

SPECIAL MEETING OF THE  
CITY COUNCIL, CULVER CITY  
HOUSING AUTHORITY BOARD  
CULVER CITY PARKING AUTHORITY BOARD  
AND SUCCESSOR AGENCY TO THE CULVER CITY  
REDEVELOPMENT AGENCY BOARD  
CULVER CITY, CALIFORNIA

March 20, 2017  
4:00 p.m.

### **Call to Order & Roll Call**

Mayor Clarke called the special meeting of the City Council, Culver City Housing Authority Board, Culver City Parking Authority Board and Successor Agency to the Culver City Redevelopment Agency Board to order at 4:00 p.m. in the Mike Balkman Chambers at City Hall.

Present: Jim B. Clarke, Mayor  
Jeffrey Cooper, Vice Mayor\*  
Göran Eriksson, Council Member  
Meghan Sahli-Wells, Council Member\*\*  
Thomas Small, Council Member

\*Vice Mayor Cooper arrived at 4:05 p.m.

\*\*Council Member Sahli Wells arrived at 4:27 p.m.

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

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Mayor Clarke indicated that the Recognition, Staff Announcements and the Consent Calendar would be moved to just before the 7:00 p.m. meeting and he received clarification that no cards for Public Comment for Items Not on the Agenda had been received.

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### **Action Items**

Item A-1

**CC:HA:PA:SA (1) Presentation and Consideration of Current and Proposed Work Plans for City Departments, and (2) (If Desired) Direction to the City Manager as Deemed Appropriate**

Vice Mayor Cooper arrived at 4:05 p.m.

Art Ida, Transportation Director, provided a status report of the 2016-2017 Transportation Department Work Plan, and he discussed objectives for the next year.

Discussion ensued between staff and Council Members regarding retrofitting the current buses to zero emission technology; how the fares compare with comparable cities; additional trash receptacles at bus stops; dual trash/recycling containers; collaboration with Public Works; enhanced collection times; public education; providing opportunities for recycling; protecting Ballona Creek; the storm water system; and the joint project with the Los Angeles Department of Transportation.

Council Member Sahli-Wells arrived at 4:27 p.m.

Additional discussion ensued between staff and Council Members regarding the importance of increasing ridership on public transportation; increases to bus fares; grants; Uber and Lyft; new technologies; dedicated bus lanes; diesel vehicles in the City; Fire Department alternatives; renewable diesel vs. biodiesel; on time statistics; improving bus ridership by moving resources for figuring trip routes and scheduling to the front of the webpage; public relations efforts; the Transit Oriented Development (TOD) Visioning Process; dedicated bus lines; involvement of Transit in the Ballona Creek project; connections; bicycles on buses; the impact of Lyft and Uber on transit ridership numbers; using Vehicle Miles Travelled (VMT) rather than Level of Service (LOS); learning from disruptive technologies; issues with Uber; making the system more intuitive; using more European type thinking; a suggestion to have protected, dedicated bus lanes on Washington from Lincoln through the City up to the transit hub on Fairfax; impacts to businesses on the street; including other corridors; coordination between departments; creating a Centennial Line; the nexus between transportation, housing and the environment; the electrification of freight and transit; sustainability goals; meeting greenhouse gas emission standards; biofuels; existing infrastructure; encouragement to have the General Plan aim high; changing demographics; the Grey Tsunami; innovation; being a model

City; bus washing; water recycling; biodigesting; renewable natural gas; natural gas production; state subsidies; continued conversation with the Sustainability Subcommittee; the feeling that cars are not going away any time soon; cleaner technology; automated vehicles; bus ridership numbers; fare types; Rapid Service; one way streets during rush hour; the automated vehicle demo from Expo to downtown; the Dial-a-Ride program; Federal funding; and Measure M.

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**Recess/Reconvene**

Mayor Clarke called a brief recess from 5:29 p.m. to 5:37 p.m.

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Item A-1  
(Continued)

**CC:HA:PA:SA (1) Presentation and Consideration of Current and Proposed Work Plans for City Departments, and (2) (If Desired) Direction to the City Manager as Deemed Appropriate**

Sol Blumenfeld, Community Development Director, provided a presentation on the current work plan and the proposed work plan for fiscal year 2017-2018, and he discussed the organization of the Community Development Department and activity within the divisions encompassed by Community Development.

