

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

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

November 27, 2017
6:30 p.m.

Call to Order & Roll Call

Present: Jeffrey Cooper, Mayor
Thomas Small, Vice Mayor
Jim B. Clarke, Council Member*
Göran Eriksson, Council Member
Meghan Sahli-Wells, Council Member

* Council Member Clarke participated via telephone
from the Ariston Hotel & B&B, Via Mariano Stabile
139, Palermo 90139 in Italy

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

Mayor Cooper called the meeting of the City Council to order
at 6:30 p.m. in the Mike Balkman Chambers at City Hall.

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

Jeremy Green, City Clerk, read a list of questions, which
were answered affirmatively, to ensure that Council Member
Clarke was participating in accordance with the Ralph M.

Brown Act; she received clarification that there was no one present for public comment at his location; clarification that Council Member Clarke could hear the meeting clearly, and that all Council Members could hear him; clarification that no Council Member expressed doubt that Council Member Clarke was the person participating in the teleconference; and she indicated that all votes taken for the meeting would be taken by roll call.

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Closed Session

Mayor Cooper received clarification that no cards were received and no speakers came forward.

MOVED BY VICE MAYOR SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED THAT THE CITY COUNCIL RECESS TO CLOSED SESSION TO CONSIDER THE FOLLOWING 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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Regular Session

Mayor Cooper reconvened the City Council and convened the Culver City Housing Authority Board and the Successor Agency to the Culver City Redevelopment Agency Board at 7:31 p.m. with four Council Members present and Council Member Clarke participating via telephone from the Ariston Hotel & B&B, Via Mariano Stabile 139, Palermo 90139 in Italy.

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Invocation/Pledge of Allegiance

John Nachbar, City Manager, led the invocation and the Pledge of Allegiance was led by Kevin Lachoff.

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Report on Action Taken in Closed Session

Mayor Cooper indicated nothing to report from Closed Session and he repeated information stated earlier about the participation of Council Member Clarke by teleconference from Italy.

Jeremy Green, City Clerk, verified that Council Member Clarke could still hear the proceedings clearly.

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Community Announcements by City Council Members/Information Items from Staff

Council Member Sahli-Wells asked that the meeting be adjourned in memory of the 300 victims killed in Egypt while praying in a mosque and she wanted to ensure that everyone knew that the City Council condemned violence of all kinds.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF THE 300 VICTINS KILLED IN EGYPT WHILE PRAYING AT A MOSQUE.

Council Member Sahli-Wells announced a meeting of the Sustainability Subcommittee on November 28; the holiday tree lighting at Vets on December 1; and the Annual Tree Lighting in downtown Culver City in Town Plaza on December 7.

Vice Mayor Small discussed the Ballona Creek revitalization project and he noted that the two Civic Spark Action Fellows funded by a grant had written an article published by the American Planning Association about the tour of the Creek that they took as part of the American Society of Architects Annual Meeting.

Mayor Cooper discussed the life and passing of Ann Levin.

MOVED BY MAYOR COOPER, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT WHEN THE MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF ANN LEVIN.

Council Member Clarke reported that he had stood for both the Invocation and the Pledge of Allegiance, and he reported a positive trip to Capo d'Orlando where they are still very excited to have Culver City as a Sister City.

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Joint Public Comment - Items Not on the Agenda

Mayor Cooper invited public comment and discussed procedures for public speaking.

The following members of the audience addressed the City Council:

Colin Diaz introduced himself as the new president and CEO of the Culver City Chamber of Commerce, and he indicated that he was looking forward to working with the City.

Dr. Janet Hault discussed how much support she has had simply by living in Culver City; expressed gratitude for the City government and staff; expressed pride that Culver City is a City of Kindness; and she read a poem singing the praises of Culver City.

Ken Mand felt that public outreach needed to be genuine and robust; expressed concern with the timing of the Planning Commission meeting with an important public concern on the Wednesday before Thanksgiving followed by a City Council meeting the following Monday; and he expressed concern with the General Plan Update if the public continues to be marginalized with insufficient engagement and outreach.

