

OFFICIAL MINUTES

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

July 12, 2021  
7:00 p.m.

**Call to Order & Roll Call**

Mayor Fisch called the regular meeting of the City Council, Culver City Housing Authority Board, Culver City Parking Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board to order at 5:33 p.m. in the Mike Balkman Chambers at City Hall via Virtual Webex.

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

\*Council Member Eriksson left the meeting at 12:31 a.m.

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Mayor Fisch invited public comment.

Jeremy Green, City Clerk, indicated that no public comment had been received for Closed Session Items.

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

**Closed Session**

At 5:35 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 to Closed Session to consider the following Closed Session Items:

**CS-1** CC - Conference with Legal Counsel - Existing Litigation  
Case No. WCAB ADJ13015677  
Pursuant to Government Code Section 54956.9(d)(1)

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**CS-2** CC - Conference with Legal Counsel - Existing Litigation  
Case No. WCAB ADJ459065, ADJ291558  
Pursuant to Government Code Section 54956.9(d)(1)

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**CS-3** CC - Conference with Labor Negotiators  
City Designated Representatives: City Manager John Nachbar;  
Assistant City Manager Serena Wright  
Employee Organization: Culver City Employees Association;  
Culver City Management Group; Culver City Police Officers  
Association; Culver City Fire Fighters Association; Culver City  
Police Management Group; Culver City Fire Management  
Association; Executive Management Employees  
Pursuant to Government Code Section 54957.6

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**CS-4** CC - Public Employee Performance Evaluation  
Title: City Attorney  
Pursuant to Government Code Section 54957(b)(1)

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**Reconvene**

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

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**Recognition Presentations**

Item R-1

**CC - Presentation of a Proclamation in Honor of July as "Parks Make Life Better!" Month**

Jeremy Green, City Clerk, presented the Proclamation in Honor of July as "Parks Make Life Better!" Month 2021.

Kay Heineman, Parks, Recreation and Community Services Commission Chair, thanked the City Council for recognizing the importance of parks in the community.

Darren Uhl, Parks, Recreation and Community Services Manager, presented the calendar of events for July; discussed lighting of the Vets Tower; and the new webpage on the City website.

Barbara Hollander was called to speak but did not respond.

Mayor Fisch thanked everyone for their work and encouraged the community to look at the calendar of events for Parks, Recreation and Community Services.

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**Regular Session**

Mayor Fisch called the regular 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 7:01 p.m.

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**Pledge of Allegiance**

Mayor Fisch led the Pledge of Allegiance.

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**Closed Session Report**

Mayor Fisch reported that City Attorney Carol Schwab had announced her retirement during Item CS-4 in Closed Session and he discussed her legacy.

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

Council Member Eriksson reported that the Ninth Circuit Court of Appeals had ruled in favor of Culver City and the City of Los Angeles with regards to the overflight issue; he discussed the need for proper environmental review before implementing changes; and he expressed hope that the experience over Culver City would improve.

Council Member McMorris expressed support for state Senator Holly Mitchell and her work to get the Crown Act passed two years ago.

Vice Mayor Lee expressed gratitude for the work of the City Attorney; he thanked Parks, Recreation and Community Services staff for their work during the pandemic to allow the City to continue to connect people to services; discussed Day of Discovery; the need for consistent Wi-fi; and he expressed support for Pool Movie Night.

Mayor Fisch reported attending the Eagle Scout ceremony for Donovan Islas; discussed Heidi Duckler dance events at the Culver City Steps on July 8 and 9; he observed that things were opening up; and he encouraged everyone to observe proper safety protocols when going out and enjoying the City.

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

Mayor Fisch invited public comment noting that additional time for public comment was available at the end of the meeting.

The following members of the public addressed the City Council:

Ron Ostrin was called to speak but did not respond.

Jeannine Wisnosky Stehlin, Culver City Neighbors United, discussed their petition against ending single family zoning in the City and she indicated that people want to know what is happening next.

Kelli Estes discussed allegations made by Southern California

Hospital (SCH) against the City; accountability; transparency; the need for an outside investigation; she felt that the residents should be updated; called for the resignation or removal of Nancy Barba from the Planning Commission due to a conflict of interest by being an organizer for Culver City for More Homes which seeks to eliminate R1 zoning; and she indicated that she expected more ethical behavior by the City and its officials.

Tom Gehring asked for more information about compliance with C-10 Law noting that it was helping small restaurants in the City stay open.

Mayor Fisch encouraged Mr. Gehring to contact the City Clerk for more information noting that a public decision had not been made.

Ugo Pascarella was called to speak but did not respond.

Carrie McCune, Leela Dance Collective, provided background on the organization; discussed Kathak Dance; and she requested sponsorship for a dance performance on Town Plaza on September 26, 2021.

Discussion ensued between staff and Council Members regarding the regular process for City sponsorship; City Council consensus was achieved to place the event on a future agenda for consideration; and staff agreed to contact Ms. McCune.

Lorri Horn was called to speak but did not respond.

Carolyn Libuser was called to speak but did not respond.

Michelle Ford provided background on herself; invited everyone to participate in a discussion of de jure vs. de facto form of government; and she indicated that more information was available at [dejureforsure.com](http://dejureforsure.com).

Khin Khin Gyi discussed the vote of the City Council to up zone, thereby eliminating R1 zoning; changes by the state to allow Accessory Dwelling Units (ADUs) and Junior ADUs creating a de facto R3; concern than an R7 situation had been created; the experience of up zoning in Newton, Massachusetts; noted the importance of learning from mistakes rather than repeating them; she cited an article in the Los Angeles Times indicating that up zoning was not the solution to the housing crisis; and she pointed out that multiple solutions were needed to address the

issue.

