

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

November 9, 2020
5:30 p.m.

Call to Order & Roll Call

Mayor Eriksson called the regular meeting of the City Council, Culver City Housing Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board to order at 5:31 p.m. in the Mike Balkman Chambers at City Hall via Virtual Webex.

Present: Göran Eriksson, Mayor
Alex Fisch, Vice Mayor
Daniel Lee, Council Member
Meghan Sahli-Wells, Council Member
Thomas Small, Council Member

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Mayor Eriksson invited public comment.

Jeremy Green, City Clerk, indicated that no public comment cards had been received for Closed Session Items and that Item CS-1 had been pulled for consideration at a future meeting in January 2021.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL, RECESS TO CLOSED SESSION.

Closed Session

At 5:34 p.m. the City Council adjourned to Closed Session to consider the following Items:

CS-1 (Not Considered) CC - Conference with Legal Counsel -
Initiation of Litigation

Re: 8680 Washington Boulevard, Apts. #201-220

Pursuant to Government Code Section 54956.9(d)(4)

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CS-2 CC - Conference with Real Property Negotiators

Re: 9814 Washington Boulevard

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

Other Parties Negotiators: Center Theatre Group of Los Angeles
(CTG)

Under Negotiation: Price, Terms of Payment or Both, Including
Use Restrictions, Development Obligations and Other Monetary
Related Considerations

Pursuant to Government Code Section 54956.8

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Reconvene

Mayor Eriksson reconvened the meeting of the City Council, the
Housing Authority Board and the Successor Agency to the Culver
City Redevelopment Agency Board at 6:46 p.m. with all Council
Members present.

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Recognition Presentations

Item R-1

**CC - Presentation of a Proclamation in Honor of World Kindness
Day on November 13, 2020 in Culver City**

Jeremy Green, City Clerk, presented the proclamation in Honor
of World Kindness Day on November 13, 2020 in Culver City.

Jim Clarke thanked the City for recognizing World Kindness
Day.

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CC - A Proclamation Declaring the Month of November 2020 as Movember in Culver City

Jeremy Green, City Clerk, presented the proclamation declaring the month of November 2020 as Movember in Culver City.

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Recess

Mayor Eriksson recessed the meeting until 7:00 p.m. for the Regular Session.

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Regular Session

Mayor Eriksson reconvened the meeting of the City Council, Culver City Housing 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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Pledge of Allegiance

Mayor Eriksson led the Pledge of Allegiance.

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Closed Session Report

Mayor Eriksson indicated nothing to report out of Closed Session.

Jeremy Green, City Clerk, reported that Item CS-1 had been deferred to a future meeting for consideration.

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Community Announcements by City Council Members/Information Items from Staff

Council Member Small thanked the local candidates who ran for election and local groups who put forth ballot initiatives;

November 9, 2020

noted the smooth process; and he was pleased to be represented by the next City Council that he felt would represent everyone's interests in a balanced, progressive way.

Council Member Lee discussed continued vote counting; consolidated elections; better representation of the City; Veterans Day; he requested a more robust tracking system for items that have been requested to be put on an agenda noting that items that come forward are influenced by circumstances; he congratulated the voters and winners in the local election; and he discussed voter turnout.

Jeremy Green, City Clerk, discussed the number of registered voters and reported an election turnout of 81% at this point in the canvassing of results.

Council Member Sahli-Wells discussed the life and legacy of Alex Trebek and asked that the meeting be adjourned in his memory; provided an update on the Equity Subcommittee; discussed selection of a consultant; the recommendation that a resolution be issued to apologize for being a "Sundown Town"; development of a Racial Equity Action Plan; the actions of the City of Glendale; she thanked the Culver City voters for approving Measure RE and defeating Measure B; she congratulated incoming School Board and Council Members; noted that the race for the third City Council seat was still too close to call; she congratulated the candidates and the voters; and she congratulated Joe Biden and Kamala Harris on their election noting that she was looking forward to the next four years.

Vice Mayor Fisch thanked the voters noting that consolidated elections work; he expressed appreciation for the civility of the voters; and he noted that every vote needed to be counted.

Mayor Eriksson discussed the large voter turnout; congratulated Yasmine-Imani McMorrin and Albert Vera as it was clear that they would be serving on the next City Council; he acknowledged that votes for the third seat were still being counted; and he discussed the Veterans Day flag fundraiser noting that more information was available at culvertribute.org.

Jeremy Green, City Clerk, discussed the schedule of election results updates; certification of the election; the counting process; and the process to cure a ballot.

Michele Williams, Chief Information Officer, announced that the City would be launching a redesigned website at the end of the month and she introduced City Webmaster, Anissa Di Vincente.

Anissa Di Vincente, City Webmaster, provided a preview of the redesigned Culver City website; discussed the new Open Cities platform; the importance of accessible, easy to understand services, and steps; making the website more user friendly; freeing up staff time spent explaining how to access information; improvements to the search engine; mapping; making the website more service friendly; color choices to echo Culver City signage and make the website more vibrant; instant translation into Spanish; increased online services; she noted that the website was a work in progress; and she discussed goals for the future.

