

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

November 13, 2017  
5:30 p.m.

**Call to Order & Roll Call**

Mayor Cooper called the meeting of the City Council to order at 5:30 p.m. in the Mike Balkman Chambers at City Hall.

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

The City Council recessed to Closed Session to consider the following item:

**CS-1** CC - Public Employee Performance Evaluation  
Title: Fire Chief  
Pursuant to Government Code Section 54957

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**Reconvene**

Mayor Cooper reconvened the City Council at 6:37 p.m. with all Members present.

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**Recognition Presentations**

Item R-2  
(Out of Sequence)

**CC - Presentation of a Proclamation Designating November 13, 2017 as World Kindness Day in Culver City**

Council Member Clarke discussed World Kindness Day and presented the proclamation.

Rafia Cooper shared projects and outreach done to promote Culver City as a City of Kindness.

Mayor Cooper discussed small, simple acts of kindness anyone can do to spread good feelings to others.

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Item R-1

**CC - Presentation of a Proclamation in Honor of the 140<sup>th</sup> Anniversary of the Society for the Prevention of Cruelty to Animals Los Angeles (SPCALA)**

Mayor Cooper presented the proclamation.

Jeremy Green, City Clerk, indicated that the proclamation would be mailed to SPCALA as no representatives were present to accept it.

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**Recess**

Mayor Cooper called a brief recess at 6:47 p.m.

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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 7:02 p.m. with all Members present.

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**Invocation/Pledge of Allegiance**

Serena Wright-Black, Administrative Services Director, led the invocation and the Pledge of Allegiance was led by Marcus Tiggs.

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**Report on Action Taken in Closed Session**

Mayor Cooper indicated nothing to report out of Closed Session.

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**Community Announcements by City Council Members/Information Items from Staff**

Lieutenant Jason Sims introduced recent graduates from the Police Academy.

Jeremy Green, City Clerk, reminded meeting participants about parking validation available at the back of Council Chambers.

Council Member Sahli-Wells reported that the School District was seeking donations for the "Kitchen in a Bag" program to provide healthy eating options in response to the number of homeless children in the School District, and she announced implementation of the Polystyrene Ban on November 8, noting that residents can alert the Public Works department to businesses that are not complying.

Kim Braun, Environmental Operations Manager, reported that additional information is available at [www.polystyreneban.org](http://www.polystyreneban.org) or by calling (310) 253-6400, and businesses that are not in compliance can be reported.

Council Member Sahli-Wells announced an open house on the Bicycle and Pedestrian Action Plan and Safe Routes to School with La Ballona Elementary followed by a meeting of the Bicycle and Pedestrian Committee on November 16.

Council Member Clarke congratulated the High School Women's Volleyball Team for winning the CIF Championships; he reported that the High School Football Team had won their first playoff game; announced the grand reopening of the Wende Museum at the Armory on November 19; and noted an upcoming presentation on the launch of the Kindness webpage on the City website for World Kindness Day.

Council Member Eriksson reported that he and Vice Mayor Small had met with the Finnish Trade Delegation, including companies within sustainability, information technology and communication that might have applications in Southern California.

Vice Mayor Small discussed Los Angeles Community Choice Energy (LACCE) noting that there would a workshop about it on November 16 at the Senior Center; he announced a special City Council meeting on November 16 with a presentation on the Request for Qualifications (RFQ) for the General Plan Update and the intent to involve the entire City in the process; and he reported that he, Council Member Sahli-Wells and Mark Ridley Thomas had been recognized as stalwart supporters of the arts and dance in Los Angeles by Heidi Duckler Dance.

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## **Presentations**

### Item P-1

#### **Presentation to the City Council Regarding the Launch of the City of Kindness Webpage on the City of Culver City Website**

Shelly Wolfberg, City Manager's Office, provided a presentation on the City of Kindness webpage on the Culver City website; she noted opportunities to report acts of kindness; discussed social media outreach; and she encouraged everyone to fill out the survey on the City website.

Council Member Clarke discussed the online survey about what it means to be a City of Kindness; polling non-profits and their top responses; identifying what the City can do as a

City to demonstrate kindness and what individuals can do to be kind; nominating organizations or individuals as Kindness Trailblazers for recognition; and he thanked Shelly Wolfberg and the Information Technology department for their work.

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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:

Glenn Spann discussed the Culver Boulevard realignment project and storm water infiltration; he wished everyone Happy Kindness Day; reported a near head on collision at the corner of Elenda and Culver; indicated being part of Save Culver Median Park; thanked the Public Works department for their responsiveness; and he asked that the RFP include saving as many of the old trees as possible.

Dr. Janet Hoult discussed Veterans Day; Culver City as the City of Kindness; she read a poem about the importance of showing kindness to veterans; and she introduced Mo de Koff.

Mo de Koff read her poem, "A Little Kindness" that was prompted by Culver City becoming a City of Kindness, noting that it would be included in the Culver City Centennial poetry collection.

