunge be opened up completely with registration requirements and time limitations removed; she felt that requiring registration and time limits made it hard for people to get the necessary exercise they need; she asserted that MOVE Culver City was not working; discussed data; lack of usage of the bike lanes; dangerous usage of e-bikes at high speeds; and people who do not obey traffic laws.

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Receipt and Filing of Correspondence

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

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Order of the Agenda

Item A-2 was considered before Item A-1.

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Consent Calendar

MOVED BY VICE MAYOR VERA, SECONDED BY COUNCIL MEMBER FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-1 THROUGH C-6.

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Item C-1

CC - (1) Authorization to Award $213,043 to 29 Organizations for the 2023 Performing Arts Grant Program, and Designation of Related Performances as City-Sponsored, as Recommended by the Cultural Affairs Commission; and (2) Approval of Related Grant Contracts

THAT THE CITY COUNCIL:

1. AUTHORIZE THE AWARD OF $213,043 TO 29 ORGANIZATIONS FOR THE 2023 PERFORMING ARTS GRANT PROGRAM, AND DESIGNATE RELATED PERFORMANCES AS CITY-SPONSORED, AS RECOMMENDED BY THE CULTURAL AFFAIRS COMMISSION, AND AS OUTLINED IN THE STAFF REPORT; AND,

2. APPROVE THE RELATED GRANT CONTRACTS; 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-2

CC - (1) Approval of a Two-Year Professional Services Agreement with Hadronex, Inc. (d.b.a. Smart Cover Systems) for the Monitoring and Repair of Smart Cover Units in an Amount Not-to-Exceed $174,836.98; and (2) Authorize the Public Works Director/City Engineer to Approve Amendment(s) to the Agreement to Cover Contingencies in an Amount Not-to-Exceed $10,000.00

THAT THE CITY COUNCIL:

1. APPROVE A TWO-YEAR PROFESSIONAL SERVICES AGREEMENT WITH HADRONEX, INC. (D.B.A. SMART COVER SYSTEMS) FOR THE MONITORING AND REPAIR OF 50 SMART COVER UNITS AND THREE SUBSONIC DUAL SENSORS IN AN AMOUNT NOT-TO-EXCEED $174,836.98; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE AMENDMENT(S) TO THE AGREEMENT IN AN AMOUNT NOT-TO-EXCEED $10,000.00; 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-3

CC - Adoption of a Resolution Approving and Confirming the Findings of the 2021 Annual Housing Element Progress Report

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING AND CONFIRMING THE FINDINGS OF THE 2021 HOUSING ELEMENT ANNUAL PROGRESS REPORT.

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Item C-4

CC - Approval of a Purchase Order with Econolite for 15 Traffic Signal Battery Backup Systems in an Amount Not-to-Exceed $171,006.24

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE ORDER WITH ECONOLITE FOR 15 TRAFFIC SIGNAL BATTERY BACKUP SYSTEMS IN AN AMOUNT NOT-TO-EXCEED $171,006.24; AND,

2. AUTHORIZE THE PURCHASING OFFICER TO EXECUTE THE PURCHASE ORDER ON BEHALF OF THE CITY.

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Item C-5

CC - (1) Approval of an Amendment to the Existing Professional Services Agreement with Biggs Cardosa Associates in the Additional Amount of $209,107 for Continued Construction Management and Inspection Services for the Higuera Street Bridge Replacement Project, PZ553 and Ballona Creek Bike Path Connectivity Project, PZ964 (collectively, "Project"); (2) Approval of an Increase to the Change Order Authorization of the Public Works Director/City Engineer for the Project in an Additional Amount of $60,000; and (3) FOUR-FIFTHS VOTE REQUIREMENT: Approval of Related Budget Amendment to Appropriate $350,000 in Cumulus Traffic Mitigation Funds for the Project

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH BIGGS CARDOSA ASSOCIATES IN AN ADDITIONAL AMOUNT NOT-TO-EXCEED $209,107 FOR CONSTRUCTION MANAGEMENT/INSPECTION SERVICES; AND,

2. APPROVE AN INCREASE TO THE CHANGE ORDER AUTHORITY OF THE PUBLIC WORKS DIRECTOR/CITY ENGINEER FOR THE PROJECT IN AN ADDITIONAL AMOUNT OF $60,000; AND,

3. APPROVE RELATED BUDGET AMENDMENT FOR THE APPROPRIATION OF $350,000 FROM THE CUMULUS TRAFFIC MITIGATION FUND (FOUR-FIFTHS VOTE REQUIREMENT); 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.

