

OFFICIAL MINUTES

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

May 23, 2022
7:00 p.m.

Call to Order & Roll Call

Mayor Lee announced that at least a portion of the consolidated meeting would be conducted pursuant to California Government Code Section 54953 in that Council Member Eriksson would be participating by speaker phone, in accordance with the Ralph M. Brown Act and his teleconference location has been identified in the notice and agenda for the meeting.

Mayor Lee 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 5:33 p.m. in the Mike Balkman Chambers at City Hall.

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

Absent: Alex Fisch, Council Member

Jeremy Bocchino, City Clerk received clarification from Council Member Eriksson that he could hear the meeting clearly; he had a copy of the agenda for the meeting; a copy of the agenda was posted at his location; there were no members of the public present at Council Member Eriksson's location; she asked any member of the City Council to speak up if they were not able to hear Council Member Eriksson; no Council Member indicated that they could not hear Council Member Eriksson, nor did they indicate that there was any reason to doubt that was Council Member Eriksson taking part in the teleconference; and she

indicated that all votes would be taken by roll call during the meeting.

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Closed Session

Mayor Lee invited public comment.

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

MOVED BY COUNCIL MEMBER MCMORRIN AND SECONDED BY MAYOR LEE THAT THE CITY COUNCIL, CULVER CITY HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY BOARD ADJOURN TO CLOSED SESSION.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

At 5:37 p.m. the City Council, Culver City Housing Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned to Closed Session to consider the following Closed Session Item:

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

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Reconvene

Mayor Lee reconvened the meeting of the City Council at 6:35 p.m. with four Council Members participating (absent Council Member Fisch) for recognition presentations.

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Recognition Presentation

Item R-1

CC - Presentation of Certificates of Recognition to the Participants in the El Marino Language Exchange Program 2022

Mayor Lee presented Certificates of Recognition to participants in the El Marino Language Exchange Program 2022.

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Item R-2

CC - Presentation of Commendations to Girl Scout Gold Award Recipients Ella Visosky, Evan Fratantuno, Madison Michele Jackson, Melody Caudhill, and Sabrina Hurtado

Council Member McMorris presented the Commendations to Girl Scout Gold Award recipients.

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Item R-3

CC - Presentation of a Proclamation Designating May as Asian American and Pacific Islander Heritage Month 2022

Mayor Lee presented the Proclamation designating May as Asian American and Pacific Islander Heritage Month 2022.

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Item R-5

(Out of Sequence)

CC - Presentation of a Proclamation Recognizing May 27, 2022 as Red Poppy Day

Vice Mayor Vera presented the Proclamation recognizing May 27, 2022 as Red Poppy Day.

Martha Romano accepted the Proclamation and provided background on Red Poppy Day.

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Item R-4

CC - Presentation of a Proclamation Recognizing the 50th Anniversary of the Senior Citizen's Association

Vice Mayor Vera presented the Proclamation recognizing the 50th Anniversary of the Senior Citizen's Association.

A representative of the Senior Citizen's Association accepted the award with thanks.

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Regular Session

Mayor Lee reconvened the meeting of the City Council, Successor Agency to the Culver City Redevelopment Agency Board, and Culver City Housing Authority Board at 7:00 p.m. with four Council Members participating (absent Council Member Fisch).

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Pledge of Allegiance

Mayor Lee led the Pledge of Allegiance.

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Report on Action Taken in Closed Session

Mayor Lee indicated nothing to report out of Closed Session.

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Community Announcements by Members/Information Items from Staff

Council Member McMorris highlighted Asian American Pacific Islander Heritage Month, Jewish American Heritage Month, Mental Health Awareness Month, and Period Poverty Awareness Month; discussed the massacre in Buffalo; Asian hate and anti-Black violence; the assault on reproductive rights; the importance of seeing ourselves reflected in our neighbors; compassion; she encouraged Culver City to have more empathy for others; noted comments from President Biden about White Supremacy in the aftermath of Buffalo; random acts of violence and hate; and she encouraged everyone to make a commitment to learn more and do better.

Mayor Lee echoed comments from Council Member McMorris; observed the very difficult period in the world; discussed making things more difficult by purposefully misunderstanding each other;

putting yourself in someone else's shoes; Consent Calendar Items emphasizing inclusivity; and he reported attending the recent performance of the West Los Angeles Youth Orchestra at the Veterans Auditorium on May 21.

Jeremy Bocchino, City Clerk, reported that a roll call had been taken at the start of the meeting at 5:30 p.m. with Council Member Fisch noted as absent, and she indicated that an announcement had been made that in accordance with the Brown Act, Council Member Eriksson was participating via telephone from Sweden.

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Joint Public Comment - Items NOT on the Agenda

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Bryan Sanders, Common Sense Culver City, provided background on the organization; discussed his previous request for information regarding the YIMBY lawsuit noting lack of information available online, and he questioned whether there was a plan to address sinking job approval ratings identified by FM3 research.

Carolyn Libuser discussed the situation with the homeless at the Senior Center noting that contrary to statements from Mayor Lee last week, issues were worsening rather than improving; she discussed specific issues with people living in the encampment; equity and inclusiveness; inexcusable, demeaning behavior; money spent by taxpayers to support the Senior Center; the situation as limiting activities at the Senior Center; criminal activity; and she indicated that she would hold specific Council Members accountable if people got hurt.

Mayor Lee clarified statements made in the report from the Parks, Recreation and Community Services Director given at the Budget Session last week.

Jeannine Wisnosky Stehlin expressed concern with the response of the Mayor to Ms. Libuser; discussed Mental Health Awareness and Older Americans Month in May; and she expressed agreement with a statement made at the beginning of the meeting about listening to each other and doing better.

Melissa Sanders echoed comments made by the previous speakers;

expressed concern with disrespectful language; asserted that MOVE Culver City was a debacle; discussed poor design, location, and execution; reduced sales for downtown businesses due to the changes; employees who need to get to the new businesses coming into the City; she did not want to see the City continue to be destroyed; and she asked the City Council to listen to their constituents.

Ross Piro read a statement submitted by Greg and Monica Arnold outlining recent incidents in the City that have made them feel unsafe; issues due to policy set by Los Angeles city and county; the need to authorize the Culver City Police Department (CCPD) to take more definitive action; implementation of preventative measures to make it untenable to setup encampments in residential neighborhoods; the need for increased police patrols and enforcement of public nuisance and sanitation laws; he provided his own comments citing the need to create a framework to address the needs of the unhoused while providing a reasonable level of safety and security for City residents; he asked that the City create a code to outlaw camping along the Creek and areas that border residential neighborhoods like Lindberg Park; discussed recent fires; fear; trash; feces; serious health and safety issues that need to be addressed before people get hurt; time necessary to create housing; increased fire risk with upcoming hot weather; and he asked the City to take action.

