



City of Culver City

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Staff Report Details (With Text)

File #: 23-43 **Version:** 1 **Name:**
Type: Minute Order **Status:** Action Item
File created: 7/19/2022 **In control:** City Council Meeting Agenda
On agenda: 8/8/2022 **Final action:**
Title: CC - ACTION ITEM - (1) Discussion of an Initiative Regarding an Ordinance to Establish a Minimum Wage of Twenty-Five Dollars Per Hour For Covered Employees Working at Healthcare Facilities in Culver City Where the Petition was Determined to be Insufficient; and (2) Direction to the City Manager as Deemed Appropriate.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Potential Text for Healthcare Worker's Minimum Wage Ordinance Initiative.pdf, 2. Email to Proponent of Signature Verification Findings - HCW Minimum Wage .msg, 3. LAC_RR/CC Findings_Stat Report, 4. Request to Inspect and Obtain Copies of Documents re Insufficiency.PDF

Date	Ver.	Action By	Action	Result
8/8/2022	1	City Council Meeting Agenda		

CC - ACTION ITEM - (1) Discussion of an Initiative Regarding an Ordinance to Establish a Minimum Wage of Twenty-Five Dollars Per Hour For Covered Employees Working at Healthcare Facilities in Culver City Where the Petition was Determined to be Insufficient; and (2) Direction to the City Manager as Deemed Appropriate.

Meeting Date: August 8, 2022

Contact Person/Dept.: Jeremy Bocchino, City Clerk
Phone Number: (310) 253-5851

Fiscal Impact: Yes ☐ No ☒ **General Fund:** Yes ☐ No ☐

Attachments: Yes ☒ No ☐

Commission Action Required: Yes ☐ No ☒

Public Notification: (E-Mail) Meetings and Agendas - City Council (08/03/2022)

Department Approval: Jesse Mays, Assistant City Manager (07/28/2022)

RECOMMENDATION

Staff recommends the City Council (1) discuss an initiative regarding an ordinance to establish a minimum wage of twenty-five dollars per hour for covered employees working at healthcare facilities

in Culver City, where the Petition was determined to be insufficient; and (2) provide direction to the City Manager as deemed appropriate.

BACKGROUND

On May 23, 2022, a proponent representing the Service Employees International Union- United Healthcare Workers (SEIU-UHW) submitted an initiative petition to the City Clerk's Office containing 3,344 voter signatures in support of a proposed ordinance regarding a minimum wage for employees working at healthcare facilities. The ordinance proposed by the initiative petition would "adopt a healthcare workers minimum wage ordinance in the City of Culver City, establishing a minimum wage of twenty-five dollars per hour for covered employees working at healthcare facilities." As per Election Code Section 9210(a), based on the number of registered voters in the City at the time, the initiative required 2,854 valid signatures to become certified for next steps.

The original petition was provided to the Los Angeles County Records Recorder/County Clerk (LACRR/CC) by the City Clerk, for LACRR/CC to examine and verify the validity of the signatures.

The LACRR/CC determined that only 2,784 signatures were valid. On June 16, 2022 the City Clerk provided a letter summarizing the insufficient results to the proponent. As per Elections Code Section 9114, if the petition is found insufficient, no further action shall be taken. Note, however, the failure to secure sufficient signatures does not preclude the filing of a new petition on the same subject, at a later date.

Results in Other Cities:

Proponents representing the SEIU-UHW have submitted the same petition to eight other California cities: Los Angeles, Downey, Inglewood, Long Beach, Monterey Park, Baldwin Park, Duarte, and Lynwood. Each city has or is in the process of going through the same or similar procedure to determine if the ordinance might qualify for each of their municipal elections on November 8, 2022 or be adopted by the City Council.

Three of the nine submitted petitions (Culver City, Lynwood, and Baldwin Park) were determined to be insufficient.

The cities of Los Angeles, Downey, Duarte, Inglewood, and Long Beach determined that the petition submitted to each of their cities contained the required verified signatures, requiring further action by their respective city councils.

If a petition is found to be sufficient, a city council shall certify the document and take one of the following actions: a) adopt the ordinance, without alteration, in accordance with Elections Code Section 9215(a); b) submit the ordinance, without alteration, to the voters pursuant to Elections Code Section 9215(b) for the previously called November 8, 2022 General Municipal Election to be consolidated with the Statewide General Election; or c) order a report, consistent with Elections Code Section 9212, be prepared in accordance with Elections Code Sections 9215(c).

Pursuant to Elections Code section 9215, the cities that determined the petition was sufficient took the following actions:

- The Los Angeles City Council determined to adopt the ordinance on June 29, 2022 and the

\$25 minimum wage is to go into effect on August 14, 2022.

- The City of Downey determined to adopt the ordinance and the \$25 minimum wage went into effect on July 22, 2022.
- The City of Duarte determined to place the ordinance measure on their November 8, 2022 municipal election at their July 12, 2022 meeting.
- On July 12, 2022, the City of Inglewood determined to refer the ordinance to City staff to prepare a report, as per Elections Code Section 9215(c.)
- At their City Council meeting on July 19, 2022, Long Beach received and filed the letter of certification of the findings. Prior to the certification of the findings, Long Beach requested a report as authorized by California Elections Code Section 9111 on June 14, 2022 and directed the City Manager to return with the study to the City Council within 60 days. The report was provided at the meeting on August 2, 2022, after which it was decided unanimously to adopt the ordinance.
- Monterey Park's City Council directed city staff on July 6, 2022 to provide an impact report. The report was provided on August 1, 2022 and their City Council determined by a 2-1 vote to adopt the ordinance.

At the July 11, 2022 City Council meeting, Council Member Alex Fisch received consensus to bring back a discussion item regarding the healthcare workers' minimum wage issue at the next City Council meeting.

DISCUSSION

The proponents requested access to inspect and to obtain copies of documents as per Government Code Section 6253.5., which occurred at the LACRR/CC office on July 7, 2022. The Culver City City Clerk and LACRR/CC personnel were present as the proponent reviewed certain findings to determine if the result should be challenged. A challenge has not yet occurred and the last date for inclusion on the November ballot is August 8, 2022.

On July 12, 2022, the "No on the Los Angeles Unequal Pay Measure" committee filed paperwork with the Los Angeles City Clerk's office, challenging the approved minimum wage increase for health care workers, claiming that the ordinance excludes workers at more than 90% of health care facilities in the city. If the paperwork is acceptable, it would allow for a referendum petition process, which could go to the voters. An ordinance that is the subject of a referendum is automatically suspended once the referendum petition qualifies. Similar steps are being discussed regarding the City of Downey. It is unclear if or when there will be steps taken to overturn the decisions in Long Beach or the City Monterey as the ordinances were just adopted.

On July 18, 2022, as reported in the Los Angeles Times, local hospitals and associations submitted a federal lawsuit against Los Angeles over its recent adoption of the ordinance stating that it was inequitable.

With this information, the City Council is requested to discuss the healthcare worker's minimum wage ordinance and direct staff on any next steps, if desired.

FISCAL ANALYSIS

None.

ATTACHMENTS

1. Text of Healthcare Worker's Minimum Wage Ordinance Ballot Initiative
2. Email to Proponent of Signature Verification Findings
3. LAC_ RR/CC Findings_Stat Report
4. Request to Inspect and Obtain Copies of Documents re Insufficiency

MOTIONS

That the City Council:

1. Discuss the initiative regarding an ordinance to establish a minimum wage of twenty-five dollars per hour for covered employees working at healthcare facilities in Culver City where the Petition was determined to be insufficient; and
2. Provide Direction to City Manager as deemed appropriate.