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Receipt and Filing of Correspondence

Jeremy Green, City Clerk, reported that 56 emails had been received for item A-1, and that four were received for item C-6.

MOVED BY VICE MAYOR SMALL, SECONDED BY COUNCIL MEMBER ERIKSSON 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 CLARKE, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-1, C-3, C-5 AND C-6.

Item C-1

CC:HA:SA - Meeting Minutes

Jeremy Green, City Clerk, reported adding the word "inclined" on page 4 to indicate that Council Member Clarke was not inclined to favor an extension.

THAT THE CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD APPROVE MINUTES FOR THE REGULAR CONSOLIDATED CITY COUNCIL MEETING ON NOVEMBER 6, 2017 AS AMENDED.

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Item C-3
(Out of Sequence)

CC - Adoption of a Resolution Approving an Encroachment Agreement with Edison Carrier Solutions for Use of the Public Right-of-Way along National Boulevard, Helms Avenue and Higuera Street

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH EDISON CARRIER SOLUTIONS FOR 4,003 LINEAR FEET OF PROPOSED FIBER OPTIC TELECOMMUNICATION CABLE IN THE PUBLIC RIGHT-OF-WAY ALONG NATIONAL BOULEVARD, HELMS AVENUE AND HIGUERA STREET;
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW, PREPARE, AND APPROVE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE DOCUMENTS ON BEHALF OF THE CITY.

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Item C-5
(Out of Sequence)

CC - Approval of a Three-Year Agreement with Stericycle Environmental Solutions for Household Hazardous Waste Removal and Disposal Services for the Culver City Transfer Station Facility; On-Call Emergency Removal and Disposal Services; and Door to Door Household Hazardous Waste Collection Services

THAT THE CITY COUNCIL:

1. APPROVE A THREE-YEAR CONTRACT WITH STERICYCLE ENVIRONMENTAL SOLUTIONS FOR (A) HOUSEHOLD HAZARDOUS WASTE REMOVAL AND DISPOSAL SERVICES FROM THE CULVER CITY TRANSFER STATION FACILITY AND PROVIDE EMERGENCY HOUSEHOLD HAZARDOUS WASTE RETRIEVAL COLLECTION SERVICES IN AN AMOUNT NOT TO EXCEED \$15,000.00 EACH YEAR TOTALING \$45,000 FOR FY 17/18 - FY 19/20; AND (B) HOUSEHOLD HAZARDOUS WASTE DOOR-TO-DOOR COLLECTION SERVICES FOR SINGLE FAMILY AND MULTI-FAMILY RESIDENCES IN AN AMOUNT NOT TO EXCEED \$ 115,000 ANNUALLY BEGINNING IN FY 18/19 - FY 19/20 TOTALING \$ 230,000; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE TWO ONE-YEAR OPTIONAL RENEWALS FOR FY 20/21 AND 20/22 IN AN AMOUNT NOT-TO-EXCEED \$130,000 ANNUALLY; 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 - Approval of an Agreement with AAA Flag & Banner for Citywide Banner Installation and Removal Services for a Term up to Five Years in an Aggregate Amount Not-to-Exceed \$50,000

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH AAA FLAG & BANNER FOR CITYWIDE BANNER INSTALLATION AND REMOVAL SERVICES FOR A TERM UP TO FIVE YEARS IN AN AGGREGATE AMOUNT NOT-TO-EXCEED \$50,000; AND,

2. IF CITY COUNCIL APPROVES THE AGREEMENT WITH AAA FLAG & BANNER, AUTHORIZE STAFF TO NEGOTIATE THE FINAL TERMS OF THE AGREEMENT, PROVIDED THE FINAL CONTRACT PRICE DOES NOT INCREASE MORE THAN THE CITY MANAGER'S CONTRACT AUTHORITY; 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-2
(Out of Sequence)

CC - (1) Award of Construction Contract to STL, as the Lowest Responsive and Responsible Bidder, in the Amount of \$197,200, for the Construction of the Transfer Station Rain Garden Project, Phase II, PZ-948, and On-Site Drainage Repair; and (2) Authorization for the Public Works Director/City Engineer to Approve Change Orders, in an Amount Not-to-Exceed \$19,700

Council Member Eriksson received clarification regarding maintenance costs over time; different costs between technologies; the type of installation.