Melissa Stucky expressed concern with the response from the Mayor; felt that the City was doing nothing; discussed attention paid to things going on in other places rather than addressing issues in the City; fights at the High School; and she wanted to see issues addressed in the City.

Rosi Gabl discussed attempts by the City to enact another tax; repressive regimes; American mainstream news media; consequences of actions by certain Council Members; and she encouraged Council Members to join the majority.

Stephanie Benjamin, with a minute ceded from Shelia Benjamin, provided background on herself; discussed the value and importance of Fire and Police personnel; the growth of Public Safety; priorities; reallocation of funding; she asserted that the City Council represents all citizens, not just those who voted them in; she expressed support for funding all CCPD and CCFD (Culver City Fire Department) budget items and requests for the 2022-2023 Fiscal Year; and she noted that what one does speaks louder than what they say.

Karim Sahli discussed statistics for violent crime vs. for traffic collisions; traffic violence; statements by the Director of Public Works regarding collision data as a by-product of the high volume of traffic in the City; becoming numb to issues; implementation of the Vision Zero Plan; the need to change habits and street design; MOVE Culver City as the first step; getting priorities straight; ensuring that the car does not come first anymore; and he wanted to see the Public Works budget raised for staffing to meet the challenges of traffic violence.

Rebecca Rona Tuttle, Equity and Human Relations Advisory Committee (EHRAC) Chair, discussed concern with the amount of conflict and vitriol at the meeting; support for the work of Council Members who do not get paid; she invited everyone to participate in an Appreciation of Asian Americans through Storytelling on May 24 in the Garden Room of the Veterans Memorial Building; discussed participants; masking requirements; and she indicated that additional information was available on the City website.

Dan O'Brien discussed various incidents with the unhoused population in Culver City.

Denise Renteria, Culver City Historical Society, discussed the recent Historic Bike Ride held in conjunction with Walk and Rollers noting that they hoped the partnership to mark Historic Preservation and Bike Month would become an annual event.

Monica Richardson requested that the City Council enact an ordinance making it illegal to camp or lie on sidewalks in the City, especially near the Senior Center or under the freeway on Washington Boulevard; discussed lack of City Council support; travelling outside of the country; support for CCPD; taking the power away from CCPD; racial equity; the cleanup in Los Angeles; the lane reduction on Culver Boulevard; the number of people riding bicycles; parking issues; accessibility issues; she encouraged people to protest around the Senior Center to clean up the City; and she asked that the Mayor step down.

Nancy Barba asked that the City Council agendaize consideration of Reach Codes noting that other cities had moved Reach Codes forward.

Mayor Lee indicated that Reach Codes had already been agendaized for discussion.

Ronald Ostrin with one minute ceded by Leslie Ostrin, asserted

that the City Council majority were the poster children for how progressives ruin cities; recommended everyone read *San Fransicko* by Michael Shellenberger; discussed inviting the homeless from a major metropolitan area into the City with enticing policies; investors buying out single-family homeowners; he asserted that the 2022 election was a chance to restore common sense to the City; discussed the progressive Council majority; the MOVE Culver City project; use of a stereotypical, overgeneralized narrative; racism; the need to put CCPD to work to address criminal activity described at the meeting; concern with the investment of the City Council majority in the City; and he wanted to see the City restored to a safe, beautiful place to live.

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Receipt of Correspondence

MOVED BY COUNCIL MEMBER MCMORRIN AND SECONDED BY VICE MAYOR VERA THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Order of the Agenda

Item R-5 was heard before Item R-4; Items C-12, C-14 and C-18 were considered separately at the end of the Consent Calendar; Item A-3 was heard before Item A-2; and Items A-2 and A-4 were deferred for consideration on a future agenda.

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Consent Calendar

MOVED BY COUNCIL MEMBER MCMORRIN AND SECONDED BY VICE MAYOR VERA THAT THE CITY COUNCIL APPROVE ITEMS C-1 THROUGH C-11, C-13, AND C-15 THROUGH C-17.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, LEE, MCMORRIN, VERA

NOES: NONE
ABSENT: FISCH

Item C-1

CC:HA:SA - Approval of Cash Disbursements for April 30, 2022 to May 13, 2022

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR APRIL 30, 2022 TO MAY 13, 2022.

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Item C-2

CC:HA:SA - Approval of Minutes for the Special City Council Meeting of May 3, 2022 and the Regular City Council Meeting of May 9, 2022

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES FOR THE SPECIAL CITY COUNCIL MEETING OF MAY 3, 2022 AND THE REGULAR CITY COUNCIL MEETING OF MAY 9, 2022.

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Item C-3

CC - Approval of a Five-Year Professional Services Agreement with NBS Government Finance Group dba NBS for Preparation of the Annual Sewer User Service Charges on the Los Angeles County Assessor's Property Tax Roll in an Amount Not-to-Exceed \$15,500 Per Year

THAT THE CITY COUNCIL:

1. APPROVE A FIVE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH NBS GOVERNMENT FINANCE GROUP DBA NBS FOR THE PREPARATION OF THE ANNUAL SEWER USER SERVICE CHARGES LEVIES ON THE ANNUAL LOS ANGELES COUNTY ASSESSOR'S OFFICE TAX ROLL, FROM JULY 1, 2022 - JUNE 30, 2027, IN AN AMOUNT NOT TO EXCEED \$15,500 PER YEAR; AND,
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,

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

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Item C-4

CC - Approval of Five-Year Agreements with Mike Prlich and Sons, Inc., Clarke Contracting Corporation, and Mladen Buntich Construction Company, Inc., for On-Call Emergency Sewer Repair Services, in an Aggregate Amount Not-to-Exceed \$600,000

THAT THE CITY COUNCIL:

1. APPROVE FIVE-YEAR ON-CALL AGREEMENTS WITH MIKE PRlich AND SONS, INC., CLARKE CONTRACTING CORPORATION, AND MLADEN BUNTICH CONSTRUCTION COMPANY, INC. FOR ON-CALL EMERGENCY SEWER REPAIR SERVICES FROM JULY 1, 2022 TO JUNE 30, 2027, IN AN AGGREGATE AMOUNT NOT-TO-EXCEED 600.000; 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-5