Amy Penchansky asked that Nancy Barba recuse herself from the Planning Commission due to a conflict of interest; she agreed that independent investigation of the situation between SCH and the City was necessary; discussed the postcard sent out to inform residents about the up zoning discussion; covert use of language; obvious and unethical behavior of the City Council; the petition against up zoning; and she expressed disbelief at what is taking place in the City.

Mark Lipman quoted the saying: "justice delayed is justice denied"; discussed actions by politicians and gatekeepers to protect the status quo; equity and equality for African Americans; the dangers of global warming and climate change; the excuse of "someday" used to avoid responsibility; use of money from the state to address homelessness with a Direct Housing program; the need to take responsibility as elected officials; and he stated that justice for the most vulnerable in society could not be put off until "someday".

Colin Diaz, Chamber of Commerce, asked for a status update on retail cannabis in the City noting the potential for revenue.

Arlene Obrentz provided background on herself; discussed homeless individuals in her neighborhood; and she indicated that the Culver City Police Department (CCPD) needed to be allowed to address the situation.

Robin Turner felt that Webex meetings did not provide the proper notice to residents; discussed violations of the Americans with Disabilities Act (ADA) law; she hoped meetings would resume in Council Chambers again soon noting that many people were not aware of the Webex meetings; and she felt the wording on the postcard was deceptive.

Ron Ostrin spoke with one minute ceded by Leslie Ostrin expressing concern that democracy was leaving the City; he felt that Council Members were not engaged and looking at their cellphones; called for independent investigation of the Hospital lawsuit; discussed the agenda held by three Council Members; 3-2 votes; up zoning paid for and motivated by Cal YIMBY; he asserted that the City Council did nothing for the homeless noting that numbers were increasing; felt that the City Council talked progressive but merely supported gentrification and dislocation of the middle class in Culver City; and he asked that Council Members resign in the best interests of the City.

Mayor Fisch received clarification regarding Mr. Ostrin's experience as a lawyer and noted that allegations in the complaint were not necessarily true and did not tell the whole story.

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**Receipt and Filing of Correspondence**

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

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**Order of the Agenda**

Consent Calendar Items C-6, C-7, C-8 and C-15 were considered separately and Item A-5 was deferred to another meeting.

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**Consent Calendar**

Council Member Eriksson pointed out that Item C-8 should be an Action Item.

MOVED BY VICE MAYOR LEE, SECONDED BY COUNCIL MEMBER MCMORRIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-5, AND C-9 THROUGH C-14.

Item C-1

**CC:HA:SA - (1) Approval of Cash Disbursements for June 19, 2021 to July 2, 2021**

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR JUNE 19, 2021 TO JULY 2, 2021.

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Item C-2

**CC:HA:SA - Approval of Minutes for the Special Consolidated City Council Meeting on June 17, 2021, the Special Joint City**

**Council/Planning Commission Meeting on June 23, 2021 and the  
Special Joint City Council Meeting on June 28, 2021**

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES OF THE SPECIAL CONSOLIDATED CITY COUNCIL MEETING ON JUNE 17, 2021 THE SPECIAL JOINT CITY COUNCIL/PLANNING COMMISSION MEETING ON JUNE 23, 2021 AND THE SPECIAL JOINT CITY COUNCIL MEETING ON JUNE 28, 2021.

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Item C-3

**CC - (1) Adoption of a Resolution Authorizing Staff to Submit Applications for Various Grant Funding Opportunities Identified through June 30, 2022 for Transportation Projects and Programs; and (2) Adoption of a Resolution Authorizing Staff to Submit Applications through June 30, 2022 for Grant Funding Associated with the Purchase of Alternative Fuel Vehicles and Other Emission Control Technologies**

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION AUTHORIZING STAFF TO SUBMIT APPLICATIONS FOR VARIOUS GRANT FUNDING OPPORTUNITIES AS IDENTIFIED THROUGH JUNE 30, 2022 FOR TRANSPORTATION PROJECTS AND PROGRAMS; AND,
2. ADOPT A RESOLUTION AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS AND ACCEPTANCE OF SUCH APPROVED FUNDING MADE AVAILABLE BY THE AQMD AND THE MSRC TO JUNE 30, 2022 FOR THE PURCHASE OF ALTERNATIVE FUEL VEHICLES AND OTHER EMISSION CONTROL TECHNOLOGIES.

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Item C-4

**CC - (1) Adoption of a Regional Resolution for CalRecycle's Household Hazardous Waste (HHW) Grant Application with Culver City as the Lead Agency in Partnership with West Hollywood; and (2) Approval of Professional Services Agreement with California**



**Product Stewardship Council to Submit the Application on Behalf of the City**

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN APPLICATION FOR GRANT FUNDS WITH A REGIONAL RESOLUTION FOR HOUSEHOLD HAZARDOUS WASTE (HHW) GRANT WITH CULVER CITY AS THE LEAD AGENCY IN PARTNERSHIP WITH WEST HOLLYWOOD; AND,
2. AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CALIFORNIA PRODUCT STEWARDSHIP COUNCIL TO SUBMIT THE APPLICATION ON BEHALF OF THE CITY; 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-5

**CC - Approval of an Application for \$13,852.00 in Grant Funds through the FY 2021 US Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation**

THAT THE CITY COUNCIL:

1. APPROVE AN APPLICATION FOR GRANT FUNDS IN THE AMOUNT OF \$13,852.00 THROUGH THE FY 2021 US DEPARTMENT OF JUSTICE, LOCAL EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM: AND,
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY AGREEMENTS; 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 - Adoption of a Resolution Approving the Amended and Updated Culver City Advisory Committee on Housing and Homelessness Bylaws**

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING THE AMENDED AND UPDATED CULVER CITY ADVISORY COMMITTEE ON HOUSING AND HOMELESSNESS BYLAWS.