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Item C-6

CC-(1) Authorization to Renew an Enterprise Agreement with the Microsoft Corporation through CDWG, LLC or any Approved Large Account Reseller (LAR) for PC Operating Systems, Office 365 Cloud Software, Client Access Licenses, and Server Licenses for a Term Not-to-Exceed Six Years (including the Current Fiscal Year 2022-2023) in the Amount of $270,187 Per Year; and (2) Authorization to the City Manager to Approve Amendment(s) to the Agreement in an Additional Amount of Ten Percent (10%) Per Year for the Term of the Agreement for Unanticipated Costs

THAT THE CITY COUNCIL:

1. APPROVE THE RENEWAL OF THE MICROSOFT ENTERPRISE LICENSE AGREEMENT FOR A TERM NOT-TO-EXCEED SIX YEARS, INCLUDING THE CURRENT FISCAL YEAR 2022-2023, WITH A BASE EXPENDITURE EACH YEAR OF $270,186 (ELECTRONIC DELIVERY WILL NOT IMPOSE TAX) THROUGH CDWG, LLC OR ANY APPROVED LARGE ACCOUNT RESELLER; AND,

2. AUTHORIZE TO THE CITY MANAGER TO APPROVE AMENDMENT(S) TO THE AGREEMENT IN AN ADDITIONAL AMOUNT OF TEN PERCENT (10%) PER YEAR FOR THE TERM OF THE AGREEMENT FOR UNANTICIPATED COSTS; 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 A-2 was considered out of sequence due to staff availability issues for Item A-1.

Action Items

Item A-2

(Out of Sequence)

CC - (1) Introduction of an Ordinance Establishing a $25.00 Per Hour Minimum Wage for Healthcare Workers at Covered Healthcare Facilities; (2) Direction Regarding Enforcement of the Ordinance; (3) Direction on the Implementation Date of the Ordinance; and (4) Other Direction to the City Manager as Deemed Appropriate

Shelly Wolfberg, City Manager's Office, provided a summary of the material of record.

Council Member Eriksson received clarification regarding the origin of the language for the resolution.

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Kelli Estes expressed opposition to moving forward on the ordinance; discussed Council Members that received donations from the hospital; outside union money; the lame duck majority; the misleading ordinance; failed attempts to get the item on the ballot; references to frontline workers; failure to negotiate better wages for non-hospital workers that work at a health care facility; and the need for a study and presentation on wages for all workers in the City.

Amsale Hailu was called to speak but was not present online.

Larry Kringen pointed out that everyone who works at the hospital is around COVID patients; discussed rising numbers of cases; and he noted the difficulty of surviving on less than $25 per hour.

Renold Collins was called to speak but was not present online.

Isauro Estevez was called to speak but was not present online.

Nicole Odeogu was called to speak but was not present online.

Beverly Isaacs was called to speak but was not present online.

Theresa Scott echoed comments regarding the difficulty of living on wages of less than $25 per hour; discussed inflation; people risking their lives to keep others safe; billions of dollars

made off of sick and dying people; and she asked for justice and humanity.

Melissa Sanders questioned why the City would open itself up to another lawsuit for a specifically targeted industry; she noted that the lawsuit regarding Hero Pay was still being litigated; discussed other industries in a similar situation that do not have a $25 minimum wage; additional burden with the passage of the Business License Tax increase; concern with a domino effect; and the assisted living facility being built.

Jesse Nuñez was called to speak but was not present online.

Patrick Meighan was called to speak but was not present online.

Maky Peters, Healthcare Worker Representative, discussed those who risked their lives; lives lost; the psychological toll; insufficient staffing levels creating increased workloads; those leaving the industry; exacerbation of the healthcare worker shortage that existed before the pandemic; the need for skilled healthcare workers; and ensuring that federal funds and corporate profits are invested in frontline healthcare workers to address the crisis and provide high quality care for the community.

Onelicia Robinson was called to speak but was not present online.

Giovanni Martin discussed the necessity of a $25 minimum healthcare wage in order to continue to provide 24 hours a day, 365 days a year service.

LaRhonda Smith provided background on herself; discussed work on the frontlines during the pandemic; co-workers leaving their jobs due to chronic understaffing and stagnant wages; impacts to care received; the quality of skilled workers in the hospital; psychological trauma compounded by longer hours and heavier workloads; the mass exodus of healthcare workers; and she asked the City Council to pass the ordinance.