CC - (1) Award of Construction Contract in the Amount of \$323,000 to FS Contractors, Inc., as the Lowest Responsive and Responsible Bidder, for the Construction of Community Development Block Grant (CDBG) ADA Curb Ramps Project (CDBG Project No. 602150-19 & 602274-20); and (2) Authorization to the Public Works Director/City Engineer to Approve Change Orders in an Amount Not-to-Exceed \$64,600.00 (20%)

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT TO FS CONTRACTORS, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE CDBG ADA TRANSITION PLAN CURB RAMPS PROJECT (CDBG PROJECT NO. 602150 -19 & 602274-20 IN THE AMOUNT OF \$323,000; AND,

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED \$64,600 (20%); 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-6

CC - Adoption of a Resolution (1) Approving the Engineer's Report, (2) Declaring the City Council's Intention to Order the Levy of Annual Assessments for Fiscal Year 2022/2023, and (3) Setting the Date, Time, and Place for a Public Hearing for the West Washington Boulevard Benefit Assessment District No. 1

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT; (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE WEST WASHINGTON BOULEVARD ASSESSMENT DISTRICT NO. 1; AND (3) SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING ON JUNE 13, 2022 AT 7:00 P.M.

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Item C-7

CC - Adoption of a Resolution (1) Approving the Engineer's Report, (2) Declaring the City Council's Intention to Order the Levy of Annual Assessments for Fiscal Year 2022/2023, and (3) Setting the Date, Time, and Place for a Public Hearing for the West Washington Boulevard Benefit Assessment District No. 2

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT; (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE WEST WASHINGTON BOULEVARD ASSESSMENT DISTRICT NO. 2; AND (3) SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING ON JUNE 13, 2022 AT 7:00 P.M.

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Item C-8

CC - Adoption of a Resolution (1) Approving the Engineer's Report, (2) Declaring the City Council's Intention to Order the Levy of Annual Assessments for Fiscal Year 2022/2023, and (3) Setting the Date, Time, and Place for a Public Hearing for the West Washington Boulevard Benefit Assessment District No. 3.

THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) APPROVING THE ENGINEER'S REPORT; (2) DECLARING THE CITY COUNCIL'S INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE WEST WASHINGTON BOULEVARD ASSESSMENT DISTRICT NO. 3; AND (3) SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING ON JUNE 13, 2022 AT 7:00 P.M.

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Item C-9

CC - Adoption of a Resolution Appointing the City's Director and Alternate Directors to the California Transit Systems Joint Powers Authority (CalTIP)

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPOINTING THE TRANSIT OPERATIONS MANAGER, ALI SHOWKATIAN, AS THE CITY'S REPRESENTATIVE DIRECTOR TO THE CALTIP BOARD; AND TO DESIGNATE THE TRANSIT OPERATIONS SAFETY & TRAINING COORDINATOR, HECTOR CALVINISTI, AND THE TRANSPORTATION ADMINISTRATION MANAGER, NICK SZAMET, AS THE CITY'S FIRST AND SECOND ALTERNATE DIRECTORS, RESPECTIVELY.

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Item C-10

CC - Adoption of a Resolution: (1) Approving the Equity and Human Relations Advisory Committee's (EHRAC) Recommendation to Amend the EHRAC Bylaws to Allow for Up to a Three-Year Term for the Labor Representative Seat; and (2) Amending the Bylaws Pertaining to Scheduling Regular Meetings to be Consistent with Other City Bodies

THAT THE CITY COUNCIL: ADOPT A RESOLUTION: (1) APPROVING THE EQUITY AND HUMAN RELATIONS ADVISORY COMMITTEE'S (EHRAC) RECOMMENDATION TO AMEND THE EHRAC BYLAWS TO ALLOW FOR UP TO A THREE-YEAR TERM FOR THE LABOR REPRESENTATIVE SEAT; AND (2) AMENDING THE BYLAWS PERTAINING TO SCHEDULING REGULAR MEETINGS TO BE CONSISTENT WITH OTHER CITY BODIES.

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Item C-11

CC - (1) Approval Agreements with 4Leaf, Bureau Veritas, CSG Consultants, Interwest Consulting Group, JAS Pacific, JLee Engineering, The Code Group, and Hayer for As-Needed Permit Technician Services, In-House Plan Checker Services and On-Call Building Inspection Services for a Term up to Five Years in an Aggregate Amount Not-to-Exceed the Appropriated Amount for such Services as Approved Each Year in the Building Safety Division Budget, for the period of July 1, 2022 through June 30, 2027; (2) Approval of Agreements with Global and Kling Consulting Group for Geotechnical Plan Check Services for a Term up to Five Years as 'Pass-Through' Agreements Funded Wholly by the Applicant Receiving the Service (no City General Funds are Used), for the Period of July 1, 2022 Through June 30, 2027; and (3) Approval of Agreements with Bureau Veritas, Interwest Consulting Group, JAS Pacific, The Code Group for Building Safety Structural, Mechanical, Electrical and Plumbing Plan Check Services for a Term up to Five Years as 'Pass-Through' Agreements Funded Wholly by the Applicant Receiving the Service (no City General Funds Used), for the Period of July 1, 2022 Through June 30, 2027

THAT THE CITY COUNCIL:

1. APPROVE AGREEMENTS WITH GLOBAL AND KLING CONSULTING FOR GEOTECHNICAL PLAN CHECK SERVICES FOR A TERM UP TO FIVE YEARS AS 'PASS-THROUGH' AGREEMENTS FUNDED WHOLLY BY THE APPLICANT RECEIVING THE SERVICE (NO CITY GENERAL FUNDS USED); AND,
2. APPROVE AGREEMENTS WITH BUREAU VERITAS, INTERWEST CONSULTING GROUP, JAS PACIFIC, AND THE CODE GROUP FOR BUILDING SAFETY STRUCTURAL, MECHANICAL, ELECTRICAL & PLUMBING PLAN CHECK SERVICES FOR A TERM UP TO FIVE YEARS AS 'PASS-THROUGH' AGREEMENTS FUNDED WHOLLY BY THE APPLICANT RECEIVING THE SERVICE (NO CITY GENERAL FUNDS USED); AND,
3. APPROVE AGREEMENTS WITH 4LEAF, BUREAU VERITAS, CSG CONSULTANTS, INTERWEST CONSULTING GROUP, JAS PACIFIC, JLEE ENGINEERING, THE CODE GROUP, AND HAYER FOR AS-NEEDED PERMIT TECHNICIAN SERVICES, AS-NEEDED IN-HOUSE PLAN CHECKER SERVICES AND ON-CALL BUILDING INSPECTION SERVICES IN AN AGGREGATE AMOUNT NOT-TO-EXCEED THE APPROPRIATED AMOUNT FOR SUCH SERVICES AS APPROVED EACH YEAR IN THE BUILDING SAFETY DIVISION BUDGET, FOR THE PERIOD OF JULY 1, 2022 THROUGH JUNE 30, 2027; AND,

