

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 25, 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: Police Chief
Pursuant to Government Code Section 54957

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CS-2 CC - Conference with Real Property Negotiators

Re: Underground Pipeline Through City

City Negotiators: John Nachbar, City Manager; Jesse Mays, Assistant to the City Manager; Roland Miranda, Deputy City Attorney

Other Parties Negotiators: Representatives of Torrance Valley Pipeline Company

Under Negotiation: Both Terms and Price

Pursuant to Government Code Section 54956.8

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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 M. 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 with all Members present.

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Recognition Presentations

Item R-1

CC - A Proclamation Declaring October as "Walktober" in Culver City

Vice Mayor Small presented a Proclamation declaring October as "Walktober" in Culver City.

Jim Shanman, Walk 'n Rollers, accepted the proclamation on behalf of all the parent volunteers and noted that all schools would be participating in Walktober events this year.

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Item R-2

CC - Presentation of Certificates to Delegates of Culver City's Newest Sister City: Capo D'Orlando, Province of Messina, Sicily, Italy

Mayor Cooper applauded the hard work of the Sister City Committee noting the historic nature of the addition.

Nancy Perdomo-Browning, Culver City Sister City Committee, welcomed new delegates from Capo d'Orlando noting the important opportunity to create friendships and relationships.

Carmelo Gallico, City Council President in Capo d'Orlando, Italy, thanked everyone who worked to form the relationship between the two cities, and he encouraged everyone to make bridges, not walls.

Mayor Cooper presented Certificates to the Capo d'Orlando delegates.

A representative from Capo d'Orlando presented gifts to City Council Members and to Culver City.

Vice Mayor Small thanked members of the delegation for their hospitality.

Lia Brody Small read poem about her experiences visiting Capo d'Orlando, Italy.

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Regular Session

Mayor Cooper convened the Culver City Housing Authority Board and the Successor Agency to the Culver City Redevelopment Agency Board at 7:05 p.m. with all Members present.

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Report on Action Taken in Closed Session

Mayor Cooper indicated nothing to report in Closed Session.

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Invocation/Pledge of Allegiance

John Nachbar, City Manager, led the invocation and the Pledge of Allegiance was led by Allison Palazzo.

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

Council Member Eriksson thanked the Culver Hotel and the Centennial Committee for their work to organize the Masquerade Ball on Saturday at the Culver Hotel.

Council Member Clarke thanked everyone who attended the Birthday Party in the Park and Centennial Committee Members for their work; discussed Incorporation Day on September 20; thanked everyone for their work on the year-long celebration; and he asked that the City Council agendize consideration of waiving parking fees at Parcel B for the Culver Hotel Masquerade Party.

Council Member Sahli-Wells expressed concern for the victims of the recent earthquake in Mexico City and the tropical storms; she noted that September is Disaster Preparedness month and the importance of being prepared for disasters; encouraged everyone to plan for their pets and family members in the event of a disaster; discussed available resources in the City and earthquake regulations to ensure that buildings in the City are safe; she reported attending the League of California Cities meeting; praised the work of Vice Mayor Small to make adjustments to language in proposed resolutions; expressed gratitude to Council Member Clarke, the Centennial Committee, staff and volunteers on the successful Centennial year; and she wished her husband, Karim Sahli, a Happy Birthday,

Vice Mayor Small expressed concern with relief efforts in Puerto Rico; congratulated the Centennial Committee; discussed the Gala at the Culver Hotel and thanked Seth Horowitz and Maya Malick for their efforts; he apologized for being unable to respond to the many emails he had received; and he reassured residents that the City would only approve projects that benefit the neighborhoods and the City.

Mayor Cooper discussed the lives of Carlos Reynosa and Vince Motyl, asking that the meeting be adjourned in their memory.

MOVED BY MAYOR COOPER, SEONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF RETIRED LIEUTENANT CARLOS REYNOSA AND CIVIL SERVICE COMMISSIONER VINCE MOTYL.

Charles Herbertson, Public Works Director, acknowledged Beacon Spotlight awards received by Culver City from the California Beacon Program.

