

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

March 13, 2018
5:00 p.m.

Call to Order & Roll Call

Mayor Cooper called the special meeting of the City Council, Successor Agency to the Culver City Redevelopment Agency, and the Culver City Housing Authority Board to order at 5:33 p.m. in the Mike Balkman Chambers at City Hall.

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

Absent: Thomas Small, Vice Mayor

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

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Invocation/Pledge of Allegiance

John Nachbar, City Manager, led the invocation and the Pledge of Allegiance was led by Charles Herbertson, Public Works Director.

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Community Announcements by City Council Members/Information Items from Staff

Council Member Clarke reported that Vice Mayor Small had a successful surgical procedure today.

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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 member of the audience addressed the City Council:

Jamie Garcia, Stop LAPD Spying Coalition, discussed a previous discussion in February about the impact of policing; Black Lives Matter; her efforts to get data regarding demographics and the impact of policing by the Culver City Police Department (CCPD); a letter from the Chief of Police in 2016 discussing demographics; she questioned what data supported the belief that the police should be trusted; discussed changes in the demographics of the City; and she felt that the conversation should be centered on the impact of the policies and the technology.

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Receipt and Filing of Correspondence

Jeremy Green, City Clerk, reported that all correspondence received before 3:00 p.m. on March 13, 2018 had been received and distributed to the City Council.

MOVED BY COUNCIL MEMBER CLARKE AND SECONDED BY COUNCIL MEMBER ERIKSSON THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, ERIKSSON, SAHLI-WELLS
NOES: NONE
ABSENT: SMALL

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Order of the Agenda

No changes were made.

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Consent Calendar

MOVED BY COUNCIL MEMBER CLARKE AND SECONDED BY COUNCIL MEMBER ERIKSSON THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-7.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, ERIKSSON, SAHLI-WELLS
NOES: NONE
ABSENT: SMALL

Item C-1

CC - Rejection of Bid Received for Baldwin Avenue Rain Garden Rehabilitation Project, PR003

THAT THE CITY COUNCIL REJECT THE BID PROPOSAL FROM STL LANDSCAPE, INC. FOR THE BALDWIN AVENUE RAIN GARDEN REHABILITATION PROJECT, PR003.

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Item C-2

CC - Approval of an Agreement with Ace Fencing Company in the Amount of \$58,750, for the Replacement of Fencing at the Fire Department Radio Tower, Project PF-011

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH ACE FENCING COMPANY IN THE AMOUNT OF \$58,750, FOR THE REPLACEMENT OF FENCING AT FIRE DEPARTMENT RADIO TOWER, PROJECT PF-001.
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-3

CC - Award of Construction Contract to GRBCON Inc., as the Lowest Responsive and Responsible Bidder, for the Westwood Blvd. Sewer Main Extension Project, PZ-230

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT TO GRBCON, INC. AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE WESTWOOD BLVD SEWER MAIN EXTENSION PROJECT, PZ-230 IN THE AMOUNT OF \$127,271;
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE CHANGE ORDERS, IF NECESSARY, IN THE AMOUNT NOT-TO-EXCEED \$19,091;
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS.

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Item C-4

CC - Adoption of a Resolution Approving an Encroachment Agreement with AT&T for Use of the Public Right-of-Way to Install 153 Feet of Fiber Optic Cable Along the South Side of Washington Boulevard Starting Near the Corner of Hines Avenue and Continuing Eastwards to 2533 South Fairfax Avenue

THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH AT&T FOR USE OF THE PUBLIC RIGHT-OF-WAY TO INSTALL 153 FEET OF FIBER OPTIC CABLE STARTING ALONG THE SOUTH SIDE OF WASHINGTON BOULEVARD STARTING NEAR THE CORNER OF HINES AVENUE AND CONTINUING EASTWARDS TO 2533 SOUTH FAIRFAX AVENUE;
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/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-5

HA - Approval of a Contract with the County of Los Angeles for the Homeless Services Planning Grant in the Amount of \$50,000

THAT THE HOUSING AUTHORITY BOARD:

1. APPROVE THE EXECUTION OF THE COUNTY OF LOS ANGELES HOMELESS SERVICES PLANNING GRANT CONTRACT AND;
2. AUTHORIZE THE HOUSING AUTHORITY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND
3. AUTHORIZE THE HOUSING AUTHORITY EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE HOUSING AUTHORITY.