Cass Gualvez provided background on herself; expressed support for the passage of the ordinance; discussed stress and trauma from the pandemic; the importance of having a fully staffed ER; people leaving the industry; higher wages offered at Target; the need to offer competitive wages; honoring the work done by healthcare workers; and ensuring that people want to stick around for the long haul.

Deborah Howard, California Senior Advocates League, expressed opposition to the proposal and concern with creating inequities among healthcare workers; discussed exclusion of the majority of healthcare workers in the City; disadvantages for the underserved; federally qualified health centers, public hospitals and community clinics; concern with reducing access to healthcare for seniors and the most vulnerable in the City; forcing facilities to make cutbacks or close; increasing healthcare costs; and concern with the City becoming healthcare wage police.

Jeannine Wisnosky Stehlin spoke as a union member; acknowledged excellent points made by hospital workers; discussed the job of the union representing the workers to negotiate wages; failure to get the required number of signatures to get the measure on the ballot; the feeling that the City should not be legislating wages on behalf of the union; she felt that the union and the hospital should go back to the bargaining table; and she expressed support for the eloquence of those who spoke in support of the minimum wage increase.

Adena Tessler, Hospital Association of Southern California, expressed opposition to the risky proposal before the City Council that excludes the majority of healthcare workers in the City; discussed the arbitrary nature of the proposal; increased costs; jeopardizing care to the underserved; the potential for a domino effect; the lack of an economic analysis; enforcement; and she noted the lack of signatures to get the item on the ballot.

Jamie Wallace discussed concern that only one group of people would be affected; pushing an item through at the last minute before the new Council has been seated; and she felt the country needed to change.

Noe Castro, Los Angeles Metro Hispanic Chamber of Commerce, expressed concern with the proposed ordinance which he asserted was exclusionary and discriminatory; discussed research regarding those who would be excluded from the ordinance; concern with removing access for the underserved; increased healthcare costs; inflation; the high cost of living; the need for a thorough economic analysis; impacts to the City; and he urged the City Council to reject the ordinance.

Greg Maron expressed support for the $25 minimum wage ordinance; discussed those who express gratitude to the health care workers

but make excuses for not doing the right thing; agreement that healthcare workers deserve more money; and ensuring that healthcare workers are available when needed.

Triana Silton provided background on herself; discussed providing for all in the community; the for-profit hospital making extraordinary profits; creating conditions to serve the community; exhibiting leadership by demonstrating what people are worth; state and federal minimum wages; the opportunity to provide conditions for healthcare workers and lead the way to provide what they need; and providing the needed healthcare workers for the community.

Marci Baun discussed leading the way for a small group of people; money spent by the union in a failed attempt to get the measure on the ballot; the belief that the matter is between the union and the hospital and should not involve the City Council; the small number of healthcare workers affected; concern with the City being sued again; people on the City Council who received money from the union; and she urged the City Council not to support the item.

Barbara Neefs was called to speak but was not present online.

Dan O'Brien acknowledged the healthcare workers for their work; indicated being a long-time union member; discussed the importance of collective bargaining agreements; expressed concern with focusing on a specific industry and a specific employee group; discussed other labor groups; and support for a uniform minimum wage.

Kurt Scott expressed concern that after the sacrifices made by healthcare workers, they were not receiving support for a $25 minimum wage needed to live anywhere near Culver City; noted the well-documented federal funding, subsidies, and tax relief received by the healthcare corporations and record profits made during the pandemic; compensation packages of executives; impacts to frontline care; and concern with not living up to the values of the community.

David Voncannon expressed opposition to the ordinance; discussed flaws; risks; carryover to other industries; the fact that the hospital is a business; the need to show a profit and satisfy investors; the exclusionary ordinance; consideration of a general minimum wage ordinance in the City; and he urged the City not to adopt the ordinance.

Beverly Isaacs was called to speak but was not present online.

Denise Kniter, Los Angeles County Business Federation, echoed previous concerns that the ordinance targeted only one set of workers; discussed impacts to the proposed ordinance; estimated costs to enforce a similar measure proposed in Long Beach; funding through increased taxes or decreased quality of services; and she requested that the City conduct a thorough economic impact report.

Freddy Puza spoke in support of uplifting workers' lives with the proposed $25 minimum wage for healthcare workers; discussed the importance of keeping everyone healthy; work on the frontlines of the pandemic; addressing staffing shortages, burnout and overwork; other cities that have taken similar action; ensuring quality of healthcare; and he urged the City Council to pass the healthcare minimum wage.