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Item C-10

**CC - Approval of a Regional Application for \$960,633.18 in Grant Funds through FY 2021 Los Angeles County Measure B Funding**

THAT THE CITY COUNCIL:

1. APPROVE A REGIONAL APPLICATION FOR \$960,633.18 IN GRANT FUNDS THROUGH FY 2021 LOS ANGELES COUNTY MEASURE B FUNDING; 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-11

**CC - Approval of an Amendment to an Existing Professional Services Agreement with Wittman Enterprises, LLC for Ambulance Billing and Other Related Services for an Additional Four-Month Period in an Amount Not-to-Exceed \$40,000**

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH WITTMAN ENTERPRISES LLC FOR AMBULANCE BILLING AND OTHER RELATED SERVICES FOR AN ADDITIONAL PERIOD OF FOUR-MONTHS IN AN AMOUNT-NOT-TO EXCEED \$40,000; AND,
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-12

**CC - Approval of a Memorandum of Understanding (MOU) with the Downtown Business Association (DBA) for General Maintenance Services in Downtown Culver City (Downtown) for the Period of July 1, 2021 through June 30, 2022**

THAT THE CITY COUNCIL:

1. APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE DOWNTOWN BUSINESS ASSOCIATION FOR GENERAL MAINTENANCE SERVICES IN DOWNTOWN CULVER CITY AT A COST NOT TO EXCEED \$98,720.00 FOR FISCAL YEAR 2020/2021; 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-13

**CC - Receipt and Filing of the Interim Financial Report Through March 31, 2021**

THAT THE CITY COUNCIL: RECEIVE AND FILE THE INTERIM FINANCIAL REPORT THROUGH MARCH 31, 2021.

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Item C-14

**CC - (1) Authorization to the City to Receive State Funding of \$3 Million for a Culver City Based Non-Profit Organization - New Earth Organization; and (2) FOUR-FIFTHS VOTE REQUIREMENT:**

**Approval of a Budget Amendment to Record the Appropriations to  
FY 2021/2022**

THAT THE CITY COUNCIL:

(1) AUTHORIZATION TO THE CITY TO RECEIVE STATE FUNDING OF \$3 MILLION FOR A CULVER CITY BASED NON-PROFIT ORGANIZATION - NEW EARTH ORGANIZATION; AND,

(2) FOUR-FIFTHS VOTE REQUIREMENT: APPROVAL OF A BUDGET AMENDMENT TO RECORD THE APPROPRIATIONS TO FY 2021/2022.

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Item C-6  
(Out of Sequence)

**CC - Adoption of an Ordinance Adding Subchapter 15.06.400, Affordable Housing Commercial Development Linkage Fee, to the Culver City Municipal Code Establishing an Affordable Housing Commercial Development Linkage Fee of \$5 Per Net Leasable Square Foot, which will be Applied to New Non-Residential Development and Used to Create Affordable Housing**

Todd Tipton, Economic Development Manager, provided a summary of the material of record.

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Philip Lelyveld, with one minute ceded by Adelaide Zimmerman, discussed assumptions on the average type of affordable housing for low income workers used to calculate fees; data points for the General Plan process; the goal to increase the stock of affordable housing as quickly as possible; the responsibility of the City Council to use tax money efficiently; instruction to staff to include the fee and background assumptions in evaluation of General Plan options; and the inability of up zoning and infill to deliver a meaningful supply of affordable housing in a timely manner.

Jerard Wright was called to speak but did not respond.

Disa Lindgren expressed support for the adoption of a linkage fee; she requested a higher fee; discussed comparable fees in other communities; and funding for affordable housing.

Discussion ensued between staff and Council Members regarding support for a higher fee; previous discussions about the matter; neighborhood guidelines; community character; commercial developments on the edge of neighborhoods; and the ability to monitor the fee.

MOVED BY COUNCIL MEMBER MCMORRIN, SECONDED BY VICE MAYOR LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT AN ORDINANCE ADDING SUBCHAPTER 15.06.400, AFFORDABLE HOUSING COMMERCIAL DEVELOPMENT LINKAGE FEE, TO THE CULVER CITY MUNICIPAL CODE ESTABLISHING AN AFFORDABLE HOUSING COMMERCIAL DEVELOPMENT LINKAGE FEE OF \$5 PER NET LEASABLE SQUARE FOOT, WHICH WILL BE APPLIED TO NEW NON-RESIDENTIAL DEVELOPMENT AND USED TO CREATE AFFORDABLE HOUSING.

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Item C-7

**CC - Approval of an Application for \$200,000.00 in Grant Funds through the US Department of Justice, Office of Community Oriented Policing Services, FY 2021 Community Policing Development Program**

Jason Sims, Assistant Police Chief, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding impacts to officer pay; CalPERS; subsidizing the approved training budget; resident concerns that the grant would require the purchase of new tasers; tasers that work in conjunction with the virtual reality training program; the importance of training; the amount of money spent on policing; directing money to preventative measures; support for mental health resources; concern that training is not the answer; skepticism that a short period of training would change officers who have been trained to use lethal force their entire career; and identification of additional funding from outside sources to train officers.

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

1. APPROVE AN APPLICATION FOR GRANT FUNDS IN THE AMOUNT OF \$200,000.00 THROUGH THE FY 2021 US DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, FY 2021 COMMUNITY POLICING DEVELOPMENT PROGRAM.

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-8

**CC - Adoption of an Ordinance Amending, Title 5, Public Works, of the Culver City Municipal Code (CCMC) to Add a New Chapter 5.07, Waste Reduction Regulations; Repealing Certain Sections of CCMC Chapter 11.18 Polystyrene Regulations Upon the Effective Date of the Ordinance; and Repealing Certain Sections of Chapter 11.18 on December 31, 2022.**

Council Member Eriksson felt that the item was overreach and that the City should wait for Los Angeles city and county before moving forward.