4. IF CITY COUNCIL APPROVES THE AGREEMENTS WITH 4LEAF, BUREAU VERITAS, CSG CONSULTANTS, INTERWEST CONSULTING GROUP, JAS PACIFIC, JLEE ENGINEERING, THE CODE GROUP, SCOTT FAZEKAS & ASSOCIATES, GLOBAL AND KLING CONSULTING, AUTHORIZE STAFF TO NEGOTIATE THE FINAL TERMS OF THE AGREEMENTS, PROVIDED THE FINAL CONTRACT PRICE DOES NOT INCREASE MORE THAN THE CITY MANAGER'S CONTRACT AUTHORITY; AND,

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

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

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Item C-13
(Out of Sequence)

CC - (1) Award of \$36,700 in Grants and Designation of Nine Events as City-Sponsored through the FY 2022/2023 Special Events Grant Program as Recommended by the Special Events Grant Program City Council Ad Hoc Subcommittee; (2) Authorization of up to \$23,300 in Contingency for Special Event Liability Insurance and Off-Cycle Event Support; and (3) Authorization to the City Manager to Administratively Approve Applicable City Permits and Licenses Needed to Conduct the Events

THAT THE CITY COUNCIL:

1. AWARD \$36,700 IN GRANTS AND DESIGNATE NINE EVENTS AS CITY-SPONSORED THROUGH THE FISCAL YEAR 2022/2023 SPECIAL EVENTS GRANT PROGRAM; AND,

2. AUTHORIZE UP TO \$23,300 IN CONTINGENCY FOR SPECIAL EVENT LIABILITY INSURANCE AND OFF-CYCLE EVENT SUPPORT; AND,

3. AUTHORIZE THE CITY MANAGER TO ADMINISTRATIVELY APPROVE APPLICABLE CITY PERMITS AND LICENSES NEEDED TO CONDUCT THE EVENTS, PROVIDED SUCH PERMITS AND LICENSES ARE CONSISTENT WITH THE SCOPE OF THE EVENT AS SET FORTH IN THE GRANT APPLICATION (SUCH AUTHORITY SHALL NOT APPLY TO THE REQUIRED SPECIAL EVENT PERMIT, WHICH SHALL CONTINUE TO BE ISSUED IN THE USUAL COURSE OF BUSINESS) .

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Item C-15
(Out of Sequence)

CC - Approval of an Application for \$36,609.30 in Grant Funds through the Fiscal Year 2022 Department of Justice Bureau of Justice Assistance Patrick Leahy Bulletproof Vest Partnership

THAT THE CITY COUNCIL:

1. APPROVE AN APPLICATION FOR GRANT FUNDS IN THE AMOUNT OF \$36,609.30 THROUGH THE FY 2022 DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP; 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

CC - Amendment to the Existing Professional Services Agreement with The Nickerson Company for Public Works Inspection Services, Utility Location, and Arborist Inspection Support for the Public Works Department/Engineering Division for the City-Wide Ting High Speed Fiber Project in an Additional Amount Not-to-Exceed \$300,000.

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH THE NICKERSON COMPANY TO PROVIDE CONTINUED AS-NEEDED PUBLIC WORKS INSPECTION, UTILITY LOCATION, AND ARBORIST INSPECTION SUPPORT FOR THE PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION ON THE CITY-WIDE TING HIGH SPEED FIBER PROJECT IN AN ADDITIONAL AMOUNT NOT-TO-EXCEED \$300,000; 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-17

CC -Twelfth Review and Approval 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

THAT THE CITY COUNCIL: PURSUANT TO GOVERNMENT CODE SECTION 8630, CONDUCT A TWELFTH REVIEW AND CONFIRM 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-12

(Out of Sequence)

CC - (1) Award of an Off-Cycle Special Events Grant in the Amount of \$3,000, Plus \$1,000 in Contingency for Special Event Liability Insurance, and Designation of the 2022 Culver City Pride Ride and Rally as a City-Sponsored Event, as Recommended by Vice Mayor Vera of the Special Events Grant Program Ad Hoc Subcommittee; (2) Approval of the Necessary Street Closures and Issuance of a Street-Use Permit; and (3) Authorization to the City Manager to Administratively Approve Applicable City Permits, Licenses and Agreements Needed to Conduct the Events

Council Member McMorris recused herself and exited the dais.

Mayor Lee invited public comment.

The following member of the public addressed the City Council:

Bubba Fish thanked staff and the Special Events Subcommittee for their assistance with the item; discussed the event; the amount of City support for other similar events in the City; and he requested additional funding and support for the event.

Discussion ensued between staff and Council Members regarding support for the recommendation of the Special Events Subcommittee; differences between the location and dynamics from last year; Special Event Liability Insurance; the difference

between the original request and what was awarded; the increased request; and the process for moving forward.

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

1. AWARD AN OFF-CYCLE SPECIAL EVENTS GRANT IN THE AMOUNT OF \$3,000, PLUS \$1,000 IN CONTINGENCY FOR SPECIAL EVENT LIABILITY INSURANCE, AND DESIGNATE THE 2022 CULVER CITY PRIDE RIDE AND RALLY AS A CITY-SPONSORED EVENT, AS RECOMMENDED BY VICE MAYOR VERA OF THE SPECIAL EVENTS GRANT PROGRAM AD HOC SUBCOMMITTEE; AND,

2. APPROVE THE NECESSARY STREET CLOSURES AND ISSUANCE OF A STREET-USE PERMIT; AND,

3. AUTHORIZE THE CITY MANAGER TO ADMINISTRATIVELY APPROVE APPLICABLE CITY PERMITS, LICENSES AND AGREEMENTS NEEDED TO CONDUCT THE EVENT.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, VERA

NOES: LEE

ABSENT: FISCH

RECUSED:MCMORRIN

Council Member McMorris returned to the dais.

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Item C-14
(Out of Sequence)

CC - Consideration of the Equity and Human Relations Advisory Committee's Recommendation to the City Council to Support a City Organized Juneteenth 2022 Event; (2) Designate the Juneteenth 2022 Event as a City Event; (3) Authorization to the City Manager to Administratively Approve Applicable City Permits and Agreements Needed to Conduct the Event; and (4) Direction to the City Manager as Deemed Appropriate

Stephanie Condran, Human Resources Analyst, provided a summary of the material of record.

Mayor Lee indicated that he had been organizing an event, but when he learned that the EHRAC was working on one, he decided to collaborate rather than to have separate events.