Marie Aragon, Southern California Hospital Culver City, provided background on herself, discussed quality of care provided to patients; commitment to supporting staff; services offered; concern with potential negative impacts to the hospital with passing the ordinance; and she emphasized the importance of not rushing to a decision and conducting an impact study first.

Victor Reyes, Valley Industry and Commerce Association, discussed concerns with exclusions to other healthcare workers; increased healthcare costs; negative impacts to care; special interests; impacts to the broader community; costs to enforce; deepening existing inequalities and disparities; and he asked the City Council to consider a more thorough approach.

Amber King, LeadingAge California, provided background on the organization; expressed concerns with the proposal; discussed unintended consequences; exacerbating staffing shortages; and long-term impacts on providers serving the aging population.

Christopher McGinley, Southern California Hospital, provided background on himself; asserted that passing the proposed ordinance was not the way to show appreciation for healthcare workers; and he expressed concern with potential negative impacts to offering lifesaving services to underserved communities that need access to local healthcare.

Cary Anderson indicated support for unions; discussed resident rejection of the proposal to place the measure on the ballot; concern with pushing items through; campaign donations; breaking

faith with voters; reasons for moving Item A-2 before Item A-1; and political motivation.

Patrick Meighan, Onward Culver City, disclosed that UHW (United Healthcare Workers) had made a contribution toward their organizing efforts; provided background on himself; expressed support for the healthcare minimum wage for Culver City; asserted that union pay increases help everyone industry-wide; discussed the need to pay other healthcare workers more if this ordinance succeeds; benefits to bargaining leverage; empowering others to gain the new wage standard; winning security for healthcare workers, enhancing staffing power, and providing better patient care in the City; and he felt it important to support unions.

Kathleen Pittman, Culver City Hospital, asked the City Council to support the $25 minimum wage for healthcare workers; discussed staff who work two jobs to make ends meet; the importance of investing in employees who put their lives on the line; and she asked the City Council to go beyond the numbers and look to the people who provide care.

Jeff Cooper felt that the City Council should not make a decision on the matter; stated that the SEIU (Service Employees International Union) had failed with their petition and at the bargaining table; and he asked that the City hold off on making the decision.

Jay Garacochea encouraged the City Council to reject the item; felt there was no rush to pass the item; asserted the need for time and consideration of the matter; felt it was not the duty of the City to tell businesses how to operate; discussed the failure of the ballot initiative; his family business; forcing the issue through; civil litigation; personal liability; and the ripple effect of action taken.

Mayor Lee clarified that he had never had an endorsement or received any money from SEIU or UHW and noted that conducting business during a meeting with a mayoral rotation is business as usual.

Discussion ensued between Council Members regarding equity; providing tools and resources to thrive; dignity in work providing a living wage; support for a $25 minimum wage for healthcare workers at covered healthcare facilities; the actions of other cities to work with Los Angeles county to enforce the ordinance; implementation; the feeling that it is always time

to do the right thing; awareness of challenges and issues in hospitals; the feeling that the issue is a union issue; concern with the City dabbling in labor issues; the common market; concern with singling out a small group; being exclusionary and discriminatory; bad policy; the need for the union and the employer to sort things out; the shortage of healthcare workers; vocational training facilities; filling vacancies with well-trained workers; opposition to the wage; statements about hospitals making enormous profits; a recent study indicating a large number of California hospitals running at a loss; difficulties in the industry; the need to conduct an economic study; the 90 year history of the minimum wage; a quote from Franklin Delano Roosevelt indicating that "No business which depends for its existence to pay less than living wages to its workers has any right to continue in this country"; the trend in consideration of difficult topics in local government of making a laudatory statement followed by a negating statement; support for county enforcement or self-reporting as well as providing three months after adoption to allow the hospital time to update their payroll systems; unintended consequences with pushing the matter forward; providing a letter of support for SEIU; concern with singling out a specific industry; purview; support for a living wage; costs to the City; enforcement; a ProPublica investigation of the company that owns Southern California Hospital; Medicare and Medicaid patients served; other health facilities in the City being excluded; industry talking points; support for including other facilities such as nursing homes, public facilities, clinics, and urgent care clinics where medical personnel have to interact with persons with COVID; addressing the largest pandemic in recorded history; the Fight for 15; the feeling that the government has been falling short in protecting the health and safety of residents; and the importance of representing working class professionals.