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

David Juarez was called to speak but did not respond.

Craig Cadwallader, South Bay Chapter of the Surfrider Foundation, expressed support for the ordinance; discussed compliance; other cities in the area; elements of the ordinance that are beneficial to businesses; and he thanked the City for providing funding for outreach and education, and for taking a leadership position.

Discussion ensued between staff and Council Members regarding taking responsibility for improving the environment; difficulty of coming into compliance; holding the item pending additional research; concerns with sanitization of reusable flatware; outreach to office supply stores to let them know that packing peanuts are being phased out; problems being faced by business owners; working together to improve the ordinance; being on the leading edge of what is possible; the undue hardship exemption; and the importance of flexibility.

MOVED BY MAYOR FISCH AND SECONDED BY COUNCIL MEMBER MCMORRIN THAT THE CITY COUNCIL: ADOPT AN ORDINANCE AMENDING, TITLE 5,

PUBLIC WORKS, OF THE CULVER CITY MUNICIPAL CODE (CCMC) TO ADD A NEW CHAPTER 5.07 WASTE REDUCTION REGULATIONS; REPEALING CERTAIN SECTIONS OF CCMC CHAPTER 11.18 POLYSTYRENE REGULATIONS, UPON THE EFFECTIVE DATE OF THE ORDINANCE; AND REPEALING CERTAIN SECTIONS OF CCMC CHAPTER 11.18 ON DECEMBER 31, 2022.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item C-15  
(Out of Sequence)

**CC - (1) Approval of a Three-Year Professional Services Agreement with I.C. Systems, Inc. for Collection Services; and (2) Authorization to the Chief Financial Officer to Exercise Two One-Year Options to Extend the Agreement.**

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

1. APPROVE A THREE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH I.C. SYSTEMS, INC. FOR COLLECTION SERVICES; AND,
2. AUTHORIZE THE CHIEF FINANCIAL OFFICER TO EXERCISE TWO ADDITIONAL ONE-YEAR OPTIONS FOR RENEWALS; 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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**Public Hearings**

Item PH-1

**CC - PUBLIC HEARING Appeals of the Planning Commission's Approval of Conditional Use Permit P2019-0194-CUP, Site Plan Review P2019-0194-SPR, and Administrative Use Permit P2019-0194-AUP, and Adoption of Mitigated Negative Declaration for the Jeff Hotel, Located at 11469 Jefferson Boulevard**

Michael Allen, Current Planning Manager, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding outreach; representation; property owners on Segrell; formal community meetings; participants; noise variables; and the required threshold to warrant additional study.

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

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Eri Kroh, Sandstone Properties, discussed adjustments made to address community concerns.

Steve Nakada, Nakada Partners, introduced the team present to support the project; discussed community meetings; traffic mitigations; the parking operator; project design; common areas; direct City improvements; capacity; amenities; landscaping; outdoor special events; sound attenuation; lighting design; roof screening of mechanical units; and potential public art.

Jordan Sisson, appellant, discussed flaws with the Mitigated Negative Declaration (MND); noise, traffic, parking minimums and other impacts; inadequate response; evidence of unaddressed impacts; he referenced a letter submitted to the City Council; discussed construction, vibration and operational noise impacts; proximity to adjacent residents; access; ineffectiveness of barriers to address noise levels; the noise study; the expert traffic letter; the need for a legitimate Vehicle Miles Travelled (VMT) analysis; code required parking; inapplicability of the Transit Priority Exemption (TPE); the un-pedestrian friendly regional destination; lack of a qualification for shared parking; reliance on a single parking study lacking fundamental data; the Urban Land Institute Study; California Environmental Quality Act (CEQA) requirements; conflicts with applicable policies; City prioritization of



commercial development over residential development; the jobs/housing imbalance; Regional Housing Needs Assessment (RHNA) obligations; pushing the workforce further from the City; inconsistency of the project with affordable housing goals; inconsistency with the General Plan Noise Element; the required Environmental Impact Report (EIR); the need for recirculation of a CEQA compliant review; and he asked that the City Council either grant the appeal, stay the current action, or refer the matter back to the Planning Commission.

Rebecca Davis, Supporters Alliance for Environmental Responsibility (SAFER), discussed comments submitted on the MND demonstrating significant and unmitigated impacts that must be addressed in an EIR; indoor air quality impacts; greenhouse gas emissions; use of AB32 to determine significance; CEQA standards; non-compliance with a specific set of requirements; project location; making a significance determination; and she asked that the MND be recirculated or an EIR be conducted for the project.

Josh Gottstein, legal counsel for the applicant, discussed legal adequacy of the MND; support for denial of the appeal and upholding the Planning Commission decision; the submission by the appellants; lack of substantial evidence that the project would have a substantial impact on the environment; misunderstanding of the project design; the Housing Element; the Commercial General zone; and he asserted that issues had been addressed by the publicly circulated MND.

Mike Harden, ESA, discussed the draft MND circulated for public review; response to comments; the draft MND that included a comprehensive analysis of construction and operational noise impacts consistent with CEQA requirements; the determination that noise impacts were less than significant; and applicability of conclusions and findings to the project.

Alan Sako discussed errors in the noise report; construction noise models; operational noise; indoor air quality; materials used in the project; the study based on older single-family home structures; greenhouse gas emissions; indoor air circulation; newer standards; consistency with the City's green building requirements; VMT analysis; he asserted that the total analysis supported the claim of a less than significant finding for the project; and he requested time for rebuttal after public comment and time for the Traffic Consultant to speak.

Ryan Kelly, Traffic Consultant, discussed the traffic impact study and parking analysis for the project; the VMT analysis conducted per the City guidelines; screening criteria; proximity to the Transit Priority area; the definition of regional serving projects; access to the bus stop; and the hotel restaurant space.

