

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE CITY COUNCIL,
CULVER CITY HOUSING AUTHORITY BOARD,
AND SUCCESSOR AGENCY TO THE CULVER CITY
REDEVELOPMENT AGENCY BOARD

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

December 9, 2019
6:00 p.m.

Call to Order & Roll Call

Mayor Sahli-Wells called the regular meeting of the City Council to order at 6:26 p.m. in the Mike Balkman Chambers at City Hall.

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

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

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Closed Session

At 6:26 p.m. the City Council recessed to Closed Session to consider the following items:

CS-1 CC - Conference with Labor Negotiators
City Designated Representatives: City Manager John Nachbar;
Assistant City Manager Serena Wright=Black
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

CS-2 CC - Conference with Real Property Negotiators
Re: Use of City Owned Fiber Optic Cable Innerducts and
Facilities From Approximately Girard/Venice Through City to
Green Valley/Centinela
City Negotiators: John Nachbar, City Manager; Jesse Mays,
Assistant to the City Manager
Other Parties Negotiators: Representatives of MCI metro Access
Transmission Services Corp
Under Negotiation: Both price and terms
Pursuant to Government Code Section 54956.8

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Reconvene

Mayor Sahli-Wells reconvened the meeting of the City Council,
and convened the meeting of the Culver City Housing Authority
Board and the Successor Agency to the Culver City
Redevelopment Agency Board at 7:08 p.m. with all Members
present.

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Closed Session Report

Mayor Sahli-Wells indicated there was nothing to report out of
Closed Session.

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Pledge of Allegiance

The Pledge of Allegiance was led by Kimberly Griffin.

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Community Announcements by City Council Members/Information Items from Staff

Council Member Fisch thanked everyone who worked on and attended the Holiday Tree Lighting; discussed the new, expanded Town Plaza; and he announced the next Speaker Series presentation on Public Health on December 11 at The Exceptional Children's Foundation.

Vice Mayor Eriksson reported that The National League of Cities had passed a resolution to work on aviation issues with regard to overflights and the FAA Nextgen implementation, and he invited everyone to attend a Smart and Safe Cities forum supported by the Independent Cities Association at Vets on December 12.

Council Member Lee encouraged everyone to attend the General Plan Speaker Series; discussed the event on Discriminatory Housing Practices; and he complimented the Christmas Tree Lighting Ceremony.

Council Member Small echoed compliments for the Christmas Tree Lighting Ceremony.

Mayor Sahli-Wells invited everyone to attend Operation Firefly on December 17 at the Culver City Metro Station to highlight visibility issues for cyclists; announced the unveiling of Nate Mohler's sculpture on December 19; and she wished everyone Happy Holidays.

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Joint Public Comment - Items Not on the Agenda

Mayor Sahli-Wells invited public comment.

The following members of the audience addressed the City Council:

Katherine McKinney expressed concern with a foundational issue affecting all issues on the agenda; discussed non-responsive Council Members; the best interests of Culver City citizens; Council Members who act in their own interests; transparency; The Brown Act; allowing the public to attend decision making meetings; Friday Happy Hour get togethers; and issues facing the City.

Ron Bassilian, Protect Culver City, discussed the rising threat of criminal vagrancy in Culver City; people who are legitimately homeless; the Venice 405 camp; prostitution and drug dealing; concern with public safety; the threat from Mike Bonin about the enforcement of vagrancy laws; Item C-13, the Assistant to the City Manager on Homelessness; attempts to consolidate various departments; the Advisory Panel to the Chief of Police; and he indicated that Protect Culver City would continue their activism until issues were resolved.

Richard Glaser asserted that there had never been a dialogue about rent control; stated that four Members of the City Council wanted Mom and Pop landlords out and corporate developers in; he discussed the situation in San Francisco; vacant units; the 3% cap; and he wanted to see a dialogue in the public forum.

Mike Winn discussed the cost of rent control; the Fiscal Emergency declared by the City; state rent control law; the cost of a local ordinance; he read a statement from the State Apartment Owners Association; and he encouraged the City to adopt AB 1482 and abolish the City regulations.

Les Greenberg cited the need for an independently managed Fraud, Waste and Abuse Hotline; discussed the commitment from the City on June 30, 2017 to initiate a Hotline managed by Moss Adams; City Attorney oversight of the Hotline; a survey indicating that 44% of City employees do not feel safe from retaliation resulting from whistleblowing; and he emphasized the need to fight government corruption.

Nupur Tustin expressed concern with vagrants who have taken residence adjacent to her home; discussed property tax increases; selective enforcement; and compassion.

Frank Clark expressed concern with Culver City becoming the new westside Skid Row; admonished Mayor Sahli-Wells for looking down while he was speaking; discussed allowing police officers to do their job; reported feeling threatened by homeless individuals; felt that the City was not protecting citizens; and he questioned what the City Council was going to do to protect them and when they planned to do it.

Lisa Clark reported being threatened by homeless individuals; she displayed a report filed with the Police Department; and she indicated that she had been encouraged to address the City

Council as the Police Department is restricted in what they can do to enforce laws.

Council Member Fisch asked that the Police report be submitted to the City Council.

Jeremy Green, City Clerk, read written comments submitted by:

Janet Hoult

Mayor Sahli-Wells explained that she often looks down when people are addressing the City Council so that she can take notes; acknowledged concern with homelessness in the region and in the City; discussed efforts by the City to address issues; increased services; the concentration of homeless individuals under the 405 bridge; homeless individuals in neighborhoods all over the City; appreciation for the copy of the Police report; policing in the neighborhood; and meeting procedures.