Mayor Lee moved to introduce the ordinance.

Additional discussion ensued between staff and Council Members regarding specification of other facilities in the City; equity; the need for additional research before moving forward; impacts; the failed petition; the effort from SEIU to force the City's hand; consequences; the feeling that Culver City is not so much of a leader as simply being part of the much larger movement taking place; the characterization that Culver City is ignoring political realities and rushing into things; date of implementation; staffing shortages due to the low pay offered; clarification that implementation is generally 30 days after the adoption; agreement to add 60 days after the effective date;

consensus vs. majority; and agreement to use Los Angeles county as the enforcement mechanism.

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

1. INTRODUCE AN ORDINANCE ESTABLISHING A $25.00 PER HOUR MINIMUM WAGE FOR HEALTHCARE WORKERS AT COVERED HEALTHCARE FACILITIES; AND,

2. DIRECT STAFF TO ENFORCE VIA THE LOS ANGELES COUNTY MODEL; AND,

3. DIRECT IMPLEMENTATION OF THE ORDINANCE TO BE 60 DAYS AFTER THE EFFECTIVE DATE WHICH IS 30 DAYS AFTER ADOPTION.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item A-1

CC - Discussion and (if Desired) Approval of a Request by Community Corporation of Santa Monica to Modify the Revised Construction and Permanent Loan Commitment Letter in the Amount of $4 million to Remove the Local Preference Requirement for the Proposed 100% Affordable Housing Development Located at 4464 Sepulveda Boulevard, Culver City, CA 90230 to Meet Eligibility Criteria under the Los Angeles County Development Authority Multi-Family Rental Housing Notice of Funding Availability 28 for Project-Based Rental Assistance

Tevis Barnes, Housing Programs Manager, apologized for the delay in joining the meeting earlier; provided a summary of the material of record; she noted that if awarded, the Los Angeles County Housing Authority (LACHA) would provide $5 million in capital funds to provide 36 project-based vouchers; she indicated that the full project would be required to remove the preference; and she reported that exemptions were unlikely due to their desire to support housing throughout the county.

Discussion ensued between staff and Council Members regarding removal of the local preference; collaboration with Community

Corp of Santa Monica; the requirement to enter into an interagency agreement with LACHA; money put in by Culver City and by LAHSA; adding a condition to acknowledge agreement to waive the requirements with a provision to return to the original agreement whereby the City retains control of some units if the application is denied,; whether the county would be open to the change; frequency of the grant; HUD (Housing and Urban Development) financing; and operational control.

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Tara Barauskas, Community Corp Santa Monica, discussed their request to amend language in the City's loan commitment; critically needed funding; the collaboration of funding sources; the prohibition on local preference; clarification that the county does not necessarily control the project; tax credits from the state; ways to prioritize Culver City residents; and, responding to inquiry, she indicated willingness to work with the City to house as many people as possible in coordination with the new facility and the new motels set to open in February on Sepulveda.

Patrick Meighan was called to speak but was not present online.

Jay Garacochea was called to speak but was not present online.

Michelle Weiner expressed support for the project; noted the opportunity to make an impact; and she hoped the funding would be received in order to move forward.

Victor Reyes was called to speak but was not present online.

Denise Neal expressed support for the collaboration with Santa Monica; asked about the Santa Monica Airport land coming available; proposed that the City look at other places; she asked about the extended stay building; expressed concern with displacement; discussed people who work in the City but cannot afford to live here; support for those with long commutes including bus drivers; and she asked if there was a way to support employees.

Discussion ensued between staff and Council Members regarding; number of housing units developed; 100% affordable housing projects; increased need for housing; support for the project even without a local preference; concern with taking a chance

with hard to obtain grants; concern with delays; homelessness as a regional issue; control vs. the tremendous need; assurances from Community Corp regarding placement of community members; the feeling that adding language regarding local preference wouldn't hurt; outreach and ensuring that people feel part of the process; the Culver Palms United Methodist project; and recognition of community need.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER MCMORRIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL AND HOUSING AUTHORITY BOARD:

1. APPROVE A REQUEST BY COMMUNITY CORPORATION OF SANTA MONICA TO MODIFY THE REVISED CONSTRUCTION AND PERMANENT LOAN COMMITMENT LETTER IN THE AMOUNT OF $4 MILLION TO REMOVE THE STIPULATION FOR A LOCAL PREFERENCE REQUIREMENT FOR THE PROPOSED 100% AFFORDABLE HOUSING DEVELOPMENT LOCATED AT 4464 SEPULVEDA, CULVER CITY, CA TO MEET ELIGIBILITY CRITERIA UNDER THE LOS ANGELES COUNTY DEVELOPMENT AUTHORITY MULTI-FAMILY HOUSING NOTICE OF FUNDING AVAILABILITY 28 FOR PROJECT-BASED RENTAL ASSISTANCE; AND,

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

3. AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY AND HOUSING AUTHORITY.

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Public Hearings

Item PH-1

CC - (1) Adoption of a Resolution Certifying the Environmental Impact Report (EIR) and Adoption of the Findings Required by CEQA and a Mitigation Monitoring Program (MMP), and Adoption of Statement of Overriding Considerations (P2021-0272-EIR) in Compliance with the California Environmental Quality Act (CEQA) for a Creative Office Development on a 4.46-Acre Site at 8833 National Boulevard and 8888 W. Venice Boulevard (Project); (2) Introduction of an Ordinance Amending the Culver City Zoning Map Establishing Planned Development Zone No.17 (P2022-0144-ZCMA), and Approving the Comprehensive Plan (P2022-0144-CP) for the Project; and (3) Adoption of a Resolution Approving a Request for Extended Construction Hours for the Project

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY VICE MAYOR VERA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF THE PUBLIC HEARING NOTICE.

Jeff Anderson, Current Project Manager, provided a summary of the material of record.

Mike Harden, ESA, provided a presentation on the EIR (Environmental Impact Report) process; discussed collaboration with City staff; applicable CEQA (California Environmental Quality Act) requirements; timing; public comment; potential environmental effects; feasible ways to reduce impacts; mitigation measures and alternatives; construction impacts; unavoidable, temporary impacts; the Mitigation Monitoring Process; and availability of the Final EIR on the City website.

Jeff Anderson, Current Planning Manager, discussed the Statement of Overriding Considerations; community outreach meetings; public comment received; Planning Commission review; zoning map findings; added conditions; mitigation measures; and the staff recommendation to approve the project.

Council Member McMorrin received clarification regarding the lack of investment in renewable energy.

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

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Greg Ames, Trammell Crow Company, expressed appreciation for assistance by City staff; provided an overview of the project; discussed the Los Angeles parcel vs. the Culver City parcel; existing conditions; landscaping; zoning; ingress and egress; increased alley size; view lines and sightlines; the proposed traffic signal; pedestrian access; vehicular access; queueing space; parking; commuter and transportation management; survey work to determine the right amount of parking; code minimum required parking; Planning Commission input; Transportation Demand Management (TMD) efforts of Apple; bicycle access and parking; subsidies provided; and sustainability components.

Responding to inquiry, Katie Lohec Sondej stated that Apple runs as a company on 100% renewable energy; she discussed investments in solar; offsets; and energy generated in central California.

Greg Ames, Trammell Crow Company, discussed review of the feasibility of solar on the building itself by City staff during the Plan Check Review and permitting process; clarification that the project is 100% offset renewable, not onsite renewable; the parkway and sidewalk; interactive landscaping; pedestrian safety and security; the TOD (Transit Oriented Development) plan; activation of National; the courtyard; creating an inviting environment; creation of the Washington Parklet; public accessibility during the day; the intent to create a destination; and resolution of any issues with staff to move the process forward.

Katie Lohec Sondej, Apple, discussed their intent to strengthen their presence with their headquarters in the City and to be a good neighbor; commitment to carbon neutrality; support for community initiatives; affordable housing; collaboration with United Way of Greater Los Angeles; gap funding; volunteering; community investment; upcoming events; and she hoped the City Council would support the project.

Greg Ames, Trammell Crow Company, discussed equity and providing opportunities for diverse businesses.

Discussion ensued between project representatives, staff, and Council Members regarding offsite renewable energy sources; support for further parking reductions; creating conditions to reduce reliance on car transportation; collaboration with the community and staff to plan the park space; use of native plantings; ensuring that the community benefit would have maximum use and be eco-friendly; concern that viable alternative transportation would not be available within the next 10 years; the need for Apple to provide options; trash pickup; deliveries; the loading dock; providing a dedicated rideshare area; the drop-off zone; support for LEED (Leadership in Environmental and Energy Design) Platinum rather than Gold; housing; and Apple-specific investments.