Jordan Sisson discussed numerous standards from the Noise Element cited but not addressed in the MND; concerns with effectiveness of landscaping in noise attenuation cited by the Planning Commission; the regional serving use; multiple data points to establish appropriate levels; ITE traffic rates; underlying data; parking code; shared parking for disparate uses; the need to amend the code rather than to ignore it; concern with inadequate parking provided; unenforceable promises made to be a good steward; the need for enforceable Conditions of Approval; and he asserted that the hotel is not a Transit Oriented Development.

Rebecca Davis discussed California Air Resources Board (CARB) rules; the level of formaldehyde emitted; and exceeding South Coast Air Quality Management District thresholds.

Michelle Weiner discussed the need for affordable housing and concern with proximity to the freeway.

Carol Echevestre provided background on herself; expressed concern with traffic; concern that revisiting the project after a year would be too late; discussed insufficient parking allocated; costs; residential parking intrusion; maintenance of greenspace; changes in hotel ownership; potential detrimental effects to property values; and concern with unkept promises and lack of enforcement by the City.

Jonah Breslau spoke representing Local 11 Hospitality Workers Union, he urged the City to grant the appeal; discussed the housing crisis; the sufficient number of hotels in the area; the inability of the City to make the findings; sending a message to developers that the City will fight for housing; whether commercial development will prevail over the needs of working families and neighbors; the housing/jobs imbalance in the City; the General Plan designation for the area; the highest and best use of the area; whether guests would use public transit; more suitable uses; support for housing with neighborhood serving retail that could be walkable, accessible to transit and reduce parking and traffic impacts; and he urged the City to set the bar higher for commercial development.

Jeanne Walpole was called to speak but did not respond.

Ramez Ethnasios expressed opposition to the proposed project; asserted that the building was out of scale with the surrounding area; discussed community character; neighborhood opposition to the project; the number of hotels in the area; and he felt the project needed to be reconsidered.

David Steinitz discussed existing conditions; insufficient parking allocated; the restaurant and conference center; lack of space for overflow parking; the proposed fifth floor deck pool; and pollution from the freeway.

Norma Moreno provided background on herself; echoed previous comments from Jonah Breslau and David Steinitz; discussed the environmental report; pollution in the area; freeway access; and trucks in the alley.

Robin Turner provided background on herself; expressed concern with the use in the area; noted that just because a project is allowed in an area, doesn't mean it fits with the community; discussed CEQA; the consultant hired; the MND; setting a precedent; the old post office; other commercial properties in the City; changing the environment and way of life in Culver City; the need for an overlay zone and an EIR; and she asserted that it was illegal to do piecemeal work.

Rebecca Rona Tuttle reported living in the area; expressed opposition to the Jeff Hotel as she felt that affordable housing and services for the unhoused should be built on the site; noted the focus of the City on providing housing; discussed existing traffic in the area; air pollution; mitigation; the need for an EIR; the need for clarification that it is safe to build any development on the site; and she asked that anything built there be all electric.

Rick Tuttle asserted that the project required a full EIR; expressed hope that the property could be used for housing rather than for a hotel; and he expressed support for Council Members and their efforts on behalf of the City.

Mark Lipman expressed opposition to the project as another unnecessary upscale hotel on limited land; discussed City Council rhetoric regarding affordable housing and racial justice; providing for new low-income employees serving the hotel; the waiver of employee parking requirements; the offer

of bus tokens; the narrative put forth that low income people can commute to the City so long as tech workers can be housed; more giveaways to the already rich; inequity; environmental impacts; and the need for an EIR.

Amparo Ramirez was called to speak but did not respond.

Lenda Barrera reported losing her job in the pandemic; discussed the difficulty of finding housing; becoming homeless; and displacement as a result of luxury housing and hotels in the neighborhood.

Maria Buenrostro discussed parking and traffic issues; working families who need affordable housing; the inability of her daughter to afford to move out on her own in the City; the need for senior and working class housing; the number of hotels in the area; and she noted that the City had not addressed homeless issues or provided affordable housing for residents.

Dylan Daney, Local 11, discussed growing homeless issues in the City; insufficient housing in the City; the difficulty for people to live near where they work; the number of hotels in the area; and he asked the City Council to reject the project.

Mimi Ferrel translated comments made by Clara Meza in Spanish expressing her opposition to the project; she discussed her living situation; homelessness as a consequence of a lack of affordable housing; the effects of hotel development on residents; the need for support; the pandemic; and she asked that the City Council put themselves her shoes and not support the hotel.

Robert Mahler was called to speak but did not respond.

Colin Diaz spoke in support of the hotel; discussed community meetings; developer response to community concerns; benefits to the City; the appeal; VMT requirements; comments made in support of the project by the Planning Commission; and potential Transient Occupancy Tax (TOT) revenue.

Disa Lindgren expressed opposition to the hotel proposal; noted the importance of addressing the housing crisis and the climate emergency; expressed admiration for comments made by Clara Meza; concern that the appeals of people working hard to serve the community are not heard; and the ability of the developer to build a mixed use project with retail on the ground floor instead.

Gary Kryan provided background on himself; echoed neighbor concerns about the negative impacts of the project on the neighborhood; discussed traffic; noise; sunlight; privacy; and he asked that quality of life be taken into consideration and the project be denied.

Jenny Lee discussed sewage odors from Mesmer; noise from Slauson Boulevard; traffic at all hours; support for the greater good; and she encouraged further study of issues.

Joan Davidson asserted that City Council Members could not promote creation of affordable housing by eliminating R1 zoning and then support a luxury hotel on a corner close to transit that would be very suitable for affordable housing development; she did not want to see the City Council bend to the wishes of the proponent without a full EIR; she asserted that the MND had not met the intent of the law and that functionally pleasing was not enough; and she noted the need for air quality studies.