Scott Bixby, Police Chief, discussed resident concerns with immigration; misinformation; social media; jurisdictional boundaries; intent of questioning; openness to looking into situations; public safety as the primary concern, not immigration status, race, religion, sexual orientation, etc.; he discussed the commitment of the department to equal protection under the law; the community forum; outreach; education; and he asserted that the department abides by the Truth Act, Senate Bill 54 and the City Council Sanctuary City resolution.

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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:

Lilli Miller, Star Eco Station, congratulated the City on the successful Centennial events and invited everyone to attend the Enchanted Crawlies event on October 22.

Joe Stone received clarification on how to address issues in his community.

James Johnstone complimented the Culver City Police Department and expressed concern with cuts to meeting capacity for the book reading program scheduled for September 27.

Mayor Cooper indicated that staff would contact Mr. Johnstone with clarification on the changes.

Marianne Ndiaye indicated that she had participated in the farmers market for many years and has been notified that they are no longer able to participate in the market with very short notice and no wrong doing on their part.

Alyssa Mannis, LA Goal, provided background on the organization and announced their Annual Art Show on October 15 which includes a community weaving project.

Alioune Kane, Baubop Collectives, provided background about his company; indicated that the new management of the farmers market was displacing his company; discussed multi-culturalism; building bridges; and asked to continue working on a permanent basis.

Vice Mayor Small thanked those who provided input on the farmers market.

Emmanuel Bautista, Interim Farmers Market Manager, thanked the City for allowing him to serve the community; discussed the market; expressed support for the vendors; discussed their longevity; the physical space taken up by the vendors that are proposed to be displaced; and he expressed concern that the outside management coming in does not understand the unique nature of the City.

Mayor Cooper noted that the Farmers Market had started out as a produce only market and the City is trying to get back to the original vision.

Judi Sherman discussed community interest in the proposed plans for 750 units for Fox Hills Plaza; she noted that housing was not needed in Fox Hills; discussed the slow progress in addressing mobility issues; the need for additional parking; efforts to improve the situation; different ideas to make the Plaza a benefit to the community; the profit margin of the developer; and she

asked the elected officials to be advocates for the community.

Mayor Cooper reported attending the meeting and he acknowledged issues.

Robert Zirgulis, Short Term Rentals Association, discussed citizens who expressed support for short term rentals at the recent Short Term Rentals Task Force meeting; restaurant support of short term rentals; concern with staff bias; the definition and use of the term transient; and a request for input on the Airbnb survey distributed.

Sebastian Hernandez, Culver City Action Network (CCAN), thanked Chief Bixby and Lieutenant Dunlap for following up with him after statements he made at the last meeting; discussed codification of sanctuary policies; the limits of acting on anecdotes; the lack of a policy to enforce sanctuary; background information requested; concern with use of information; he proposed direct communication with police enforcement officers on policy; and he felt that without a strict policy there is nothing that can be trusted to be enacted.

Mayor Cooper stated that Culver City passed a Sanctuary City resolution on March 27, 2017 and policies were updated.

Dr. Janet Hoult thanked all of those who made the Centennial a huge success over the past year and she read a poem about it.

Noah Zatz expressed appreciation with the public statements made by the Police Chief and the resolution passed by the City Council, but questioned what each individual officer knows and how they have been trained; he noted that the manual available online has nothing in it pertaining to immigration enforcement; discussed inconsistencies; concern that the City is not taking the issue seriously; and he noted that the sanctuary policy applies to all of City government.

Alex Fisch discussed the importance of policies to spell out the rules; he felt it important to ensure that the policy is not lip service; he thanked Chief Bixby; and wanted to see the policy updated.

Gillian Clark spoke on the benefits of short term rentals; discussed people served; noted the importance of short term rentals to help many people keep their homes; and she felt it would be helpful to regulate the business.

Andrew Reilman echoed concerns raised by Joe Stone; he wanted to ensure that covenants and requirements on development are enforced; and he felt that there is an out of scale issue on Huron.