Discussion ensued between staff and Council Members regarding Ballona Creek; coordination with Johnson Fain for public outreach for the March 23 Transit Oriented Development (TOD) meeting; the Visioning Study and City Council Strategic Plan; outdoor vending guidelines; coordination; public outreach; defining goals before moving forward; redeveloping Fox Hills; mobility challenges; economic development; formation of the Business Improvement Districts; the area improvement plan; simple ways to improve businesses; commercial corridors in the City that could use support; adding an economic development element to the General Plan; consideration of autonomous vehicles in the mobility plan; redevelopment money released back to housing; the ERAF loans for low to moderate income housing proceeds; the Rental Assistance

Program; maintaining Housing Division operations; affordable housing recommendations; continuing to consider multiple options; density; opportunities for community participation; Transit Demand Management (TDM) programs; incorporating mobility elements with larger projects; creating a Transportation Impact Fund; working closely with the L.A. County Homeless Initiative; protecting and improving the tax bases for businesses; meeting future financial challenges; identifying businesses that generate optimum taxes for the City; economic development with strategic long-term thinking; the Joint Powers Agreement with Media Park; planned improvements; the Jazz Bakery; businesses at Venice and National; developers that pay for contracted planners for the City; Code Enforcement employees; extra help for special projects in the budget; exploring a Traffic Mitigation Fund; the Second Plunge; making use of some of the motels along Sepulveda as part of the affordable housing program; going from units to square footage for parking requirements; development concessions; biomedical research; efforts to bring the virtual reality industry to the City; Community Development Block Grant funds; progressive planning; the process; community meetings; notification radius; the Chamber of Commerce and economic development; the new business checklist; the Business Resource Center; connecting with new businesses; the Weekly Update; and consensus to have a discussion about notification processes and community outreach for development projects.

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#### **Recess**

Mayor Clarke called a brief recess at 6:57 p.m.

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#### **Reconvene**

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

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**Invocation/Pledge of Allegiance**

The Pledge of Allegiance was led by Colleen Jones.

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**Recognition Presentation**

Item R-1

**Presentation of Certificates of Recognition to  
Participants in the Los Angeles Marathon from the City's  
Sister City of Kaizuka, Japan**

Tim Peterson, Culver City Sister City Committee Marathon Chair, presented guests from Kaizuka, Japan, who participated in the Los Angeles Marathon.

Erika Johnson translated remarks from Marathon participants who thanked the City for inviting them to participate in the Marathon and they presented a gift to Mayor Clarke from the of Mayor Kaizuka, Japan.

Mayor Clarke presented Certificates of Recognition to participants in the Los Angeles Marathon from Kaizuka, Japan and he gave them a Centennial Book and a Culver City Pin.

Council Member Sahli-Wells congratulated the runners and thanked the all-volunteer Sister City Committee.

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**Community Announcements by City Council Members/  
Information Items from Staff**

Charles Herbertson, Public Works Director, provided background on Mike Greenwood of the Maintenance Operations Division who passed away on March 17, 2017.

Mayor Clarke indicated that the meeting would be adjourned in the memory of Mike Greenwood with a letter of condolence sent to the family.

Jeremy Green, City Clerk, reported that certified official results for the March 7, 2017 election would be available on March 21, 2017, and she reported that election night returned indicated that Culver City had voted in favor of Measure H at a rate of 79% with an approximate turnout of 13%.

Lieutenant Troy Dunlap reported that from March 26 - April 1, 2017 the Culver City Police Department would be increasing enforcement for seatbelts and child safety seats in conjunction with the [safetybeltsafeusa.org](http://safetybeltsafeusa.org).

Mayor Clarke reported that the City was conducting increased enforcement in advance of Safety Seat checkup week from April 2-8, 2017.

Council Member Small reported being nominated to serve as a member of the LA Metro Transportation Authority Sustainability Council and he received City Council consensus to agendize consideration of his approval to serve.

Council Member Sahli-Wells announced that CicLAvia would be on March 26 noting that there would be street closures in the City for the open streets event; she reported hosting a fundraiser for Habitat for Humanity at the Culver Hotel on March 22; and she discussed addressing and tracking racist and anti-Semitic graffiti in the parks.

Mayor Clarke reported attending the Academy of Performing and Visual Arts event at the Veterans Auditorium as part of the Centennial Celebration; he announced National Day of Immigrant Rights on March 21; he reported that the City held a well-attended forum on March 15 on protection of immigrant rights; he discussed a recent presentation at the Mosque on what the City is doing to protect rights; he indicated that there would be a discussion on the issue at the meeting of March 27; and he encouraged anyone interested to express their support for AB1 and SB1 regarding deficit and infrastructure financing noting the request from the League of California Cities to support those items.

