

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

September 11, 2017
5:00 p.m.

Call to Order & Roll Call

Mayor Cooper called the meeting of the City Council to order at 5:00 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 items:

CS-1 CC - Public Employee Performance Evaluation
Title: City Attorney
Pursuant to Government Code Section 54957

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CS-2 CC - Conference with Legal Counsel -Existing Litigation
Re: LAUSD v. County of Los Angeles et al.
LASC Case No. BS 10818
Pursuant to Government Code Section 54956.9 (d) (1)

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CS-3 CC - Conference with Legal Counsel -Anticipated
Litigation
Re: Significant Exposure to Litigation - 1 Item
Pursuant to Government Code Section 54956.9 (d) (2)

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CS-4 CC - Conference with Labor Negotiators
City Designated Representatives: City Manager John Nachbar;
Administrative Services Director Serena Wright; Chief
Financial Officer Jeff Muir
Employee Organization: Culver City Employees Association;
Culver City Management Group; Culver City Police Officers
Association; Culver City Fire Fighters Association; Culver
City Police Management Group; Culver City Fire Management
Association
Pursuant to Government Code Section 54957.6

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Reconvene

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
7:07 p.m. with all Members present.

MOVED BY MAYOR COOPER, SECONDED BY VICE MAYOR SMALL AND
UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED,
THAT IT BE ADJOURNED IN MEMORY OF THOSE WHO PERISHED ON 9/11.

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Invocation/Pledge of Allegiance

John Nachbar, City Manager, led the invocation and the
Pledge of Allegiance was led by Francisco Juarez.

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Report on Action Taken in Closed Session

Mayor Cooper reported that there was nothing to report out of Closed Session.

Jeremy Green, City Clerk, indicated that item CS-4 had not been discussed in Closed Session.

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

Council Member Clarke invited everyone to Veterans Park on September 16 for the Birthday Party in the Park celebrating the Centennial.

Council Member Sahli-Wells thanked everyone who came to the ceremony in remembrance of 9/11; announced California Coastal Cleanup Day along Ballona Creek on September 16; expressed dismay at the turmoil caused by natural disasters and the President; noted the importance of local action to address big issues; pointed out City support of SB 54 and many positive actions taken by the City; and she discussed the update of the General Plan.

Vice Mayor Small invited everyone to watch the filmed version of the final performance of 1988 by the Heidi Duckler Dancers performed on September 9 in the City Hall Courtyard; he read a letter from an attendee of the performance; reported attending a reading at the Actors' Gang Theater by Juan Gonzalez of Democracy Now; and he discussed recent power outages in the City and communication.

Mayor Cooper read a press release on Deferred Action for Childhood Arrivals (DACA) that he had released on September 8, 2017.

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Joint Public Comment - Items Not on the Agenda

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Joe Stone discussed issues with parking and traffic due to increased attendance at the King Fahad Mosque; reported that the Mosque had flown drones over the neighbors; noted jaywalking issues; asked that the Culver City Police Department be stationed at the corner to address issues; suggested that the Mosque educate attendees; reported cut-through traffic and NFL employees parking on Huron; and he asked for help from the City.

Mayor Cooper reported hearing from several other community members about the same issue and he indicated that a community meeting would be held to address issues.

Francisco Juarez, American Veterans Post 2, reported unannounced demolition approved by the Wende Museum; expressed concern with the partnership between the City and AmVets 2; and he asked for an immediate stop to demolition to portions of the AmVets building until either the voters can weigh in or the name Veterans can be removed from the building.

Mayor Cooper indicated that there was no scheduled demolition for the building; the Wende Museum has approached the City but no decision has been made; and he asserted that veterans always have a place in the City.

Caitlyn Geier reported running programming out of AmVets Post 2; discussed their effectiveness in serving residents and veterans; she reported that funds were being raised to bring the building to code; and indicated that they had received assurances of cooperation from the City Manager.

Stefanos Kafatos reported being part of a group that offers wellness programs to the Culver City community with free programs for veterans; he felt it important to guard against the loss of community spaces and programs for veterans; and he asked that space for the veterans not be taken away.

Dt. Jacqueline Donovan expressed concern with the potential sale of 10858 Culver Boulevard and the subsequent displacement of AmVets Post 2; discussed services provided; expressed concern with increased veteran homelessness; noted the importance of protecting veterans; asked for an opportunity for the community to voice their concerns about

the sale; and she asserted that the loss of the AmVets post would negatively affect the City.

James Johnstone provided background on himself; reported that the Wende Museum had indicated that the veterans would no longer be at the banquet facility; and he reported working on a monument to a Culver City resident that had received the medal of honor.

Chase Rivera provided background on himself; reported on Culver City veterans who recently provided assistance to people affected by Hurricane Harvey; expressed concern with their good faith efforts to continue raising money to fix the building and bring it up to code while the City is planning to sell the building for a profit; and he asked for a public hearing to discuss the issue.

Mayor Cooper asserted that nothing had been sold, there is no profit to be made, there have been no lies or manipulation and the process would be transparent with participation from the veterans.