Josetta Sbeglia, Culver City Arts District, invited everyone to the Annual Art Walk on October 7 noting that the Advanced Visual and Performing Arts program from the High School would be participating, and she discussed her experiences with short term rentals.

Alicia expressed support for short term rentals and concern with referring to users as transients.

Council Member Sahli-Wells clarified that Transient Occupancy Tax (TOT) is a technical term for short term stays and it is not meant to be an insult.

Mayor Cooper indicated that the allotted time for speakers had elapsed and anyone else wishing to speak could submit their comments or stay until the end of the meeting.

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Receipt and Filing of Correspondence

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

Mayor Cooper received clarification on the number of speaker cards per item on the agenda and he brought items A-7 and A-6 forward.

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Consent Calendar

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE ITEMS C-1 THROUGH C-4 AND C-6 AND C-7.

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 SEPTEMBER 2, 2017 - SEPTEMBER 15, 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 SEPTEMBER 11, 2017.

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Item C-3

CC - (1) Waiver of Formal Competitive Bidding Procedures; and (2) Approval of an Amendment to Existing Professional Services Agreements with US Healthworks Medical Group, Venice Culver Medical Group and Westchester Medical Group to Continue Providing Pre-Employment and Industrial Medical Services for an Additional Two Years

THAT THE CITY COUNCIL:

(1) WAIVE FORMAL COMPETITIVE BIDDING PROCEDURES; AND

(2) APPROVE AN AMENDMENT TO EXISTING PROFESSIONAL SERVICES AGREEMENTS WITH US HEALTHWORKS MEDICAL GROUP, VENICE CULVER MEDICAL GROUP AND WESTCHESTER MEDICAL GROUP TO CONTINUE PROVIDING PRE-EMPLOYMENT AND INDUSTRIAL MEDICAL SERVICES FOR AN ADDITIONAL TWO YEARS.

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Item C-4

Approval of a Three-Year Agreement with Ron Smith & Associates, Inc., for Quality Management Services for the City's Forensic Laboratory in an Amount Not-to-Exceed \$135,000

THAT THE CITY COUNCIL:

1. APPROVE A THREE-YEAR AGREEMENT WITH RON SMITH & ASSOCIATES, INC., FOR QUALITY MANAGEMENT SERVICES IN AN AMOUNT NOT-TO-EXCEED \$135,000.00; 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-6
(Out of Sequence)

CC - Approval of an Agreement with American Restore for the Culver City Transfer Station Tipping Floor Repair Project in an Amount Not-to-Exceed \$122,765

THAT THE CITY COUNCIL:

- 1) APPROVE AN AGREEMENT WITH AMERICAN RESTORE FOR THE TRANSFER STATION TIPPING FLOOR REPAIR PROJECT IN AN AMOUNT NOT-TO-EXCEED \$122,765;
- 2) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE AMENDMENT(S) TO THE AGREEMENT IN AN AMOUNT NOT-TO-EXCEED \$10,000, IF NECESSARY, FOR UNFORESEEN CONTINGENCIES;
- 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-7

Approval of Amendment to the Existing Citywide Janitorial Services and Event Service Workers Contract with Haynes Building Service, LLC to Extend the Term by Three Months for an Additional Amount Not-to-Exceed \$164,205

THAT THE CITY COUNCIL:

1. APPROVE AN AMENDMENT TO THE EXISTING CITYWIDE JANITORIAL SERVICES AND EVENT SERVICE WORKER CONTRACT WITH HAYNES BUILDING SERVICE, LLC TO EXTEND THE TERM BY THREE MONTHS FOR AN ADDITIONAL NOT-TO-EXCEED \$164,205;
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-5
(Out of Sequence)

CC - (1) Approval of Final Plans and Specifications and (2) Authorization to Publish a Notice Inviting Bids for the Skate Park Office Project, PZ830

Christopher Evans, Public Works, discussed a correction to the staff report noting that the development of the Culver City Skate Park was driven by a grass roots effort of the community and developed just before the Parks and Recreation Master Plan Process.