Josh Gottheim asserted that they were providing more parking than was required; discussed use of transit by hotel employees; use of parking spots by management employees; neighborhood intrusion; free parking for employees; passes for those who want to use public transit; applicant agreement to pay for a study to identify if there is a need for neighborhood parking limitations if an issue arises; affordable housing; aggressive action being taken by the City to address housing issues; the ability to build 40 units on the lot; more appropriate sites to address the significant housing needs of the community; project design and amenities; the Air Quality Management District (AQMD) analysis; and increased construction impacts related to building affordable housing.

Jordan Sisson was called to speak but did not respond.

Rebecca Davis indicated that they had no further comment.

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

Discussion ensued between staff and Council Members regarding timing of the studies; parking; mitigation of traffic concerns; impacts to the intersection of Jefferson Boulevard at the I-405 ramp; access and egress at Jefferson and Slauson; a proposal to increase the capacity of left turn movements to address

spillover; parking intrusion; identification of existing problems in the Sunkist neighborhood; the Neighborhood Traffic Management Program (NTMP) process; whether the area is appropriate for housing; the entitlement process; making a plan for the area; affordable housing; bringing the public into the process; reconfiguring the parking garage to address parking concerns; appreciation to those who spoke; the lack of a designation for housing in the area despite the fact that there is housing in close proximity; responding to the needs of everyone; utility of the project to the community; appreciation for the hard work of everyone in the process; agreement on the need for attainable housing; the shortage of hotel rooms; continued demand post-pandemic; TOT generated to assist with City programs; support for the use of the specific piece of property; a suggestion to agendize a discussion about redevelopment of the area; and planning grants for the corridor.

In response to inquiry, project representatives discussed average attendance for the four public meetings and the restaurant benefit to the area.

Additional discussion ensued between staff and Council Members regarding defining regional development; transportation; parking; electric vehicle charging stations; community; minimum code requirements; EV capable vs. EV ready; full charging stations upon completion of construction; making a stronger case for public benefit; linkage fees; affordable projects in process; concern with building affordable housing without protection from the freeway; and exposure to carcinogens.

Further discussion ensued between project representatives and Council Members regarding the number of electric vehicle charging parking stalls; improving technology; and community use of available meeting rooms.

Discussion ensued between staff and Council Members regarding challenges to affordable housing; commitment of the City to affordable housing; the effect of job sprawl on greenhouse gas emissions; meetings with project representatives and neighbors; fear and apprehension; zoning; the extensive environmental documents; MND vs. EIR; the ability to reduce impacts to less than significant; community benefit; investment in the community; support for the Planning Commission determinations without amendment; funding for an NTMP; cut through traffic; and funding for the next step if impacts are determined.

Barry Kurtz, Traffic Engineering Consultant, discussed project parking on the nearby streets as a trigger to determine impacts which would require the applicant to pay for the study and mitigation measures; permit parking; health impacts to living at the proposed hotel location; and procedures for initiating an investigation of intrusion parking.

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

1. ADOPT A RESOLUTION DENYING THE SAFER APPEAL AND AFFIRMING THE PLANNING COMMISSION'S ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND APPROVAL OF A CONDITIONAL USE PERMIT P2019-0194-CUP, SITE PLAN REVIEW P2019-0194-SPR, AND ADMINISTRATIVE USE PERMIT P2019-0194-AUP FOR THE BOUTIQUE HOTEL DEVELOPMENT AT 11469 JEFFERSON BOULEVARD: AND,

2. ADOPT A RESOLUTION DENYING THE UNITE APPEAL AND AFFIRMING THE PLANNING COMMISSION'S ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND APPROVAL OF A CONDITIONAL USE PERMIT P2019-0194-CUP, SITE PLAN REVIEW P2019-0194-SPR, AND ADMINISTRATIVE USE PERMIT P2019-0194-AUP FOR THE BOUTIQUE HOTEL DEVELOPMENT AT 11469 JEFFERSON BOULEVARD.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item PH-2

**CC - PUBLIC HEARING (1) FOUR-FIFTHS VOTE REQUIREMENT: Waiver of Formal Bid Procedures and Award of a Construction Contract to Cal-Stripe, Inc. in the Amount of \$253,157.95 for the Street Construction of the MOVE Culver City Downtown Corridor Project PS017; (2) FOUR-FIFTHS VOTE REQUIREMENT: Waiver of Formal Bid Procedures and Award of a Construction Contract with Crosstown Electrical & Data, Inc. in the Amount Not-to-Exceed \$236,462 for the Traffic Signal Materials and Installation; (3) Authorization to the City Manager to Negotiate and Approve the Final Terms of the Contract with Crosstown Electrical & Data, Inc.; (4) Authorization to the Chief Transportation Officer to Approve Change Orders to the Contracts in an Aggregate Amount Not-to-Exceed \$529,000 to cover Contingency Costs (20%) and**

**Anticipated Costs for Westbound Culver Boulevard Construction and Potential Post-Go Live Adjustments; and (5) FOUR-FIFTHS VOTE REQUIREMENT: Approval of a Budget Transfer in the Amount of \$1,016,809.13 and a Budget Amendment in the Amount of \$495 to Bridge the Gap in Project Funding for the Construction**

Council Member Eriksson indicated the need to leave the meeting by midnight.

MOVED BY COUNCIL MEMBER MCMORRIN, SECONDED BY COUNCIL MEMBER VERA AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF PUBLIC HEARING NOTICES.

Diana Chang, Transportation Planning Manager provided a summary of the material of record and an update on the project timeline.

Discussion ensued between staff and Council Members regarding cost savings with the approach being taken; concern that downtown businesses are still hurting; the timeline; and concern that plans are slanted toward one primary developer.

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

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Robert Mahler was called to speak but did not respond.