Discussion ensued between staff and Council Members regarding sponsorships; the need to take action on the item; designation as a City event; granting the authority to make administrative approvals due to time constraints; costs involved; donations pledged; City Manager discretion to use unappropriated funds to address shortfalls; assistance from the Culver Arts Foundation, Amazon, and Sony; requirements to qualify as a City-sponsored event; City events vs. City sponsored events; and the importance of centering Black voices in the programming and organization of the event.

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

1. CONSIDER THE EHRAC'S RECOMMENDATION TO THE CITY COUNCIL TO HOLD A CITY ORGANIZED JUNETEENTH 2022 EVENT IN CULVER CITY; AND,
2. DESIGNATE THE JUNETEENTH 2022 EVENT AS A CITY EVENT; AND,
3. AUTHORIZE THE CITY MANAGER TO APPROVE APPLICABLE PERMITS AND AGREEMENTS TO CONDUCT THE EVENT; AND,
4. AUTHORIZE THE CITY MANAGER TO USE DISCRETION IN THE CONTEXT OF ANY NECESSARY FUNDING FOR STAFFING, PERMITS AND COST OVERAGES.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, LEE, MCMORRIN, VERA

NOES: NONE

ABSENT: FISCH

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Item C-18
(Out of Sequence)

CC - (1) Adoption of a Resolution Determining the Main Street Closure Project (Closure of Main Street between Culver Boulevard and the City Limit each Tuesday for Farmers Market and Every Weekend) is Categorically Exempt from the California Environmental Quality Act (CEQA); and (2) Discussion and Direction regarding the Status of the Project

Andrew Maximous, Mobility and Traffic Engineering Manager, provided a summary of the material of record.

John Nachbar, City Manager, reported concerns voiced by the Fire Chief regarding the use of vehicles to function as the closure of the street; the limited duration of the Farmers Market; challenges with parking large vehicles for the weekend; and the need for expeditious moving of the vehicles on a 24/7 basis over the weekend.

Ken Powell, Fire Chief, expressed public safety concerns with utilizing the buses as a blockade.

Mayor Lee invited public input.

The following members of the public addressed the City Council:

Bryan Sanders was called to speak but did not respond.

Stephen Jones discussed pedestrian access to Main Street; City Council direction to install retractable bollards; rejection of closing Main Street 24/7; concern that actions are not matching what has been directed; support for using City buses; and the importance of protecting families who are enjoying the area on the weekends.

Bryan Sanders, Common Sense Culver City, noted the work that has gone into the process; discussed City Council direction; the importance of honoring the proposed compromise that was achieved by open dialogue; and the importance of addressing the issue raised by the Fire Chief.

Nancy Barba asked that she be called again at the end.

Karim Sahli expressed concern that the schematic for Option 1B that retained outdoor dining and did not include parking was not what has been implemented; he proposed bringing back K-Rails until the bollards can be installed; wanted to see bike lanes protected so that they do not become a delivery zone; and he expressed support for the proposed motion.

Nancy Barba echoed the comments from the previous speaker noting that City Council direction was not being followed and she wanted to see Main Street closed on Tuesdays and weekends with no parking which she felt could be done under previous conditions that had worked for two years.

Discussion ensued between staff and Council Members regarding community concerns about the disparity between Option 1B and current conditions; implementation; the bollards; outdoor dining; investment by restaurant owners; the Farmers Market; challenges with the outdoor dining installations; providing proper protection; parking in front of storefronts that do not have outdoor dining; the Main Street Business Association; staff efforts and intention to follow Council direction; creating a carve-out to meet the need while keeping people safe; allowing the space to be used as intended by the ordinance; changing requirements for the street; the priority to maintain public safety; standards that were relaxed during COVID that are not appropriate during normal operations; asking the Farmers Market to modify their footprint; achieving goals safely; benefits of open streets; bringing public space back for people; allowing outdoor dining spaces for local businesses; practical issues; aesthetic issues with blocking the street using buses and trucks; the value of parking outside of businesses; the convenience of hydraulic bollards; safety and security; the slow pace of change; a suggestion to use a series of cars to block the street; concern that people would be upset with closing the street in January if they are accustomed to moving freely through it; use of the circulators to block the street; working with mobility partners to create a hub to block the space off; the CEQA (California Environmental Quality Act) exemption; and the pandemic and the recent uptick in infections.

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

1. ADOPT A RESOLUTION DETERMINING THE MAIN STREET PROJECT (CLOSURE OF MAIN STREET BETWEEN CULVER BOULEVARD AND THE CITY LIMIT EVERY TUESDAY FOR FARMER'S MARKET AND EVERY WEEKEND) ("PROJECT") IS CATEGORICALLY EXEMPT UNDER CEQA; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO FILE A NOTICE OF EXEMPTION WITH THE LOS ANGELES COUNTY CLERK'S OFFICE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Heather Baker, City Attorney, reported the need to do additional

research into the possibility that a provision in Charter Section 613 may call into question the two to one vote on the award of the grant in Item C-12, and if it is determined not to be valid due to the need for more votes, it would be brought back on June 6.

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Public Hearings

Item PH-1

Adoption of a Resolution Approving an Exception to the City's Subdivision Design Standards Related to Lot Frontage and to Reduce the Required Driveway Width from 25 Feet to 10 Feet to Allow the Development of Two Detached Townhome Style Residential Units Located at 8902 Hubbard Street

MOVED BY VICE MAYOR VERA AND SECONDED BY COUNCIL MEMBER MCMORRIN THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVITS OF PUBLICATION AND POSTING OF THE PUBLIC HEARING NOTICE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

William Kavadas, Assistant Planner, provided a summary of the material of record.

MOVED BY COUNCIL MEMBER MCMORRIN AND SECONDED BY VICE MAYOR VERA THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Mayor Lee invited public comment.

The following member of the public addressed the City Council:

Lainie Herrera indicated that she was present to answer questions.

MOVED BY COUNCIL MEMBER MCMORRIN AND SECONDED BY VICE MAYOR VERA THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

MOVED BY MAYOR LEE AND SECONDED BY COUNCIL MEMBER MCMORRIN THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING AN EXCEPTION TO A SUBDIVISION DESIGN STANDARD (CCMC SECTION 15.10.700.C) IN ORDER TO ALLOW CONSTRUCTION OF TWO DETACHED TOWNHOME STYLE RESIDENTIAL UNITS LOCATED AT 8902 HUBBARD STREET.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item PH-2

Appeal of the Administrative Approval of Wireless Telecommunications Facilities Encroachment Permits to AT&T for 1) 5770 Uplander Way, Permit No. U19-0441, and 2) 5839 Green Valley Circle, Permit No. U19-0439, and 3) 6174 Buckingham Parkway, Permit No. U19-0443

Joe Susca, Senior Management Analyst, provided a summary of the material of record and indicated that Senior Civil Engineer, Sammy Romo as well as Roland Miranda and Gail Karish from Kane, Ballmer and Berkman were available to address any questions.