Discussion ensued between Council Members regarding the special meeting held at 5:00 p.m.; the agenda; the Ninth Circuit Court; advice from the City Attorney; changes to City policy with regard to Police Officers; meeting procedures; and encouragement for concerned individuals to reach out to Council Members.

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Receipt and Filing of Correspondence

Jeremy Green, City Clerk, indicated that **two pieces of correspondence had been received for Items Not on the Agenda;** one for Item PH-2; one for Item A-1; eleven for Item A-5 and twelve for Item A-7.

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

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Order of the Agenda

No changes were made.

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Consent Calendar

MOVED BY COUNCIL MEMBER LEE, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-9 AND C-11.

Item C-1

CC:HA:SA - (1) Approval of Cash Disbursements for November 9, 2019 to November 29, 2019

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR NOVEMBER 9, 2019 TO NOVEMBER 29, 2019.

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Item C-2

CC:HA:SA - Approval of Minutes for the Regular Consolidated City Council Meetings on November 18, 2019

THAT THE CITY COUNCIL, HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES FOR THE REGULAR CONSOLIDATED CITY COUNCIL MEETING ON NOVEMBER 18, 2019.

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Item C-3

CC - Approval of a Purchase Order with Hedstrom Environmental to Furnish and Deliver Plastic Refuse, Recycling and Organics Containers in an Amount Not-to-Exceed \$120,000 Annually Including All Fees and Taxes for Three Years Beginning FY 19/20 through FY 21/22

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE ORDER WITH HEDSTROM ENVIRONMENTAL TO FURNISH AND DELIVER PLASTIC REFUSE, RECYCLING AND ORGANICS CONTAINERS IN AN AMOUNT NOT-TO-EXCEED \$120,000 ANNUALLY INCLUDING ALL FEES AND TAXES FOR THREE YEARS BEGINNING FY 19/20 THROUGH FY 21/22; AND
2. AUTHORIZE THE PURCHASING OFFICER TO ISSUE SUCH PURCHASE ORDERS.

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Item C-4

CC - (1) Authorization of Award of \$83,670 for the 2020 Performing Arts Grant Program for 16 Organizations, and Designation of Related Performances as City-Sponsored, as Recommended by the Cultural Affairs Commission; and (2) Approval of Related Grantee Contracts

THAT THE CITY COUNCIL:

1. AUTHORIZE THE AWARD OF \$83,670 FOR THE 2020 PERFORMING ARTS GRANT PROGRAM FOR 16 ORGANIZATIONS, AND DESIGNATE RELATED PERFORMANCES AS CITY-SPONSORED, AS RECOMMENDED BY THE CULTURAL AFFAIRS COMMISSION, AND AS OUTLINED IN THE STAFF REPORT; AND
2. APPROVE THE RELATED GRANTEE CONTRACTS; AND
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH CONTRACTS ON BEHALF OF THE CITY.

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Item C-5

CC - Approval of a Temporary Use Permit (P-2019-0285-TUP) Issued to Lincoln Properties Company West for Expanded Construction Hours for the Project Located at 8777 Washington Boulevard

THAT THE CITY COUNCIL:

1. APPROVE TEMPORARY USE PERMIT P-2019-0285-TUP FOR LINCOLN PROPERTIES COMPANY WEST TO PERMIT CERTAIN CONSTRUCTION ACTIVITIES LIMITED TO SKILLED TRADES TO COMPLETE BUILDING INTERIORS SUCH AS TILE, TERRAZZO, MILLWORK, AND PAINTING ON THE INTERIOR OF THE CORE AND SHELL BETWEEN THE HOURS OF 8:00 PM AND 8:00 AM MONDAY THROUGH FRIDAY (ENDING ON 8:00 AM SATURDAY MORNING) BEGINNING THE EFFECTIVE DATE OF THE TUP SUBJECT TO THE CONDITIONS OF APPROVAL HEREIN AND FINDINGS SET FORTH IN THE STAFF REPORT; AND
2. AUTHORIZE THE COMMUNITY DEVELOPMENT DIRECTOR TO PREPARE AND ISSUE THE TUP ON BEHALF OF THE CITY.

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Item C-6

CC - (1) Consideration of the Community Development Block Grant (CDBG) Fund Allocation for Fiscal Year 2020/2021; (2) Adoption of a Resolution Authorizing the Filing of the Application for Funding; and (3) Approval of a Reimbursable Contract with the County of Los Angeles Concerning Culver City's Allocation

THAT THE CITY COUNCIL:

1. ALLOCATE FUNDING FOR THE PROPOSED FY 2020/2021 CDBG PROJECTS; AND,
2. ADOPT A RESOLUTION AUTHORIZING THE FILING OF THE FY 2020/2021 APPLICATION FOR FUNDING FROM THE CDBG PROGRAM, INCLUDING ALL CERTIFICATIONS; AND,
3. DESIGNATE THE CITY MANAGER AS THE AUTHORIZED CITY OFFICIAL TO EXECUTE AND FILE ALL DOCUMENTS PERTAINING TO THE CDBG PROGRAM, INCLUDING MAKING MINOR ADJUSTMENTS TO PROJECT FUNDING TO ADDRESS THE ACTUAL FY 2020/2021 CDBG ALLOCATION; AND,
4. APPROVE THE CDBG REIMBURSABLE CONTRACT WITH THE COUNTY OF LOS ANGELES CONCERNING CULVER CITY'S FY 2020/2021 CDBG ALLOCATION; 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-7