THAT THE CITY COUNCIL:

1) AWARD A CONTRACT TO STL LANDSCAPING INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE TRANSFER STATION RAIN GARDEN PROJECT, PHASE II, PZ-948 AND ON-SITE DRAINAGE REPAIR IN THE AMOUNT OF, \$197,200;

2) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS, FOR AN AMOUNT NOT-TO-EXCEED \$19,700, IF NECESSARY, FOR CONSTRUCTION;

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-4
(Out of Sequence)

CC - Review and Approval of the Culver City Arts District (CCAD) Business Improvement District Annual Work Plan and Budget; and (2) Adopt a Resolution of Intention to Conduct a Public Hearing on December 11, 2017 for the Consideration of the Levy of the Culver City Arts District Business Improvement District (BID) Assessment for 2018

Council Member Clarke received clarification that the area around the Transit Oriented Development (TOD) would be a separate BID from the Arts District.

Council Member Eriksson received clarification regarding mechanisms for collecting outstanding fees.

THAT THE CITY COUNCIL:

1. APPROVE THE CCAD BID ADVISORY BOARD'S 2018 ANNUAL REPORT AS FILED WITH THE CITY CLERK; AND
2. ADOPT A RESOLUTION OF INTENTION SETTING DECEMBER 11, 2018, AS THE DATE FOR A PUBLIC HEARING TO CONSIDER THE LEVY OF THE CULVER CITY ARTS DISTRICT BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FOR 2018.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY VICE MAYOR SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-2 AND C-4.

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Public Hearings

Item PH-1

CC - Continuance of Public Hearing to December 11, 2017 to Consider Introduction of an Ordinance Amending Chapter 17, Zoning, of the City of Culver City Municipal Code (CCMC), Section 17.400.095 - Residential Uses - Accessory Dwelling Units (Zoning Code Amendment P2017-224-ZCA)

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY VICE MAYOR SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF PUBLIC NOTICE.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING AND RECEIVE PUBLIC COMMENT.

Mayor Cooper invited public input.

No cards were received and no speakers came forward.

MOVED BY VICE MAYOR SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CONTINUE THE PUBLIC HEARING TO DECEMBER 11, 2017.

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Item PH-2

CC - Public Hearing: (1) Introduction of an Ordinance Amending Culver City Municipal Code, Title 17 - Zoning Section 17.400.065 Mixed Use Development Standards and Section 17.320.020, Table 3-3A Residential Uses (P2017-0239-ZCA); and (2) Adoption of a Resolution Amending the Community Benefits Established for the Washington/National Transit Oriented Development District in Connection with the Community Benefit Incentive Program and Section 17.400.065 of the Zoning Code - Mixed Use Development Standards

MOVED BY VICE MAYOR SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF PUBLIC NOTICE.

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

Discussion ensued between staff and Council Members regarding shuttle funding; micro-transit; using more inclusive language that embraces strategies examined; the intent to bring forward a new mobility fund attached to new development permits; adjustments to wording to provide flexibility; mobility strategies; whether the issue is time critical; providing the ability for public input; micro-units; timing of consideration for the item; affordable housing; the length of the next City Council agenda; the discussion at the recent Planning Commission meeting; state requirements for affordable housing and bonuses; the mobility fund; capturing

the value of creating the TOD; and perception regarding outreach.

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

Mayor Cooper invited public input.

The following member of the audience addressed the City Council:

Ken Mand expressed appreciation for the additional time for the public to review; felt that there was much to review in the 2008 resolution about community benefits and mixed use; and he asserted that there was more opportunity for change rather than a one line adjustment.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CONTINUE THE PUBLIC HEARING TO DECEMBER 11, 2017.

Vice Mayor Small noted that the results of the Visioning Study were wide-ranging and complex and that implementing the recommendations would be equally complex, and he suggested scheduling a meeting to formulate more precise direction.