Discussion ensued between staff and Council Members regarding insurance alternatives; placement preferences; standards and insurance requirements adopted by the City; liability; clarification that Gail Karish is from Best Best and Krieger; and the ability to require insurance for injury or damage from RF emissions.

MOVED BY COUNCIL MEMBER MCMORRIN AND SECONDED BY VICE MAYOR VERA THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Mark Graham, Elk Grove, presented the appeal on behalf of Dr. Baras; stated that finding 3 was not supported by sufficient evidence; discussed communication with staff; comments by the Director of Public Works indicating willingness to work with AT&T to relocate the antenna; the three extensions granted to allow time to identify alternative sites; promises by AT&T to meet with residents to look at alternative sites; he asserted that the City had given up; discussed the petition submitted by residents; resident support of the appeal; the job of the City Council to represent resident interests; the finding used to support the permits; lack of justification for not relocating the antennas; accomplishing stated goals with alternative sites; the AT&T coverage map; the affidavit submitted indicating that there is not a gap in coverage; evidence contained in the written record; the City's basis for denying the application; lack of evidence to support claims as to why the antennas are needed; incomplete applications that should be rejected; placing an antenna in the right-of-way without supporting evidence; missing requirements that are part of the application; identification of alleged capacity deficiency; dropped call logs; overlap of signal propagation; concern with proximity to housing; offloading traffic from the macro towers; proposed collocation alternatives; failure of the City to meet the obligation to work with the telecoms; the need to honor the original agreement by AT&T to explore alternatives; and he asked that the City uphold the appeal and deny the application.

Ursula Moran, AT&T, thanked staff for their partnership with the application; discussed the vendor hired to process the permit applications; the best location and intent for small cells; the spike in data usage and traffic with people working at home; and the letter from AT&T addressing concerns raised by the applicant.

Bardo Osorio, Eukon Group, provided background on the organization; discussed compliance with the City's wireless ordinance and applicable law; alternatives considered; addressing AT&T's service needs; surveys; identification of the

least intrusive locations for the project; examples of installations using light poles; and he asserted that the projects met the criteria for approval and would be placed in the right-of-way using existing infrastructure;.

Discussion ensued between staff and Council Members regarding condominiums directly across from the proposed sites; the RF Emissions Report; the rationale for rejecting the proposal to move the installation one street over; coverage; and trees that may block the line of sight.

Melissa Stucky was called to speak but did not respond.

David Kairo was called to speak but did not respond.

Karyn Marks provided background on herself; expressed concern with having a cell tower in such close proximity to their home; acknowledged the responsibility of the FCC (Federal Communications Commission) over the City; insurance; cancer; Fox Hills as an overlooked part of the City; population density in the area; she proposed using the area along Centinela; and she felt that the Council Members would not want an antenna placed in such close proximity to their homes.

David Kairo discussed frustrations with working with the City; meetings with City officials and staff; assurances that the City would work with AT&T; concern that the City had not followed through; support of the appeal; he felt that denying the appeal was not servicing the community; and he wanted to see the City Council overturn the approvals and work with AT&T to find alternative locations away from homes.

Judi Sherman discussed the meeting on November 16 with residents to discuss alternative locations; purview of the AT&T representative sent to the meeting; claims of scheduling and staffing issues; the request from AT&T for residents to submit questions; the AT&T motto; the need for telecom companies to substantiate their claims; positive working relationships; the need to advocate for citizens and hold companies accountable; concern that the City feels they cannot ask more of AT&T and is advocating for them; liability insurance; and appreciation to Council Member McMorris for requesting placement on a different street.

Julia Barbosa was called to speak but did not respond.

Sally Maslon provided background on herself; discussed resident concerns with antenna placement; other pending applications; easy approval of installations; proximity of antennas to residents; lack of communication; concern that the antennas have not been proven to be safe; 25 year-old FCC guidelines; and she felt that the City needed to advocate for its citizens.

Melissa Stucky was called to speak but did not respond.

Mark Graham spoke on behalf of the appellant, noted that AT&T and Eukon representatives had not addressed any points from his presentation; noted that antennas should be placed farther from homes; discussed comments made by the Eukon representative that they need to work from 150-200 feet of the pin; antenna strength; preferences vs. constraints; comments from the former Chief Executive Officer of Verizon about 5G antennas; the proposed alternatives; the fact that the required map and narrative of existing facilities in the City or outside of the City that provide services in the City was not provided; and he felt the City could do a better job for residents.

Ursula Moran, AT&T, discussed the search radius; the low-powered installations; the narrow radius; data regarding network trends and data usage; usage of existing structures in the area; engineering limitations; the few structures that will work to fill the gaps in coverage; alternate structures considered and submitted as part of the permit application; and she indicated willingness to connect and speak with residents.

Responding to inquiry, Mr. Graham discussed actions of the FCC to satisfy the needs of the industry to set maximum permissible exposure guidelines; the FCC Act of 1996; City authority; to regulate the placement of cell antennas based on aesthetics; and the narrow interpretation previously presented by Ms. Karish.

Melissa Stucky discussed the difficulty of accurately measuring RF emissions; effectiveness of 4G vs. 5G; wanted to see citizens in Fox Hills protected; discussed lack of proper scientific evaluation of potential negative consequences; concern with adding unnecessary radiation to potentially increase cancer rates; and she proposed doing with away with the dangerous approval rather than buying liability insurance.

MOVED BY VICE MAYOR VERA AND SECONDED BY COUNCIL MEMBER MCMORRIN THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Discussion ensued between staff and Council Members regarding appellant health concerns; keeping residents safe in their homes and in the community; concern that if aesthetics are the only basis for a denial, there is not much room as they are adding to existing infrastructure; office space in Fox Hills; lessening risks to those in their homes; meeting the needs of AT&T; a suggestion that AT&T representatives meet with Judi Sherman; the importance of responding to community concerns; outreach; showing good faith moving forward; specific requirements for denial; the outside firm hired to measure RF emissions; limitations to the way applications can be considered; City purview; compliance with the City Code as well as with Design and Development Standards; updated standards; and other cell sites that AT&T will want to place in the City.

Vice Mayor Vera moved to deny the appeal subject to 1B and Council Member McMorris seconded the motion.