Kaylee Rivera spoke on behalf of Andrew Van Epps asking that the City not allow the post to be sold and that the AmVets Post be kept in the City to serve the veterans, and on behalf of herself, she asked the City Council to use their power to protect the veterans and keep them in their space.

Paula Amezola De Herrera, Culver City Action Network (CCAN), thanked the City and the Mayor for the strong statement with regard to DACA, support for SB 54, and for passing the Sanctuary City resolution; she asked for more information regarding what concrete action would be taken; she discussed what the School District is doing; she suggested actions that the City could take; and she asked that the matter be agendaized so that the City could take action.

Patrice Guerrero, CCAN, discussed issues around DACA affecting Culver City and expressed concern for children who could lose a parent or family member due to DACA.

Sebastian Hernandez, CCAN, expressed gratitude to the Mayor for his statement on DACA and to the City Council for passing the Sanctuary City resolution; he discussed policing and protecting the Dreamers; the April Los Angeles Times article that pointed out statements made by Police Bixby that contradicted the Culver City Police Department manual;

response to the article; affirmative policy; the current manual; making sure the policy is binding; providing appropriate training; anecdotal reports of police inquiries about the immigration status of residents or family members; immigration consequences of police contact; and demographics of those most likely to be stopped by the police and arrested.

Mayor Cooper indicated that the Police Chief had addressed the issue in November and he asserted that the Police Department works hard.

Noah Zatz, CCAN, provided background on himself; inquired about the City response to the termination of DACA and protection of all immigrants in the community; thanked the Mayor for the strong statement that he issued; observed that statements and actions send a message to the community; and he felt that the words of the Police Chief were important and should be set out in detail in City policies.

Robert Zirgulis, Short Term Rentals Association of Culver City, discussed the recent Task Force meeting on Short Term Rentals; the number of people who spoke in support of short term rentals; he expressed concern that staff has proposed a drastic ordinance that would criminalize the sharing of homes and impose drastic fines for those sharing their home for more than 90 days; detected a bias against allowing sharing of homes with travelers; expressed concern with the use of the word transient to describe tourists and visitors; he reported polling businesses with a large number welcoming tourists and Airbnbs; and he expressed concern with taking away the rights of homeowners.

Mayor Cooper thanked Mr. Zirgulis for taking part in the Task Force meetings and clarified that the Task Force is an advisory body and the City Council would consider the item with many opportunities for public input before anything is decided.

Council Member Sahli-Wells clarified that transient is not a bad word but rather a technical term.

Emily Linnemeier, CCAN, expressed support for diversity in the City and wanted to see the City do everything it could to support all members of the community; she felt it important to remember that the Sanctuary resolution refers to all City agencies; discussed the importance of not sharing data with

Immigration and Customs Enforcement (ICE) for immigration enforcement purposes and to not permit ICE officers to enter City property for enforcement purposes unless they have a judicial warrant; she noted the need for clear policies and advance training; she discussed the recent instance of a nurse being illegally intimidated when correctly following policy; and she noted that ICE enforcement actions target people in a variety of immigration statuses.

Dr. Janet Hoult announced winners from the final reading of the Centennial Poetry contest; reported that the poems about Culver City would be compiled in a book on parchment archival paper that would last for 100 years; she discussed the time capsule; the upcoming book entitled: Celebrating Culver City Centennial and Poetry; and she provided background on the winner, Helen Seid.

Helen Seid read her winning poem: They Aren't Here Anymore.

Faye Walker reiterated serious issues with traffic and speeding on Huron; indicated that she was looking forward to working with staff to address issues; discussed the number of people that worship at the Mosque; and she indicated that quick resolution is necessary.

Anne Fischbein expressed concern with mature trees on Ince slated for removal; noted that the building on the property is scheduled for redevelopment; and she asked that issues be reexamined before the trees are removed.

Aaron Caplan discussed protecting mature trees in the City; the thoughtful Urban Forest Plan; the importance of having a mixture of trees; he wanted to see the goal to preserve older trees be reflected in the City ordinances; and he expressed concern that the City code makes it easier than it should be to take down trees that the Urban Forest Plan says should remain.

Rafia Cooper provided fliers for the Birthday Party in the Park on September 16 to celebrate the Centennial; discussed scheduled events during the day; and she indicated that additional fliers were available at the back of the auditorium.

Mayor Cooper expressed appreciation to Committee Members for their work on the event.

Council Member Eriksson discussed procedures for validation in the City Hall parking garage.

Alex Fisch presented the Homeless Resource Card, created by the Committee on Homelessness, for City Council consideration and he encouraged them to communicate any questions or concerns to the Committee.

Discussion ensued between Council Members and Mr. Fisch regarding distribution of the materials.

Daniel Lee expressed support for the CCAN members concerned with the rollback of DACA; noted that many affected individuals came as children and only know Culver City as their home and he encouraged the City to do whatever possible to help them feel more secure; he expressed appreciation for the services that the Wende Museum provides; and he wanted to see space preserved for essential services for veterans.