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Item PH-3

CC - Public Hearing: (1) Introduction of an Ordinance Amending Culver City Municipal Code, Title 17, Zoning, Section 17.700.01 - Definitions of Specialized Terms and Phrases, Section 17.220.015 - Commercial District Land Uses and Permit Requirements, and 17.210.015 - Residential Zoning District Land Uses and Permit Requirements, Pertaining to Commercial Cannabis Activity and Personal Cannabis Cultivation; (2) Adoption of a Resolution Adopting Negative Declaration P2017-0149-ZCA "Amendments to the City's Municipal Code Regarding Cannabis Activities"; (3) Introduction of an Ordinance Amending Title 11, "Business Regulations," of the Culver City Municipal Code to (A) Add a New Chapter 11.17 "Commercial Cannabis Business;" and (B) Amend Section 11.01.075 "Unlawful Businesses Prohibited" of Chapter 11.01

Jeremy Green, City Clerk, clarified that due to a clerical error, the agenda had reflected item PH-3 as Action Item A-1 but it has been changed to Item PH-3.

MOVED BY VICE MAYOR SMALL, SECONDED BY MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF PUBLICATION AND POSTING OF PUBLIC NOTICE.

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

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

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Arthur Lopez IV reported opening restaurants in West Hollywood and Santa Monica; discussed growing organic food; business models; cannabis infused foods; and he discussed his search for a space to cultivate noting that he is interested in Culver City.

Peter Jacobs discussed information from the California Police Chief's Association; issues in Colorado; area cities that have said no to pot dispensaries; he suggested delaying the process just as the Inglewood Oil Field issue was granted more time, with additional time used to gather more information by surveying residents near proposed dispensary locations; he expressed concern with engineered surveys from a consultant who has a financial interest; expressed doubt about the assertion that dispensaries are just like any other business; discussed the high risk nature of the business; time constraints; the appearance of the dispensaries; projected revenue; under-reported revenue; and he urged that dispensaries not be allowed in Culver City.

Albert Vera discussed the need for adequate public input; expressed concern that the draft regulations were released the Wednesday before Thanksgiving with insufficient time for the community to consider impacts; he noted the Task Force did not analyze retail locations in close proximity to residents; questioned why the regulations were being rushed when the public has not had sufficient time to consider the

matter; expressed concern with potential affects to nearby residential neighborhoods and to redevelopment and revitalization; he questioned where revenue would go, noting the irony of using revenue for drug diversion; discussed the attention and concern given to the Oil Field issue; the safety and welfare of the community; impacts for many years to come; and he asked that the necessary time be taken to let the public weigh in and express their opinions on the issue.

Bret Osterberg observed that there are no residents or retail that want to be next to dispensaries; he asserted that as a commercial real estate broker, he is aware that commercial real estate owners do not want to lease to dispensaries; he felt that stakeholders within 1000 feet should be surveyed to see what they want; he expressed support for home delivery and home growth; and he felt that more thought and input should be taken before moving forward.

Jane Steinberg, Public Health Professor at the University of Southern California, thanked the City Council for their work on the proposed regulations; discussed addressing the public health of residents; accepted public health recommendations; the model cannabis ordinance for cities to enhance community health and safety; and she discussed recommendations including: banning the sale of cannabis infused beverages and restrictions on cannabis products that mimic typical foods, defining and prohibiting the sale of products attractive to youth, requiring warning labels on any advertising, and prominent in-store warning on the health effects of cannabis.

Christina Marsh discussed her company and their work with people who are sick and need their medicine; she asserted that controls and regulations are already in place from the state; she commended Culver City for their openness; she expressed hope that the City would honor small businesses; and she indicated that her company had worked hard to establish their business and could furnish letters of recommendation to the City Council.

Elizabeth Ostermann provided background on her company noting that they are a topical company providing pain isolated relief; discussed their work to establish their business; support for communities; education; and she thanked the City for their work on the issue.