CC - 1) Approval of a Change Order in the amount of \$390,000 to the Contract with Pacific Hydrotech Corp. for the Construction of Bankfield Sewage Pump Station Project PZ-874; 2) Approval of a Change Order in the Amount of \$105,000 to the

Professional Services Contract with NV5 for Construction Management and Inspection Services; 3) Approval of a Change Order in the Amount of \$25,000 to the Professional Services Contract with PRP Engineering, Inc. for Office Engineering Construction Support Services and 4) (2) FOUR-FIFTHS VOTE REQUIREMENT: Approval of a Related Budget Amendment

THAT THE CITY COUNCIL:

- 1) APPROVE A CHANGE ORDER IN THE AMOUNT OF UP TO \$390,000 (FOR AN AGGREGATED \$501,559 IN TOTAL CHANGE ORDER AUTHORITY) TO THE CONTRACT WITH PACIFIC HYDROTECH CORP'S CONSTRUCTION CONTRACT FOR THE CONSTRUCTION OF BANKFIELD SEWAGE PUMP STATION PROJECT PZ-874; AND
- 2) APPROVE A CHANGE ORDER IN THE AMOUNT OF \$105,000 TO THE PROFESSIONAL SERVICES CONTRACT WITH NV5 FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES; AND,
- 3) APPROVE A CHANGE ORDER IN THE AMOUNT OF \$25,000 TO THE PROFESSIONAL SERVICES CONTRACT WITH PRP ENGINEERING, INC. FOR OFFICE ENGINEERING CONSTRUCTION SUPPORT SERVICES; AND,
- 4) AUTHORIZE THE PUBLIC WORKS DIRECTORY/CITY ENGINEER TO EXECUTE SUCH CHANGE ORDERS BEHALF OF THE CITY; AND,
- 5) AUTHORIZE RELATED BUDGET AMENDMENT AND ALLOCATE SEWER BOND PROCEEDS TO PZ-874 (REQUIRES FOUR-FIFTHS VOTE).

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Item C-8

CC - Adoption of a Resolution Approving Salary Schedules for Fire Safety Employees in Accordance with the Salary Initiative Ordinance

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING SALARY SCHEDULES FOR FIRE SAFETY EMPLOYEES IN ACCORDANCE WITH THE SALARY INITIATIVE ORDINANCE.

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Item C-9

Adoption of a Resolution Approving a Salary Schedule for City Employees Effective January 1, 2020 in Accordance with the State of California Minimum Wage Ordinance

THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING A SALARY SCHEDULE FOR CITY EMPLOYEES EFFECTIVE JANUARY 1, 2020 IN ACCORDANCE WITH THE STATE OF CALIFORNIA MINIMUM WAGE ORDINANCE.

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Item C-11
(Out of Sequence)

CC - Approval of a Professional Services Agreement with Tripepi Smith and Associates to Develop and Implement a Public Communications Program for the Continuation of the City Services Transactions and Use Tax on the March 3, 2020 Ballot in an Amount Not-to-Exceed \$30,370

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TRIPEPI SMITH AND ASSOCIATES TO DEVELOP AND IMPLEMENT A PUBLIC COMMUNICATIONS PROGRAM FOR THE CONTINUATION OF CITY SERVICES TRANSACTIONS AND USE TAX ON THE MARCH 3, 2020 BALLOT IN AN AMOUNT NOT-TO-EXCEED \$30,370;
2. AUTHORIZE THE CITY ATTORNEY TO PREPARE THE NECESSARY DOCUMENTS; AND
3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE DOCUMENTS ON BEHALF OF THE CITY.

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Item C-10
(Out of Sequence)

CC - Adoption of an Ordinance (1) Repealing and Replacing Culver City Municipal Code Subchapter 15.02.100, of Chapter 15.02, "Adoption of State Codes", and Adopting by Reference the 2019 California Building Standards Administrative Code, 2019 California Building Code with Local Amendments, 2019 California Residential Building Code with Local Amendments,

2019 California Electrical Code, 2019 California Mechanical Code with Local Amendments, 2019 California Plumbing Code with Local Amendments, 2019 California Energy Code, 2019 California Historical Building Code with Local Amendments, 2019 Existing Building Code with Local Amendments, 2019 California Green Building Standards Code with Local Amendments, and 2019 California Reference Standards Code; 2018 International Property Maintenance Code with Local Amendments; (2) Repealing Culver City Municipal Code Chapter 15.14 (Electric Vehicle Charging Stations), Subchapters 15.02.500 (Sandblasting), 15.02.800 (Hillside Drainage), 15.02.1000 (Solar Photovoltaic Systems), 15.02.1200 (Expedited Solar System Permitting), and 15.02.1300 (Hillside Grading Requirements and Permitting) of Chapter 15.02, and incorporating the contents into the various State Codes as Amendments; and (3) Repealing Subchapter 15.02.1100 (Green Building Program and Requirements) and Replacing it with New Subchapter 15.02.1100 (Local Amendments to the 2019 California Green Building Standards Code, Building Code and Residential Building Code, to Establish Reach Codes Standards

Mayor Sahli-Wells invited public comment.

The following member of the audience addressed the City Council:

Disa Lindgren expressed appreciation for the diligence of the City Council in considering the item as she felt it important to conform to state regulations and act as leaders in pursuing electrification in new construction.