Council Member Sahli-Wells requested that a workshop be held with staff to discuss getting a better understanding of what the community wants regarding implementing sanctuary status and put it firmly into policy.

Discussion ensued between staff and Council Members regarding what is currently being done; clarification on the current policy; public understanding and future policy; a suggestion to have the Police Chief come to the next City Council meeting to explain what is being done; the importance of having a dialogue on the multi-faceted issue; following up with a deeper community conversation; involving the public in the next City Council meeting; whether there is a need for a separate public meeting; and City Council consensus to ask for a report back from the Police Chief to allow for discussion of any future action and how other staff and departments in the City are affected.

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This item was considered out of sequence.

Recognition Presentations

Item R-1

CC - Presentation of a Proclamation Designating September 10-16, 2017 as National Suicide Prevention Week

Council Member Clarke presented a Proclamation designating September 10-16, 2017 as National Suicide Prevention Week.

Katherine Krebs, Greater Los Angeles Board for the American Foundation for Suicide Prevention, provided background on herself and expressed appreciation for the Proclamation.

Council Member Clarke related his experience with losing someone to suicide and encouraged everyone to reach out to friends and family and to be aware.

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Receipt and Filing of Correspondence

Jeremy Green, City Clerk, reported that 19 pieces of correspondence had been received for item A-1, one for item A-2 and one for an item not on the agenda by the City Clerk's office before 4:00 p.m. on September 11, 2017.

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

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Order of the Agenda

No changes were made.

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Consent Calendar

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-1 THROUGH C-6 AND C-8 THROUGH C-12.

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 AUGUST 16, 2017 – SEPTEMBER 1, 2017.

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Item C-2

CC:HA:SA - Meeting Minutes

THAT THE CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD APPROVE MINUTES FOR THE REGULAR CONSOLIDATED CITY COUNCIL MEETING ON AUGUST 28, 2017 AND THE SPECIAL MEETING ON AUGUST 30, 2017.

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Item C-3

CC - (1) Acceptance of Work Performed by CJ Construction, Inc.; (2) Authorization to File a Notice of Completion; and (3) Authorization to Release the Retention Payment after the Expiration of the 35-Day Lien Period, for the Curb, Gutter and Sidewalk Replacement Project, PZ428

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY CJ CONSTRUCTION, INC. FOR THE CURB, GUTTER AND SIDEWALK REPLACEMENT PROJECT, PZ428; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER'S OFFICE; AND,
3. AUTHORIZE THE RELEASE OF \$20,791.71 IN RETENTION FUNDS TO CJ CONSTRUCTION, INC., AFTER THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-4

CC - Approval of the Final Plans and Specifications and Authorization to Publish a Notice Inviting Bids for the Transfer Station Rain Garden Project, Phase II, PZ-948

THAT THE CITY COUNCIL:

1. APPROVE THE PLANS AND SPECIFICATIONS FOR TRANSFER STATION RAIN GARDEN PROJECT, PZ948, PHASE II; AND
2. AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR THE TRANSFER STATION RAIN GARDEN PROJECT, PZ948, PHASE II.

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Item C-5

HA - Approval of the Submission of the Family Self Sufficiency (FSS) Program Coordinator Grant to the United States Department of Housing and Urban Development (HUD); and (2) Authorize the Elimination of the Family Self Sufficiency Program Coordinator Position (a Contract Position) in the Event Grant Funding is Lost or Terminated

THAT THE HOUSING AUTHORITY BOARD:

1. APPROVE THE SUBMISSION OF THE FAMILY SELF SUFFICIENCY PROGRAM GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND,
2. AUTHORIZE THE AUTHORITY GENERAL COUNSEL TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
3. AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE AUTHORITY; AND,
4. AUTHORIZE THE ELIMINATION OF THE FAMILY SELF SUFFICIENCY PROGRAM COORDINATOR POSITION (A CONTRACT POSITION) IN THE EVENT THE GRANT FUNDING IS LOST OR TERMINATED AT ANY TIME.

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Item C-6

CC- (1) Approval of a Purchase Order with Toter, LLC for 64-Gallon and 96-Gallon Nestable Carts in an Amount Not-to-Exceed \$80,000, with Two One-Year Options, for Each Fiscal Year in an Aggregate Amount Not-to-Exceed \$240,000; and (2) Authorize the Public Works Director/City Engineer to Approve an Optional Fourth Year for an Additional Amount Not-to-Exceed \$80,000

THAT THE CITY COUNCIL:

1. APPROVE A PURCHASE ORDER WITH TOTER, LLC FOR 64-AND 96-GALLON NESTABLE CARTS IN AN AMOUNT-NOT-TO-EXCEED \$80,000, WITH TWO ONE-YEAR OPTIONS, INCLUDING ALL FEES AND TAXES, FOR EACH FISCAL YEAR, FOR AN AGGREGATE AMOUNT NOT-TO-EXCEED \$240,000; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE AN OPTIONAL FOURTH YEAR FOR FISCAL YEAR 2020/2021 IN AN AMOUNT NOT-TO-EXCEED \$80,000; AND,
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-8
(Out of Sequence)