Samuel Appel, United Food and Commercial Workers, provided background on the organization; distributed information to

Council Members; applauded the City for the ordinance; observed that worker protections, community benefits and social equity requirements on businesses were missing from the ordinance; asserted that protections for the community, workers and people who are going to consume the cannabis were needed and that it is important to address issues now as the transition between illegal and legal takes place; he noted the importance of strong oversight; discussed consolidation of the industry; warned that private equity and corporations would take over, resulting in downward pressure on wages, benefits and workplace conditions; he suggested including a labor peace agreement requirement for any business above 10 workers, anti-retaliation measures for whistle blowers, and revocation of permits if any business is violating the labor code; he felt that social equity provisions and community benefits should be included in the next draft; suggested addressing harms done in the past to specific populations; and he offered to help with future drafts.

Kevin Lachoff discussed the recent extension of the public comment period for the Inglewood Oil Fields; asserted that there is no reason for Culver City to be among the first in the region to allow retail dispensaries next to residential; discussed increases in crime, traffic accidents, injuries and fatalities, and use among teenagers associated with dispensaries; he asserted that the job of the City Council is to protect the community; he acknowledged that voters approved legal use but noted that access is not an issue; he expressed support for delivery; suggested that dispensaries be allowed in shopping centers, not as neighborhood store fronts; discussed other area cities that allow delivery only; suggested waiting to see what Los Angeles does; discussed the experiences of other cities; risks to public health and safety; net projected revenue; and he asked that retail be considered separately from other uses.

Pamela Epstein thanked the City for their work on the issue; discussed the many opportunities for public comment; the Conditional Use Permit (CUP) process; notification requirements; stringent requirements throughout the application process; community benefits; environmental assessments; state mandates; specific cannabis regulations; security; potency limits; prohibition of advertising to children; additional protections put in place; the importance of having storefront and delivery; businesses that want to become part of the community; and the belief that when there

is regulation there is a reduction in opioid use and teen use.

Carlene Brown discussed the failed war on drugs; concern with inequality for communities of color; the cycle of institutional racism; Attorney General Jeff Sessions; overt racism with the current administration; empowering youth to make the right choices; providing access to activities that keep youth off the street; providing equal opportunities for all youth; restorative justice; and funding programs with marijuana revenue.

Daniel Lee discussed marijuana overdoses; noted that when marijuana is legalized and de-criminalized, opiate overdoses and adolescent marijuana usage are decreased; he applauded outreach efforts by the City; asserted that exposure to oil production is a much more profound and documented detriment to public health than marijuana; he expressed support for the work of the City; and he felt that the proposal for two retail store fronts and one manufacturing facility in Culver City is an appropriate compromise.

Deborah Wallace stated that it is against the law for Fox Hills residents to smoke marijuana in the homes that they own and therefore she felt that retail should not be allowed either.

Michael Hamill asked for reasonable setbacks for retail store fronts from residential and places of worship in addition to parks and schools; discussed a six-month moratorium to see what happens in Los Angeles; he suggested that Culver City did not have to be the first as there would be additional opportunity; he felt the reputation of the City was at stake; and he wanted to see the City Council do the right thing.

Yumi Mandt-Rauch expressed support for marijuana but concern that the City was rushing and not listening to resident concerns; she did not want to be a guinea pig; expressed concern with the heavy cash nature of the business; noted that cannabis is still illegal at the federal level; she expressed concern with public safety and costs to the tax payers; asserted that the businesses should be revenue neutral; discussed environmental consequences; byproduct waste; and she did not feel that Culver City should be the place for professional growers.