Roland Miranda, Kane, Ballmer and Berkman, noted that the motion should also adopt a finding that, pursuant to CEQA guidelines, each of the applications is categorically exempt from CEQA.

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

1. DENY THE APPEAL AND APPROVE AT&T'S WIRELESS PERMITS FOR 1) 5770 UPLANDER WAY, PERMIT NO. U19-0441, AND, 2) 5839 GREEN VALLEY CIRCLE, PERMIT NO. U19-0439, AND, 3) 6174 BUCKINGHAM PARKWAY, PERMIT NO. U19-0443; AND ADOPT A FINDING THAT EACH OF THEM IS CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES §15303(E). FURTHER, THESE WIRELESS ENCROACHMENT PERMITS SHALL BE SUBJECT TO:

B. THE SAME CONDITIONS IN THE STAFF APPROVAL, EXCEPT THE INSURANCE REQUIREMENTS SHALL BE THE THOSE ADOPTED BY RESOLUTION 2022-R020 ON FEBRUARY 28, 2022; AND,

2. ADOPT A FINDING THAT EACH OF THE LOCATIONS IS EXEMPT FROM CEQA.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Action Items

Item A-1

CC - Discussion and Consideration of Whether to Place a Measure on the November 8, 2022 General Municipal Election Ballot to Submit to the Voters an Amendment to Culver City Municipal Code Section 11 to Increase the Business License Tax Rates and Update Various Sections of the Code; (2) (If Desired) Creation of an Ad Hoc Business License Tax Ballot Measure City Council Subcommittee and Appoint Two Council Members thereto; and (3) Direction to the City Manager as Deemed Appropriate

Punit Chokshi, Senior Management Analyst, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding the proposed tax rate for oil production; the exemption; retention of small businesses; input from the Finance Advisory Committee (FAC); retention of the rate for oil production; the increase for car lots; the video production classification; separate contracts for Sony and Apple; and determining what portion of their world-wide revenue are attributable to Culver City and will be taxed.

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Jamie Wallace expressed hope that Council Member Fisch would feel better; concern with the short period allocated for public comment; felt it was not the time for the business license tax measure and that the City Council should heed the advice of the FAC; discussed taxation on gross receipts; wanted to see the exemption be for at least \$100,000 if not \$250,000 in gross profit; and she questioned increases to rentals and commercial rentals.

Bryan Sanders discussed promises made with previous tax increases; the different economy; people struggling to make ends meet and keep businesses alive; he felt that the survey did not show support for the measure; and expressed concern with having sufficient staff time to do a thorough and accurate job to prepare the ballot measure by November.

Christopher Du was called to speak but did not respond.

Maria Jacobo, Culver City Chamber of Commerce, asserted that placing a ballot measure to increase business taxes would not end well; discussed the number of For Lease signs on commercial properties; businesses that are downsizing and moving away; concern with an unfriendly business climate and forcing businesses and non-profits to leave; and she asked that the City support local business by not placing the proposed increase to business license taxes on the ballot.

Jeannine Wisnosky Stehlin felt that leaving the vote of the FAC out of the staff report did a disservice to residents; expressed opposition to the proposed increase to business license taxes; discussed gross receipts vs. profits; felt that the \$100,000 exemption was too low and should be \$200,000; discussed projected revenue; the unpredictable nature of taxes; potential significant negative impact on the business tax measure with a recession; the number of survey recipients; and reduced support of the measure since 2019.

Melissa Sanders noted that taxes would be transferred to the customer base; discussed gross receipts; expenses and losses; she proposed that \$250,000 of gross receipts be excluded for small businesses before they have to pay the tax with a minimal tax for those who might not pay anything; finding ways to run things more efficiently; and she asked the City not to move forward, but to think about the overall.

Stephen Jones wanted to see the item placed on the ballot to ensure that big companies pay their fair share to meet obligations and fund things the City needs.

Crystal Alexander reported serving on the FAC when the business tax was first considered; discussed the hold placed on the business license tax when the pandemic started; the Real Estate Tax increase; money coming in from taxes; businesses hurting because of the recession; businesses that should be encouraged in the City; and she encouraged a wholistic examination of the proposed tax and tax structure for the City by the FAC.

Melissa Stucky was called to speak but did not respond.

Carolyn Libuser was called to speak but did not respond.

David Voncannon, Interim Director for the Culver City Chamber of Commerce, indicated that they were already on record in opposition to the proposed business tax increase; discussed the end of the Commercial Eviction Moratorium; challenges faced by the business community; and he proposed that the issue be taken off the agenda entirely or sent back to the FAC.

David Juarez, California Restaurant Association, expressed opposition to the item; discussed difficulties currently faced by businesses; customers fed up with price increases; wanted to see restaurants exempted from any increases; and he urged the City Council to vote no on Item A-1.

Nancy Barba expressed support for putting the item on the ballot in November; discussed her service on the FAC when the item was first discussed; the need for additional funding to run the City; seizing the opportunities of the work that has already been invested in the process to move the item forward; previous support for the item; looking at the item as an opportunity; and support for corrective measures to ensure that everyone pays their fair share.

Cedric Joins, Culver City Chamber of Commerce, expressed opposition to the item; discussed harm to local businesses; people behind each business; adding burdens to already struggling businesses; bad timing; reconsideration of the item once the economy improves; and concern with increased inflation in the community caused by the measure.

Khin Khin Gyi, noted that she is a small business owner, discussed lopsided tax rates; industries that are doing well vs. those that are not; the small business tax exemption; comparability with neighboring cities and business climates; increased COVID infection rates; and she felt it was not the time to be increasing taxes.

Andrew Lachman, FAC Chair, discussed the vote of the Committee; understanding the need; he indicated that while the timing of the tax is not good, if the City Council chose to move forward, the FAC felt that important aspects should be included to protect small businesses and restaurants such as the \$100,000 deduction; he discussed the effective date of the tax;

disagreement with the break given to the oil industry; taking a reasoned, moderated approach if the item moves forward; making rates competitive; and support for working with the City Council.

Candance Simmons provided background on herself; discussed her efforts to maintain her business; those living off their loans; recovery from back rent; decreased foot traffic; increased overhead; the unavailability of grants for small businesses; and she felt that now was not the time to increase the business tax.

Jeanne Black discussed the need to address the structural deficit of the City; the need to restructure the business license tax; other City tax structures; ensuring that large businesses pay their share while small businesses are protected; the outdated business code; she felt the \$100,000 exemption was too low; and she acknowledged that November might be too soon, but she wanted to see the work done to update the business license tax to reflect the current economy and support future needs.