CC - (1) Approval of an Agreement with RF MacDonald Co. for the Installation of a New Boiler at the Police Department Facility in an Amount Not-to-Exceed \$72,840.00; and (2) Authorize the Public Works Director/City Engineer to Approve Amendments to Such Agreement Not-to-Exceed \$7,284.00

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH RF MACDONALD FOR THE INSTALLATION OF A NEW BOILER AT THE POLICE DEPARTMENT FACILITY IN THE AMOUNT OF \$72,840.00; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE AMENDMENTS TO SUCH AGREEMENT NOT-TO-EXCEED \$7,284.00; AND,
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-9

CC - Approval of an Agreement with Setpoint Systems Corporation for the Replacement of HVAC Control Valves at the Police Department Facility in an Amount Not-to-Exceed \$39,756.00; and (2) Authorize the Public Works Director/City Engineer to Approve Amendments to Such Agreement in an Amount Not-to-Exceed \$3,976.00

THAT THE CITY COUNCIL:

1. APPROVE AN AGREEMENT WITH SETPOINT SYSTEMS CORPORATION FOR THE INSTALLATION OF ELECTRIC HVAC CONTROL VALVES IN AN AMOUNT NOT-TO-EXCEED \$39,756.00; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE AMENDMENTS TO SUCH AGREEMENT IN AN ADDITIONAL AMOUNT NOT-TO-EXCEED \$3,976.00; AND,
3. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
4. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-10

CC - Adoption of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code (CCMC), Section 17.400.100 - Residential Uses - Accessory Residential Structures, Section 17.400.115 - Temporary Storage Containers, and Section 17.520 - Temporary Use, Special Event, and Temporary Event Permits (Zoning Code Amendment P2017-0100-ZCA)

THAT THE CITY COUNCIL: ADOPT AN ORDINANCE APPROVING ZONING CODE AMENDMENT P207-0100-ZCA, AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE (CCMC), SECTION 17.400.00 - RESIDENTIAL USES - ACCESSORY RESIDENTIAL STRUCTURES, SECTION 17.400.115 - TEMPORARY STORAGE CONTAINERS, AND ACCESSORY RESIDENTIAL STRUCTURES, SECTION 17.400.115 - TEMPORARY

STORAGE CONTAINERS, AND SECTION 17.520 - TEMPORARY USE, SPECIAL EVENT, AND TEMPORARY EVENT PERMITS.

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Item C-11

Approval of an Amendment to the Existing Agreement with the City of Glendale (Verdugo Regional Crime Laboratory) for Crime Laboratory Services to provide DNA Analysis and Other Forensic-Related Services for Criminal Investigations for a Term Ending on August 31, 2018 in an Amount Not-To-Exceed \$75,000.00

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING AGREEMENT WITH THE CITY OF GLENDALE (VERDUGO REGIONAL CRIME LABORATORY) FOR CRIME LABORATORY SERVICES FOR A TERM ENDING AUGUST 31, 2018, IN AN AMOUNT NOT-TO-EXCEED \$75,000; 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-12

Approval of the Submission of a City Planning Grant in the Amount of \$50,000 to Prevent and Combat Homelessness to the Home for Good Funders Collaborative

THAT THE CITY COUNCIL: APPROVE THE SUBMISSION OF A PLANNING GRANT IN THE AMOUNT OF \$50,000 TO THE HOME FOR GOOD FUNDERS COLLABORATIVE FOR THE PURPOSE OF UPDATING THE STRATEGY TO ADDRESS HOMELESSNESS.

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Item C-7
(Out of Sequence)

CC - (1) Acceptance of Work Performed by Elecnor Belco Electric, Inc.; (2) Authorization to File a Notice of

Completion; and (3) Authorization to Release the Retention Funds upon Expiration of the 35-Day Lien Period for the Construction of the Traffic Signal Left Turn Phasing and Upgrade Project, PS-003 Federal Aid Project No. HSIPL 5240(032)

Council Member Clarke received clarification that, anecdotally, the changes had improved safety and traffic but that specific data is not currently available.

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY ELECNOR BELCO ELECTRIC, INC. FOR THE CONSTRUCTION OF TRAFFIC SIGNAL LEFT TURN PHASING AND UPGRADE PROJECT, PS-003 FEDERAL AID PROJECT NO. HSIPL 5240(032).; AND,
2. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION AND SUBMIT IT TO THE LOS ANGELES COUNTY RECORDER'S OFFICE FOR RECORDATION; AND,
3. AUTHORIZE THE RELEASE OF RETENTION FUNDS IN THE AMOUNT OF \$51,785.73 TO ELECNOR BELCO ELECTRIC, INC., AFTER THE EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-13
(Out of Sequence)

CC - Approval of an Extra Work Change Order in the Amount of \$118,065 to the Contract with Comet Electric to Modify Existing LED Streetlight Fixtures for the Energy Efficiency Streetlight Upgrade Project, PZ-684

Vice Mayor Small commended the Public Works Department for their response to public concerns regarding color temperature of the new LED lighting.