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

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

March 20, 2017

COUNCIL RECEIVE AND FILE CORRESPONDENCE RECEIVED BY 2:00  
P.M. MARCH 20, 2017.

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

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Michael Ajakwe invited everyone to attend the first Los Angeles Web Series Festival in Culver City at the Jimmy Stuart Theatre at Sony from April 28-30, 2017 and he provided background on the event noting that it is open to the public.

Stephen Paull asked about short term rentals; expressed concern with an Airbnb next door; discussed issues with trash, traffic and noise; and the potential expansion of short term rentals in Culver City.

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**Order of the Agenda**

No changes were made.

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**Consent Calendar**

Item C-1

**CC - Adoption of a Resolution Authorizing the Submission of an Application to the National Arbor Day Foundation to Consider Designating Culver City a Tree City USA Community**

Mayor Clarke noted recent discussions about the tree removal policy in Culver City.

Charles Herbertson, Public Works Director, provided a summary of the material of record and discussed the policy of the City for the removal of trees.

Discussion ensued between staff and Council Members regarding the requirement for developers to replace any tree removed with two trees; the policy when City trees are removed for safety reasons; whether the City is gaining or losing trees overall; appreciation to the Public Works Director for the response to public concerns; expanding notification procedures; requirements to be a Tree City; appreciation to Helen Chin for her efforts on the item; current spending by the City on trees; and appreciation for the flexibility within the Urban Forest Management Plan.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NATIONAL ARBOR DAY FOUNDATION TO CONSIDER DESIGNATING CULVER CITY A TREE CITY USA COMMUNITY.

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Item A-2

**THIS AGENDA ITEM WILL BE HEARD NO EARLIER THAN 7:00PM: CC - Adoption of an Ordinance Establishing a 45-Day Moratorium on the Issuance of Any New Building Permits for Development and Construction in the Lower and Upper Culver Crest Hillside Neighborhoods as Identified on the Attached Map and Declaring the Urgency Thereof and that it Shall Take Effect Immediately**

Sol Blumenfeld, Community Development Director, provided background on the item.

Discussion ensued between staff and Council Members regarding the area selected; the Lower Crest area; the Hillside Grading policy; and clarification that the entire area included in the map is affected by a slope.

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:



Nicholas Cregor discussed the proven history of slides in the area; over development; accommodating one person while putting others at risk; taking action to put a ban on Accessory Dwelling Units (ADUs) on hillsides with a proven history of slides; he expressed support for a moratorium on development; noted that if Mr. Jackson had been present in the area during a landslide he might think otherwise about moving forward with his plans; and he acknowledged the presence of Culver Crest resident Jim Gibson noting the importance of the issue.

Daniel Mayeda expressed support for the moratorium; discussed the history of the area; the need for study to ensure public safety; the time needed to complete the study; consistency with policies followed by the City of Los Angeles; the unique nature of concerns with hillside areas; and he asked the City Council to enact the moratorium to determine what kinds of construction should be allowed in the Culver Crest neighborhood.

Paul Asai expressed concern with the narrow focus of the engineer's reports; taking account other factors; repairs made with multiple properties in mind; taking a global view of the issues; the need for a Comprehensive Building Ordinance; the argument against the moratorium; the inadequacy of the laws; differing building standards for hillsides and flatlands; areas with a history of slides; the instability of the land and the lack of something solid to anchor into; the inevitability of movement on the hillside; and the need for a more wide-ranging plan to protect residents.

Mark Rothman discussed the purpose of the terrace retaining walls and development since their installation; rental units; additional stress put on the hillside; and he expressed support for the moratorium to re-write the ordinance.

Jennifer Merlis expressed support for a moratorium; discussed the geology reports from Mr. Jackson; taking into account the weight added to the hill; studying all of the land, not just the parcel in question; the interdependence of the retaining wall; the 1993 wall; the scope of current development; concern with a piecemeal approach; and she asked the City Council to support the moratorium.

Melina Pillar expressed support for a moratorium; discussed the collaboration of City Planning and the community for

safety; the 2005 slide; the proliferation of larger developments in the area; the need for optimal compliance; the marginalization of community concerns; and the importance of collecting independent data.

Vice Mayor Cooper expressed concern with audio issues related to the meeting broadcast.