Denice Renteria did not want to see the business license tax placed on the ballot; discussed the need to allow businesses to recover; revenue projections; small businesses in the City; business turnover; businesses still struggling to pay rent; and she felt that now was not the time to raise rates.

Jane Leonard provided background on herself; discussed original consideration of the item by the FAC; exemption values; diligence in analysis and consideration by the FAC; support for changes, but concern with the timing; she agreed with comments by the Mayor that the pandemic is continuing; and she supported consideration of tax changes in the context of other taxes.

Eric Shabsis felt rather than a survey, the business community should have been engaged in the process being done; discussed undue burden placed on businesses by a gross receipts tax; the rent control ordinance; he felt the City should engage in a meaningful dialog with businesses to understand the right tax structure and the right time to implement it; and he felt that the business license tax structure should be updated, but should be done in the context of a transparent and equitable process.

Marta Valdez expressed opposition to raising the business license tax; discussed businesses trying to recover from the pandemic; and costs to put the measure on the ballot.

Denise Neal acknowledged valid points made; discussed the importance of transparency and equity; getting the larger companies to create a trust fund to help with housing and other issues to contribute to small and suffering businesses; jobs coming into the City; subcontract and alternate funding programs; creating a vehicle for those in the gerrymandered areas; and the need for a vehicle for other businesses to be able to participate in the City and contribute to the tax base.

Ron Ostrin was called to speak but did not respond.

Discussion ensued between staff and Council Members regarding the proposed tax rate change for restaurants; consideration by the ad hoc subcommittee before City Council consideration; statistical rates with a blended approach; rates in comparison to other similar cities; studying impacts to the business population in other cities with fee changes; timing of implementation; meeting community concerns; support for creation of a subcommittee; doing what needs to be done to place the item on the November ballot; work done on the item by Council Member Fisch; the potential carve out for small businesses; money paid in 2024 based on receipts from 2023; businesses that experience losses but still have to pay their business license taxes; the argument that businesses should pay their fair share; inflation; continuing COVID related issues; support for postponing the item to 2024; the fact that the item has not been examined since 1965; concern with losing businesses; the need to engage with the business community; thinking about the issue wholistically; collaboration with the FAC; the budget forecast for the next ten years; the number of businesses eligible of exemptions for gross receipts under \$100,000 vs. not taxing the first \$100,000 made; support for maintaining the rate for oil production and exploration; auto parking; transparency with how the City deals with Amazon, Sony, and Apple; the one-time payment for the American Rescue Plan money and the Real Estate Transfer Tax; the structural deficit; one-time expenses proposed; capital projects; the deficit forecast; drawing down General Fund Reserves; unspecified reserves; pension costs; estimates in the presentation based upon rough numbers; the importance of being concerned about the solvency of the City; incorporating concerns voiced; carve-outs; the assumption that there are very few businesses that would be exempt; and support for moving forward quickly.

Council Member Eriksson moved to postpone the issue to 2024 to allow time to work with the business community and adjust the budget and Vice Mayor Vera seconded the motion.

Additional discussion ensued between staff and Council Members regarding clarification on the projected deficit in 2024.

MOVED BY COUNCIL MEMBER ERIKSSON AND SECONDED BY VICE MAYOR VERA THAT THE CITY COUNCIL POSTPONE CONSIDERATION OF PLACING A BUSINESS LICENSE TAX INCREASE TO 2024.

BASED ON THE FOLLOWING 2-2 VOTE, NO ACTION WAS TAKEN BY THE CITY COUNCIL:

AYES: ERIKSSON, VERA

NOES: LEE, MCMORRIN

ABSENT: FISCH

Further discussion ensued between staff and Council Members regarding clarification that the City Council would need to reagendize the item if further consideration was desired.

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Item A-3
(Out of Sequence)

CC - (1) Consideration of a Letter of Support for AB 2220 (Muratsuchi) Homeless Courts Pilot Program; and (2) Direction to the City Manager as Deemed Appropriate

Shelly Wolfberg, City Manager's Office, summarized the material of record.

Council Member McMorris received clarification regarding the status of the Bill.

Mayor Lee invited public comment.

The following members of the public addressed the City Council:

Stephen Jones expressed support for the concept but did not feel that it was necessary to spend money on due course; discussed forgiving parking tickets for the unhoused; AB 1685; mental health services; providing a pathway to avoid jail; felt that it was a mistake to build a new court system; discussed restrictive treatment centers; and concern with spending money

on the criminal justice system rather than spending it on permanent housing and wraparound services.

Denise Neal was called to speak but did not respond.

Discussion ensued between staff and Council Members regarding concern with the amount of money that goes into programs that do not always get to the key issue; the Neighborhood Courts program; putting money toward housing; care-first mechanisms; and openness to different approaches.

MOVED BY VICE MAYOR VERA AND SECONDED BY COUNCIL MEMBER MCMORRIN THAT THE CITY COUNCIL: APPROVE A LETTER OF SUPPORT FOR AB 2220 (MURATSUCHI) HOMELESS COURTS PILOT PROGRAM.

THE MEASURE CARRIED BY THE FOLLOWING VOTE:

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

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Item A-2

CC - (1) Discussion and Consideration of Whether to Place a Ballot Measure on the November 8, 2022, General Municipal Election Ballot to Develop an Affordable/Workforce Housing Parcel Tax Ordinance; and (2) Direction to the City Manager as Deemed Appropriate

Discussion ensued between staff and Council Members regarding timing; the need to solidify any ballot measure by July; the additional work required for the Affordable Housing Ballot Measure; challenges to moving the item forward; level of support; survey results; and agreement to defer the item to a future meeting.

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Item A-4

CC - (1) Discussion Regarding Masking Requirements at Indoor City Council and City Commission, Board and Committee Meetings; and (2) Direction to the City Manager as Deemed Appropriate

This Item was deferred to a future meeting.

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Public Comment - Items Not on the Agenda

Mayor Lee invited public comment.

The following member of the public addressed the City Council:

Denise Neal questioned whether marginalized small and micro businesses would be allowed to participate in upcoming City events.

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Items from Council Members

None.

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Council Member Requests to Agendize Future Items

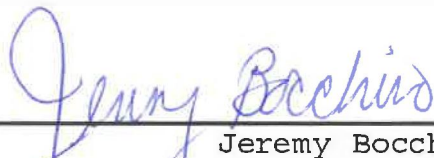
None.

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Adjournment

There being no further business, at 11:47 p.m. the City Council, Housing Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned to a meeting to be held on June 6, 2022.

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Jeremy Bocchino
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



DR. DANIEL LEE
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: 13 June 2022