Rich Waters read from a statement that he had made at the City Council meeting of October 23; he wanted to make sure that the Senior Center is dedicated for the use of seniors only, during the hours of 9 a.m. to 5 p.m., Monday through Friday, and 12 p.m. to 4 p.m. on Saturdays; he discussed the Senior Center budget, expenses and maintenance as well as fees collected by the Senior Center Association; and he thanked the City for their attention to his concerns.

Dr. C. T. Williams, Citizens Coalition for Safe Communities, expressed concern with the Environmental Impact Report (EIR) for the Inglewood Oil Field (IOF); discussed the difference between production and extraction; questioned who issued the permits first and who concurs or denies; discussed jurisdiction; no objection approvals; conflicts between the

Division of Oil, Gas and Geothermal Resources (DOGGR) and the City; he questioned what applies to areas outside of the Specific Plan; and he asserted that the City needed to withdraw, revise and recirculate.

Mayor Cooper asked that Dr. Williams put his comments in writing and submit them.

Steve Levinson, Save Culver Median Park, provided background on the organization; noted that this was the original date for funding consideration for the urban runoff infiltration project; distributed information to the City Council that he asked them to consider; expressed concern with communication; discussed combining projects; and public outreach.

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**Receipt and Filing of Correspondence**

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

Jeremy Green, City Clerk, indicated that eleven comments had been received for item A-1 and seven for item A-3.

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**Order of the Agenda**

No changes were made.

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**Consent Calendar**

MOVED BY VICE MAYOR SMALL, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-1, C-2, C-3, C-5, C-6, C-8 (see City Clerk Note below).

CITY CLERK NOTE: The Consent Calendar motion inadvertently omitted item C-8. However it was the intent to only pull items C-4 and C-7 for discussion and to approve all other items as part of a single vote.

Item C-1

**CC:HA:SA - Cash Disbursements**

THAT THE CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD APPROVE CASH DISBURSEMENTS FOR OCTOBER 14, 2017 TO NOVEMBER 3, 2017.

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Item C-2

**CC - (1) Approval of a Purchase Order to Setco Tire Company for the Purchase of Four (4) Special Tire and Wheel Assemblies for the City's Transfer Station Wheel Loader Vehicle in an Amount Not-To-Exceed \$42,000; and (2) Approval of a Related Budget Amendment (Requires a Four-Fifths Vote)**

THAT THE CITY COUNCIL:

1. APPROVE A BUDGET AMENDMENT APPROPRIATING \$42,000 TO THE ASSET REPLACEMENT FUND; AND,
2. APPROVE A PURCHASE ORDER TO SETCO TIRE COMPANY FOR THE PURCHASE OF FOUR (4) TIRE AND WHEEL ASSEMBLIES IN AN AMOUNT NOT-TO-EXCEED \$42,000; AND,
3. AUTHORIZE THE PURCHASING OFFICER TO ISSUE THE PURCHASE ORDER.

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Item C-3

**CC - (1) Award of a Contract to CEM Construction Corporation (CEM) as the Lowest Responsive and Responsible Bidder, for a Base Bid of \$413,670.00 for the Culver City Park to Playa - Ballona Creek Connection ADA Accessible Extension Project, PZ-551; and, (2) Approval of an Amount of \$41,367.00 (10%) in Change Order Authority for the Public Works Director/City Engineer, for a Total Not-To-Exceed Amount of \$455,037.00; and, (3) Stipulate in the Contract that CEM Must Comply with the Baldwin Hills Conservancy's Budget and Invoicing Requirements; and, (4) Award of a Contract to CEM as the Lowest Responsive and Responsible Bidder, for a Base Bid of \$158,620.00 for the Culver City Interpretive Nature Trail Repair, a Proposition A Maintenance and Servicing Fund Project; and, (5) Approval of an Amount of \$15,862.00 (10%) in Change Order Authority for the Parks Manager, for a Total**

**Not-To-Exceed Amount of \$174,482.00**

THAT THE CITY COUNCIL:

1. AWARD A CONTRACT TO CEM CONSTRUCTION CORPORATION (CEM) AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR A BASE BID OF \$413,670.00 FOR THE CULVER CITY PARK TO PLAYA - BALLONA CREEK CONNECTION ADA ACCESSIBLE EXTENSION PROJECT, PZ-551; AND,
2. APPROVE \$41,367.00 (10%) IN CHANGE ORDER AUTHORITY FOR THE PUBLIC WORKS DIRECTOR/CITY ENGINEER, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$455,037.00; AND,
3. STIPULATE IN THE CONTRACT THAT THE CEM MUST COMPLY WITH THE BALDWIN HILLS CONSERVANCY'S BUDGET AND INVOICING REQUIREMENTS; AND,
4. AWARD A CONTRACT TO CEM CONSTRUCTION CORPORATION (CEM) AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE FOR A BASE BID OF \$158,620.00 FOR THE CULVER CITY INTERPRETIVE NATURE TRAIL REPAIR, A PROPOSITION A MAINTENANCE AND SERVICING FUND PROJECT; AND
5. APPROVE \$15,862.00 (10%) IN CHANGE ORDER AUTHORITY FOR THE PARKS MANAGER, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$174,482.00.
6. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
7. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-5  
(Out of Sequence)