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Item C-6

CC - Approval of an Agreement with Brightview Landscape Services in an Amount Not-to-Exceed \$34,105 for Landscape/Paving Services in Media Park and at Fire Station No. 1

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH BRIGHTVIEW LANDSCAPE SERVICES IN AN AMOUNT NOT-TO-EXCEED \$34,105 FOR LANDSCAPE/PAVING SERVICES IN MEDIA PARK AND AT FIRE STATION NO. 1 AND,
2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-7

A Resolution Authorizing the Submittal of Application(s) for all CalRecycle Grants for Which the City of Culver City is Eligible

THAT THE CITY COUNCIL: ADOPT A RESOLUTION AUTHORIZING THE SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE GRANTS FOR WHICH THE CITY OF CULVER CITY IS ELIGIBLE.

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Action Items

Item A-3
(Out of Sequence)

CC - Adoption of a Resolution Adopting an Updated City Council Policy Entitled Commemorative Naming of City Property and Facilities, as Recommended by the Ad Hoc City Council Policies Subcommittee, and Rescinding Resolution No. 2017-R088

MOVED BY COUNCIL MEMBER SAHLI-WELLS AND SECONDED BY COUNCIL MEMBER ERIKSSON THAT THE CITY COUNCIL: ADOPT A RESOLUTION ADOPTING AN UPDATED CITY COUNCIL POLICY ENTITLED COMMEMORATIVE NAMING OF CITY PROPERTY AND FACILITIES.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: CLARKE, COOPER, ERIKSSON, SAHLI-WELLS
NOES: NONE
ABSENT: SMALL

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Item A-1

CC: FOUR-FIFTHS VOTE REQUIREMENT (Budget Amendment and Waiver of Bid Procedures Only) - (1) Pursuant to Culver City Municipal Code Section 3.07.075(E)(3), Waiver of Formal Competitive Bidding Procedures; (2) Approval of a Five-Year Agreement with Vigilant Solutions to Provide an Automated License Plate Recognition (ALPR) System in an Amount Not-to-Exceed \$443,500; (3) Authorization to the City Manager to Approve Further Amendment(s) to the Agreement in Additional Amount(s) Not-to-Exceed \$88,700; (4) Approval of \$30,000 to be Appropriated for Electrical Requirements at the Traffic Signal Power Boxes; (5) Approval of a Budget Amendment to Appropriate \$357,200 from the General Fund Reserve to Departmental Special Equipment (10140200.732120) for a Not-to-Exceed ALPR System Project Amount of \$562,200; and (6) Discussion of ALPR Policy

Scott Bixby, Police Chief, discussed public information outreach efforts; consideration of issues and concerns raised by residents and the American Civil Liberties Union (ACLU);

the belief that the tools would serve the community and better ensure safety; and he asserted that the tools had nothing to do with immigration and would not be used to infringe on the privacy of people served.

Kyle Hirsch, Vigilant Solutions, provided background on himself; discussed License Plate Readers (LPR); Optical Character Recognition (OCR); deployment models; fixed solutions; locations; notification; clarification that the agency has full rights and control of the system; departmental access; Immigration and Customs Enforcement (ICE); the ability to choose to share with other agencies; data retention; data security and storage; City ownership of the data; he asserted that LPR does not track people; discussed myth vs. fact; training issues; misreading of plates; and he addressed specific incidents.

Discussion ensued between Mr. Hirsch, staff and Council Members regarding tracking individuals; detections vs. alerts; the ICE contract with a third-party vendor to use Vigilant; and the relationship between ICE and Vigilant.

Neil Schlisserman, Vigilant Solutions, discussed an agreement whereby ICE can access non-law enforcement data.

Discussion ensued between Mr. Schlisserman, staff and Council Members regarding clarification that no law enforcement agencies in California have chosen to share data with ICE; the number of cities contracted with in Southern California; uses for information; traffic patterns; discretion of the City on how data is shared; separation of data; concern that if Culver City shares data with another agency, that agency could share the Culver City data; the assertion that LPR is not about following the individual; and creation of a Memorandum of Understanding (MOU) for data sharing.

Kyle Hirsch, Vigilant Solutions, provided examples of proven successes.

Sam Agaiby, Police Captain, discussed reasons CCPD wants to go with Vigilant Solutions; use of LPR in Culver City for the past ten years; augmentation of the prior systems with Vigilant Solutions; Automated LPR (ALPR); crime patterns in Culver City and surrounding areas; coordination with other cities; the commercial ALPR database; community concerns; privacy; security; ICE; access to information; policy and procedures for use; information through the DMV system; the

need for a reason to query the system; the data trail; capture, storage and use for data; sharing of information with other cities; statistical data excluding private information; accountability and administration; length of time records are retained; the current Sanctuary City designation; SB54; using ALPR to enhance safety in the community; value to the City; and recent incidents that could have been solved with ALPR.