Discussion ensued between staff and Council Members regarding the translation function and providing additional languages.

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Information Items

Item I-1

CC - COVID-19 Update

Ken Powell, Fire Chief and Current Emergency Operations Center Director for the COVID-19 Effort, provided an update on current efforts to address challenges and issues; discussed increasing numbers; holiday gatherings; colder weather; risks associated with gatherings of three or more households; mask wearing; outdoor gatherings; maintaining social distance; those who test positive or exhibit symptoms; virtual celebrations; and ways to reduce spreading of the virus.

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Joint Public Comment - Items Not on the Agenda

Mayor Eriksson invited public comment.

The following members of the public addressed the City Council:

David Coles announced that Daniel Pankau had been hired as an Environmental Compliance Inspector; discussed the anti-polystyrene ordinance; and he encouraged residents to report

businesses in violation of the polystyrene ordinance by calling (310) 460-9566 or by emailing daniel.pankau@culvercity.org.

Eric Sims, Downtown Business Association, discussed the Downtown Culver City Holiday Tree Lighting event in past years, and he encouraged everyone to participate in the virtual event for 2020 on December 10.

David Mack, Invertigo Dance Theatre, discussed their participation in the 2020 Holiday Tree Lighting virtual event; the Culver City Arts Alliance; plans for an ongoing virtual event sponsored by Apple; and work with staff to coordinate the Tree Lighting event and a support letter for ongoing events.

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Receipt and Filing of Correspondence

Mayor Eriksson reported that 17 pages of correspondence had been received.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY VICE MAYOR FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Order of the Agenda

Item A-3 was moved to the end of the agenda, and Items C-8, C-12, C-16, C-17 and C-18 were considered separately at the end of the Consent Calendar.

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Consent Calendar

Jeremy Green, City Clerk, reported speaker cards for C-8, C-16, C-18, with a change for C-18 to be provided by staff.

Council Members asked that Items C-12 and C-17 be pulled for separate consideration.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY VICE MAYOR FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-7 AND ITEMS C-9, C-10, C-11, C-13, C-14, AND C-15.

Item C-1

CC:HA:SA - (1) Approval of Cash Disbursements for October 2, 2020 to October 16, 2020

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR OCTOBER 2, 2020 TO OCTOBER 16, 2020.

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Item C-2

CC:HA:SA - Approval of Minutes for the Special City Council Meeting on October 21, 2020 and the Regular Consolidated City Council Meeting on October 26, 2020

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES FOR THE SPECIAL CITY COUNCIL MEETING ON OCTOBER 21, 2020 AND THE REGULAR CONSOLIDATED CITY COUNCIL MEETING ON OCTOBER 26, 2020.

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Item C-3

CC - Adoption of a Resolution Approving the Final Map for Tract Number 69482 Consisting of the Creation of Three Lots and Six Residential Air Space Units for Condominium Purposes for the Project Located at 4227 Ince Boulevard

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING THE FINAL MAP FOR TRACT NUMBER 69482 CONSISTING OF CREATION OF THREE LOTS AND SIX RESIDENTIAL AIRSPACE UNITS FOR CONDOMINIUM PURPOSES AT 4227 INCE BOULEVARD.

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Item C-4

CC - (1) Approval of a Professional Services Agreement with Biggs Cardosa and Associates in an Amount Not-to-Exceed \$880,368 for Construction Management and Inspections Services, for the Higuera Street Bridge Replacement Project, PZ553, BHLS 5240(026)

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH BIGGS CARDOSA ASSOCIATES FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE HIGUERA STREET BRIDGE REPLACEMENT PROJECT, PZ553, BHLS 5240(026); 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-5

CC - Adoption of Resolution Adopting a Labor Compliance Program (LCP) for the Culver Boulevard Stormwater Filtration/Retention Project, PR-002 in Accordance with State of California Proposition 84 Grant Requirements, and Authorizing the City Manager, or his Designee, to Submit the LCP to the Department of Industrial Relations for Approval

THAT THE CITY COUNCIL: ADOPT A RESOLUTION ADOPTING A LABOR COMPLIANCE PROGRAM (LCP) FOR THE CULVER BOULEVARD STORMWATER FILTRATION/RETENTION PROJECT, PR-002 IN ACCORDANCE WITH STATE OF CALIFORNIA PROPOSITION 84 GRANT REQUIREMENTS, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT THE LCP TO THE DEPARTMENT OF INDUSTRIAL RELATIONS FOR APPROVAL.

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Item C-6

CC - Approval of an Amendment to an Existing Professional Services Agreement with Absolute International Security in an Amount Not-to-Exceed \$61,880.04 for Security Services at the Transportation Facility

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING AGREEMENT AMENDMENT WITH ABSOLUTE INTERNATIONAL SECURITY IN AN AMOUNT NOT-TO-EXCEED \$61,880.04; AND,

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

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

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Item C-7

CC - Approval of a Month-to-Month Agreement with Sectran Security, Inc. in a Not-to-Exceed Amount of \$1,350 per Month for Armored Carrier and Cash Counting Services for Culver CityBus

THAT THE CITY COUNCIL:

1. APPROVE A MONTH-TO-MONTH AGREEMENT WITH SECTRAN SECURITY, INC. IN A NOT-TO-EXCEED AMOUNT OF \$1,350 PER MONTH FOR ARMORED CARRIER AND CASH COUNTING SERVICES FOR CULVER CITYBUS.