THAT THE CITY COUNCIL:

ADOPT AN ORDINANCE:

1. REPEALING AND REPLACING CULVER CITY MUNICIPAL CODE SUBCHAPTER 15.02.100, OF CHAPTER 15.02, "ADOPTION OF STATE CODES", AND ADOPTING BY REFERENCE THE 2019 CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE, 2019 CALIFORNIA BUILDING CODE WITH LOCAL AMENDMENTS, 2019 CALIFORNIA RESIDENTIAL BUILDING CODE WITH LOCAL AMENDMENTS, 2019 CALIFORNIA ELECTRICAL CODE, 2019 CALIFORNIA MECHANICAL CODE WITH LOCAL AMENDMENTS, 2019 CALIFORNIA PLUMBING CODE WITH LOCAL AMENDMENTS, 2019 CALIFORNIA ENERGY CODE, 2019 CALIFORNIA HISTORICAL BUILDING CODE WITH LOCAL AMENDMENTS, 2019 EXISTING BUILDING CODE WITH LOCAL AMENDMENTS, 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE WITH LOCAL AMENDMENTS, AND 2019 CALIFORNIA REFERENCE

STANDARDS CODE; 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE WITH LOCAL AMENDMENTS;

2. REPEALING CULVER CITY MUNICIPAL CODE CHAPTER 15.14 (ELECTRIC VEHICLE CHARGING STATIONS), SUBCHAPTERS 15.02.500 (SANDBLASTING), 15.02.800 (HILLSIDE DRAINAGE), 15.02.1000 (SOLAR PHOTOVOLTAIC SYSTEMS), 15.02.1100 (GREEN BUILDING PROGRAM AND REQUIREMENTS), 15.02.1200 (EXPEDITED SOLAR SYSTEM PERMITTING), AND 15.02.1300 (HILLSIDE GRADING REQUIREMENTS AND PERMITTING) OF CHAPTER 15.02, AND INCORPORATING THE CONTENTS INTO THE VARIOUS STATE CODES AS AMENDMENTS; AND

3. REPEALING SUBCHAPTER 15.02.1100 (GREEN BUILDING PROGRAM AND REQUIREMENTS) AND REPLACING IT WITH NEW SUBCHAPTER 15.02.1100 "LOCAL AMENDMENTS TO THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE, BUILDING CODE AND RESIDENTIAL BUILDING CODE, TO ESTABLISH REACH CODES STANDARDS".

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Item C-12
(Out of Sequence)

CC - Consideration of Authorizing Free Fare Days for Culver CityBus in Association with (1) Elections and (2) Bike to Work Day 2020 (May 14, 2020)

Vice Mayor Eriksson received clarification regarding outreach and community engagement.

THAT THE CITY COUNCIL:

1. AUTHORIZE CULVER CITYBUS TO OFFER FREE FARES TO ALL RIDERS FOR STATEWIDE ELECTIONS (EVERY 2 YEARS), PRESIDENTIAL ELECTIONS (EVERY 4 YEARS) AND STATEWIDE PRIMARIES (EVERY 4 YEARS) BEGINNING TUESDAY, MARCH 3, 2020; AND

2. AUTHORIZE CULVER CITYBUS TO OFFER FREE FARES TO RIDERS WITH A BICYCLE AND/OR BIKE HELMET ON BIKE TO WORK DAY, THURSDAY, MAY 14, 2020.

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CC - (FOUR-FIFTHS VOTE REQUIREMENT) Approval of a Budget Amendment in the Amount of \$97,847 to Allocate Funding for a New Position, Assistant to the City Manager on Homelessness

Mayor Sahli-Wells invited public comment.

The following members of the audience addressed the City Council:

Kelli Estes questioned the need for the position and accomplishments to date; suggested streamlining existing employees in the City; proposed outreach and additional information on what the position would do for the City; and she expressed concern with statements in the paper attacking the Mayor and inviting homeless into the community.

Disa Lindgren expressed support for the creation of the new position; she felt it important to acknowledge that the homeless are residents in the community; discussed the costs of homelessness; and felt that augmenting the hardworking Housing staff was a prudent use of funds.

John Nachbar, City Manager, discussed the increasing amount of effort required of City employees to address homelessness; cross departmental impacts; the complexity of the issue; the responsibility of the City to address; social, political and legal challenges; the need for coordination and management; addressing fiscal challenges; avoidance of adding staff; the need for daily coordination and continued improvement and refinement of the approach taken; and the need for leadership and oversight.

Discussion ensued between staff and Council Members regarding support for the position; appreciation to safety personnel for their work on the issue; Parks personnel; the upcoming meeting of the Westside Cities Council of Governments; the need for a regional approach; length of time to hire a person and bring them up to speed; and contact information.

Ron Bassilian discussed drug dealers vs. homeless individuals; he reported circulation of a petition to agendize an item regarding criminal vagrancy; the inability to prosecute criminal vagrancy; and he felt that addressing criminal issues as housing issues was fraud.

THAT THE CITY COUNCIL: APPROVE A BUDGET AMENDMENT IN THE AMOUNT OF \$97,847 TO ALLOCATE FUNDING FOR A NEW POSITION, ASSISTANT TO THE CITY MANAGER ON HOMELESSNESS (A BUDGET AMENDMENT REQUIRES A FOUR-FIFTHS VOTE).

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-10, C-12 AND C-13.