Susan Rosales expressed support for a moratorium; discussed intensified developer interest in the community; building to the maximum; the lack of specific guidance for hillside developments; the current plans for the home and for the proposed ADU; and she asked the City Council to direct staff to allow for input in the process from the hillside community.

Sean Veder expressed support for the staff recommendation; discussed safety; overbuilt homes; impacts to other properties; the history of the hill; the current minimal standards; taking a holistic approach; the old building standards; the new proposal; the need for a separate hillside code; and concern with additional stress on the hill.

Jennifer Hodur expressed support for a moratorium on slope side development; discussed the loss of her home in the 2005 mudslide; the resulting complicated litigation; repair of the hill; interference in the lives of all residents in the Culver Crest neighborhood; City awareness of the significant dangers posed by the Jackson project; the potential of a lawsuit; and she asked that the City to take all necessary action to prevent disaster.

Scott Voelz discussed the balance between development and neighborhood concerns, and the exclusion for building permits that do not change the footprint for the home.

Catherine Finamore discussed the history of the hill; construction of larger homes; the inability of the City to deny permits due to the lack of policy; she asked for a pragmatic solution to protect the safety of all residents; and she asked that the moratorium be enacted immediately.

Steve Gardner discussed promises made by the Jackson family; what happens when they decide to sell the property; human error and neglect; and he asked that the moratorium be enacted.

Albert Vera asked the City Council to take the necessary time to gather information to create a specific set of rules and guidelines governing any further hillside development.

David Heckendorf supported the moratorium and he suggested that the moratorium not expire until sufficient time that the analysis has been completed and recommendations are brought forward.

Roger Porter echoed previous comments and expressed support for a moratorium.

Troy Jackson asserted that neighbors don't get to decide what neighbors get to build so long as the project complies with the law; he stated that the City had made an error in soliciting public comment when it had no authority to do so under state law; he stated that the project was fully legal and safe; and he noted that private money was being used to stabilize the hillside.

Peter Erdelyi, structural engineer, discussed safety and methods to stabilize a hillside.

Discussion ensued between Council Members and Mr. Erdelyi regarding sand vs. bedrock; previous construction in the area; the retaining wall; new construction; and the importance of deep piles.

Ron Ostrin discussed impacts of the 2005 slide; effects to ingress and egress; the importance of taking a pause; the inadequacy of the current regulations; and slope definitions.

Robin Turner reported working in soil; expressed support for a moratorium; reported on her experience having to pay for repairs when an adjacent overbuilt house had issues and damaged her home; she asserted that no one should have to be responsible for someone else's actions; she noted 20 separate hillside slides in the last 50 years; and she felt that impacts of the entire hill should be considered.

Steven Gourley expressed pride that town hall democracy is able to take place in Culver City; he honored Mr. Gibson for his presence at the meeting; noted that houses on the hill had caissons and pilings but Mr. Jackson's structure did not; he questioned whether that size of development should be allowed; he asked the City Council to look at the California Division of Mines and Geology Report on the Slope Stability

Study of Baldwin Hills; whether a moratorium should be on areas that are not particularly at a slope but are at the foot of the hill; and he expressed support for a moratorium.

Jeremy Green, City Clerk, read comments submitted by:

Sharon Cotterell  
Chuck and Margarita Chie  
Nicole Willick

Discussion ensued between staff and Council Members regarding acknowledgement of the presence of Jim Gibson; a report that the City Attorney had recused herself as she lives in Culver Crest; red tagged properties; ADU rentals; City liability; responsibility of the owner to maintain the properties; clarification that the City is not liable for damage that results from a slide; an observation that slides are not predictable but are foreseeable; taking action to ensure the safety of residents and the viability of properties; clarification that the zoning code does not have specific standards for residential hillside development; defining buildable area; the ongoing discussion of mansionization; integrating the public into the process; examination of other hillside communities; finding a balance between safety and character; specific areas to study; Blair Hills; clarification that any hillside development standards could apply to other hillside areas in the City; the degree of slope in different areas; community involvement; the process for text amendments; the moratorium to address safety issues; having a dialog with residents regarding development standards; the need for assistance with the study; the need for a Request for Proposal for consultants; whether the study could be completed in 45 days; the process for extending a moratorium; scheduling; health and safety; ADUs in hillside communities; buildable area; state changes to ADU regulations; clarification on increased rainfall figures; how many houses can be built on a hill before it is compromised; clarification that the geology reports pertain to the main structure rather than the ADU; the standard length of time for moratorium extensions per the government code; submission of plans for the ADU; classification of slopes; standards depending on the degree of slope; creating a map illustrating differing development standards; changes to property ownership; covenants; suitability analysis; creating development standards that fit with the character of an area; the scientific basis for declaring a public health emergency; factors to take into consideration; making reasonable

findings; having a reasonable basis; the authority of the City Council; the discussion section of the legislative text; lower Crest residents that are not as affected by the issue; and not including the lower Crest in the extension of the moratorium.