Discussion ensued between staff and Council Members regarding the procedure for court orders to release data; policies for the Sanctuary City designation; challenges to court orders; compliance; clarification on license plate capture with the make and color of the vehicle reflected in the picture taken; data from shopping malls; and clarification regarding sharing of commercial data.

Mayor Cooper invited public input.

The following members of the audience addressed the City Council:

Jon Melvin expressed confidence in CCPD; noted that database concerns were problematic; discussed mistrust of the government; and concern with being forced to use data in ways the City does not want to.

Sebastien Hernandez, Culver City Action Network (CCAN), expressed concern with potential violations to the Sanctuary City status; discussed mass surveillance of the public; privacy and civil liberty issues; sharing of data with other agencies; he questioned the relevance of enforcement if LPR is not about following the individual; training issues; implicit bias; and he expressed agreement with comments in the letter from the ACLU, and concern that sharing of data puts everyone at risk.

Mohammed Tajsar, ACLU, provided background on himself; expressed strong opposition to the proposal; noted that CCPD is choosing the company in order to share and receive data from other jurisdictions; he expressed concern that there was no clear description of what ICE has access to; questioned whether ICE would be able to indirectly access information from other cities that Culver City provides data to; discussed published reports about indirect data sharing; the critical fault with the program; and he

asserted that acquiring the technology puts immigrants at risk.

Prisca Gloor expressed appreciation for the Sanctuary City policy enacted one year ago but noted that the proposed contract for LPR violated that policy; she reported that the City of Alameda had unanimously voted down LPR for that reason; she pointed out that Vigilant Solutions has advanced facial recognition and other technologies as well as a contract to share data with ICE; expressed concern with knowingly entering into an agreement to share data with a third party that stores and shares data with no guarantee that the data would not be shared with ICE; and she asked the City to vote the proposal down.

Donna Kent provided background on herself; discussed a book called *Sundown Town*; the history of discrimination in Culver City; and she expressed concern that the City was reverting back to a time where people of color were afraid to drive through it.

Paula Amezola asked the City to be cautious about systems and technology noting her experience working with databases; pointed out how easy it is to access databases and utilize them inappropriately; discussed human error; introducing a lot of what ifs; similar systems already in place; surveillance already happening; placing the lives of the most vulnerable residents at risk; SB54; she asked that staff investigate how the system would be tested and possibly subpoenaed by the federal government; and she asked the City Council to vote no.

Gerald Weiner expressed concern with the amount of money to be spent on the system with no bids; questioned why a local system would not be used with City control of the data; he felt that the item should be sent out for bid; and he reported submitting an article to the City Council on the issue that discussed requests from ICE and Border Patrol to the City of Long Beach for LPR data.

Victor Intermaggio noted the contradictory nature of the arguments from company representatives; discussed consistency with federal law and requirements to share data; concern with giving collaborators with ICE \$500,000, which is more than ten times what was allocated to homeless services; and he asserted that for consistency, Sanctuary City status should be repealed if the item is passed.

Michael Doyle expressed confidence in CCPD and support for the use of ALPRs.

Jerry Chabola discussed the importance of relationships in the City and he expressed support for providing CCPD with technological advancements to protect themselves and residents.

Lydia Randolph expressed support for CCPD and giving them the tools they need, but expressed concern with the amount of money spent and unintended access to the data; she expressed support for the Sanctuary City status; and she asked the City to find another way.

Alice Bisno expressed support for the CCPD request to purchase the technology and giving them the tools to keep everyone safe, and she felt CCPD took Sanctuary City status seriously.

Jeri Deitrick indicated that she did not live in Culver City and would not be inclined to return if the item passed; she asked the City Council not to approve the item, noting that approval of the purchase of ALPR would violate the Sanctuary City policy; she reported that Vigilant Solutions had recently signed an agreement with ICE to track and stalk immigrants; she discussed boycotts; felt the money was a waste; asserted that the technology was unproven; and she provided statistics on the small percentage of license plates read that are associated with crimes.

Jordanna Fineberg expressed concern with issues associated with Vigilant Solutions; she asked the City find another way; and she questioned how bad crime was in the City that they felt it was necessary to sacrifice the civil liberties of residents.