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
(Out of Sequence)

CC - (1) Adoption of a Resolution Authorizing the City to Enter into an Agreement with the Los Angeles County Flood Control District for the Transfer of Measure W Safe Clean Water Funds for Two Regional Infrastructure Projects: Mesmer Low Flow Diversion Project and Washington Boulevard Stormwater Diversion Project; and (2) FOUR-FIFTHS VOTE REQUIREMENT: Approval of Related Budget Amendments

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AGREEMENTS WITH THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT FOR THE TRANSFER OF MEASURE W SAFE CLEAN WATER REGIONAL INFRASTRUCTURE PROGRAM FUNDS FOR BOTH THE WASHINGTON BOULEVARD STORMWATER DIVERSION PROJECT AND THE MESMER LOW-FLOW DIVERSION PROJECT ; AND,

2. APPROVE A RELATED BUDGET AMENDMENT (REQUIRES A FOUR FIFTHS VOTE); 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 - (1) Adoption of a Resolution Authorizing the City to Enter into an Agreement with the Los Angeles County Flood Control District for the Transfer of Department of Water Resources Proposition 1 Grant Funds for the Mesmer Low Flow Diversion Project; and (2) FOUR-FIFTHS VOTE REQUIREMENT: Approval of Related Budget Amendment

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT FOR THE TRANSFER OF DEPARTMENT OF WATER RESOURCES PROPOSITION 1 GRANT FUNDS FOR THE MESMER LOW FLOW DIVERSION PROJECT; AND,
2. APPROVAL OF RELATED BUDGET AMENDMENT (REQUIRES FOUR-FIFTHS VOTE); 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-11

CC - (1) Fourth Review of the Need for Continuing the Local Emergency Declared on March 14, 2020 by the City Manager, as Director of Emergency Services, under City of Culver City Emergency Authority, Due to the Coronavirus Respiratory Disease (COVID-19) Pandemic, in Accordance with the Requirements of Government Code Section 8630; and (2) Direction to City Manager as Deemed Appropriate

THAT THE CITY COUNCIL: PURSUANT TO GOVERNMENT CODE SECTION 8630, CONDUCT A FOURTH REVIEW OF THE NEED FOR CONTINUING THE LOCAL EMERGENCY DECLARED ON MARCH 14, 2020 BY THE CITY MANAGER, AS DIRECTOR OF EMERGENCY SERVICES, UNDER CITY OF CULVER CITY EMERGENCY AUTHORITY, DUE TO THE CORONAVIRUS RESPIRATORY DISEASE (COVID-19) PANDEMIC.

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Item C-13
(Out of Sequence)

CC - Approval of an Agreement with Southwest Lift & Equipment in an Amount Not-To-Exceed \$1,299,938 (\$1,187,675 Base and \$112,263 Contingency) for the Replacement of In-Ground Vehicle Lifts at the Transportation Facility

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH SOUTHWEST LIFT & EQUIPMENT, INC. FOR THE REPAIR AND MAINTENANCE OF THE FOR THE REPLACEMENT OF IN-GROUND VEHICLE LIFTS AT THE TRANSPORTATION FACILITY IN AN AMOUNT NOT-TO-EXCEED 1,299,938 (\$1,187,675 BASE AND \$112,263 CONTINGENCY; 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-14

CC - Approval of a Purchase Order with National Auto Fleet Group for the Purchase of a Bus Service Vehicle in an Amount Not-to-Exceed \$71,505.39

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE ORDER WITH NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF A BUS SERVICE VEHICLE IN AN AMOUNT NOT-TO-EXCEED \$71,505.39. AND,
2. AUTHORIZE THE PURCHASING OFFICER TO EXECUTE SUCH PURCHASE ORDER ON BEHALF OF THE CITY.

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Item C-15

CC -1) Acceptance of Prop 1 Grant Funds in the Amount of \$1,952,500 Awarded by the Baldwin Hills Conservancy for the Greening the Greenway: Ballona Creek Bike/Ped Path Sustainability, Safety and Accessibility Enhancements Project; and 2) FOUR-FIFTHS VOTE REQUIREMENT: Approval a Budget Amendment Appropriating a Local Cash Match of \$200,000 of Measure R Funds in FY 20-21 and \$647,660 of SB1 Funds in FY 21-22

THAT THE CITY COUNCIL:

1) ACCEPT THE PROP 1 GRANT FUNDS IN THE AMOUNT OF \$1,952,500 AWARDED BY THE BALDWIN HILLS CONSERVANCY FOR THE GREENING THE GREENWAY: BALLONA CREEK BIKE/PED PATH SUSTAINABILITY, SAFETY AND ACCESSIBILITY ENHANCEMENTS PROJECT; AND,

2) APPROVE A BUDGET AMENDMENT APPROPRIATING A LOCAL MATCH OF \$200,000 OF MEASURE R FUNDS IN FY 20-21 AND \$647,660 OF SB1 FUNDS IN FY 21-22 AS MATCHING FUNDS FOR THE PROJECT (REQUIRES FOUR-FIFTHS VOTE).