**CC - Adoption of a Resolution Approving the Final Map for Tract Number 72659 Consisting of the Subdivision of a Current 4.35 Acre Site Into 10 New Land Lots for the Development of Eight New Single-Family Homes, Retention of One Existing Single Family Home, and Development of a 90 Unit/110 Bed Senior Citizen Residential Care Facility for Assisted Living and Memory Care, At 3814 Lenawee Avenue**



THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING THE FINAL MAP FOR TRACT NUMBER 72659 CONSISTING OF THE SUBDIVISION OF A CURRENT 4.35 ACRE SITE INTO TEN NEW LAND LOTS FOR THE DEVELOPMENT OF EIGHT NEW SINGLE-FAMILY HOMES, RETENTION OF ONE EXISTING SINGLE FAMILY HOME, AND DEVELOPMENT OF A 90 UNIT/110 BED SENIOR CITIZEN RESIDENTIAL CARE FACILITY FOR ASSISTED LIVING AND MEMORY CARE, AT 3814 LENAWEE AVENUE.

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Item C-6

**CC - (1) Approval of a Professional Services Agreement with SoCal Stormwater Runoff Solution Services Inc., for Stormwater Consulting Services at the Culver City Transfer Station Facility in an Amount Not-to-Exceed \$14,500 Annually for Three Years Totaling \$43,500 for FY 17/18 - FY 19/20; and, (2) Authorization to the Public Works Director/City Engineer to Approve Optional Annual Renewals for FY 20/21 and 20/22 Totaling \$29,000.00 Pending Budget Approval**

THAT THE CITY COUNCIL:

- 1) APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH SOCAL STORMWATER RUNOFF SOLUTION SERVICES INC., FOR STORMWATER CONSULTING SERVICES AT THE CULVER CITY TRANSFER STATION FACILITY IN AN AMOUNT NOT-TO-EXCEED \$14,500.00 ANNUALLY FOR THREE YEARS TOTALING \$43,500 BEGINNING FY 17/18 - FY 19/20;
- 2) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE OPTIONAL ANNUAL RENEWALS FOR BOTH FY 2/21 AND 20/22 TOTALING \$ 29,000.00 PENDING BUDGET APPROVAL;
- 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-8  
(Out of Sequence)

**CC - Approval of an Amendment to an Existing Professional Services Agreement with Government Staffing Services, Inc. for Temporary Staffing Services in an Amount Not-to-Exceed \$96,000**

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH GOVERNMENT STAFFING SERVICES, INC. FOR TWO CONTRACT PERMIT TECHNICIANS IN AN AMOUNT NOT-TO-EXCEED \$66,000 (FOR A TOTAL NOT-TO-EXCEED AMOUNT \$96,000);
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-4

**CC - (1) Review and Approval of the Downtown Culver City Business Improvement District Advisory Board's Annual Work Program and Budget; and (2) Adoption of a Resolution of Intention to Conduct a Public Hearing on December 11, 2017 to Consider Levy of the Downtown Business Improvement District Assessment for 2018**

Council Member Clarke asked that CicLAvia be included in the work plan.

Sylvia Bianchi, Downtown Business Association, agreed to include the item in the work plan.

Council Member Sahli-Wells received clarification that the trash compactor behind the movie theatre has been removed and replaced with new bins, which has resulted in a big improvement of the situation and the Public Works department is the point of contact for any future issues.

THAT THE CITY COUNCIL:

1. APPROVE THE BID ADVISORY BOARD'S 2018 ANNUAL REPORT AS MODIFIED BY THE CITY COUNCIL; AND
2. ADOPT A RESOLUTION OF INTENT TO LEVY THE DOWNTOWN CULVER CITY BUSINESS IMPROVEMENT DISTRICT FOR 2018 AND SETTING DECEMBER 11, 2017 AS THE DATE FOR THE REQUIRED PUBLIC HEARING.

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Item C-7  
(Out of Sequence)

**CC - Approval of a Professional Services Agreement with Insight Investment for Investment Advisory and Portfolio Management Services for a Five-Year Term (Ending on November 30, 2022) with an Annual Fee of 0.050% of All Assets**

Council Member Sahli-Wells noted calls for money to be spent concurrent with community values and she expressed hope that there would be a policy to create ethical standards for investment.

Discussion ensued between staff and Council Members regarding City Council consensus to refer consideration of the matter to the Finance and Judiciary Committee, with clarification of that direction in the motion.

THAT THE CITY COUNCIL:

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH INSIGHT INVESTMENT FOR INVESTMENT ADVISORY AND PORTFOLIO MANAGEMENT SERVICES FOR A FIVE-YEAR TERM (ENDING ON NOVEMBER 30, 2022), FOR AN ANNUAL FEE OF 0.050% OF ALL ASSETS,
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, AND
4. DIRECT THE FINANCE AND JUDICIARY SUBCOMMITTEE TO CONSIDER A POLICY TO CREATE ETHICAL STANDARDS FOR INVESTMENT.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-4 AND C-7.

Discussion ensued between staff and Council Members regarding the various finance subcommittees and which is most appropriate to address the issue.