Mohammed Tajsar, ACLU, pointed out that there is no limit on the type of investigations that the ALPR data can be used for, nor a mandate that records for innocent people be promptly deleted; he expressed concern with the lack of strong access controls; stated that public auditing is not mandated nor is a study on how the City operates the system; he added that the policy contained no prohibition on information sharing; and he encouraged the City to reject the proposal.

Disa Lindgren provided background on herself; discussed white privilege and the welcome her father received as a white immigrant; she asked that the City Council use their privilege to do the right thing for immigrants; she expressed support for diversity; read a statement on what it means to be a sanctuary; discussed the City of Kindness designation; work done to make Culver City a destination; and she asked the City Council not to scare people away from the City.

Jessica Cattelino provided background on herself; questioned whether Culver City had adequate mechanisms to implement Sanctuary City status and policing oversight; discussed the process by which ALPR came to the City Council and to public attention; concern with inadequate outreach; serious implications of the issue; the CCAN Sanctuary 2.0 proposal; she called upon the City to appoint a Sanctuary Ombudsperson; proposed creation of an ongoing forum for community participation and immigrant support and protection; discussed building trust within the community; ways that ALPRs could lead ICE to an individual's doorstep; adding individual license plates to a hot list; civil liberty concerns; the Trump immigration era; over-policing; ICE detention of people with no criminal record; and targeting of sanctuary cities.

Noah Zatz asserted that the fundamental issue was data sharing by Vigilant Solutions; he discussed data storage; contractual limitations; concern that a contract has not been produced to ascertain what the limitations actually are; the CCPD policy; he pointed out weaknesses in the prohibition by state Sanctuary law; and he asked the City Council to vote against the proposal.

Paula Kahn reported driving from Reseda to speak on the issue; discussed the choice made by Vigilant Solutions to sell their services to ICE; immigrant detention; ethnic cleansing; she encouraged the City to boycott Vigilant Solutions; questioned who managed the data and how it could be controlled; suggested looking to policing alternatives with the \$500,000; and she discussed the institution of policing noting that she felt terrorized by the police.

Nadia Kahn echoed comments from the previous speaker; noted that factual data had not been provided by the people who supported the item; discussed fusion centers; the Joint

Regional Information Center; and people who are killed as the result of traffic stops.

Mayor Cooper reminded the speakers to be respectful.

Edna Chavarry discussed immigrant residents living in fear; provided background on herself; she felt that CCPD wanted to have a good relationship with the community and with immigrants noting that the proposal would not accomplish that but in fact would do the opposite; she asked the City Council to reconsider the item; and she expressed concern with providing information to ICE.

Ken Montenegro felt it difficult to have a community of respect if adequate time is not given for public comment while an extensive amount of time is given to the people wanting to make a lot of money off the City; he noted that Vigilant Solutions had implied responsibility for falling crime rates; he discussed the role of policing in contemporary society; expressed concern with entrusting CCPD to handle data; discussed lawsuits; material harm; SB54; and he asserted that the database protections were inadequate.

Mimi Soltysik, Stop LAPD Spying Coalition, felt that doing business with Vigilant Solutions was not a good idea due to their relationship with ICE; observed that the example used by Vigilant Solutions highlighted the incompetence of the police department; and he asked the City Council to reject the proposal.

Milena Jankovic provided background on herself; noted that Culver City is an inextricable part of Los Angeles; expressed disappointment with the presentation; discussed immigration law and the decision to become a Sanctuary City; requirements to hand over data to the federal government; she noted that data that is not collected cannot be shared; and she asked the City to reject any ALPR program.

Marsha Steinberg, Jewish Voice for Peace, expressed opposition to using military equipment in civilian policing noting that it was happening all over the country; asserted that the Department of Justice was encouraging the process and making it easier to share the data; she asserted that the federal government would take any available data and noted that data never goes away; questioned whether the

tanks on the streets of Ferguson, Missouri had made people feel safer; and she felt that as a Sanctuary City, Culver City should be wary of the Trump administration.

Rebecca Rona-Tuttle expressed concern with the City's interest in employing surveillance cameras; expressed pride in the Sanctuary City status and hoped that would remain; noted that records gathered by different entities could be compared and used for a different purpose; she discussed subpoena power; ICE; hacking; the lack of a guarantee that policies would remain intact, noting that nothing is permanent; and she asked the City to vote against the proposal and stand by all residents, whether documented or not.