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Item C-8

(Out of Sequence)

CC - Approval of Amendment to Existing Memorandum of Understanding and Lease Agreement with Wende Museum of the Cold War, Inc for 10808 Culver Boulevard to Add Lease of City Owned Property at 10858 Culver Boulevard

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

Discussion ensued between staff and Council Members regarding acknowledgement that the housing component is moving forward; public outreach; and the Comprehensive Plan Amendment process.

Mayor Eriksson invited public comment.

Faye Walker was called to speak but did not respond.

The following member of the public addressed the City Council:

Mark Lipman expressed support for the project; thanked the City for setting the tone in providing homage to veterans and focusing on kindness; noted that the housing was for veterans; he wanted to make sure that the project stayed on track; felt the best kindness that could be shown was to put words into action by providing housing for those most in need; he expressed support for the public meetings; and he felt that the space could accommodate more housing than what was proposed.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING MEMORANDUM OF UNDERSTANDING AND LEASE AGREEMENT WITH WENDE MUSEUM OF THE COLD WAR REFLECTING THE TERMS DESCRIBED IN THE TERM SHEET.
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-12
(Out of Sequence)

CC - Ratification of the Fiscal Year 2021 Los Angeles/Long Beach Urban Areas Security Initiative (UASI) Project Application Submitted to the California Governor's Office of Emergency Services (Cal OES) in the Amount of \$83,702.31

Council Member Sahli-Wells suggested that the item be considered by the Chief's Advisory panel; discussed transparency; the grant; and allowing the public a chance to weigh in on use of the specific type of equipment.

Discussion ensued between staff and Council Members regarding potential situations where the robot would be used; clarification that the purchase would be funded by a grant, not General Fund monies; the vetting process; and appreciation for bringing in money from outside sources.

THAT THE CITY COUNCIL:

1. RATIFY THE FISCAL YEAR 2021 LOS ANGELES/LONG BEACH URBAN

AREAS SECURITY INITIATIVE (UASI) PROJECT APPLICATION SUBMITTED TO THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES) IN THE AMOUNT OF \$83,702.31; 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-16
(Out of Sequence)

CC - Adoption of a Resolution Confirming the October 30, 2020 Twenty-Ninth Supplement to Public Order (Modified Indoor Operation of Personal Care Establishments; Clarification Regarding Food Court Dining Areas in Indoor Malls and Shopping Centers; Conditional Outdoor Operation of Miniature Golf, Batting Cages, and Go Cart Racing; Percentage of Students Permitted on K-12 Campus with IEPs and Els and Other High Needs Increased to 25%; Conditional Opening of Wineries and Breweries for Outdoor Dining Operations; and Temporary Limit on Third Party Food Delivery Service Fees) Issued by the City Manager, as Director of Emergency Services, under City of Culver City Emergency Authority, Due to the Coronavirus Respiratory Disease (COVID-19) Pandemic

Mayor Eriksson invited public comment.

The following member of the public addressed the City Council:

Mark Lipman discussed those not taking the health emergency seriously; worsening conditions; people congregating in large groups under tents; expanded openings; and he acknowledged the need to support small businesses, but did not feel that lives should be risked in order to do that.

Discussion ensued between staff and Council Members regarding reliance on guidance from public health officials; compliance; improved mask messaging; the Mayor's mask video; the need to do more to allow in-person schooling; evidence-based socially distant ways to provide instruction; the importance of being equitable; increased enforcement; penalties; the vaccine; concern with the spread of COVID over the holidays; spread of the virus through private gatherings; limiting the spread in

the public sphere; the influence of politics on public officials; ensuring that public orders are followed; outlining the real dangers that continue to exist with the virus; messaging; emphasizing that things will get worse; providing spaces for students to gather safely; the successful day-camp model; appreciation to staff for their focus on public safety; encouragement for the public to report specific concerns to (310) 253-6890 or coronavirus@culvercity.org; consistency with neighboring cities; creating a culture of compliance; modeling good behavior; room for improvement; outdoor learning spaces; the Culver City Unified Task Force for Outdoor Learning; open-aired tents; space heaters; and Community Risk Reduction Inspectors.