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Public Hearing

Item PH-1

CC - Adoption of a Resolution Confirming the Downtown Culver City Business Improvement District Advisory Board's Annual Report and the Levy of the Downtown Culver City Business Improvement District Assessment for 2020; and (2) Appointment of Members to the Business Improvement District Advisory Board for Calendar Year 2020

Mayor Sahli-Wells announced that it was the time and place to hear protests and objections to the continuation of the Downtown Culver City Business Improvement District (BID).

Jeremy Green, City Clerk, announced the posting of the Notice of Intention, which included the Notice of the Public Hearing published in the Culver City News on November 21, 2019 and was mailed to all affected businesses.

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

Mayor Sahli-Wells invited public comment.

The following member of the audience addressed the City Council:

Sylvia Bianchi, Downtown Business Association, provided an overview of accomplishments in 2019; discussed the partnership with Parks, Recreation and Community Services; and invited everyone to attend holiday party on December 12 in downtown.

Mayor Sahli-Wells congratulated Ms. Bianchi on the successful holiday event.

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

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

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

1. (ABSENT A MAJORITY PROTEST) ADOPT THE PROPOSED RESOLUTION CONFIRMING THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD'S ANNUAL REPORT AND THE LEVY OF THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FOR 2020; AND
2. APPOINT ERIC SIMS, KATHRYN LUNDEEN, KARL KUHN, AND KEN KAUFMAN AS MEMBERS OF THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD.

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Item PH-2

CC - PUBLIC HEARING: (1) Adoption of a Resolution Confirming the 2020 Annual Work Plan and Levy of Assessments for the Culver City Arts District Business Improvement District (BID); (2) Appointment of Members to the Culver City Arts District Business Improvement District (BID) Advisory Board for 2021; and (3) Approval of a Management Agreement Through 2020/2021

Mayor Sahli-Wells announced that it was the time and place to hear protests and objections to the continuation of the Arts District Culver City Business Improvement District (BID).

Jeremy Green, City Clerk, announced the posting of the Notice of Intention, which included the Notice of the Public Hearing published in the Culver City News on November 21, 2019 and was mailed to all affected businesses on October 1, 2019.

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

Mayor Sahli-Wells invited public comment.

The following members of the audience addressed the City Council:

Ken Mand expressed support for the District and for the collaboration.

Alex Sam Andres, Carney Properties, provided background on the company; expressed frustration with the BID process and the lack of direct contact; discussed active sponsorship of the Artwalk; the expansion process; public right of way; thought and foresight required in the process; finding the boundaries; outreach to property owners; and the importance of representation.

William Feldman, Venice Pacific Investments, discussed a letter submitted to the City Council and to the Arts District.

Michael Russell thanked the City for their consideration; discussed outreach; public meetings; The Brown Act; the annual workplan; achieving goals of the District; communication with business owners through business licenses; the certified letter sent in response to concerns voiced by Mr. Feldman; and invitations extended to Board meetings for ongoing dialog.

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

Discussion ensued between staff and Council Members regarding providing a seat for the Transit Oriented District (TOD) businesses as well; the process for adding Board Members; direction to conduct additional outreach; direction to staff to explore the expansion of the Board and suggestions for communication methods; current building going on in Culver City; and bringing an item to expand the Board by two seats for the TOD as an amendment to the work plan in the future if desired.

Jeremy Green, City Clerk, indicated that since Wally Marx used the word "protest" in his letter, a motion was necessary to deny all protests absent a majority protest.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OVERRULE AND DENY ALL PROTESTS AS A MAJORITY PROTEST DOES NOT EXIST.

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

1B. ADOPT THE PROPOSED RESOLUTION CONFIRMING THE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD'S ANNUAL REPORT AND THE LEVY OF THE CULVER CITY ARTS DISTRICT BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FOR CALENDAR YEAR 2020; AND

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

3. APPROVE THE MANAGEMENT AGREEMENT THROUGH DECEMBER 31, 2021.

Mayor Sahli-Wells thanked the Board and the BID; cited the successful event; and noted that she was looking forward to further expansion.

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Action Items

Item A-1

CC - (1) Review and Discuss the Police and Fire Department's Unmanned Aerial Vehicle (UAV) Mid-Pilot Program Report and Citizen Advisory Panel; and (2) Direction to the Police Chief as Deemed Appropriate

Jason Sims, Police Lieutenant, provided a summary of the material of record; noted that copies of the report were online or at the back of Council Chambers; he presented videos of drone deployments; discussed an instance where the drone had acted as a de-escalation tool; outreach; increased safety; avoiding use of force; and costs.

Robert Kohlhepp, Battalion Chief, discussed instances when the drone was deployed by the Fire Department.

Council Member Lee received clarification regarding the origin of the Citizen Advisory Panel.

Mayor Sahli-Wells invited public comment.

The following members of the audience addressed the City Council:

Alfredo Tebano provided background on himself and expressed support for the Unmanned Aerial Vehicle Program.

David Ziskin provided background on himself and discussed positive experiences with drones.

Kelli Estes expressed support for the Police Department and for the Advisory Board; discussed tools to ensure safety; and the Citizen's Police Academy.

Neil Glickman discussed the pilot program; support for the use of drones as a public safety tool for the Police and Fire Departments; mistrust of the Police Department; micromanaging the Police Department; and he asked that the City move on from the issue.

Leah Pressman discussed the failure of high tech policing; simplistic solutions; evidence of improved community/police relations; and she questioned why such a small city was spending time and money to be a guinea pig.