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**Action Items**

Item A-1

**CC - (1) Consideration of a 60-Day Extension of the Public Review Period on the Inglewood Oil Field (IOF) Specific Plan and Draft Environmental Impact Report (EIR); and (2) Direction to Staff as Deemed Appropriate**

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Tom Camarella, Culver City Democratic Club, discussed the complexity of the agreement and amount of time for completion; the technical nature and length of the document; he noted the need for additional time for residents to consider the document; questioned the adequacy of the public outreach and notice given; noted the importance of the document and potential impacts to the City; he asked for a show of hands in the audience of people who wanted an extension of the comment period; he discussed surety bonds; expressed concern with cleanup costs; creating a defensible set of regulations that safeguard residents; questioned why the reliability and integrity of the company was being subordinated until the decisions are made; and the moral rationale for denying an extension.

Heather Baker, Deputy City Attorney, clarified that the purpose of the meeting is not to accept testimony on the EIR or the Specific Plan as those comments must be in writing, but rather to consider whether to grant an extension to the 60-day comment period.

Dr. C. T. Williams, Citizens Coalition for Safe Community, discussed the need for public comments on the Specific Plan and EIR, and the need to extend the period to receive them; he pointed out confusing elements in the publicly accessible document with references to inaccessible information; and efforts to provide meaningful comments.

Chieh-Ru Chu discussed her experience with lung cancer; expressed concern with health risks associated with the IOF; and she asked for a 60-day extension to the public comment period.

Seven McDonald discussed a study indicating a link between childhood cancer and nearby oil and fracking operations; health risks for children; chemicals used in the process; she referenced a study from the 2015 California Council of Science and Technology report; discussed science based setbacks; and she agreed to email information on the new study to the City.

Kaya Foster requested a 60-day extension to the public comment period and she noted the importance of allowing the public to do due diligence on the important, complex issues.

Kelwin Hagen requested a 60-day extension of the public comment period noting the importance of erring on the side of good judgement.

Rashelle Zelaznik requested a 60-day extension of the public comment period.

Gerald Weiner reported attending the October 30, 2017 public information meeting; discussed the long, complicated nature of the document; felt the allowable time period to be inadequate; and he requested a 60-day extension of the public comment period

Aura Walker requested a 60-day extension to the public comment period; felt that Sentinel Peak Resources (SPR) had 18 months for their study and Culver City should be able to have a 60-day extension; she discussed setback rules; health risks for people living with 2500 feet; noted the need for a disaster bond; and she indicated that she had submitted her comments in writing.

Marcus Tiggs reported attending the October 30, 2017 workshop; asserted that a 60-day extension was necessary to examine the document; discussed the cost report; costs associated with extending the time frame; and the need for the opportunity to provide valuable comments to the City Council to assist in making a good decision.

Terry Silberman reported attending the meeting on October 30, 2017; expressed concern with insufficient time to critique the document; discussed recent environmental catastrophes; questioned who would provide monitoring for surface and ground water and pollutants; discussed oversight, feedback and community representation; Southern California Air Quality

Management District monitoring stations; air quality in neighborhoods closer to the oil fields; predicted earthquakes; risks to prepare for; reviewing the findings of the Los Angeles County Health Study; she requested a 60-day extension; and indicated that she would submit her comments in writing.

Ramiro Duran reported his involvement in oil pipeline opposition on tribal lands; discussed the Dakota Access Pipeline protests and others; noted that big money and interests supersede available critical research into the detrimental effects of oil operations to the environment and to the health of those who live around them; discussed negative effects of continued use of the oil fields near residents; incidences of cancer in students at Beverly Hills High School and the close proximity to the oil well there; risks of hydraulic fracturing in close proximity to people; geo-seismic instability; inhaling pollutants from extraction; the opportunity to do research and have a positive affect; and he requested a 60-day extension of the public comment period.

Doris Levy requested the allowable extension of the public comment period by 60 days and she indicated that if the request is denied she will want to know why.

Alex Fisch highlighted points from a letter distributed to the City Council from the Climate Law Institute of the Center for Biological Diversity, and he requested a 60-day extension to the public comment period.

Neil Rubenstein noted that the Council Members did not live in the affected areas; discussed issues all over the country resulting from fracking; health risks; cancer clusters in Ladera Heights; he suggested a survey of how many people in close proximity to the oil field have been affected by cancer; and he requested a 60-day extension to the public comment period.

Andrew Dove expressed support for a 60-day extension of the public comment period and he reported distributing fliers in the Blair Hills area noting that not a single person he spoke to when polling residents opposed the 60-day extension of the public comment period.

Suzanne DeBenedittis was pleased that Culver City is a City of Kindness noting that kindness is dependent on respect; she

discussed respecting the will of the people; and she read a letter on behalf of Jennifer Holmgren PhD with Lanza Tech, noting the importance of a 60-day extension to the public comment period.

Paul V. Ferrazzi, Citizen's Coalition for a Safe Community, expressed support for a 60-day extension to the public comment period due to the volume of material for review, and he suggested that the first act of kindness for City of Kindness Day would be to extend the public comment period.