THAT THE CITY COUNCIL:

ADOPT A RESOLUTION CONFIRMING THE OCTOBER 30, 2020 TWENTY-NINTH SUPPLEMENT TO PUBLIC ORDER (MODIFIED INDOOR OPERATION OF PERSONAL CARE ESTABLISHMENTS; CLARIFICATION REGARDING FOOD COURT DINING AREAS IN INDOOR MALLS AND SHOPPING CENTERS; CONDITIONAL OUTDOOR OPERATION OF MINIATURE GOLF, BATTING CAGES, AND GO CART RACING; PERCENTAGE OF STUDENTS PERMITTED ON K-12 CAMPUS WITH IEPS AND ELS AND OTHER HIGH NEEDS INCREASED TO 25%; CONDITIONAL OPENING OF WINERIES AND BREWERIES FOR OUTDOOR DINING OPERATIONS; AND TEMPORARY LIMIT ON THIRD PARTY FOOD DELIVERY SERVICE FEES), ISSUED BY THE CITY MANAGER, AS DIRECTOR OF EMERGENCY SERVICES, UNDER CITY OF CULVER CITY EMERGENCY AUTHORITY, DUE TO THE CORONAVIRUS RESPIRATORY DISEASE (COVID-19) PANDEMIC.

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Item C-17

CC - (1) Approval of a Term Sheet with Ting Fiber, Inc. for a Citywide Fiber-Optic Network; and (2) Authorization to the City Manager to Negotiate Related Agreements Consistent with Such Term Sheet

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

Discussion ensued between staff and Council Members regarding benefits of the item to the City at large; initial discussions around low income components to internet service; providing fiber to affordable housing projects; and grant funding.

THAT THE CITY COUNCIL:

1. APPROVE THE TERM SHEET WITH TING FIBER, INC. FOR THE CONSTRUCTION OF A FIBER-OPTIC NETWORK IN THE CITY'S PUBLIC RIGHT-OF-WAY; AND
2. AUTHORIZE THE CITY MANAGER TO NEGOTIATE RELATED AGREEMENTS CONSISTENT WITH SUCH TERM SHEET; 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-18

CC - Adopt Respective Resolutions Approving: (1) a One (1) Year Memorandum of Understanding with Culver City Employees Association; (2) a One (1) Year Memorandum of Understanding with Culver City Management Group; (3) a Two (2) Year Memorandum of Understanding with Culver City Firefighters Association, Local 1927 AFL-CIO; (4) a Two (2) Year Memorandum of Understanding with Culver City Fire Management Group; (5) a Two (2) Year Memorandum of Understanding with Culver City Police Management Group; and (6) the Culver City Executive Management Compensation Plan

Mayor Eriksson requested a staff report to go over changes.

Onyx Jones, Chief Finance Officer, provided a summary of the material of record; discussed original language of the Culver City Employees Association (CCEA); she highlighted information included in the staff report; discussed Memorandums of Understanding (MOUs) included; fiscal impact; and salary savings.

Discussion ensued between staff and Council Members regarding modification to language to make it more broad; providing more time for CCEA; level of detail included in the MOU; scheduling; the CCEA MOU; the process; hiring of jailers; side letter agreements; addressing issues until the MOU is changed; concern with approving something that still needs discussion; maintaining original language and only addressing specific items; and appreciation to the Labor Groups for their willingness to find solutions.

Mayor Eriksson invited public input.

The following members of the public addressed the City Council:

Mark Lipman expressed concern with Closed Session items that are not reported out to the rest of the City; contracts approved at the last minute and without adequate public input; pay raises slipped in before the next City Council and the public get a chance to consider them; tying the hands of the next Council; the need for public scrutiny; the missing page in the MOU of the Police contract indicating who negotiated the contract; legality of the parties of the 2019 MOU with the CCPOA; questions regarding Other Pay; monthly bonuses to those who make the highest salaries in the City; money needed for housing and public services to help people living in abject poverty rather than to provide bonuses to those who have the most; the Public Safety Review and potential allocation of monies; undermining the efforts and will of the community; and he asked that the City Council take the opportunity to revisit the item in a more transparent manner as an Action Item.

Robert Wexler, Culver City Police Management Group Labor Attorney, thanked the City Council and staff for their work on the item; discussed negotiations to address issues; the pandemic; agreement to forego the Meet and Confer process; extension of the current agreement without substantive changes to the contract; appreciation for the positive relationship with the City and the City Council; and support for enacting the status quo labor agreement.

Additional discussion ensued between staff and the City Council regarding acknowledgement for the work put into the item and support for moving forward; reconsidering the item in the future; the missing page showing the parties to the agreement; the ongoing public safety review; clarification regarding the effect of the MOU on the future public safety review process; compensation; specified term of the agreement; consequences of leaving approval of the MOU to the next City Council; support for approving everything except the Police Management agreements; concern with making decisions for a future Council; previous instances when approval of agreements went beyond their expiration dates; working toward a fair agreement; the amount of time put into the process; the ongoing Public Safety review; Police reform; changing Police culture; culture that comes from management; the ability to affect change at a management level; support for taking up the Police Memorandum of Understanding

(MOU) in the context of the public safety review; the process; benefits of the Police Management offer to the City; concern with charges that the process was not transparent; whether review of the wages, benefits and working conditions of Police Management is the proper starting point to make changes; Consent Calendar Items vs. Action Items; the UCLA Study; the Other Pay category in all Police salaries; comparability of total compensation with neighboring jurisdictions; honoring the hard work of the negotiators and the good faith of the employees; allowing the City Council to get on with more substantive work while saving money on the contract; the importance of keeping good relationships with the Labor Unions; and appreciation for the points raised.