Disa Lindgren expressed strong support for the project and thanked City staff and the consultant for their efforts.

Travis Morgan asked about best practices to improve the process for community members to provide input; expressed strong support for MOVE Culver City and for comments made by Vice Mayor Lee; discussed confusing advertisements supporting saving outdoor dining; Option 3; he asked for clarification regarding funds being approved; further design and study; and he suggested maintaining Option 2 to leave things as is and allow businesses to bounce back pending further study.

Mary Daval thanked staff for their efforts; was looking forward to the Quick-Build; discussed reexamining mobility options with less negative impacts to the environment; reductions to traffic



noise and pollution; adding parklets where there is no outdoor dining; adding signage and planters to replace white plastic barricades; the climate crisis; thinking global and acting local; taking the opportunity to make a difference; and she felt that the policy and streetscape in place could encourage active mobility options in lieu of traffic while helping local businesses.

Michelle Weiner expressed support for the current configuration and she suggested that funding could be used to improve the current scenario with a longer period for public input.

Jeremy Green, City Clerk, indicated that Bubba Fish had been present but had to leave and she read comments he submitted regarding a misleading petition being circulated; confusion regarding available options; advocacy of Option 3 by Hackman Capital; and he expressed support for making the current configuration permanent with additional improvements made.

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

Discussion ensued between staff and Council Members regarding clarification that the item is about funding MOVE Culver City; other considerations coming before a transformative mobility project; and support for the success of the project.

Mayor Fisch moved to waive formal competitive bidding procedures and Council Member Vera seconded the motion.

Additional discussion ensued between staff and Council Members regarding encouraging mobility by ensuring a place where people want to go; maintaining al fresco dining; keeping the downtown area part of the conversation; and future opportunity for additional consideration.

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

1. WAIVE FORMAL COMPETITIVE BIDDING PROCEDURES, PURSUANT TO CCMC SECTION 3.07.090.E, AND AWARD A CONSTRUCTION CONTRACT TO CAL-STRIPE, INC. IN THE AMOUNT OF \$253,157.95 FOR THE STREET CONSTRUCTION OF THE MOVE CULVER CITY DOWNTOWN CORRIDOR PROJECT PS017 (REQUIRES A FOUR-FIFTHS VOTE); AND

2. WAIVE FORMAL COMPETITIVE BIDDING PROCEDURES, PURSUANT TO CCMC SECTION 3.07.090.E, AND AWARD A CONSTRUCTION CONTRACT WITH CROSSTOWN ELECTRICAL & DATA, INC. IN AN AMOUNT NOT-TO-EXCEED \$236,462 FOR THE TRAFFIC SIGNAL MATERIALS AND INSTALLATION (REQUIRES A FOUR-FIFTHS VOTE); AND,

3. AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND APPROVE THE FINAL TERMS OF THE CONTRACT WITH CROSSTOWN ELECTRICAL & DATA, INC.; AND,

4. AUTHORIZE THE CHIEF TRANSPORTATION OFFICER TO APPROVE CHANGE ORDERS TO THE CONTRACTS IN AN AGGREGATE AMOUNT NOT-TO-EXCEED \$529,000 TO COVER CONTINGENCY COSTS (20%) AND ANTICIPATED COSTS FOR WESTBOUND CULVER BOULEVARD CONSTRUCTION AND POTENTIAL POST-GO LIVE ADJUSTMENTS; AND,

5. APPROVE A BUDGET TRANSFER IN THE AMOUNT OF \$1,016,809.13 AND A BUDGET AMENDMENT IN THE AMOUNT OF \$495 TO BRIDGE THE GAP IN PROJECT FUNDING FOR THE CONSTRUCTION (REQUIRES A FOUR-FIFTHS VOTE); AND,

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

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

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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#### **Action Items**

Item A-1

#### **CC - Appointment of a Member to the General Plan Advisory Committee (GPAC)**

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

Mayor Fisch invited public comment.

Jeremy Green, City Clerk, read a written comment submitted by Marla Koosed expressing interest in serving on the GPAC; providing background on her relevant experience; and discussing her hopes for the GPAC.

Discussion ensued between staff and Council Members regarding Council Member preferences for people to select to serve; the GPAC as a liaison to the community; tapping into education; the School District and West LA College community; the few meetings left in the process; diversification of perspectives; seeking to avoid divisiveness; and consensus to delay the process pending additional names to consider.

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Item A-2

**CC - (1) Presentation Regarding a Draft Soft-Story Seismic Retrofit Ordinance; (2) Discussion of the Scope, Prioritization, Timeframe, and Implementation of the Draft Soft-Story Seismic Retrofit Ordinance; (3) Direction on Tenant Impact Mitigation Plan (TIMP), Pass Through, and Financial Incentives; and (4) Direction to the City Manager as Deemed Appropriate**

Sol Blumenfeld, Community Development Director, introduced the item.

Daniel Zapeda, Degenkolb Engineers, provided a summary of the material of record.

Discussion ensued between the consultants; staff and Council Members regarding the timeframe for implementation of the ordinance; building types subject to the draft ordinance; the need to also retrofit single-family rentals; potential parking losses; relaxing parking standards in the zoning code for those buildings that become non-conforming; the number of plan checks and inspections; staffing; use of consultants; estimated fees; retrofit costs; pass through as capital costs; the rent stabilization ordinance; development of criteria for a tenant impact mitigation plan if relocation is required; concern with impacts to "Mom and Pop" landlords; creating a tiered system; concern with pass through costs for tenants when the landlord gets the value; ensuring that smaller developments are not adversely affected; the need to educate landlords and tenants that back rents must be paid off; tying fees to actual unit cost; other cities still working issues out; ensuring that pass through costs do not cause dislocation; development of a tenant

mitigation plan; minimizing costs to owners; fee waivers or reductions; covering costs for contract assistance; providing fee waivers at the start of the program as an incentive; allowing smaller buildings more time to complete the retrofit; and creating a universal fee waiver for landlords to include retrofits.