Mayor Cooper discussed the evolution of the Skate Park noting that it had been established 10 years ago.

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY VICE MAYOR SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPROVE THE FINAL PLANS AND SPECIFICATIONS AND AUTHORIZE THE PUBLICATION OF A NOTICE INVITING BIDS FOR CONSTRUCTION FOR THE SKATE PARK OFFICE PROJECT, PZ830.

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Public Hearings

Item PH-1

CC - PUBLIC HEARING: Introduction of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code (CCMC) Code, Section 17.300.020 - Setback Regulations and Exceptions, Relating to Standards and Requirements for Front Yard Trellis Structures (Zoning Code Amendment, P2017-0117-ZCA)

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

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

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY VICE MAYOR SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: INTRODUCE AN ORDINANCE APPROVING ZONING CODE AMENDMENT P207-0117-ZCA, AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE (CCMC), SECTION 17.300.020.E - ALLOWED PROJECTIONS INTO SETBACKS.

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Action Items

Item A-7
(Out of Sequence)

CC - (1) Discussion of Potential Regulations for Commercial Cannabis Businesses Regarding Storefront Retail Cannabis Businesses, Distancing Requirements, and Multiple Permits Per Location; 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.

Discussion ensued between staff and Council Members regarding clarification of the maps; non-commercially or industrially zoned properties; the Fox Hills Mall; potential areas; availability of the maps online; clarification that the maps are for discussion purposes only; applicant responsibility to verify the legality of their location; clarification that no decision had been made as to the number of allowable businesses in each of the categories; clarification that caps would not be difficult to increase in the future; eligible properties; vacant store fronts; reluctance of larger property holders in the City; and concern with inflated rents.

Mayor Cooper invited public comment.

The following members of the audience addressed the City Council:

Chad Hagle presented slides with examples of top 10 dispensaries in the country; felt it incorrect to assert that the tax benefit is the only benefit of the cannabis industry in the retail sector; discussed community investment and community benefit; significant investments in developed buildings; the quality of retail that can be developed if given the opportunity of smart real estate; tracking available properties; he asserted that the residential buffer brings the number of available properties from 70 to zero; discussed properties that are acquirable and can be permitted; wanted to see guidance and certainty as well as a Conditional Use Permits (CUP) with the land use entitlement running with the land; accountability of tenants; he did not want to see temporary guidelines; wanted a long-term view; did not want to be

marginalized or pushed out of the center of the business district; and he wanted high quality community minded operators bringing community benefits.

Discussion ensued between Mr. Hagle and Council Members regarding requirements for the properties shown in the presentation; support for a merit based system; creating a scoring system to reward operators and owners that benefit the community the most; the walkable community; integration of retail; creating a distinction between parks with facilities for children and parks that are mostly open space; the approximate number of properties eliminated by the residential buffer; market rents; green gouging or inflated rents; financing; and the difficulty of mixed use vertical development with a cannabis retail.

Steve Rose, Culver City Chamber of Commerce; clarified that the Chamber had not taken a position for or against the ordinance; discussed a survey of members indicating that the majority don't use cannabis for medical or recreational usage but did vote for Prop 64; he noted that schools, daycare, parks and residents are of the greatest concern; and he indicated that results of the survey would be posted on the Chamber website.

Discussion ensued between Mr. Rose and Council Members regarding wording of the survey, and adjacency to residential and businesses.

Judi Sherman expressed support for home delivery only rather than retail store fronts and concern with property theft; discussed studies; the potential extra burden on the Police Department; she did not support the argument for the need for dispensaries to establish a personal relationship; noted the non-smoking ordinance for all multi-unit complexes; and she felt that if retail dispensaries are approved, Fox Hills should be specifically exempted from that due to the non-smoking ordinance in effect there.

Pamela Epstein discussed the 100-foot buffer to residential; alternative means; noticing requirements; weighted community benefits strategies; the CUP process; co-location of license types; state policies; providing options; duality; and the value of brick and mortar dispensaries.

George Stumpf discussed the walkable nature of the City and he expressed support for onsite consumption.