Michelle Weiner addressed comments made previously by Council Members that had indicated that they wanted to resolve the issue before a new City Council is in place.

Khin Khin Gyi noted that her neighborhood is very close to the Oil Field; discussed voluntary evacuation by the neighborhood in 2006 due to emissions of methane and hydrogen sulfide; support for the request to extend the public comment period; she asserted that the chapter on seismology is woefully inadequate; discussed the potential for a significant earthquake; studies made available at the October 26 CAP meeting; the PSOMAS Ground Movement Survey; the amount of material to be reviewed; under reporting of ground movement detection; and focusing on the raw data.

Christina Batteate provided background on herself; asked for a 60-day extension on the public comment period; asserted that the facilities were under studied; discussed real considerations; toxic monitoring at Porter Ranch; repressed science; lawsuits with Southern California Gas Company; she directed residents to PSE Healthy Energy which has a large repository of oil and gas science; questioned why oil and gas extraction was being considered if the City is going in the direction of climate goals; and she felt that items like LACCE should be pursued instead.

Rebecca Rona Tuttle requested that the period for public comment on the EIR and Specific Plan be extended for 60 days; stated that if the City Council believes that residents could have valuable input, then a 60-day extension should be granted; she felt that the deadline of November 14 was not reasonable; discussed repercussions of a 60-day extension; the fact that Mayor Cooper and Council Member Clarke would not be on the Council to vote on the matter if an extension is granted; and she noted that some of the candidates running for City Council were extremely knowledgeable on the issue.

Donna Kent discussed the purposefully confusing information provided and she urged support for the 60-day extension of the draft EIR.

Daniel Lee reported on his experience reviewing the material; discussed the City meetings; he wanted to see a 60-day extension due to the volume of material and the complexity of the information; noted the charge of civil servants to protect the health and safety of residents; and he expressed support for naming the intersection after Harold I. Cherness.

Shannon Theus, Culver City Democratic Club, discussed her volunteer activities, and she asked for a 60-day extension of the public comment period.

Gary Silbiger reported that new oil regulations and an EIR had been discussed more than 10 years ago but kept getting postponed; reported that SPR had been given 90 days to meet with the City subcommittee without public participation; he pointed out that most major issues do not return to the City Council for consideration in under 60 days; noted the inadequate amount of time given to the public to review the information; questioned whether information had been made available to the most vulnerable in the City and whether presentations and materials had been made available to schools and universities in the area; and he felt that a 60-day extension was the only fair thing to do and would provide additional opportunity for outreach which has been inadequate so far.

Rick Tuttle discussed the fact that an extension would postpone the item until two Council Members would no longer be serving, but he noted that the candidates would take the time to make themselves informed; he suggested creating an advisory group with former Council Members allowed to provide input on the issue after they are off the Council; and he requested support for a 60-day extension.

Michael Zucker asserted that the issue would affect the community deeply for a long time; felt it important to get it right; discussed the compelling need for more research, some of which is not yet available; referenced the extension granted to SPR; and he requested support for a 60-day extension.



Tyler Williams requested a 60-day extension to the review and comment period for the draft EIR; asserted that written, hand delivered comments had not been recorded and need to be accounted for; discussed potential concerns of outgoing Council Members; the release of a critical health study by the Los Angeles Department of Public Health that could alter the Specific Plan; and the need for additional time for the public to respond due to the length of the document.

Donna Flier thanked Council Members for their accessibility; asked for support for a 60-day extension of the public comment period so she could further explore seismic activity and hazardous waste issues; and she discussed monitoring.

Pete Rockwell, Culver City Democratic Club, asked that the City Council grant a 60-day extension of the public comment period on the EIR and questioned the motives of Council Members who might vote against it.

Jeremy Green, City Clerk, read comments submitted by:

Gary Hyman  
Michael Jacobs  
Kyle Hill  
Keith Curtiss  
Joanna Chen  
Amy Cherness  
Sheila Iverson  
Andrew Hyman  
Sharon Weber  
Joshua Hyman  
Melissa Minkin  
Naomi Curland  
Bronwyn Jamrok  
Deborah Weinrauch

Discussion ensued between staff and Council Members regarding the number of public comments received to date relevant to the draft EIR and Specific Plan; received and expected comments from relevant public agencies and relevant public interest groups; factual evidence vs. opinions within public comments; the holiday period within the 60-day extension; the expected completion date for the LA County Public Health study; whether a second 60-day extension would be requested; concern that the timing of extending the public comment period would result in less attention and consideration given to the matter by outgoing and incoming Council Members; the