THAT THE CITY COUNCIL:

- 1) APPROVE THE EXTRA WORK CHANGE ORDER IN THE AMOUNT OF \$118,065 TO THE EXISTING CONTRACT WITH COMET ELECTRIC FOR THE ENERGY EFFICIENCY STREETLIGHTS UPGRADES PROJECT, PZ-684; AND,
- 2) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO EXECUTE THE EXTRA WORK CHANGE ORDER ON BEHALF OF THE CITY.

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-7 AND C-13.

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Public Hearings

Item PH-1

CC - PUBLIC HEARING: Adoption of a Resolution Approving an Exception to a Subdivision Design Standard (Culver City Municipal Code Section 15.10.700.C) Requiring Lot Frontage Along a Dedicated Public Street or Access to a Dedicated Public Street with the "Stem" of a "Flag Lot" as Part of Planning Commission Approved Administrative Site Plan Review, P2017-0062-ASPR, and Tentative Parcel Map, P2017-0062-TPM, that Allows the Development of a 4-Unit Townhome Style Subdivision at 4118 Wade Street in the Residential Low Density Multiple (RLD) Zone.

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

Discussion ensued between staff and Council Members regarding developer intent; support for the model; examining subdivision requirements in the General Plan; support for the trend and the scale of the project; the Los Angeles Small Lot Subdivision Ordinance; and support for increased property ownership.

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

Mayor Cooper invited public input.

No cards were received and no speakers came forward.

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

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY VICE MAYOR SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION APPROVING AN EXCEPTION TO A SUBDIVISION DESIGN STANDARD (CCMC SECTION 15.10.700.C) REQUIRING LOT FRONTAGE ALONG A DEDICATED PUBLIC STREET OR ACCESS TO A DEDICATED PUBLIC STREET WITH THE "STEM" OF A "FLAG LOT" IN ORDER TO ALLOW CONSTRUCTION OF A 4-UNIT TOWNHOME STYLE SUBDIVISION.

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Action Items

Item A-3
(Out of Sequence)

CC - Adoption of a Resolution (1) Modifying a Previously Granted Beer Garden Permit to Allow the Culver City Centennial Celebration Committee (CCCC) to Conduct a Beer and Wine Garden in Veterans Memorial Park during the Birthday Party in the Park on September 16, 2017; and (2) Rescinding Resolution No. 2017-R082

Mayor Cooper invited public comment.

No cards were received and no speakers came forward.

Council Member Sahli-Wells pointed out a typographical error that staff subsequently corrected.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION (1) MODIFYING A PREVIOUSLY GRANTED BEER GARDEN PERMIT TO ALLOW THE CCCCC TO CONDUCT A BEER AND WINE GARDEN IN VETERANS PARK DURING THE SEPTEMBER 16TH BIRTHDAY IN THE PARK EVENT; AND (2) RESCINDING RESOLUTION NO. 2017-R082.

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Item A-5
(Out of Sequence)

CC - (1) Rejection of Bid Received; and (2) Authorization to Publish a Notice Inviting Bids, for the Baldwin Avenue Rain Garden Rehabilitation Project, PR003

Mayor Cooper invited public participation.

No cards were received and no speakers came forward.

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

1. REJECT THE BID PROPOSAL FOR THE BALDWIN AVENUE RAIN GARDEN REHABILITATION PROJECT, PR003; AND
2. AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR THE PROJECT.

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Item A-1
(Out of Sequence)

CC - (1) Discussion of Potential Regulations for Commercial Cannabis Businesses and Direction to Staff Regarding Commercial Cannabis Zoning and Regulatory Ordinances; and (2) Direction to the City Manager as Deemed Appropriate

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

Mayor Cooper invited public input.

The following member of the audience addressed the City Council:

Jozelle Smith indicated that she had attended Task Force meetings and is an advocate for the adult use of marijuana; reported applying for a store front retail license; discussed the healing properties of cannabis; and she indicated that she would be applying for a license.

Chad Hagle provided background on himself; reported participating in several Task Force meetings; discussed cannabis in comparison to other retail; he provided a map to Council Members; discussed comparisons with liquor licenses; buffers related to parks and residential uses; dominant commercial and retail corridors in the City; sites evaluated in the City; he advocated a policy of looking more carefully at parks to understand their use; and discussed the intent of the ordinance to protect children.

Bret Osterberg provided background on himself; discussed licenses for manufacture and cultivation; available industrial properties; the minimum amount of power needed for cultivators and manufacturers; he recommended a liaison from Los Angeles Department of Water and Power or Southern California Edison; discussed the potential need for trenching and upgrades to transformers; timing; and prices.

Damian Martin spoke representing Greenwise Consulting, discussed their participation in the process so far; the current focus on land use policies for cannabis businesses; he presented a draft map proposed at the Task Force level; noted the discretion of the City to decrease the 600 foot setback; the current policy of the City to allow the sale of alcohol within 300 feet of residences and schools with a Conditional Use Permit; evaluation of businesses on a case by case basis; and he suggested using a similar process.