Randy Lentz discussed the buffer to residential and suggested that the 100-foot buffer not be a hard rule but be part of the scoring system; compatibility; the process; balancing concerns; and having a real discussion of potential candidates.

Mayor Cooper indicated that the CUP layer had been added to address those concerns.

Jane Steinberg, Keck School of Medicine at USC, thanked the City for their hard work on the regulations; discussed developing a regulatory scheme to protect the public health of residents; the work of the Public Health Institute (PHI) to develop best practices with a model ordinance for local governments; suggested that Culver City take their time with the roll out; she asked the City to slow down; discussed issues that impact public health; research on density of dispensaries; the PHI recommendation of one retail location per 15,000 population; the PHI recommended ban on cannabis home delivery for recreational use; normal safeguards in place with a brick and mortar store; enforcement; and she expressed willingness to be of service.

Discussion ensued between staff and Council Members regarding the process; direction to staff to write an ordinance; other regulations; the timeline; staff plans to return with a draft ordinance on November 13; the requirement to have an ordinance in place before the end of the year; opportunities for public input; the resolution laying out the permitting process; the proposed taxing measure on the April ballot; input from the Finance Advisory Committee; special City Council meetings; passage of the measure to put on the ballot before the ordinance is in place; introduction of the regulatory ordinance; the ability to pull the tax measure from the ballot; the separate resolution and timeline for the application process; providing notice of requirements; effective date of the ordinance 30 days after adoption; information gathering; the need to make a decision; state law; the risk of the interpretation of the current de facto ban; the zoning code; state contact with the City when an application is made; compliance; issuance of temporary licenses in January; the motivation to finish work by

December; the ability to adjust the resolution if new information comes forward; and the ability to pass a simple ordinance not allowing anything until such time as the City is ready.

Andrew Reilman implored the City to weigh the benefits against the possible negatives for the community and impressionable young people; discussed cigarette advertising; expressed support for a slower pace to err on the side of regulation and caution; he noted that whatever number is allowed would be met; discussed enforcement; and he felt dispensaries should be put in a very special and specific location, kept away from impressionable citizens.

Mayor Cooper noted that no one under 21 would be allowed in a dispensary.

Michael Hamill expressed concern as a parent; noted that he had yet to find anyone in the community that wanted to request a retail dispensary in their neighborhood without a buffer zone; he did not see a reason to waive a buffer zone; discussed outside interests; felt that cannabis would not be a large money maker for the City; noted additional costs to public safety; concern from the Association for LA Sheriffs and the Police Protective League about the lack of an established method to determine the definition of DUI related to cannabis use; discussed increased traffic accidents in states that have legalized recreational use; he expressed a preference for delivery over retail; and he felt there was no reason to rush into things.

Kevin Lachoff noted that he has been to Apple Stores and they are located in malls, not in neighborhoods; discussed other residents who share his concerns about the potential effects of retail dispensaries on residents in the proximity of dispensaries; suggested speaking to people who live near dispensaries; discussed the experience of residents who live near bars; comparisons between dispensaries and bars; concern with trivializing concerns of residents as fear; discussed fracking, billboards and tobacco; business friendly vs. community friendly; the ability to create zoning rules to protect the residents and keep Culver City as the best place to raise a family; and letting LA provide access and suffer any stigma.

Debbie Wallace spoke on behalf of Fox Hills homeowners asking that the City Council be fair and not allow

dispensaries in an area where homeowners are not allowed to smoke, and she asserted that they felt unequal as they are condo owners.

Caroline Galanty asked the City Council to consider the significant material safety issue caused by the fact that it is not legal for marijuana businesses to bank; she discussed federal money laundering statutes; ramifications for the employees and landlords; Schedule 1 of the Controlled Substances Act; solving banking issues before allowing the businesses in the City; safety concerns; and she asked that the City acknowledge the issue of the prohibition on banking and safety issues.

Ken Mand noted that pot is legal in California; the importance of ensuring that the process is fair, safe and equitable; whether dispensaries in the City will change the exposure of young people to marijuana; he discussed the importance of controlling the process; and consideration of the accompanying signage ordinance.