Donna Kent discussed privacy issues; separating out the issue of a Community Advisory Panel; the detailed report; the number of deployments in Culver City; crimes committed in Culver City by suspects that live somewhere else; and she wanted to see some of the money used for drones instead allocated to address the need for a crossing guard at the corner of Braddock and Lafayette.

Disa Lindgren expressed concern with prioritizing public dollars for the drones and emphasis placed on robberies rather than using the drones for fire safety, and she wanted to see more money spent to de-escalate crimes.

Jeremy Green, City Clerk, read written comments submitted by:

Jeff Schwartz
Deborah Weinrauch
Kevin Lachoff

Discussion ensued between staff and Council Members regarding feedback from the Citizen Advisory Panel; support for the program; monthly updates from the Police Department; overtime costs; the Chief's Advisory Panel; NFPA921; effective fire

investigation; the crossing guard needed at Braddock and Lafayette; appreciation for the process; controversy; time and effort to build trust; Nixle alerts; using technology to deescalate issues; investing in being accessible and open to community members; and the end of program report to be presented in nine months.

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Item A-2

CC - Receive and File the Measure Y and Measure C Sales Tax Status Reports as Approved by the Finance Advisory Committee (FAC)

Mayor Sahli-Wells noted that this was the first report to be presented on Measure C.

Onyx Jones, Chief Finance Officer, introduced the item.

Erica McAdoo, Procurement and Financial Services Manager, provided a summary of the material of record.

Mayor Sahli-Wells invited public comment.

No cards were received and no speakers came forward.

Discussion ensued between staff and Council Members regarding accessibility of information; appreciation for the clear information provided; percentage of sales tax revenue for the top 25 producers; retailers in the top 25; diversity of the sales tax pool; providing shortcuts to information on the website; Infogram; and appreciation to the FAC for their oversight.

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Item A-3

CC - (1) Receive and File Quarterly Report of the Finance Advisory Committee (FAC)

Jane Leonard, Finance Advisory Committee Chair, provided an overview of FAC accomplishments; discussed the Interim Rent Control Ordinance; and expressed appreciation to staff for their support of the Committee.

Discussion ensued between staff and Council Members regarding diversity of sales tax revenue; staff agreement to provide additional information; stores closing around the country; business license fee monetization; the Schools and Communities First Ballot Initiative; outreach and engagement; welcoming people to be part of the process; holding a joint meeting between the City Council and the FAC; the importance of dialog; and the written report required of all Committees, Boards and Commissions.

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Item A-4

CC - Adoption of a Resolution Approving the Arguments in Favor of One Question Relating to One (1) Tax Measure to be Considered by the Voters at the Special Municipal Election of March 3, 2020

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

Mayor Sahli-Wells invited public comment.

The following member of the audience addressed the City Council:

Khin Khin Gyi asked that the tax measure that is about to sunset be given extra time for debate until the November 2020 election; discussed the decade of prosperity enjoyed by the City; allowing the City Council to be consistent with stated policy to consolidate elections; and she wanted to see the item voted upon in the November 2020 election.

Jeremy Green, City Clerk, read written comments submitted by:

Colin Diaz

Mayor Sahli-Wells clarified that the City Council had already voted that the item to be placed on the ballot, noting that the item under discussion is the wording and she had no changes to propose; she clarified that the item would be part of the March primaries; she indicated that residents would be weighing in with their vote; and she received clarification regarding procedures.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING THE ARGUMENTS IN FAVOR OF ONE QUESTION RELATING TO ONE (1) TAX MEASURE TO BE CONSIDERED BY THE VOTERS AT THE SPECIAL MUNICIPAL ELECTION OF MARCH 3, 2020.

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Item A-5

CC - (1) Report on the Implementation of the Interim Rent Control Ordinance (IRCO); (2) Approval of an Amendment to the Existing Professional Services Agreement with BAE Urban Economics to Include the Development of a Long Term Rent Control Policies Study in an Amount Not-to-Exceed \$79,380; (3) Approval of a Professional Services Agreement with Tripepi Smith and Associates to Develop and Implement a Public Communications Program for the IRCO in an Amount Not-to-Exceed \$82,471; (4) Approval of an Amendment to the Existing Professional Services Agreement with HdL to Implement an Online Residential Rental Registration System and Provide Education and Compliance Services in an Amount Not-to-Exceed \$110,000; (5) Direction to the City Manager on a Fee Study to Recover Costs for Landlord Registration; and (6) FOUR-FIFTHS VOTE REQUIREMENT: Approval of a Budget Amendment for IRCO Related Expenses

Jesse Mays, Assistant to the City Manager, provided an update on the Interim Rent Control Ordinance (IRCO); requested a budget appropriation for the implementation of the program; discussed money spent to date; support for long-term policies; and proposed expenses.

Tevis Barnes, Housing Administrator, provided an update on the volume and types of calls received regarding the IRCO; discussed interaction with the public; the Rent Control Hotline; email; legal consultation; interactions requiring staff interventions; the registry; the ordinance; protection of elderly, disabled and long-term residents; petition requests; eligibility; and relocation assistance.

Jesse Mays, Assistant to the City Manager, discussed planned communication and outreach for the remainder of the year and requested City Council action.

Discussion ensued between staff and Council Members regarding a correction to a typo in the report; the fee study for cost

recovery for landlord registration; staff time costs; existing costs; additional compensation and temporary staffing requests; annual maintenance fees; annual fee review; annualized costs; annual registration fees; and FAC cost recovery suggestions.

Mayor Sahli-Wells invited public comment.