Bruce Nozich provided background on himself; expressed support for allowing cannabis to be sold in the City; expressed concern with proximity to residences, parking, and selling cannabis near recovery facilities; and he stated his preference for a delivery only system such as exists in Beverly Hills.

Terry Blevins, Armaplex Security, provided background on himself; reported presenting studies to the Task Force indicating that communities that allow licensed and regulated businesses do not see an increase in crime; discussed impacts of the legalization of marijuana throughout the United States; and he expressed concern that being too restrictive with the number of licenses allowed in the City would result in those without access turning to the illicit market.

Julie Lugo Cerra, City Historian, expressed concern about the sale of cannabis in the City; discussed negative impacts on neighborhoods adjacent to stores selling cannabis cited in a UCLA study; she noted the availability of cannabis in Los Angeles; and she implored the City Council to protect the community.

Kevin Lachoff discussed concerns with the potential effect of retail facilities on neighborhoods; research showing that residential property values closest to facilities stagnate and burglaries increase; discussed increased marijuana related car accidents in states that allow the

sale of cannabis; parking issues; retail locations that include delivery; he expressed support for the delivery only, non-retail model; discussed tax revenue; Prop 64; ensuring adequate access; and he wanted to see a 50-foot buffer zone from residences.

Michael Hammill expressed concern with moving forward without an adequate plan to police and enforce; he questioned costs for public safety and City staff; revenue; testing for being under the influence; unquantified health costs; the all-cash nature of the business; audits for proper taxation; he observed that pro comments are from non-residents or prospective business owners; he expressed concern with compromising the City with the addition of retail establishments near parks and neighborhoods; the argument that since it is legal it should be made accessible; and he expressed support for the delivery only model.

Irene French-Casilles expressed opposition to store front retail in the City; concern with having facilities in the Fox Hills area; she did not feel that cannabis should be sold in the City for recreational use; and she asked that the City not allow retail dispensaries in the City.

Ken Mand indicated that only those with an existing legal claim to a property are able to advance an application; expressed concern that unnecessary limitations would not allow first-rate proprietors to become responsible members of the community; he described a two-step process that he felt should be employed; discussed addressing community concerns; and the number of permits allowed.

Hope Ricks discussed the possible social equity program being considered by the City; barriers for those adversely affected by the war on drugs; suggestions to help those adversely affected; reduced fees; additional points awarded for those who fall under certain criteria; and she felt a lot of extra requirements exclude the affected population.

Michelle Ford provided background on herself; discussed industrial hemp vs. THC containing cannabis; indicated that legal access to industrial hemp is a basic necessity for many people; and she discussed diverse uses of hemp and its vilification.

Deborah Wallace spoke on behalf of Fox Hills residents unable to smoke in their homes while the City is imposing retail marijuana on them and she expressed opposition to retail sales and growing in Fox Hills.

Ruben Hoenig discussed the comprehensive nature of the process; provided background on himself; observed fear of the future and of the unknown; comparisons between Denver and Culver City; the learning curve; regulating the industry; examples from Los Angeles; Prop 64; dispensaries vs. liquor stores; and he felt that cannabis would not be an issue.

Discussion ensued between staff and Council Members regarding sales tax collection for deliveries; sensitive receptors; the map illustrating potential available areas for cannabis businesses; location verification when the ordinance is put into effect; concerns regarding creating districts with a concentration of a certain business; buffer zones between facilities; overburdening any one neighborhood; imposing buffer zones above what is recommended by the state in response to community concerns; non-Culver City sensitive receptors; buffers to parks; loss of potential industrial sites with the buffer to parks; imposing a 100 foot buffer from residential properties; inclusion of Los Angeles uses in buffering; noticing requirements; mixed use; clarification on the mapping process; clarification on what is considered a sensitive receptor in Los Angeles; difficulty of enforcement; differences in setback requirements for retail vs. manufacturing; odor issues involved with manufacturing; visibility of retail operations; restrictions to unsupervised minors; buffering for manufacturing; the process so far; input from businesses and major stakeholders; decisions to be made; the belief that marijuana is a benign use and inevitable and the goal is to make it safe and legal in the City; effects of the actions of surrounding cities; the selection process; quality of life in the City; safety; service; the importance of a buffer for parks and playgrounds; ensuring that the process is not driven underground; the importance of public outreach; ensuring funding for youth programs, education, diversion and restorative justice; writing an ordinance that reflects the concerns of the community and of the City Council; voter intent in the passage of Proposition 64; whether there is support for commercial cannabis businesses in Culver City; the family oriented nature of the City; increases to property and violent crime in adjacent areas; concern with the