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

Juliana Perez

MOVED BY VICE MAYOR SMALL, SECONDED BY MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Council Members regarding appreciation for the public input; the work of the Marijuana Task Force since February; the lengthy, thoughtful process; state regulations; opposition to waiting to see what Los Angeles does; the high standard of services in Culver City; the value of being a safe, family friendly, senior friendly community; being a community of equity and opportunity; establishing a safe, fair model; clarification that a regulated environment would not allow children to visit dispensaries; bringing a black market business into state regulation; the timeline illustrating the process undertaken; online comments through social media; public outreach and input; response to concerns expressed; the process moving forward; additional opportunities for public input; consideration of actual projects; additional layers of accountability and opportunities for the City to say no; the requirement for a five year review; resources for effective enforcement; the fee structure; the proposed regulations; allowing flexibility; the many layered, highly complicated process; limits on the number of facilities; bringing in resources to the community; ensuring positive activities for youth; providing safe access for medical products; the variety of cannabis users; normalization of the business and the process; ensuring that the businesses do not become a nuisance in the neighborhood; giving the City leverage to change course if something is not working; the failure of prohibition; putting a stop to the cycle of institutional racism; a suggestion to work with the School District to create a package of programs focusing on education, youth diversion and restorative justice with a commitment from the City Council to fund the programs; projected revenue from cannabis; the feeling that manufacturing would net the same amount of revenue and not impact residential areas; comparisons between consideration of oil drilling vs. cannabis; a suggestion to pass a temporary ordinance with a temporary ban to allow for more public input; things that should be included in the ordinance; state law; allowing for delivery and manufacturing in the City; close proximity of retail to Culver City; the need for serious discussion on the

retail placement; concern with issues that the public is not aware of; fee structures to pay for services; coordination of City regulations with the state emergency regulations released on November 16; pending LA County Health Inspector Services which will be used by Culver City; the feeling that there is no need to rush into the process; clarification that the subcommittee has had much discussion of the issue but the rest of the City Council has not, nor has the public; delaying the retail component; neighborhood input; objective vs. subjective evaluation; clarification that the City Council cannot prohibit establishment of a retail store in a green area on the map even if 75% of the neighborhood does not want it; mitigating concerns; the value of being in synch with Los Angeles; the retail application process; an observation that the majority of the public shared input against retail, and the majority of input in support is from industry; clarification that the Culver City recommendation is for three retail and six manufacturing while Santa Monica, which is twice the size of Culver City, allows only two retail and one manufacturer; the difficulty of the proposed requirements and fee structures for small businesses; the feeling that larger businesses will be the ones that come into the City; the layout of the City which dictates that the allowable areas abut residential; a suggestion to mandate that retail stores be mid-block on longer blocks in order to have less impact on the neighborhoods; mitigating proximity to retail; concern with corner facilities at the edge of neighborhoods; parking issues; health issues associated with cannabis; a suggestion to wait until the public can provide input on the fee structure and permitting process; making the finding that the proposed amendment would not be detrimental to public health and safety; studies indicating increases to property and violent crime in neighborhoods surrounding dispensaries and increased hospitalizations; and a suggestion to wait six months to get details for regulations in place.

Jesse Mays, Assistant to the City Manager, clarified the process for obtaining a retail license; discussed flexibility of the City to modify the process; additional time for input and discussion at the City Council level; and the permit process.

Additional discussion ensued between staff and Council Members regarding whether a temporary ban on retail until the processes were brought forward for approval would have negative ramifications; the length of the process; the desire for the process to be spelled out before moving forward;

clarification on the impact of neighborhood input; neighborhood compatibility; levels of criteria; the CUP process; subjective public input vs. objective public input; clarification that if a property is eligible, objective findings need to be made; impacts on the surrounding community; components that can be evaluated; operational impacts; traffic impacts; neighborhood design guidelines previously adopted by the City; clarification that the City is under no obligation to approve any of the applications; clarification that the fee structure is based upon cost recovery; understanding the permitting process and how much staff time will be required in order to calculate fees; the multi-step process needed to move forward; the need to make objective findings in order to reject a particular applicant; applicant responsiveness to community concerns; whether the process will ensure avoiding a situation where a dispensary would be forced on a neighborhood that would not be happy with it being there; crafting an ordinance where defensible findings can be made; approval of the ordinance by the City Council; moving forward in a balanced, reasonable manner; clarification that a ban is already in place since it is not possible until the City allows it; clarification that the Fox Hills area is not zoned for retail dispensaries; the ability to find studies that support your point of view; fear of the drug; corporate interests that have stigmatized the drug; concern with exposing children to drugs; the feeling that legal usage will diminish the black market; the importance of regulation and testing; the walkability of the community; commercial areas that merge into the community; whether any other cities are putting a CUP on top of licensure; lessons learned from Colorado; work to ensure that the community is not overwhelmed with dispensaries; taking the pulse of the community; due diligence; and the need for a short moratorium for the gap in January 2018.