Mayor Eriksson moved to approve all motions, except for the Culver City Police Management Group.

Further discussion ensued between staff and Council Members regarding signatories of the Police Management Agreement; the negotiation process; acknowledgement that the first time the public is seeing the agreement, it is being approved; and concern with ignoring the public in the process or pretending that they have had a part in it all along.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING A ONE (1) YEAR MEMORANDUM OF UNDERSTANDING WITH CULVER CITY EMPLOYEES ASSOCIATION; AND,
2. ADOPT A RESOLUTION APPROVING A ONE (1) YEAR MEMORANDUM OF UNDERSTANDING WITH CULVER CITY MANAGEMENT GROUP; AND,
3. ADOPT A RESOLUTION APPROVING A TWO (2) YEAR MEMORANDUM OF UNDERSTANDING WITH CULVER CITY FIREFIGHTERS ASSOCIATION, LOCAL 1927 AFL-CIO; AND,
4. ADOPT A RESOLUTION APPROVING A TWO (2) YEAR MEMORANDUM OF UNDERSTANDING WITH CULVER CITY FIRE MANAGEMENT GROUP; AND,
6. ADOPT A RESOLUTION APPROVING THE CULVER CITY EXECUTIVE MANAGEMENT COMPENSATION PLAN.

Discussion ensued between staff and Council Members regarding appreciation for the logic behind not wanting to approve the agreement; the process; concern with making a last minute change to not approve the item after the lengthy process due to public

comment made; respect for engaging in a comprehensive process; concern with changes made by Labor right before the meeting; the importance of not ignoring the public process; private conversation; the public part of the process; considering policy differently when it comes to public safety; considering the context of the year within all decisions; those who have just begun to consider issues that have been considered by others all their lives; and deep consideration given to all decisions made.

MOVED BY MAYOR ERIKSSON AND SECONDED BY COUNCIL MEMBER SMALL THAT THE CITY COUNCIL:

5. ADOPT A RESOLUTION APPROVING A TWO (2) YEAR MEMORANDUM OF UNDERSTANDING WITH CULVER CITY POLICE MANAGEMENT GROUP.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, FISCH, SMALL
NOES: LEE, SAHLI-WELLS

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-12, C-16 AND C-17.

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Public Hearings Items

Item PH-1

CC - (1) PUBLIC HEARING: Adoption of a Resolution Confirming the Downtown Culver City Business Improvement District Advisory Board's Annual Report and the Levy of the Downtown Culver City Business Improvement District Assessment for 2021; (2) Appointment of Members to the Business Improvement District Advisory Board for Calendar Year 2021; and (3) Approval of an Amendment to the Management Agreement between the City and the Culver City Downtown Business Association extending Management of the BID through December 31, 2022

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

Glenn Heald, Economic Project Development Manager, provided a summary of the material of record noting the intent to revise

the annual report filed with the City Clerk to call out the specific amount of carryover funds to be added to the reserve.

Jeremy Green, City Clerk, stated that the Notice of Intention, which included Notice of the Public Hearing was published in the Culver City News on October 1 and 15, 2020 and mailed to all affected businesses, and this is the time and place for the hearing of any protests or objections to the continuation of the Downtown Culver City Business Improvement District (BID).

Mayor Eriksson invited public comment.

Jeremy Green, City Clerk, indicated that no public comment had been received; no protests had been received; and a majority protest was not received.

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

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY VICE MAYOR FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT THE PROPOSED RESOLUTION CONFIRMING THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD'S ANNUAL REPORT AND THE LEVY OF THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FOR 2021; AND, APPOINT ERIC SIMS, KATHRYN LUNDEEN, KARL KUHN, AND KEN KAUFMAN AS MEMBERS OF THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD; AND, APPROVE AN AMENDMENT TO THE MANAGEMENT AGREEMENT BETWEEN THE CITY AND THE CULVER CITY DOWNTOWN BUSINESS ASSOCIATION EXTENDING MANAGEMENT OF THE DCCBID FOR THE PERIOD OF JANUARY 1, 2021 THROUGH DECEMBER 31, 2022.

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Item PH-2

CC - PUBLIC HEARING: (1) Adoption of a Resolution Confirming the 2021 Annual Work Plan and Levy of Assessments for the Culver City Arts District Business Improvement District; and (2) Appointment of Members to the Culver City Arts District Business Improvement District Advisory Board for 2021

Jeremy Green, City Clerk, announced that it was the time and place for the hearing of any protests or objections to the continuation of the Culver City Arts District Business Improvement District and that the Notice of Intention, which

was included Notice of the Public Hearing published in the Culver City News on October 29, 2020 and mailed to all affected businesses.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Elaine Gerety Warner, Economic Development Project Manager, provided a summary of the material of record.

Mayor Eriksson invited public comment.