conflict between promoting Culver City as a family friendly City and allowing the retail sale of marijuana; the vote to support recreational use; studies in Denver indicating negative affects to youth; studies promoted by the industry vs. independent studies; concern with exposing the youth in the City to retail marijuana; quantifying the tax benefits; the difficulty of stopping the practice once it has been allowed; current availability; meeting needs; statistics for cannabis usage among youth; an observation that if there is a need to direct the taxes toward diversion and education then there is a perceived problem; concern with encouraging youth to start using and becoming regular users; increases in traffic related accidents; social costs the City is willing to pay to make money; resources used in manufacturing; displacement of other businesses; concern that the staff report jumps into how to regulate the business rather than considering whether the business is appropriate for the City; comparisons with liquor stores; the rush to meet the deadline set by the state; a suggestion to create a temporary regulation banning all cannabis businesses except home delivery with additional research done; taking the time to see what happens in other area cities; driving while impaired; the number of people who die from marijuana overdose; appreciation for the work done by the Task Force; expansion of delivery methods; providing a strong delivery service in the City; power requirements for manufacturing vs. cultivation operations; revenue projections for the various types of businesses; best use of land; overall economic development; providing high paying jobs vs. low cost minimum wage retail; feedback from first responders and health care providers; anticipated paramedic response; the compressed amount of time to understand the issue due to state deadlines; additional information needed; ensuring that cannabis is not demonized; finding the right balance for the community; making decisions to allow more time and flexibility; the need for staff direction to finish the ordinance; whether finances are driving the process; permitting costs; clarification on the purpose of the ordinance; responsible, professional retailers that provide a service; concern that home delivery alone will not serve the City in the same way; continued opportunity for public input; concerns of the Fox Hills neighborhood; misinformation; the feeling that a study can be found to support any viewpoint; communication with children about cannabis; taking the stigma off marijuana; enforcement; overlay of maps; and distances.

Council Member Eriksson proposed a motion to direct staff to work on regulations for home delivery operations and manufacturing in Culver City with other options revisited in a year or two.

Additional discussion ensued between staff and Council Members regarding whether there will be interest from businesses if the regulations are temporary; manufacturing; consensus for home delivery; distribution centers; addressing dispensaries; whether successful manufacturers would generate more revenue than a retail component would; additional conversation with retail; clarification that the distributor delivers to the dispensary and the dispensary does home delivery; the actions of Beverly Hills; what retail offers that a delivery service would not; relationships with vendors in the community; the importance of human interaction in life and in commerce; building rapport; education and empowerment of youth; careful parenting; support for bringing in high-end retail operations; comparisons to coffee bars; the stigma of marijuana; the will of the California voters; responsible development; taking things one step at a time; concern with underestimating the amount of work that staff and the Task Force has done; concern with looking to surrounding cities to make decisions; the power of Culver City to create legislation to model for other cities; enforcement capacity; concern that additional information will not change anything in a year; inclusion of the distribution component; finding a way forward; the issue of maps and restrictions; testing; outdoor cultivation except for commercial use; and personal cultivation.

Council Member Eriksson amended his motion to support home delivery, manufacturing, distribution and testing.

Further discussion ensued between staff and Council Members regarding decision points and distancing requirements.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: DIRECT STAFF TO DEVELOP AN ORDINANCE ALLOWING HOME DELIVERY, DISTRIBUTION, TESTING AND MANUFACTURING OF COMMERCIAL CANNABIS IN CULVER CITY.

Discussion ensued between staff and Council Members regarding commercial cultivation; power requirements; the number of cultivators; the expense of meeting the power requirements; sustainability goals; square footage requirements; best use

of space; economic analysis; water usage; administrative approval of permits for manufacturing, dispensaries, laboratories, distribution and cultivation; City Council approval of the retail component; whether manufacturing jobs pay well; ranking businesses on desirability; best use of industrial areas; creative economy clusters; singling out certain areas through zoning; directing cultivation into certain areas; state law; curating businesses; the Hayden Tract; diversity of businesses in the City; allowable areas in the City; and a suggestion to return with a recommendation for specific areas in the City.

MOVED BY VICE MAYOR SMALL AND SECONDED BY COUNCIL MEMBER SAHLI-WELLS THAT AS PART OF THE ORDINANCE, THE CITY COUNCIL ALLOW INDOOR CULTIVATION OF COMMERCIAL CANNABIS IN SPECIFIC AREAS TO BE IDENTIFIED BY THE SUBCOMMITTEE AT A LATER DATE AND PROHIBIT COMMERCIAL OUTDOOR CULTIVATION AND COMMERCIAL MIXED LIGHT CULTIVATION.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Further discussion ensued between staff and Council Members regarding ministerial approvals; dispensary components; buffers; requirements around manufacturing facilities; permit revocation; parking; employee access; state law; whether buffers in an industrial zone are needed; clarification on the maps; access in different areas of the City; buffers between retail locations to avoid a concentration in a single neighborhood; placing a cap on the number of allowable dispensaries; which buffers to include; removing the buffer overlay in the industrial zones; the residential buffer; medicinal retailers vs. adult use; combining uses in the same facility; rehab centers; clarification that 600 feet is a little bit less than one city block; the requirement from the City of Los Angeles for an 800 foot buffer and the reduction of sensitive receptors including preschools and day care centers; determining what qualifies as a youth center; a request that staff return with additional information regarding whether to have a 100 foot residential buffer; mixed use; what qualifies as requiring a residential setback; parcels with more than one use; clarification that maps are not the controlling factor; measuring methodology; City discretion; finding operators that meet the agreed upon criteria; whether the agreed upon buffers eliminate the

ability to have any retail in the City; direction to staff to create a map with a residential buffer to see what is feasible; the process; the maps as showing the true impacts to the City; the need for more information; and a suggestion to look at the impact of a 100 foot residential buffer for a future vote.