Scott Kecken, CCAN, thanked the City Council and CCPD for the special meetings; noted that the issue was nationwide; acknowledged CCPD concerns; felt the costs were too high; discussed research done on Vigilant Solutions; inadvertent data sharing; third-party vendor access; identity of the third-party vendor; he wanted to examine the contract; noted that contract language could change; questioned whether the public would have input into any contract changes; and he asked the City Council to vote no.

Bay Grabowski discussed database storage; 24/7 surveillance of anyone that comes into the City; felt ALPR would be an overreach of surveillance; noted the inability to opt out; and he did not want to see Culver City complicit in tracking the actions of all citizens.

Gert Barnes questioned what had happened that made the City feel the need to give away resident civil liberties; questioned the motive for making people fearful; she discussed ICE; the example used by Kyle Hirsch on how the license plate readers could have helped the police; and she noted that she did not have the luxury of trusting CCPD.

Damien Petty provided background on himself; asserted that ALPR is a violation of the 4th Amendment regarding unreasonable search and seizure; discussed data collected; the number of Vigilant Solution scans per month; a Supreme Court case regarding detailed tracking of cars; GPS trackers vs. APLR; good intentions; data storage; accessibility by the federal government; inadequate contractual protection; and he asked the City Council to vote against the proposal.

Jamie Garcia discussed Denise Green who was stopped by the San Francisco Police Department due to a faulty ALPR and had a gun put to her head; reported that the Intelligence Reform Terrorism Prevention Act had created the information sharing environment, allowing federal and local law enforcement agencies to share information at rapid rates; she discussed fusion centers; the Joint Regional Intelligence Center in Norwalk; and she noted that information sharing is already taking place and cannot be stopped through the contract.

Council Member Sahli-Wells indicated that she would be asking CCPD to release demographic data in the monthly reports.

Norman Palley provided background on himself and his work with databases; expressed support for the CCPD; reported on the number of records released into the public domain; noted that there were no guarantees of protection for data; and discussed facial recognition technology.

Ray Palacio expressed support for CCPD noting issues with crime in the City, and he felt that intelligence and preparedness is important.

Katy Krantz thanked the police department for their presentation and for meeting with CCAN, and she asked the City Council to oppose the policy noting that just because the technology exists doesn't mean they need to use it.

Samyrha Saba discussed accomplices vs. allies; asserted that it was wrong to criminalize someone whether they are convicted or a crime or not; discussed what a sanctuary is; asserted that people do not migrate, they flee; and she asked the City to oppose the item.

Mariella Saba asked everyone to think of people who are migrating or are in detention centers; requested that license plate readers and drones not be placed in the City; discussed violence instituted by the police and the Mayor; stated that LPR were part of the capitalist business; and she asked the City Council to say no to license plate readers.

Michelle Weiner indicated that she would miss the perspective of Vice Mayor Small, especially as the only

Filipino member of the City Council, and she read a statement from Daniel Lee who expressed concerns with data security and use of data for other purposes and expressed opposition to ALPR noting that it would not address any issues in the City, and the money could be better spent on other items.

Jamie Garcia discussed the Northern California Regional Intelligence Center which allows sharing of ALPR data and ICE access; she asserted that California Sanctuary law did not protect those who are undocumented; observed that surveillance technology is being ushered into local law enforcement; and she noted the importance of seeing the full picture, understanding how data is being used, and stopping the trend.

Nadia Kahn discussed disrespect; drones; license plate readers; and changes to policies.

Joanne Tortorici Luna provided background on herself; discussed the current climate; anxiety levels; uncertainty; she expressed concern with the level of surveillance, lack of privacy and misuse of personal and private information; felt that support of the item would contradict the Sanctuary City designation; and she asked the City to vote against the measure.

Dolce Kubota discussed working with underserved and immigrant families in the CCUSD; mental health resources; and she felt that ALPR would add to the generalized anxiety already experienced by all immigrants, whether documented or not.

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

Victoria Maidment
David Metzler
Pdcol1947

Discussion ensued between staff and Council Members regarding the feeling that the item had nothing to do with immigration or things happening in other parts of the county; approval of the item in the budget last year; new information that has come to light since last year; approving something in the budget vs. approving the policy; the feeling that the item should not be voted upon while

the Vice Mayor is absent; previous discussions of the item; having a dialog rather than 90 seconds per speaker; avoiding strife and mistrust by allowing a healthy and open process; clarification that there is no need to vote on the item right away; providing a forum where people can feel heard; concern that one of the comments in support was anonymous; the need for, and lack of, unanimous support for the item from the City Council; and support for CCPD but distrust for the contractor.