Council Member Eriksson moved to ban retail until the permitting process is developed, or for six months, whatever is first, with a presentation to the City Council to give the public an opportunity to weigh in. Council Member Clarke seconded the motion.

Further discussion ensued between staff and Council Members regarding the existing process with opportunity for input and community effort; clarification that if the retail component is pulled out of the ordinance, staff would have to rewrite the ordinance and come back before the City Council;

clarification that changes can be made, but substantive changes require a rewrite; and public input on the process.

MOVED BY COUNCIL MEMBER ERIKSSON AND SECONDED BY COUNCIL MEMBER CLARKE THAT THE CITY COUNCIL APPROVE A BAN OF RETAIL CANNABIS BUSINESSES UNTIL THE PERMITTING PROCESS IS DEVELOPED, OR FOR SIX MONTHS, WHATEVER COMES FIRST, WITH A PRESENTATION TO THE CITY COUNCIL TO GIVE THE PUBLIC AN OPPORTUNITY TO WEIGH IN.

THE MOTION FAILED BY THE FOLLOWING VOTE:

AYES: CLARKE, ERIKSSON
NOES: COOPER, SAHLI-WELLS, SMALL

MOVED BY COUNCIL MEMBER CLARKE AND SECONDED BY MAYOR COOPER THAT THE CITY COUNCIL:

1. INTRODUCE AN ORDINANCE AMENDING CULVER CITY MUNICIPAL CODE TITLE 17 - ZONING SECTION 17.700.01 - DEFINITIONS OF SPECIALIZED TERMS AND PHRASES; SECTION 17.220.015 - COMMERCIAL DISTRICT LAND USES AND PERMIT REQUIREMENTS; SECTION 17.230.015 - INDUSTRIAL DISTRICT LAND USES AND PERMIT REQUIREMENTS; AND 17.210.015 - RESIDENTIAL ZONING DISTRICT LAND USES AND PERMIT REQUIREMENTS; AND

2. ADOPT NEGATIVE DECLARATION P2017-0149-ZCA "AMENDMENTS TO THE CITY'S MUNICIPAL CODE REGARDING CANNABIS ACTIVITIES" BASED ON THE INITIAL STUDY'S FINDING THAT THERE IS NO SUBSTANTIAL EVIDENCE, IN LIGHT OF THE WHOLE RECORD BEFORE THE AGENCY, THAT THE PROJECT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; AND

3. INTRODUCE AN ORDINANCE AMENDING TITLE 11, "BUSINESS REGULATIONS," OF THE CULVER CITY MUNICIPAL CODE TO (A) ADD A NEW CHAPTER 11.17 "COMMERCIAL CANNABIS BUSINESS"; AND (B) AMEND SECTION 11.01.075 "UNLAWFUL BUSINESSES PROHIBITED" OF CHAPTER 11.01.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, SAHLI-WELLS, SMALL
NOES: ERIKSSON

Council Member Clarke requested that a general community meeting be held focused on the impact of retail on residential before December 11, 2017.

Additional discussion ensued between staff and Council Members regarding the process as currently planned; public input on specific projects; defining criteria for retail in residential areas; time already spent on the issue; concern with allowing dispensaries near churches; consideration of additional regulations with regard to residential areas; the planned staff presentation on recommended criteria to the City Council for consideration; a suggestion to publish the staff report early to allow additional time for consideration by the public; the difficulty for the community to make comment without knowing the criteria necessary; and a request to update the maps available online.

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Action Items

Item A-1

Item A-1 was re-named and moved to be Public Hearing Item PH-3.

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Item A-2

CC - (1) Adoption of a Resolution Approving a Plan to Consolidate the City's General Municipal Election with Statewide General Elections to Comply with the California Voter Rights Participation Rights Act, Codified in Elections Code Sections 14050-14057, and (2) Direction to the City Clerk, as Deemed Appropriate

Mayor Cooper invited public participation.