Council Member Sahli-Wells proposed a motion to legalize commercial retail marijuana facilities with a 600 foot buffer for sensitive use, a 600 foot buffer between parks and playgrounds, a 600 foot buffer between different commercial retail facilities with a total cap of 4 commercial retail facilities in the City, and direction to staff to look at the impact of an optional 100 foot buffer between commercial retail and residences for future consideration.

Additional discussion ensued between Council Members regarding authorization of retail facilities with restrictions; the need to make a decision and provide direction; the deadline; concern with putting the decision off; and the desire to see a more finite map.

Mayor Cooper seconded the motion proposed by Council Member Sahli-Wells.

Further discussion ensued between staff and Council Members regarding clarification on what is being voted upon and imposing the 100 foot buffer and still providing opportunities for access while not burdening one community over another.

Vice Mayor Small proposed a substitute motion to direct staff to clarify the research including all the parameters discussed at the meeting, including the 100 foot buffer from residential and the exact locations where retail would be allowed and submit to the City Council for a decision. Council Member Clarke seconded the motion.

Discussion ensued between staff and Council Members regarding support for dispensaries; location; support of the residents; identification of parameters; the draft version of the selection process; required criteria; community meetings; actual site by site decisions; notifications vs. renderings; clarification that direction has been provided on all of the ordinance except for retail; bringing in the highest quality purveyors; hours of operation; agreement that a motion was not necessary as staff understands City Council direction;

whether the caps would be kept in place; and ministerial approvals.

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Item A-4
(Out of Sequence)

CC - (1) Consideration of a Position on the League of California Cities' Resolution Pertaining to Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws and (2) Consideration of a Position on the League of California Cities' Resolution Pertaining to Local Control for Emergency Medical Response to be Considered by the General Assembly at the Annual Conference

Discussion ensued between staff and Council Members regarding the meeting schedule; the voting delegate; amendments; the importance of criminal justice reform; the proposed task force; including elected officials who are representatives of the League of California Cities; adding to the definition of violent offense; the legal definition of robbery; mass incarceration; removing the word "continuous" from "continuous sexual abuse of a child"; clarification of language; agreement from the Vice Mayor to bring the changes to the Resolutions Committee; emphasizing support for local control; and standards of care defined by the state.

Mayor Cooper invited public participation.

No cards were received and no speakers came forward.

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY VICE MAYOR SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT THE AMENDMENTS PROPOSED BY COUNCIL MEMBER SAHLI-WELLS WITH DIRECTION TO VICE MAYOR SMALL TO INTRODUCE THOSE AMENDMENTS DURING THE GENERAL RESOLUTIONS COMMITTEE MEETING AT THE ANNUAL MEETING OF THE CALIFORNIA LEAGUE OF CITIES.

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Item A-7
(Out of Sequence)

CC - Adoption of a Resolution Amending City Council Policy Statement 3401 (Quarterly Scheduled Meetings with CCUSD/Council Liaison Committee), as Recommended by the Ad Hoc City Council Policies Subcommittee

Discussion ensued between staff and Council Members regarding clarification on proposed amendments.

MOVED BY VICE MAYOR SMALL, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT RESPECTIVE RESOLUTIONS AMENDING CITY COUNCIL POLICY STATEMENTS 2301 (USE OF VETERANS MEMORIAL AUDITORIUM, 3204 (AGENDIZING ITEMS FOR DISCUSSION), AND 3402 (COUNCIL RECOGNITION: PROCEDURES FOR APPROVAL AND ADMINISTRATION).

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Item A-2

CC - (1) Consideration of Phase Two Proposals from SWA Group and WHY Architects; and (2) Selection of a Firm and Approval of an Agreement with the Selected Firm to Implement the City Hall Landscaping Replacement and Centennial Garden Project

This item was deferred.

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Item A-6

CC - (1) Discussion of City Council, Planning Commission and Potential Committee Roles in the General Plan Update (GPU) Process; and (2) Direct the City Manager as Deemed Appropriate

This item was deferred.

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Public Comment - Items Not on the Agenda

Mayor Cooper invited public comment.

Patricia Mooney, Senior Management Analyst, read written comments submitted by:

Kevin Ja-David Cade

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Items from Council Members

Council Member Clarke indicated that an item would be coming forward at the next meeting regarding City Boards, Commissions and Committees.

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Adjournment

There being no further business, at 12:26 a.m. Tuesday, September 12, 2017, the City Council, Successor Agency to the Culver City Redevelopment Agency Board, and Culver City Housing Authority Board adjourned in memory of those who perished on September 11, 2001 to September 25, 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

September 11, 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