experience of current Council Members vs. the experience of new Council Members; other critical issues facing the Council Members at the same time if the extension is granted; concern that those wanting an extension had opposed the extension granted to SPR; the additional opportunity for public comment at the public hearing in five months; appreciation for the public engagement on the issue; the extension given to SPR; confidence in Council Members, staff and consultants; clarification on the purpose of an EIR; whether the public has to provide scientific basis for their comments at any time; providing public disclosure; the public comment process; providing sufficient and substantial evidence to back claims in order to carry enough weight to effect substantial change; clarification on the community process; information available on the website; acceptance of all comments in writing; the differing level of response depending on the level of information provided; a suggestion to provide additional public meetings and workshops; positive feedback from the public on the previous workshops; the work of the subcommittee; clarification on the timeline and the CEQA process; the danger of information becoming stale if the process is extended too long; the Specific Plan that the study is based on; the 2013 discussion draft regulations; input on policy issues from the subcommittee; the regulatory component of the Specific Plan; deciding the best course of action for the City; appreciation for the expertise of the long serving Council Members; a suggestion to extend the comment period by 15 days; the speed of government; reasons to move the process forward; the reaction at the public meeting; clarification on the concern that new Council Members would not understand the issues; whether the public would be asking the kinds of questions that would require more study; the many issues Council Members have to consider; the feeling that a 60-day extension would be ineffective, but a 120-day extension would be more realistic; risks of extending out the time-frame; and the potential need for recirculation.

MOVED BY MAYOR COOPER, SECONDED BY COUNCIL MEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: GRANT A 120-DAY EXTENSION OF THE PUBLIC COMMENT REVIEW PERIOD FOR THE SUBMISSION OF WRITTEN COMMENTS ON THE INGLEWOOD OIL FIELD (IOF) SPECIFIC PLAN AND DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FROM ITS CURRENT DATE OF NOVEMBER 14, 2017 TO MARCH 14, 2018 TO PROVIDE ADDITIONAL OPPORTUNITY FOR PUBLIC INPUT.

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**Recess/Reconvene**

Mayor Cooper called a brief recess from 9:47 p.m. to 9:54 p.m.

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Item A-3

**CC-(1) Consideration of a Naming Request to Name a Location near Culver Boulevard and Overland Avenue the Judge Harold I. Cherness Plaza; and (2) Direction to the City Manager as Deemed Appropriate**

Mayor Cooper invited public input.

The following members of the audience addressed the City Council:

Amy Cherness reported that Judge Cherness lived in Culver City for over 50 years and did many well-known things in the community; she wanted the Plaza to be named in his honor; and she reported that a scholarship had been established in Harold Cherness' name.

Isabell Cherness urged support for the naming of the area outside the municipal courthouse the Harold I. Cherness Plaza, and she discussed his involvement in the Culver City Democratic Club and in Temple Akiba.

Carolyn Cherness thanked the City Council for their positive vote at the last meeting; she provided background on the life of Harold Cherness; and she asked that the naming request be approved.

Joe Ingher discussed Harold Cherness and expressed support for granting the naming request.

Darryl Cherness read a resolution from the Culver City Democratic Club; discussed the City of Kindness label and the kindness of Judge Cherness; and he asked the City to name the area outside of the courthouse, the Judge Harold I. Cherness Plaza.

Michelle Weiner expressed support for the naming request and she noted the impact of Judge Cherness on the community.

Khin Gyi expressed support for the naming request; noted that Harold Cherness was one of the founding members of the Culver City Democratic Club; reminded everyone that Judge Cherness had served in World War II; and she discussed his service.

Teresa Klemic, former administrator at the Culver Municipal Court, provided background on herself and on Judge Cherness; felt it would be an honor to name the area near the courthouse after Judge I Cherness; and indicated that she would be happy to share her history and artifacts from the courthouse with City staff.

Rick Tuttle thanked the City Council for their creative thinking on the previous agenda item; discussed Harold Cherness' accomplishments; and he asked that the naming request be honored.

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

Dr. Suzanna DeBenedittis  
Gary Silbiger

Council Member Sahli-Wells moved to approve the naming request.

Discussion ensued between staff and Council Members regarding compliance with all other aspects of the naming policy; demonstrating community support beyond the immediate family; the original request for a plaque at the county courthouse; concern with the request to name an intersection; costs; alternate naming locations; the need for more study; ways to properly honor and remember Judge Cherness; agreement that Judge Cherness is deserving; taking more time to figure out when and where to honor Judge Cherness; input from the Culver City Historical Society; policies and procedures; the ability of the City Council to direct the request to the most appropriate body for review; previous requests by the family and information provided; concern with delaying the matter further; a suggestion to move ahead with honoring Judge Cherness while additional work is done on defining a location and figuring out what the sign should say; extraordinary contributions to the community; civic activism; understanding how the actions of Judge Cherness have compared to others; consultation with public bodies vs. a private entity like the

Historical Society; concern with making consultation with the Historical Society a requirement; the Art in Public Places process; support from colleagues; other individuals worthy of being honored; the newly adopted, clearly defined policy; allowing additional time for the family to provide more information; involvement of the subcommittee; reworking the application to directly address the policy; creating a standardized application form; clarification that the current policy does not include a standard application form; concern with a lack of clarity; concern with different messages coming from the dais; either providing clear guidelines or accepting the naming; defining the contribution to the City, not the work done; concrete accomplishments; broad community support; the importance of clarity; and working through the new process and guidelines.

Council Member Sahli-Wells expressed concern with receiving the necessary support for the item; apologized to the family and withdrew her motion; noted more understanding on garnering additional support; and staff direction.