David Heckendorf reported that his house in the Lower Crest and his neighbor's house was affected by rain induced flooding in to the downhill neighbor's backyard.

Additional discussion ensued between staff and Council Members regarding constructing flat pads and retaining walls; only including properties where a retaining wall is required; including the Lower Crest in the study since sufficient information is not yet known; the 1985 findings that implicate the Lower Crest; and anecdotal evidence.

Robin Turner reported several small slides lower than Drakewood including when West LA College put up their sound wall and she suggested considering the issue house to house.

Further discussion ensued between staff and Council Members regarding the length of the moratorium; the way the current moratorium is crafted; concern that without study it would not be clear which areas should be included; consideration of grading and soil type; identifying slope conditions; the need for specific hillside regulations; what determines whether a retaining wall is necessary; standard building practice; expanding beyond the footprint; including a provision for properties without steep slopes that can expand beyond the footprint and add square footage without constructing a retaining wall in Lower Crest; and concern with unfairly punishing someone not in the condition.

Paul Asai felt that properties should not be considered on their own and that they should be considered in relation to those all around them and how their neighbors are effected.

An audience member reported that he had engaged an architect the day before the current meeting was noticed to add a 500 square foot expansion and while he did not object to a 45 day moratorium, a 12 month moratorium would be difficult.

Peter Erdelyi asked why the City did not trust Building and Safety.

Additional discussion ensued between staff and Council Members regarding extensions and clarification that the statute does not contemplate revising the moratorium; a suggestion to adopt a new moratorium; subjecting an application for a development that increases square footage beyond the footprint on the lower portions of the Crest to preparing a report and a presentation demonstrating that minimal grading is necessary subject to Commission review; concern that exempting the Lower Crest area opens up the mansionization issue; current requirements; concern with not studying the Lower Crest area before exempting it; and subjecting those in the Lower Crest to additional vetting.

Steven Gourley suggested that the City Council take a vote on the item.

Further discussion ensued between staff and Council Members regarding allowing staff additional time to consider the Lower Crest and enacting a different moratorium before the current one expires.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL: ADOPT AN ORDINANCE ESTABLISHING A 45-DAY MORATORIUM ON THE ISSUANCE OF ANY NEW BUILDING PERMITS FOR DEVELOPMENT AND CONSTRUCTION IN THE LOWER AND UPPER CULVER CREST HILLSIDE NEIGHBORHOODS AS IDENTIFIED ON THE MAP, ATTACHED TO THE PROPOSED ORDINANCE AS EXHIBIT A, AND DECLARING THE URGENCY THEREOF AND THAT IT SHALL TAKE EFFECT IMMEDIATELY. (THIS ITEM REQUIRES A FOUR-FIFTHS VOTE.)

Mayor Clarke discussed the time frame for renewing the moratorium.

Council Member Sahli-Wells pointed out that the meeting of April 11 was being held on a Tuesday as Passover is on Monday, April 10.

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

Mayor Clarke invited public comment.

No cards were received and no speakers came forward.



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**Items from Council Members**

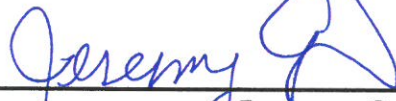
Council Member Eriksson received clarification that Council Member Small had received consensus to agendize a discussion of his endorsement as a member of the LA Metro Transportation Authority Sustainability Council.

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**Adjournment**

There being no further business, at 9:34 p.m., the City Council, Culver City Housing Authority Board, Culver City Parking Authority Board and Successor Agency to the Culver City Redevelopment Agency Board adjourned its meeting in memory of Mike Greenwood to Monday, March 27, 2017 at 7:00 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, Culver City Parking Authority Board and Culver City  
Housing Authority Board  
Culver City, California



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JIM B. CLARKE  
MAYOR of Culver City, California and CHAIR of the  
Successor Agency to the Culver City Redevelopment Agency  
Board, Culver City Parking Authority Board, and Culver  
City Housing Authority Board