The following members of the audience addressed the City Council:

Martine Goldsmith felt that the critical decision should be made by the voters rather than by the City Council; she encouraged the City to adopt AB 1482; and she discussed the experiences of Santa Monica.

Clinton Goldsmith questioned whether a study had been done to see how much adopting AB 1482 would save the City; expressed concern with the expenditure of funds to implement an unnecessary rental ordinance during a fiscal emergency; he felt that the City would be duplicating an existing ordinance; noted that there are three empty apartments for every person on the street; discussed affordable housing; noted that the problem is greedy developers who are being exempted from the rent ordinance; and he discussed support for tax measures.

Judy Scott discussed the costs of the rent control programs; the fiscal emergency; financial consequences; property values; refinancing rental properties in order to make repairs; and leaving properties vulnerable to purchase and tear down.

Michael Millman discussed outreach; certification of rents; costs to run the Santa Monica Rent Control program; the 3% cap; litigation costs; and he asserted that the program would bankrupt the City.

Kelli Estes encouraged the City to adopt AB 1482; discussed City support of up-zoning; and Costa Hawkins.

Danielle Leidner Peretz, Apartment Association of Greater Los Angeles (AAGLA), expressed opposition to the interim ordinance and the implementation of a permanent ordinance; questioned whether the City had evaluated the ongoing need for an ordinance and money already expended; discussed the request for additional funds and funding for the program; the declared fiscal emergency; increasing sales tax; and failed housing policies of other cities.

Meg Sullivan discussed jeopardizing support for the business tax and the extension of the sales tax; lack of fiscal responsibility; costs of the interim ordinance; costs to other cities; she encouraged Culver City to join other cities who will rely on the statewide law to achieve the desired result; balancing the needs of tenants and housing providers; preserving the production of rental properties; the fiscal emergency; and opposition to the proposed tax measures.

Disa Lindgren encouraged the City to approve the proposal by City staff; discussed impacts to renters in the community; enforcement of the new state law; the need for a local program; the interim rent ordinance vs. state law; and help for rent burdened tenants in Culver City.

Ron Ostrin felt that support for rent control was not fact-based; discussed interruption of the balance between small landlords and their tenants; the low profit margin of small landlords; availability of a no cost solution to the City; lack of response; and finding a solution that balances the interests of tenants and landlords.

Yasmine-Imani McMorrin, General Plan Advisory Committee, Culver City Community of Color Collective, acknowledged strong feelings on the issue, and the difficulty of separating the homeless issue from the housing issue.

Noah Zatz discussed support for AB 1482; attempts to water down protections; local enforcement issues; he thanked those who came up with the new proposals; ongoing costs vs. one-time costs; and he observed the pattern of always coming up with a different protection than the one being considered.

Jeremy Green, City Clerk, read written comments submitted by:

Kevin Lachoff
Sharon Hyland-Elstein
Jeff Schwartz
Colin Diaz
Culver Vista Studios
Eugene Tkchoenko
Peggy Holl
Pan American Property Management

Discussion ensued between staff and Council Members regarding reasons for the declaration of a fiscal emergency; fiscal actions that need to be taken; CalPERS; the need to extend Measure Y regardless of what happens; reaching out to other groups of renters; AAGLA; improving outreach; subdividing meetings between smaller and larger landlords; different concerns; focused stakeholder meetings; the need for local enforcement; costs to the City for enforcement of AB 1482; aspects of the state law that could minimally reduce costs; process; encouragement for landlords to continue to be involved in the process; the need for the rent freeze to obtain data on the regional housing market; extending Measure Y; the need to keep the City funded; opposition to up-zoning; the logic of enacting the freeze; stabilization; costs of enacting the program; protecting the General Fund; the fee study; just cause; the affordable housing panel at the National League of Cities; establishing partnerships with Mom and Pop operators in the City; working in the common interest to preserve affordable housing; pros and cons of AB 1482; legal remedies; eviction protections; staff time not reflected in projected costs; operational deficit; resources for the homeless program; AB 724 to establish a statewide rental registry; a proposed vacancy tax; the intent to keep people in their homes; the need for the City Council to adopt an ordinance enforcing state law; and options for tenants.

Meg Sullivan asserted that under both AB 1842 and local rent control, evictions would have to go to court and a lawyer would be necessary, and she stated that AB 1842 is self-regulating.

Additional discussion ensued between staff and Council Members regarding City enforcement powers under the interim local rent control ordinance if an unlawful eviction is reported; the grassroots effort from residents in the City in support of rent control; outliers; the intention and effect of the ordinance; finding a balance; providing rights and protections for renters in the City; options to pay down the unfunded liability; the need for additional research and outreach; investing in the community; providing value; scare tactics; appreciation to staff for their efforts; current extremes in the City; and working to protect tenants.

Judy Scott discussed her experience on the Landlord Tenant Mediation Board; she expressed skepticism that multiple people were priced out of their homes and did not file a mediation

request; and she felt it important to legislate to the rule, not to the exception.