Discussion ensued between staff and Council Members regarding areas of increased demands on staffing; inspections and compliance; ensuring that fees are adequate to cover costs; adjustments as the process moves along; the permitting process; additional permits processed for Short Term Rentals; prioritization; outsourcing certain efforts; consultants; assessing the workload and developing an implementation plan; potential revenue generated; safety challenges that accompany the cannabis market; quality of life issues; impacts to calls for service; neighborhoods impacted by the no smoking ordinance; smoking regulations considered by state law; the existing smoking ban in the City; edibles; clarification that e-cigarettes are not banned in the current ordinance; appreciation for the work put into the process; public outreach; input from stakeholders; concerns shared by residents; Prop 64 restriction locations; the importance of guarding against too much density; limiting retail to one per 15,000 residents; issues with regulating a delivery only model; the number of allowable delivery firms; priorities: safety, the public process, outside input, input from City departments, control, strong design standards, providing safe access, concern with over concentrating in a single neighborhoods, and fair treatment throughout the City; the problem of the residential buffer zone; going above the state standard; including parks and playgrounds; bringing

current use out of the shadows and into compliance; controlling, monitoring and taking out the criminal element; the chaotic system originally put forth by Los Angeles; providing the maximum amount of control, flexibility and enforcement; the ability to revoke licenses; concerns with youth; allocating funding for prevention, education and diversion programs; approval of legalizing recreational marijuana by California voters; finding a balance for the City; whether dispensaries fit into a family oriented environment; finding a compelling reason to allow retail cannabis in the City; concern that the proponents are businesses trying to get into the City; growing the market by encouraging use; at risk youth; access; concern with the time limit being imposed; independent large research institutes beginning to investigate issues; waiting to investigate valid concerns; the difficulty with regulation and control; concern with active enforcement of codes; complaint driven enforcement; the public health issue; financial rewards; current access in nearby Los Angeles; and concern with increased exposure.

Council Member Eriksson proposed a motion to not allow any retail cannabis operation in Culver City at this time and Council Member Clarke seconded the motion.

Further discussion ensued between staff and Council Members regarding clarification on the proposed selection process; layers of vetting; public meetings; finding out what the neighbors think before moving forward; appreciation to staff and the subcommittee for their work and to the public for their input; concern with forcing retail dispensaries on anyone in their neighborhood; normalizing rather than demonizing; thorough outreach; majority approval within a reasonable circumference; whether the CUP model is appropriate; further defining how a neighborhood would approve a dispensary; neighborhood consensus; demonstrating benefits to the neighborhood; the ability to regulate businesses in the City; the inability to regulate businesses in Los Angeles; the need to protect residents; contamination from pesticides; the quality of product control; the supply chain; delivery issues; the importance of listening to the neighborhood; rigorous outreach and vetting; the CUP process; the parking process; the regulatory component vs. the zoning component; establishing a minimum threshold of residents willing to accept the dispensary; ensuring a legally defensible process and rigorous outreach process; clarification that a CUP runs

with the land; the process for rescinding a CUP; changes of ownership; the need for a regulatory permit in addition to the CUP; taking subjectivity out of the process; home delivery as the future for most businesses; diminished brick and mortar stores; communication with vendors; lookback procedures; the demand for long term commitments; collecting signatures from neighbors; determining whether neighborhoods want dispensaries before going through the process; exposure level to children; the prohibition on billboards; education funding; surveying neighborhoods early in the process; the participation of credit unions; decreasing the use of cash in the process; whether the cash nature of the business is a reason to vote no; changes coming to the banking process; becoming a model for other cities; taking time with the process; bringing out the best in the industry; voter support of cannabis; money poured into the process by businesses; studies; tough regulations for home delivery; whether marijuana is addictive; responsible use; outside assistance to handle taxation; support for providing choice; whether neighborhoods can have a real impact on the decision as to whether a dispensary is located on their block; notification of businesses and residents; differences between the parking permit process and the CUP process; the 1,000 foot notification process; legal defensibility of the process; point systems used in the process; additional points awarded for those locations far from residents; criteria deemed important for the neighborhood; phases the applicant must pass through before moving on to the next; the public meeting; community benefit plans; writing the ordinance in a resolution form to provide flexibility; differences between a signature and a face to face meeting; the visioning process; certified notification; knocking on doors; and demonstrating to residents that the neighbors will be listened to.