Vice Mayor Small discussed his work with the American Institute of Architects and how they honor their members, noting that their criteria allow recognition for work that rises above and beyond their peers and affects the City even if it is work that one is paid to do.

Additional discussion ensued between staff and Council Members regarding tabling the item; providing time to meet with staff; putting together an application form; exploration of alternative locations; the example of Syd Kronenthal; and evaluating the level of recognition.

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Item A-2

**CC - (1) Adoption of a Resolution Calling a General Municipal Election to be Held in the City of Culver City on Tuesday, April 10, 2018 to Elect Two Council Members to the City Council, Each for a Full Term of Four Years, and for Submitting to the Voters a Ballot Measure Relating to a Commercial Cannabis Business Tax Ordinance; (2) Adoption of a Resolution Requesting the Board of Supervisors of the County of Los Angeles to Render Specified Services to the City Related to the Conduct of Said Election; (3) (If Desired) Adoption of a Resolution Authorizing the City Council and/or**

**Certain Council Members to Submit Primary Ballot Arguments Regarding the Measure; (4) Potential Creation and Appointment of Members to an Ad-Hoc Subcommittee to Draft and/or Submit Such Ballot Argument(s); (5) Adoption of a Resolution Approving Rebuttal Arguments, (6) Instruct City Clerk to post a Notice Setting the Date after which no Arguments May be Submitted; and (7) Instruct City Attorney to Prepare the Impartial Analysis for the City Measure**

Discussion ensued between staff and Council Members regarding separating the vote; direction from the City Council on October 9, 2017; approval of the draft ordinance; the ordinance enacting specific tax rates on specific types of businesses; allowing the public to have input; clarification that the ordinance is different from the regulations; the notification process; and the process for moving forward.

Mayor Cooper invited public participation.

No cards were received and no speakers came forward.

Additional discussion ensued between staff and Council Members regarding clarification on the change to wording order made after the posting of the agenda as a result to changes in the state law; the word limit; changing the word "may" to "shall" in Section 1.32.060 regarding overpayments; changing wording in Section 1132.045 to clarify that courtesy tax notices will be sent but the City is not required to, and the business is not absolved of paying if one is not received; policy vs. ordinance; providing flexibility for the City; paying interest if the City inadvertently overcharges; consistency with the way current businesses taxes are collected; maximizing revenues from the business; concern with locking the City into a low rate; changes as the business develops; California's Total Cumulative Tax Rates; warnings about high effective rates on the California market; competitiveness with Los Angeles; the retail side of the business; the need to go to the voters for approval of an increase to the initial rate; concern with scaring business off; the actions of Santa Barbara; increased costs to customers; providing stability for businesses; using the tax as a tool rather than a financial policy; bringing an unregulated, underground business into compliance; punitive and unrealistic rates; creating regulations that people can abide by; concern that there is no predicting the actions of a future City Council; concern with using unstudied numbers; discussion and agreement on language regarding youth

programs: "Shall Culver City adopt a measure funding fire/paramedic/police protection, road repairs, youth programs, parks/recreation and other general municipal services by taxing marijuana businesses..."; the intent to fund existing and future programs; clarification that monies are in the General Fund and are approved by the City Council; state level funded grant programs that the City can apply for; language built into Prop 64 requiring cities to permit all cannabis activity including outdoor cultivation which has so far been prohibited in Culver City; clarification on language changes in the ballot measure for consistency with the ordinance; the ability to make procedural changes but not substantial changes; the ability of the City Council to repeal the ordinance; clarification that there is no sunset provision; potential pressure from cannabis interests to repeal the tax; ensuring that the issue remains a vote of the people; remaining in keeping with the actions of other cities; including information indicating that the ordinance can be amended by the City Council to the extent allowable by law; City Council authority to remove the tax; agreement to remove language regarding the ability for the City Council to remove the tax from the ballot measure and from 1132145 for consistency; City Council consensus for the addition of youth programs; and clarification that if the City Council prohibited marijuana, the ordinance would still be on the books but there would be no marijuana facilities to tax.

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

1. ADOPT THE PROPOSED RESOLUTION CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 10, 2018 FOR TWO (2) COUNCIL MEMBERS FOR TERMS OF FOUR (4) YEARS; AND,
2. ADOPT THE PROPOSED RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY OF CULVER CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, APRIL 10, 2018.

Council Member Clarke discussed ways to increase voter turnout including mailed in ballots and additional weekends for early voting, and he asked for City Council consensus to explore ways to increase voter turnout.

Additional discussion ensued between staff and Council Members regarding whether to incorporate proposed changes to language regarding payment of interest on overpayments; consistency with City policy; allowing legal flexibility; clarification that the business owner has to submit a written claim for repayment within one year; and maintaining consistency with the current language.