MOVED BY COUNCIL MEMBER LEE AND SECONDED BY COUNCIL MEMBER SMALL THAT THE CITY COUNCIL:

1. RECEIVE A REPORT REGARDING THE STATUS OF THE IMPLEMENTATION OF THE INTERIM RENT CONTROL ORDINANCE; AND,
2. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH BAE URBAN ECONOMICS TO INCLUDE DEVELOPMENT OF A LONG-TERM RENT CONTROL POLICIES STUDY IN AN AMOUNT NOT TO EXCEED \$79,380; AND,
3. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH TRIPEPI SMITH AND ASSOCIATES TO DEVELOP AND IMPLEMENT A PUBLIC COMMUNICATIONS PROGRAM FOR THE IRCO IN AN AMOUNT NOT TO EXCEED \$82,471; AND,
4. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH HDL TO ADD SERVICES TO IMPLEMENT AN ONLINE RESIDENTIAL RENTAL REGISTRATION SYSTEM AND PROVIDE EDUCATION AND COMPLIANCE SERVICES DURING THE IRCO PERIOD IN AN AMOUNT NOT TO EXCEED \$100,000; AND
5. PROVIDE DIRECTION ON WHETHER TO PREPARE A FEE STUDY FOR THE COSTS ASSOCIATED WITH LANDLORD REGISTRATION; AND
6. APPROVE THE BUDGET AMENDMENTS, AS OUTLINED ABOVE AND IN ATTACHMENT 1 (REQUIRES A FOUR- FIFTHS VOTE); AND,
7. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
8. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY; AND,
9. PROVIDE ADDITIONAL DIRECTION TO THE CITY MANAGER AS DEEMED APPROPRIATE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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CC - Consideration of City Council Policies Subcommittee's Recommendations to (1) Discuss and Provide Direction Regarding a Proposed Mayoral Rotation Policy; and (2) Direct the City Clerk to Schedule the Next Mayoral Rotation to Occur in April 2020 during the Transition Period before the November Election

Serena Wright-Black, Assistant City Manager, provided a summary of the material of record

Discussion ensued between staff and Council Members regarding choice; ambiguity; original language; the move of the election date; clarifying the ambiguity; having an additional discussion on the mayoral rotation in April 2020; the Municipal Code; and clarification regarding length of service.

Mayor Sahli-Wells invited public comment.

The following member of the audience addressed the City Council:

Jamie Wallace expressed concern with suggested language indicating that the City Council will elect one of the members; blatant disregard for the will of the voters; injustice when someone is passed over; traditions of the City; partisanship; and she suggested that the City Council go back to the old policy.

Additional discussion ensued between staff and Council Members regarding prior charter language; City Council discretion to rotate the Mayor in April consistent with past practice and charter provisions; the transition to the consolidated election; the intention to resolve discrepancies; past adherence to the policy; electoral consequences of partisanship; the rule of thumb for succession; concern with the next mayor being shortchanged; the time that Vice Mayor Gary Silbiger was passed over; the binding nature of the charter; the fact that the City Council cannot bind a future City Council; Council terms; frequency of certain people who served as mayor; separating the ceremony from the deliberation; the old policy; policies of other cities; declaring the intent; reasonable expectation; the role and tradition of the Vice Mayor; acknowledging that the choice is up to the majority of the City Council; facing the facts of the process; providing an opportunity for open discussion; concern with introducing a dynamic that is not always healthy;

policies of other cities; and appreciation for well-defined rules.

MOVED BY COUNCIL MEMBER SMALL AND SECONDED BY COUNCIL MEMBER LEE THAT THE CITY COUNCIL:

1. ADOPT THE SUBCOMMITTEE'S RECOMMENDATION REGARDING MAYORAL ROTATION; AND
2. DIRECT THE CITY CLERK TO SCHEDULE THE NEXT MAYORAL ROTATION TO OCCUR IN APRIL 2020 DURING THE TRANSITION PERIOD BEFORE THE NOVEMBER ELECTION.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item A-7

CC - (1) Consideration of an Earlier Start Time for City Council Meetings and 2) Adoption of a Resolution Setting the Regular Meetings of the City Council for the Calendar Year 2020

Discussion ensued between staff and Council Members regarding feedback received from the public; the recommendation to split the difference regarding meeting start time; the summer break; and determining the date to select City Council subcommittee members.

Mayor Sahli-Wells invited public comment.

The following members of the audience addressed the City Council:

Ken Mand expressed opposition to moving the start time for City Council meetings to 6:00 p.m. as he felt that would lessen public involvement and create a perception of reduced transparency; he acknowledged that an occasional late meeting is not ideal; suggested exploring ways to expedite meetings; he discussed the childcare option; and the public comment period.

Yasmine-Imani McMorris expressed support for an earlier start time; discussed childcare; and increasing involvement.

Jeremy Green, City Clerk, read written comments submitted by:

Kevin Lachoff

Discussion ensued between staff and Council Members regarding weekly meetings; length of staff reports and Council Member comment period; the feeling that long meetings are generally due to positive public engagement; agenda planning; the importance of maximizing public participation; the high workload; dedicated theme meetings; aligning dates with the school calendar; consensus to eliminate the December 21, 2020 meeting; support for doing the City Council subcommittee appointments in January; difficulties with starting meetings at 5:00 p.m.; attempting to meet work plan goals; and the type of items discussed at meetings with earlier start times.

MOVED BY COUNCIL MEMBER FISCH, SECONDED BY COUNCIL MEMBER LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION SETTING THE REGULAR MEETINGS OF THE CITY COUNCIL FOR THE CALENDAR YEAR 2020 AS AMENDED.

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Public Comment - Items Not on the Agenda

Mayor Sahli-Wells invited public comment.

No cards were received and no speakers came forward.

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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 12:30 a.m., December 10, 2019 the City Council adjourned to a regular meeting on January 13, 2020.

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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

MEGHAN SAHLI-WELLS
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: _____