Mayor Cooper clarified that the item had failed but a future City Council could bring the item forward if they chose to.

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Item A-2

CC (1) Approval of a Purchase Order with Ackah Sarbah Botach Tactical for the Purchase of Two (2) DJI Matrice 210 Unmanned Aerial Systems (UAV), Four (4) DJI Phantom 4 Pro Unmanned Aerial Vehicles (UAV), Two (2) DJI Spark Unmanned Aerial Vehicles (UAV) Fly More Combo Packages and Accessories in an Amount-Not-To-Exceed \$70,000; and (2) Discussion of the UAV Operations Policy

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

Discussion ensued between staff and Council Members regarding clarification on the definition of a violent crowd; proactive surveillance; usage for specific incidents; and clarification that the copies of the revised policy had been provided at the back of City Council Chambers.

Mayor Cooper invited public input.

The following members of the audience addressed the City Council:

Mohammed Tajsar, ACLU, discussed public opposition to drones, the invasive nature of drones, and the deficient policy.

Discussion ensued between Mr. Tajsar and Council Members regarding deficiencies in the policy not addressed by the revisions; concern that invasive technologies are not limited; collection, retention and sharing of data of those

not suspected of wrong-doing; concern with a lack of public accounting for drone usage and the absence of limitations on their use within the policy; and concern with the expansion of surveillance technologies and the permissive nature of the policy.

Prisca Gloor discussed the increased militarization of the police department; mission creep; the approval to attach weapons to drones by North Dakota in 2015; the current prohibition on weapons in Culver City; the Dakota Access Pipeline protests; consideration of arming drones by the state of Connecticut; and use of drones and the killing of American citizens in Iraq without due process.

Donna Kent expressed concern that the Vice Mayor was not present for the discussion; noted distrust of the technology, not CCPD; concern with a loss of control of the data; privacy issues; and she expressed opposition to drones.

Paula Amezola expressed concern that drones would cause a threat to her children and would over-police communities of color; she discussed available research indicating that it is not ok to bring drones into communities; and she expressed opposition to the use of drones by the City.

Michael Doyle expressed support for CCPD and for taking advantage of newer technologies; discussed things that can be accomplished by using drones; felt that changes had been made in response to concerns expressed; and he asked the City Council to support the use of drones.

David Voncannon expressed support for CCPD and for the use of drones.

Discussion ensued between Council Members and David Voncannon regarding a recent neighborhood association meeting where no one voiced opposition to drones; use of private drones; surveillance cameras; and cell phone tracking.

Jessica Cattelino noted privacy concerns that come with new technologies; difficult questions; trade-offs between benefits and risks; data being amassed locally and nationally; denial of the proposal to contribute legal funding for immigrants due to the cost vs. the cost of the drones; she observed that the way money is spent reflects

priorities and values; urged the City to put money toward helping people, rather than harming them; suggested that the City take time to think the issue through and rebuild trust; and she asked the City to deny the proposal.

Noah Zatz thanked the ACLU and Stop LAPD Spying for sharing their expertise and experience to raise issues that might have gone unnoticed or unchallenged; he expressed concern with the dismissal of those contributions because they come from people outside of the City, noting that the City cannot be disconnected from the rest of the world; suggested that if the item is passed, signage be posted in the City containing verbiage noting that anyone entering is subject to surveillance; he felt that the process had been corrosive to the public trust of CCPD and the City Council; observed that the policy had not mentioned immigration status despite the Sanctuary City policy until the last minute; expressed concern with misleading assurances regarding SB54 and third-party vendors; discussed an LA Times article noting contradictions between the official City policy and the Sanctuary City policy; felt that a terrible message was being sent about how seriously the department should take issues, and how much local government should be respected; and he asked the City Council to vote no.

Ken Montenegro asserted that surveillance is a form of racialized violence; he noted that drones are military hardware; expressed concern with language used by CCPD regarding "our people"; weaponizing the drones; pushing boundaries; and the use of infrared cameras.

Norman Palley asked for specific information about the size, weight, range, accident history, and noise levels of the proposed drones; he questioned how they would be powered; discussed drones as a weapon; facial recognition; provisions for usage out of the view of the pilot; and he asked the City Council to oppose the item.

Jamie Garcia stated that drones are surveillance technology and a weapons delivery system; expressed concern with vague language regarding usage with violent crowds, emergency situations, and exigent circumstances; discussed responsibility for deployment decisions; fear and suspicion; using the high school shooting in Florida to scare people in order to bring in more weapons; and information sharing.