MOVED BY COUNCIL MEMBER SAHLI-WELLS AND SECONDED BY MAYOR COOPER THAT THE CITY COUNCIL: ADOPT THE PROPOSED RESOLUTION HOLDING AN ELECTION FOR SUBMITTING TO THE VOTERS A BALLOT MEASURE RELATING TO A COMMERCIAL CANNABIS BUSINESS TAX ORDINANCE CONSISTENT WITH THE CITY POLICY INCLUDING AMENDED LANGUAGE ON THE BALLOT QUESTION WITH CHANGES MADE BY STAFF AND LANGUAGE ON YOUTH PROGRAMS.

THE MOTION CARRIED BY THE FOLLOWING VOTE

AYES: CLARKE, COOPER, SAHLI-WELLS, SMALL  
NOTES: NONE  
ABSTAIN: ERIKSSON

Further discussion ensued between staff and Council Members regarding wording for the motion; clarification that up to five people can participate in drafting the ballot argument; the scenario if all five Council Members participate; a Council Member who might want to oppose the measure; clarification that the City Council has the right to compose arguments in favor or in opposition; and the ability of a Council Member to join a community member in the submission of arguments.

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

3. A. ADOPT A RESOLUTION AUTHORIZING MAYOR COOPER AND COUNCIL MEMBER SAHLI-WELLS TO DRAFT A BALLOT ARGUMENT IN FAVOR; AND

3.B. FORM AN AD HOC SUBCOMMITTEE AND APPOINT MAYOR COOPER AND COUNCIL MEMBER SAHLI-WELLS THERETO FOR THE PURPOSE OF DRAFTING OF THE PRIMARY BALLOT ARGUMENT, AND

3. C. AUTHORIZE THE SUBCOMMITTEE TO SUBMIT THE PRIMARY BALLOT ARGUMENT(S) BY THE FILING DEADLINE OF 5:30 PM ON NOVEMBER 27, 2017.

THE MOTION CARRIED BY THE FOLLOWING VOTE



AYES: CLARKE, COOPER, SAHLI-WELLS, SMALL  
NOTES: NONE  
ABSTAIN: ERIKSSON

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

4. A. ADOPT A RESOLUTION AUTHORIZING THE CITY COUNCIL AND/OR  
CERTAIN COUNCIL MEMBERS TO SUBMIT REBUTTAL ARGUMENTS  
REGARDING THE PROPOSED BALLOT MEASURE;

4. B. AUTHORIZE THE SUBCOMMITTEE TO ALSO SUBMIT THE REBUTTAL  
ARGUMENT(S) BY THE FILING DEADLINE OF 5:30 PM ON DECEMBER 7,  
2017.

THE MOTION CARRIED BY THE FOLLOWING VOTE

AYES: CLARKE, COOPER, SAHLI-WELLS, SMALL  
NOTES: NONE  
ABSTAIN: ERIKSSON

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

5. DIRECT THE CITY CLERK TO POST A NOTICE SETTING THE DATE  
AFTER WHICH NO ARGUMENTS MAY BE SUBMITTED; AND

6. DIRECT THE CITY ATTORNEY TO PREPARE THE IMPARTIAL ANALYSIS  
FOR THE CITY MEASURE.

Council Member Clarke received City Council consensus to  
explore ways to increase voter turnout.

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Item A-4

**CC - (1) Introduction of an Enabling Ordinance Approving a  
Joint Powers Agreement to Join the Los Angeles Community  
Choice Energy (LACCE) Joint Powers Authority, and Authorizing  
the Implementation of a Community Choice Aggregation Program  
through the City's Participation in LACCE; and (2)  
Appointment of a Council Member and Alternate(s) to Serve on  
the Los Angeles Community Choice Energy Authority Board**

Joe Susca, Senior Management Analyst, clarified that staff recommends that the second alternate be a staff member to avoid a Brown Act violation, and that the staff member be the Public Works Director or his or her designee.

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

1. INTRODUCE AN ENABLING ORDINANCE APPROVING A JOINT POWERS AGREEMENT TO JOIN THE LOS ANGELES COMMUNITY CHOICE ENERGY AUTHORITY, AND AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM TO PROVIDE ELECTRICITY CITYWIDE.

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

2. APPOINT CITY COUNCIL MEMBER SAHLI-WELLS TO SERVE ON THE LOS ANGELES COMMUNITY CHOICE ENERGY AUTHORITY BOARD ON BEHALF OF THE CITY; AND

3. APPOINT COUNCIL MEMBER ERIKSSON TO SERVE AS ALTERNATE TO TAKE THE PLACE OF THE PRIMARY APPOINTMENT WHEN SHE IS UNAVAILABLE; AND

4. APPOINT THE PUBLIC WORKS DIRECTOR, OR HIS OR HER DESIGNEE TO SERVE AS SECOND ALTERNATE TO TAKE THE PLACE OF THE PRIMARY APPOINTMENT AND FIRST ALTERNATE WHEN THEY ARE UNAVAILABLE.

Joe Susca, Senior Management Analyst, announced that the county had received certification for their Community Choice Aggregation implementation plan on November 12, 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 12:08 a.m., Tuesday, November 14, 2017, the City Council, Successor Agency to the Culver City Redevelopment Agency Board, and Culver City Housing Authority Board adjourned to November 16, 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

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November 13, 2017

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