Kelli Estes indicated that she had not signed up to speak on the item.

Jesse Nuñez, Culver City Chamber of Commerce, expressed support for the project and he felt the lack of parking would allow for pedestrian traffic to support local business.

Jordan Sisson, CEQA Attorney, provided background on himself; discussed resident concerns; project inconsistency with Smart Growth Development; false suggestions in the EIR that residential use is consistent with zoning; inconsistency with housing policies; the jobs/housing imbalance; the Los Angeles parcel listed as available for housing; inconsistency with TOD development policy; overparking; the fact that the project exceeds South Coast AQMD (Air Quality Management District) thresholds; energy impacts; inconsistency with local building codes; and he asserted that the City Council had the discretion to reject the project and demand more for residents including housing and a LEED Platinum designation.

Deborah Howard was called to speak but was not present online.

Natalie Schuman, United Local 11, spoke on behalf of the Hotel Workers' Union in opposition to the proposed massive office development; discussed lack of housing included in the project; the housing crisis; inconsistency with land use plans; proximity to Metro and housing density bonuses; the missed opportunity to create a sustainable regional model; concern with exacerbating the jobs/housing imbalance; environmental impacts; the GHG (Greenhouse Gas) analysis; non-binding enforcement measures; and she urged the City Council to reject the EIR and not certify the project as proposed.

Karime Cardenas expressed opposition to the project due to environmental impacts on the area; discussed potential greenhouse gas and air quality impacts; the missed opportunity to place solar panels on the site; negative impacts on housing stock and affordability; the already unstable housing affordability situation; proximity to the Metro Station; and concern with the lack of a residential component.

Amparo Ramirez provided background on herself; expressed opposition to the project due to potential negative environmental impacts; discussed greenhouse gas and air quality impacts; the missed opportunity to add housing to address the housing crisis; employees coming into the areas; worsening the jobs/housing imbalance and making the neighborhood less affordable; and she asked the City Council to prioritize housing over a single office component.

Ken Mand thanked City staff for listening to community concerns; expressed appreciation to Apple and Trammel Crow for implementing the traffic signal on Venice Boulevard; discussed

positive impacts of Apple operations in the City and support for Culver City concerns; strong turnout of construction union members supporting the project at the Planning Commission meeting; and he expressed support for the project and the commitment from Apple to the community.

Pastor Zach, Creed LA, expressed support for the project; discussed money raised by Apple toward communities where it has operations; volunteer hours; the pledge to help solve California's housing crisis; statewide funding to help build new low to moderate income affordable housing; commitment already shown to Culver City with previous projects; and he asked that the project be approved.

Brother Ray, Anchor Church, expressed support for the project; quoted the Bible in reference to giving; discussed giving back to the community; the national Apple footprint; community benefit; and he asked that the project be approved.

Sean Silva, Creed LA, expressed support for the Culver Crossings project; discussed Trammel Crow; transparency; thoughtful response to public comment; he felt that the project was in the best interests of the entire area; and noted the history of Apple's community engagement.

Albert Duarte, Local 416 Ironworkers, provided background on the organization; asserted that the developer had gone above and beyond to offer livable wages for local hires with good benefits; discussed apprenticeships; and he hoped that the City Council would approve the Culver Crossings project.

Oscar Delcid, UA Local 250 Pipefitters and Steamfitters, expressed support for the project; discussed the commitment of the developer to work with skilled trades, pay fair wages, provide benefits, and allow for the opportunity to bring on apprentices; and he asked the City Council to approve the project.

Justin Walters, UA Local 78, asked the City Council to support the project which he felt was a win-win for everyone.

Rick Garcia, Smart Local 105 representing sheet metal workers, indicated being happy to work with the developer; discussed good jobs for a skilled construction workforce; setting the bar for development high; and he asked the City Council to support the project.

Jeff Bree, Local 433, expressed support for the project; discussed support for the skilled, local workforce; commitment to the goal of hiring local, paying well and ensuring use of qualified workers; and he asserted that the project was being done the way all projects should be done.

Samuel Ortiz provided background on himself; reported speaking about the project at the Planning Commission meeting last month; expressed support for good City planning; discussed development in the City; Culver City as a walkable paradise; and he wanted to see the City approve the project.

Alexia Valencia was called to speak but was not present online.

Nathan Mason expressed support for the project and for the progressive approach to growth taken by the City.

Desirée Vicente expressed support for Smart Growth like the proposed project; discussed the dense corridor; reducing traffic; creating a more walkable experience; and she asked the City Council to support the project.