Nadia Khan echoed comments made by Ken Montenegro; noted the focus on officer safety rather than the safety of the people; discussed the lack of policy; mission creep; past experience with law enforcement expanding weaponization; the invasive nature of drones; public awareness of usage; releasing videos to keep officers in check; public opposition; and traumatic impacts to young people of color.

Victor Intermaggio expressed opposition to the militarization of police and the use of military weapons; discussed concern with creating data and its availability to federal agencies; SB54; and he thanked the Mayor for his opposition ALPR noting similar issues present with drones.

Rebecca Rona Tuttle expressed opposition to the purchase and deployment of drones; noted that not everyone had negative feelings toward CCPD; discussed inadequate policy; concern with stress caused by the use of drones to identify, harass and scrutinize the movements of people of color; and unintended consequences.

Ray Palacio expressed dismay with the negative feelings in the room; discussed misinformation; felt drones were not the problem; and he asserted that drones would be helpful.

Jean Ballantine reported good experiences with CCPD; echoed privacy and civil rights concerns; discussed cost benefit analysis; need; actual costs; and she asked the City Council to vote against the proposal.

Gary Silbiger, National Lawyers Guild, discussed comments made by a police officer at a previous meeting indicating that if a drone observed illegal activity while flying, they would arrest that person; the Plain View Doctrine; enhanced technology; issues with the policy; crowd control; the First Amendment; he suggested flying drones over the homes of elected officials to see if that is acceptable to them; and he discussed his representation of illegal immigrants, noting their opportunities to sue cities for invasion of privacy with drones.

Alex Fisch expressed concern with the lack of scrutiny on the budget for the item; discussed shift costs; loss of staffing flexibility; operating costs of the drone program; problems with the policy; the limited nature of the non-discrimination portion of the policy; public access to the

Unmanned Aerial Vehicles (UAV) logs; pre-flight notices; and he indicated that he would provide his other comments on the policy to Council Members.

Katy Krantz noted the magnitude of the decision and the need to have a full City Council present; she recommended that the City Council host a community conversation on the matter; discussed keeping everyone safe; felt that a rushed vote would erode public trust; discussed cheap and easy surveillance; the need for policies and oversight; the escalation of drones and data gathering; and she felt that drones were not appropriate for Culver City.

Ira Diamond discussed UAV technology; he felt it important that CCPD were not the first police department to use the technology; discussed their track record; privacy concerns; the Lindberg Park neighborhood presentation; he felt that UAV was a necessary tool to help solve and prevent crime, and to improve the safety of the community; and he expressed support for the item.

Akhil Gopal, Jewish Voice for Peace, expressed opposition to drones; discussed failed efforts by the Los Angeles Police Department to implement drones in 2014; delegations of police officers sent from area cities to Palestine to learn about surveillance and facial recognition; broken windows policing; he asserted that the community was being seen as an insurgency that needs to be controlled; and he reported on the use of tear gas on protestors in Palestine.

Samyrha Saba discussed the prison industrial complex; community safety; drug investigations; and addressing issues rather than targeting communities of color.

Mariella Saba discussed the foundation of policing; lies; mixing up the use of drones with things that actually help people; she expressed opposition to the use of drones; and she asked that the will of the people be respected.

Michelle Weiner discussed the 1984 aspect of drones; data sharing; conflicts with the Sanctuary City policy; the range of people being represented; appreciation for the police; and she noted that just because CCPD is asking for drones does not mean they cannot continue to do an excellent job without them.

Gert Barnes provided background on herself and her family; expressed concern regarding the intent of the City to purchase drones; discussed George Carlin; expressed concern that the small city was becoming militarized and moving away from the small-town feel; noted that people of color finally feel comfortable here, but not comfortable with the CCPD; discussed racial profiling; and insufficient answers to questions regarding the need to expand surveillance capabilities.

Disa Lindgren expressed concern with the disproportionate surveillance of people of color and other vulnerable groups; discussed the difficulty of justifying police surveillance; weak protections; unintentional discrimination; stealth airbase surveillance of Compton by the LAPD; and she asked the City Council to keep the community safe by voting no.

Paula Amezola asked the City Council to vote no on drones and indicated that she asks her son to carry identification because, based on his race, he could be a suspect if there were to be a crime committed nearby.

Jerry Chabola expressed support for drones and for CCPD, noting that he knows fifth graders who have drones.