Additional discussion ensued between staff and Council Members regarding which items were time sensitive and needed to be addressed and Council Member Eriksson left the meeting.

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Colin Diaz applauded the City for being proactive with retrofitting; discussed cost effectiveness of retrofitting current buildings; preserving affordable housing; financial viability; public/private partnerships; a suggestion to use a portion of American Rescue Fund money on the process; and the benefits of collaboratively working on future disaster mitigation.

Jeremy Green, City Clerk indicated that the following individuals had signed up to speak but were no longer in the meeting:

Ron Bassilian  
Joan Davidson  
Danielle Leidner-Peretz  
George Young

Travis Morgan reported serving on the advisory council for the issue; expressed strong support for soft story retrofit; wished that the public comment would have been heard before the City Council had provided direction; discussed large complexes with individual unit owners who are house rich but cash poor; the aggressive five-year timeline; and higher income cities that have gone with a shorter timeline.

Discussion ensued between staff and Council Members regarding identifiable buildings; the critical nature of capital improvements; and ensuring that people are not driven out of their homes.

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Item A-3

**CC - (1) Progress Update on the Culver City Economic Recovery Task Force; (2) Discussion of a Love Local Banner Program; (3) Discussion of Love Local Community and City-Sponsored Activations; and (4) Direction to the City Manager as Deemed Appropriate**

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

Discussion ensued between staff and Council Members regarding Council Member preferences regarding the banner alternatives; integration with Performing Arts grantees, the School District and the Rotary Club and groups with multiple events; activation of the commercial corridors; differentiating the Love Local Master Calendar and the community calendar; City sponsored events taking place in the commercial corridor; street pole banners; and identifying high impact locations.

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Item A-4

**CC - (1) Introduction of an Ordinance Amending Culver City Municipal Code Section 9.08.035, Use of Sidewalks for Outdoor Dining, to Add the Use of Parklets and Other Uses in the Public Right-of-Way and Modify the Current Outdoor Dining Agreement Process; (2) Adoption of a Resolution Establishing Design Guidelines for Parklets; (3) Adoption of a Resolution Establishing Fees for the Parklet Program; and (4) Adoption of a Categorical Exemption Relating Thereto, Pursuant to the California Environmental Quality Act**

Joe Susca, Senior Management Analyst, provided a summary of the material of record noting that the resolution adopting the fee schedule had been modified to better clarify how the fees are calculated and correctly reference the proper municipal code section.

Mayor Fisch invited public comment.

The following member of the public addressed the City Council:

Colin Diaz proposed that the City created a tiered system with graduated fees over time.

Discussion ensued between staff and Council Members regarding concern with the item being discussed so late in the evening and the ability of people to make public comment; the ability to assess needs based on feedback and make adjustments; support for creating a tiered system; the voluntary nature of the program; the feeling that giving up right of way even with a fee is a form of subsidy; immediately affected restaurants; support for fee deferral; creation of something in the public space beyond profits; those who have put in semi-permanent structures; sewer fees; the need for the City to front monies to the city of Los Angeles if they were deferred; support for the program and for deferring fees that do not have to be paid for other jurisdictions; development of a payment plan with those who want to transition toward permanence; concern with a large bill coming due if it is allowed to be deferred; creating a clear policy for those restaurants who want to create a parklet in the future; licensing fees for the ABC; state fee waivers; design guidelines; fine-tuning fees; and staff direction to revise the resolution on fees before the second reading.

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

1. INTRODUCE AN ORDINANCE AMENDING SECTION 9.08.035 OF THE CULVER CITY MUNICIPAL CODE TO ADD THE USE OF PARKLETS AND OTHER USES, AND MODIFY THE OUTDOOR DINING AGREEMENT PROCESS; AND
2. ADOPT A RESOLUTION ESTABLISHING DESIGN GUIDELINES FOR THE INSTALLATION OF PARKLETS IN THE PUBLIC RIGHT-OF-WAY; AND,
4. ADOPT A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15301, CLASS 1 - EXISTING FACILITIES FOR THE ORDINANCE AND GUIDELINES AND DIRECT STAFF TO PREPARE AND FILE A NOTICE OF EXEMPTION ACCORDINGLY.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item A-5

**CC - (1) Discussion of the Equity and Human Relations Advisory Committee's Recommendation to Change Its Name; and (2) Direction to the City Manager As Deemed Appropriate**

Mayor Fisch received clarification that there were no speakers for the item and he deferred it to a meeting when Council Member Eriksson could be present.

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

Mayor Fisch invited public comment.

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

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**Items from Council Members**

None.

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**Council Member Requests to Agendize Future Items**

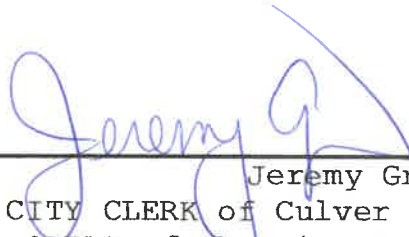
City Council consensus was achieved to agendize receipt of a short presentation from Streets for All as well as a presentation on Approval Voting from the Center for Election Science with the possibility of forming a subcommittee for a charter amendment to allow for Approval Voting in Culver City.

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**Adjournment**

There being no further business, at 1:13 a.m., Tuesday, July 13, 2021, the City Council, Housing Authority Board, Parking Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned to a meeting to be held on August 9, 2021.

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Jeremy Green  
CITY CLERK of Culver City, California  
EX-OFFICIO CLERK of the City Council and SECRETARY of the  
Successor Agency to the Culver City Redevelopment Agency  
Board, and Culver City Housing Authority Board  
Culver City, California



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

Date: 9 August 2021