Shomari Davis was called to speak but was not present online.

Denis Neal expressed concern with the missing housing element; discussed the lack of a law enforcement jurisdictional study; the need for a uniformed presence; law enforcement agencies involved; the drought; use of clean fuel transportation; providing a 24-hour safety shuttle service for the Arts District, Downtown, and extending to Overland; people getting hurt on the street; the homeless crisis; building housing on dilapidated areas on the Los Angeles side; environmental impacts; diversity, equity, and inclusion in hiring practices; and she asked the City Council to do right.

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

Discussion ensued between staff and Council Members regarding appreciation for the public input; community outreach; attempts made to address community concerns; intentionality and thoughtfulness in the process; the jobs/housing imbalance; growth of the unhoused population; displacement; the Creative Economy; decisions to develop commercial and office instead of housing; increased housing costs; lack of progress in the Housing Department; including housing in upcoming projects;

value of the apprentice side; support for the use of professional craftsmen; support for labor; sustainability; design; housing concerns; 50 years of failure in leadership for housing; driving out the middle class; repeating mistakes; allowing this to be the place where Apple grows; appreciation for Apple being an active philanthropic partner; an observation that every parcel can't do every single thing; respecting Apple's unique needs for privacy and security; appreciation for the hard work; cities choking on their success; appreciation for the feedback from the labor representatives; support for the partnership with Apple; use of bargaining tools to get much-needed housing projects moving forward; the Apple fund for housing in Los Angeles county; the fact that Sony and Amazon are not asked to build housing on their sites; resident concerns regarding housing; support from Apple for affordable projects at the end of their development cycle; support for including additional EV (Electric Vehicle) parking spaces; future use of parking spaces once they are not being used by cars; those who are climate conscious; development of a more effective regional transportation system; changes in the market; commitment of Apple to stay in the City; and the feeling that the project is good for the City and for the region.

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

1. ADOPT A RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR), ADOPTION OF FINDINGS REQUIRED BY CEQA, ADOPTION OF THE MITIGATION MONITORING PROGRAM (MMP) AND ADOPTION OF STATEMENT OF OVERRIDING CONSIDERATIONS (P2021-0272-EIR) FOR A CREATIVE OFFICE DEVELOPMENT ON A 4.46-ACRE SITE AT 8833 NATIONAL BOULEVARD AND 8888 W. VENICE BOULEVARD (PROJECT) (ATTACHMENT NO. 1); AND,

2. INTRODUCE AN ORDINANCE, AMENDING THE CULVER CITY ZONING MAP, AS REFERENCED IN TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE (CCMC), SECTION 17.200.015, ESTABLISHING PLANNED DEVELOPMENT ZONE NO. 17 (ZONING MAP AMENDMENT, P2022-0144-ZMA) AND APPROVING A COMPREHENSIVE PLAN (P2022-0144-CP) FOR THE PROJECT, SUBJECT TO CONDITIONS OF APPROVAL (ATTACHMENT NO. 2); AND,

3. ADOPT A RESOLUTION APPROVING OF AN EXTENDED CONSTRUCTION HOURS REQUEST FOR THE PROJECT, SUBJECT TO THE CONDITIONS OF APPROVAL (ATTACHMENT NO. 3).

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Public Comment - Items Not on the Agenda

Mayor Lee invited public comment.

The following member of the public addressed the City Council:

Denise Neal thanked Mayor Lee and Council Member Fisch for their service and work on the City Council; she welcomed Apple; and she asked that Apple consider points made by community members.

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Items from Council Members

MOVED BY VICE MAYOR VERA, SECONDED BY COUNCIL MEMBER FISCH AND UNANIMOUSLY, CARRIED THAT THE CITY COUNCIL ADJOURN IN MEMORY OF VICTORIA CANTONELLA.

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Council Member Requests to Agendize Future Items

None.

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Adjournment

There being no further business, at 10:07 p.m., the City Council and Culver City Housing Authority Board adjourned in memory of Victoria Cantonella to a meeting to be held on December 12, 2022.

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Jeremy Bocchino

Jeremy Bocchino
CITY CLERK of Culver City, California
EX-OFFICIO CLERK of the City Council and SECRETARY of the Culver City Housing Authority Board
Culver City, California

Albert Vera
MAYOR of Culver City, California and CHAIR of the Culver City Housing Authority Board

Date: 9 January 2023