Jeremy Green, City Clerk, reported that no public comment had been received; no protests had been received; and a majority protest did not exist.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

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

1B. ADOPT THE PROPOSED RESOLUTION CONFIRMING THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD'S ANNUAL REPORT AND THE LEVY OF THE CULVER CITY ARTS DISTRICT BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FOR CALENDAR YEAR 2021; AND,

2. APPOINT THE 2020 ADVISORY BOARD AS RECOMMENDED BY THE CULVER CITY ARTS DISTRICT BUSINESS IMPROVEMENT DISTRICT.

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Action Items

Item A-1

CC - (1) Discussion of the Commercial Tenant Eviction Moratoria, Including the Comments and Recommendations from the Economic Recovery Task Force; and (2) Direction to the City Manager as Deemed Appropriate

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

Elaine Gerety Warner, Economic Project Development Manager, discussed Task Force comments and recommendations; complexity

of the issue; exploration of concessions, extensions, and realistic expectations; mediation to facilitate discussion between tenant and landlords; the Unlawful Detainer process; Common Area Maintenance (CAM) fees; redefining the rent definition; pass-through payments; back payments; consideration of using tiered structures in line with state protocols; differences between restaurants and retail vs. office spaces; staff time; and increased advocacy at state and federal for forbearance intervention for small businesses and landlords.

Discussion ensued between staff and Council Members regarding complexity of the issue; actions of other cities; and good faith efforts being made to address issues.

Mayor Eriksson invited public comment.

The following members of the public addressed the City Council:

Chris Hiti expressed appreciation for the support of the Commercial Moratorium; discussed the effect of the pandemic on his business; the requirement of the landlord that the full rent be paid; complexity of the issue; the effects of the costs of real estate on small businesses; Prop 13; and concerns with a large payment at the end.

Les Surfias provided background on himself; felt that the burden was placed on the landlords; discussed defining specific financial information requirements; support for a mediation group; he wanted to see the City establish solid rules and set protocols; and he felt that utilities and trash should not be included.

Discussion ensued between staff and Council Members regarding complexity of the issue; differences between industries and business size; the tiered payment structure and revenue assessment; adapting the model to Culver City and types of businesses in the City; payment structures to protect small landlords and businesses; authentic experiences provided by local businesses; appreciation for public comment with disparate views; focusing on fixed costs; implementation; ensuring that CAMS are paid; detail and follow-through; tenant protections for residential tenants; outside consultants; enforcement; the complaint process; decreased numbers of complaints; state and county mediation resources; concern with staff time; the actions of other cities; limited consideration on a case by case basis; costs for private mediation; assessing whether certain businesses can remain viable; enforcement of requirements vs.

adjudication; the role of the City to provide a vibrant community and economy; short-term gains; private businesses and private property; the serious nature of the issue; finding a balanced approach to achieve positive outcomes for the community; the sunset of the eviction moratorium in January 31, 2020; creating a comprehensive and specific plan to provide for a stronger and faster recovery; the new City Council; timing; preserving the status quo; additional discussion in the new year; continued work of the Economic Recovery Task Force (ERTF) and the Economic Development Subcommittee; non-binding arbitration; extending the moratorium for an additional two months; prioritizing negotiations; balloon payments; financial challenges faced by businesses and landlords; the Governor's orders; maximum extension; the definition of businesses included in the moratorium; support for mediation after negotiation has been attempted; defining steps that precipitate mediation; City involvement; policy; tiers as a road toward mediation; mediation vs. arbitration; and ensuring that the City takes a passive role.

Additional discussion ensued between staff and Council Members regarding agreement to extend the moratorium for two additional months; CAM fees; extending the moratorium to the end of the local emergency; City authority consistent with the Governor's Order; consideration of options for a mediation program; establishing implementation measures; following a tiered structure; whether to redefine commercial tenants; recommendations from the ERTF; differing opinions; difficulty of achieving consensus; the limited time frame; complexity of the issue; costs of mediation; consideration by the future City Council; the actions of Santa Monica; having staff investigate providing full protection for the smaller companies; staff discretion; and consideration by the City Council Economic Development Subcommittee.

MOVED BY VICE MAYOR FISCH, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL EXTEND THE COMMERCIAL MORATORIUM, AS IT IS, FOR AN ADDITIONAL TWO MONTHS.

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Item A-2

CC - (1) Authorization to Increase City Jail Staffing by Three Additional Funded Jailer Positions for a Total Jail Staff of One Senior Jailer and Five Jailers; and (2) FOUR-FIFTHS VOTE REQUIREMENT: Approval of a FY 2020/2021 Related Budget Amendment in the Amount of \$282,042.00

Manny Cid Acting Police Chief, provided a summary of the material of record.

Mayor Eriksson invited public comment.

The following member of the public addressed the City Council:

Mark Lipman noted that as the sole public speaker for the item, he might be dismissed as a lone activist; he acknowledged the need to put the jail in order, but noted that the money should come out of the Police budget; stated that funding for CCPD had been preventing the City from serving the public good and providing much needed services; he discussed the election and burn out; observed that when people are looking the other way, the most egregious things are put on the agenda; discussed the problem with maintaining the status quo; and concern with Police salaries.