The following members of the audience addressed the City Council:

Daniel Lee spoke in favor of the item; felt that the sooner the action is done, the sooner residents can be acclimated to consolidated elections; he discussed active voters; voting by mail; and he encouraged expediting public outreach and education.

Discussion ensued between staff and Council Members regarding concern with infringing on the rights of Culver City; support

for the item; and acknowledgement that if new information comes forward, revisions can be made.

MOVED BY COUNCIL MEMBER SAHLI-WELLS AND SECONDED BY VICE MAYOR SMALL THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING A PLAN TO CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION WITH STATEWIDE GENERAL ELECTIONS TO COMPLY WITH THE CALIFORNIA VOTER RIGHTS PARTICIPATION RIGHTS ACT, CODIFIED IN ELECTIONS CODE SECTION 14050-14057.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, ERIKSSON, SAHLI-WELLS, SMALL
NOES: COOPER

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Item A-3

CC - (1) Adoption of a Resolution Approving a Three (3) Year Memorandum of Understanding with the Culver City Employees Association for the Period of July 1, 2017 through June 30, 2020; (2) Adoption of a Resolution Approving a Three (3) Year Memorandum of Understanding with the Culver City Management Group for the Period of July 1, 2017 through June 30, 2020; (3) Adoption of a Resolution Approving an Amended Memorandum of Understanding with the Culver City Police Management Group for the Period of July 1, 2015 through December 31, 2020; (4) Adoption of a Resolution Approving Side Letter Agreement with the Culver City Fire Management Group; (5) Adoption of a Resolution Approving an Amended Executive Compensation Plan; (6) Approval of an Amendment to the Existing Executive Employment Agreement for City Attorney Carol Schwab Effective November 27, 2017; (7) Approval of an Amendment to the Existing Executive Employment Agreement for City Manager John Nachbar Effective November 27, 2017; and (8) Adoption of a Resolution Approving a Revised Salary Schedule for City Employees Effective July 1, 2017

Mayor Cooper invited public input.

No speakers came forward and no cards were received.

John Nachbar, City Manager, expressed appreciation to Serena Wright-Black and Jeff Muir for their efforts on the item.

The City Council echoed the comments of the City Manager.

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

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING A THREE (3) YEAR MEMORANDUM OF UNDERSTANDING WITH CCEA FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2020; AND
2. ADOPT A RESOLUTION APPROVING A THREE (3) YEAR MEMORANDUM OF UNDERSTANDING WITH CCMG FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2020; AND
3. ADOPT A RESOLUTION APPROVING AN AMENDED MEMORANDUM OF UNDERSTANDING WITH THE CCPMG FOR THE PERIOD OF JULY 1, 2015 THROUGH DECEMBER 31, 2020; AND
4. ADOPT A RESOLUTION APPROVING A SIDE LETTER AGREEMENT WITH THE CCFMG FOR THE PERIOD OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2019; AND
5. ADOPT A RESOLUTION APPROVING AN AMENDED EXECUTIVE COMPENSATION PLAN; AND
6. APPROVE AN AMENDMENT TO THE EXISTING EXECUTIVE EMPLOYMENT AGREEMENT FOR CITY ATTORNEY CAROL SCHWAB EFFECTIVE NOVEMBER 27, 2017; AND
7. APPROVE AN AMENDMENT TO THE EXISTING EXECUTIVE EMPLOYMENT AGREEMENT FOR CITY MANAGER JOHN NACHBAR EFFECTIVE NOVEMBER 27, 2017; AND
8. ADOPT A RESOLUTION APPROVING A REVISED SALARY SCHEDULE FOR CITY EMPLOYEES EFFECTIVE JULY 1, 2017.

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Public Comment - Items Not on the Agenda

Mayor Cooper 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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Adjournment

There being no further business, at 10:54 p.m., the City Council, Successor Agency to the Culver City Redevelopment Agency Board, and Culver City Housing Authority Board adjourned in memory of Ann Levin and the 300 people of Egypt killed while praying at a mosque to December 11, 2017.

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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

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