James Province expressed concern that the presentation before the Candidates Forum was a lobbying effort rather than an information session; he felt that the Council should not support the issue unless they felt there was an extraordinary need for it and sufficient independent oversight available for the technology; he expressed concern with the potential for abuse; and he discussed his involvement in anti-nuclear activism in his youth.

Jeremy Green, City Clerk, read comments submitted by:

Kelly Kent
David Metzler
Paulette Navarro
Steven Mullen
Naomi Goldenson

Milena Jankovic observed that the fastest way to alienate the community would be to vote to approve the use of drones.

Jason Sims, Police Captain, discussed data collection, storage and sharing; utilization of drones in emergency situations; the risk of recording people not involved with the situation; the body-worn and in-car camera systems; redaction capabilities to address privacy concerns; court orders; clarification that facial recognition would not be utilized; pilot view; line-of-sight flying; specifications and safeguards for the drones; need for the drones; resources and costs; inadvertent witnessing of crime; the legal basis to take action; and the need to obtain a warrant.

Discussion ensued between staff and Council Members regarding clarification on the weight of the drones; different models to be purchased; funding; concern with taking a vote without the full City Council; public trust; the need for deeper conversation and better context; addressing concerns that are clearly present; fostering trust; support for recent community policing; the trade-off of eroding the public trust for one tool; addressing concerns clearly with face-to-face conversations; support for CCPD and acknowledgement of past actions; the Citizens Police Academy; addressing deep issues rooted in the past; over-policing in communities; the community meeting on the Sanctuary City policy; the importance of dialogue and public trust; reflecting priorities through the use of money; addressing underlying issues that cause crime; City Council supervision of the Police and the Fire Chief; the recent incident in Pomona; Federal Aviation Administration (FAA) authorization of private companies to deliver packages; other valuable uses of drones; neighborhood conversations; protecting police officers; accountability; oversight; strength of the policy; and putting a policy in place to make sure the drone program is run in the proper fashion.

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

1. APPROVE A PURCHASE ORDER WITH ACKAH SARBAH BOTACH TACTICAL FOR THE PURCHASE OF TWO (2) DJI MATRICE 210 UNMANNED AERIAL VEHICLES (UAV), FOUR (4) DJI PHANTOM 4 PRO UNMANNED AERIAL VEHICLES (UAV), TWO(2) DJI SPARK UNMANNED AERIAL VEHICLE (UAV) FLY MORE COMBO PACKAGES AND ACCESSORIES IN AN AMOUNT-NOT-TO-EXCEED \$70,000; AND

2. AUTHORIZE THE PURCHASING OFFICER TO ISSUE SUCH PURCHASE ORDER; AND

3. APPROVE THE POLICY AS AMENDED.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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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

Council Member Clarke discussed the upcoming presentation on the community benefits proposal from the developer of the Fox Hills Plaza at the March 26 City Council meeting; noted the contentious nature of the development; and he asked for City Council consensus that if the process moves forward, a special City Council meeting be held on April 17 or 18 to consider the Fox Hills Plaza project.

Discussion ensued between staff and Council Members regarding the process and the Entrada project.

MOVED BY COUNCIL MEMBER SAHLI-WELLS AND SECONDED BY COUNCIL MEMBER CLARKE THAT THE CITY COUNCIL ADJOURN IN MEMORY OF STEPHEN HAWKING.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

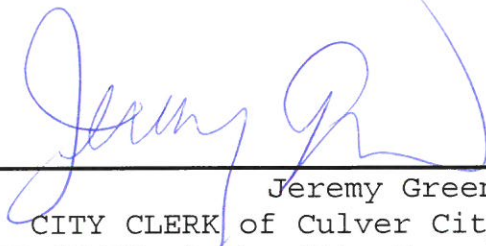
AYES: CLARKE, COOPER, ERIKSSON, SAHLI-WELLS
NOES: NONE
ABSENT: SMALL

o0o

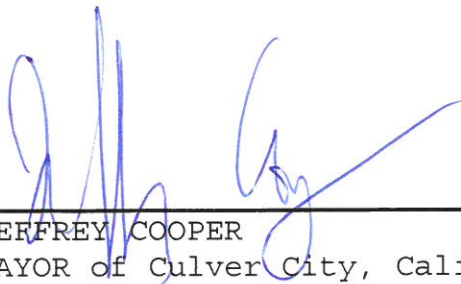
Adjournment

There being no further business, at 10:16 p.m., the City Council, Successor Agency to the Culver City Redevelopment Agency Board, and Culver City Housing Authority Board adjourned in memory of Stephen Hawking to March 19, 2018.

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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