Discussion ensued between staff and Council Members regarding safety concerns; evolution of the issue; the original proposal to hire an outside firm; passing items in a lame duck session; unfinished business; the thorough process; the need to reimagine the system and redirect the budget; appreciation to Mark Lipman for his efforts; opposition to the item; coming into compliance; liability; safety issues for people who are jailed; the fact that having someone on duty does not guarantee the safety of the person being jailed; compassionate compliance; apologies to the jailers for leaving them in limbo; and appreciation to everyone who participated in the process.

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

1. AUTHORIZE THE INCREASE OF CITY JAIL STAFFING BY THREE ADDITIONAL FUNDED JAILER POSITIONS FOR A TOTAL JAIL STAFF OF ONE SENIOR JAILER AND FIVE JAILERS; AND

2. APPROVE A FY 2020/2021 BUDGET AMENDMENT IN THE AMOUNT \$282,042.00 TO INCREASE PERSONNEL SERVICES LINE ITEM FOR THREE

ADDITIONAL FUNDED JAILER POSITIONS FROM GENERAL FUND RESERVES TO PERSONNEL SERVICES (10140200.411100-440000). (A BUDGET AMENDMENT REQUIRES A FOUR-FIFTHS VOTE).

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, FISCH, SAHLI-WELLS, SMALL

NOES: LEE

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Item A-4
(Out of Sequence)

CC - (1) Approval of an Exclusive Negotiation Agreement with The Center Theatre Group of Los Angeles to Explore the Purchase and Development of the Parcel Located at 9814 Washington Boulevard Adjacent to the Kirk Douglas Theater; and (2) Direction to the City Manager as Deemed Appropriate

Sol Blumenfeld, Community Development Director, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding the plan to have affordable housing above the arts dedicated use on the ground floor; and language in the recitals portion of the Exclusive Negotiation Agreement (ENA) regarding the mixed use 100% affordable housing development with an arts related use on the ground floor to be mutually agreed upon.

Mayor Eriksson invited public comment.

The following member of the public addressed the City Council:

Mark Lipman suggested that the item could have come before the Committee on Homelessness for input before coming to the City Council; he expressed opposition to the sale of public property; suggested use of a public banking model to finance the property; proposed a public meeting on the use of the space before entering into a contract; acknowledged the hard work done on the process; and he expressed concern that these decisions were being made while the public is not looking.

Discussion ensued between staff and Council Members regarding clarification that public land was not being sold; an upcoming presentation by public banking advocates; sale of the public land as required by the state; the deadline; opportunities for

public input; ensuring that the City has a say in the process; the intention of the City Council to develop land for public housing as much as possible; timing; working in partnership with the Kirk Douglas Theater; multiple public benefit; infrastructure; the pre-existing agreement; the Surplus Land Act; affordable housing; and ensuring that the new language regarding 100% affordable housing development with the arts use on the ground floor is included in the ENA.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE THE PROPOSED ENA WITH CENTER THEATRE GROUP TO EXPLORE THE PURCHASE AND DEVELOPMENT OF THE PARCEL LOCATED AT 9814 WASHINGTON BOULEVARD ADJACENT TO THE KIRK DOUGLAS THEATER.

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Item A-3

CC - Adoption of a Resolution Setting the Regular Meetings of the City Council for the Calendar Year 2021

Jeremy Green, City Clerk, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding appreciation to Council Member Sahli-Wells for inclusion of school holidays in the annual calendar.

MOVED BY COUNCIL MEMBER LEE, SECONDED BY VICE MAYOR FISCH AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT A RESOLUTION SETTING THE REGULAR MEETINGS OF THE CITY COUNCIL FOR THE CALENDAR YEAR 2021.

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Public Comment - Items Not on the Agenda

Mayor Eriksson invited public comment.

Jeremy Green, City Clerk, indicated that no additional public comment had been received.

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Items from Council Members

Vice Mayor Fisch felt it had been a productive and enjoyable two and a half years working together.

Council Member Lee stated that it had been a joy to serve with his fellow Council Members; he thanked Council Member Sahli-Wells for her encouragement to run; discussed his first time in Culver City trying out for Jeopardy and the passing of Alex Trebek; he noted the importance of prizing knowledge; and he expressed concern with anti-intellectualism.

Council Member Small congratulated Emergency Operations Manager, Christine Para who will be serving as a Council Member in Santa Monica.

Mayor Eriksson thanked everyone and hoped to see them again soon.

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Council Member Requests to Agendize Future Items

None.

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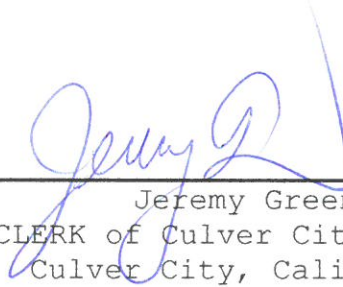
MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE MEETING BE ADJOURNED IN MEMORY OF ALEX TREBEK.

November 9, 2020

Adjournment

There being no further business, at 12:07 a.m., Tuesday, November 10, 2020 the City Council adjourned the meeting in memory of Alex Trebek to December 14, 2020.

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Jeremy Green
CITY CLERK of Culver City, California
Culver City, California



GÖRAN ERIKSSON
MAYOR of Culver City, California

Date: 14 December 2020