MOVED BY COUNCIL MEMBER ERIKSSON AND SECONDED BY COUNCIL MEMBER CLARKE THAT THE CITY COUNCIL: NOT ALLOW ANY RETAIL MARIJUANA OPERATIONS IN CULVER CITY.

THE MOTION FAILED BY THE FOLLOWING VOTE:

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

Further discussion ensued between staff and Council Members regarding creating an objective process; the litigious

nature of the industry; homeowner assessment; concern with moving homeowner consideration to the end of the process; litigation concerns; anticipated issues with a ten-year lease vs. annual permit review; policies of other cities; the yearly annual review as the lookback process; clarification that other businesses in the City do not undergo such scrutiny; defining material changes; enforcement services; violations; renewal of business licenses; and providing a vehicle to address significant problems.

Mayor Cooper proposed a motion to allow up to three store front retail cannabis businesses in Culver City.

Further discussion ensued between staff and Council Members regarding awarding extra points to those applicants that expand notification or walk the neighborhood; certified mail; the people that are paying attention to the process; alleviating concerns; achieving consensus; securing the support of the neighborhood; imposing extensive notification vs. allowing it; retail operations; whether the community will be able to vote on the location of dispensaries; concern with taking out the objectivity of the process; the two part approach to the vetting process; the role of the City Council to make tough decisions; fears of the neighborhood; projects that fit well with the neighborhood; a previously opposed 7-11 that is working well; serving the communities; enhancing walkability; allowing flexibility for each situation; defining neighborhood compatibility; concern with specific language that a specific percentage of the neighborhood must approve the project; concern that people could be paid to agree; the success of Tilden Terrace; and allowing three retail dispensaries in permitted areas based on the subcommittee recommendations using a two-pronged approach with 600-foot buffers from sensitive uses including schools, parks and playgrounds, K-12, daycare and youth centers.

MOVED BY MAYOR COOPER AND SECONDED BY COUNCIL MEMBER SAHLI-WELLS THAT THE CITY COUNCIL: DIRECT THE CITY MANAGER TO RETURN WITH COMMERCIAL CANNABIS REGULATORY AND ZONING ORDINANCES AND RESOLUTIONS THAT PERMIT UP TO THREE STORE FRONT RETAIL CANNABIS BUSINESSES IN CULVER CITY USING A TWO-PRONGED APPROACH AND WITH 600-FOOT BUFFERS FROM SENSITIVE USES, AND PARKS AND PLAYGROUNDS.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

MOVED BY COUNCIL MEMBER CLARKE, SECONDED BY VICE MAYOR SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ALLOW BUSINESSES TO RECEIVE A COMMERCIAL BUSINESS PERMIT IN MORE THAN ONE CATEGORY AT THE SAME LOCATION.

Further discussion ensued between staff and Council Members regarding the distance between businesses; concerns with creating a district; ensuring the ability to keep good applicants; using the point systems; allowing examination of an individual situation; the subcommittee recommendation not to require the buffer; scaling the score based on proximity to like uses; the maximum of three dispensaries in the City; the number of retailers, home delivery and manufacturing businesses; best use of land; going through the process slowly; the number of businesses approved by Santa Monica; staff workload; whether to phase in the applications; the impact of laboratories on the community; distribution; licenses; multiple permits for business; clarification on the footprint of uses; and input from the consultants on the appropriate number of each type of business use.

MOVED BY MAYOR COOPER AND SECONDED BY COUNCIL MEMBER SAHLI-WELLS, THAT THE CITY COUNCIL: LIMIT THE NUMBER OF CANNABIS BUSINESSES PERMITTED IN CULVER CITY TO: THREE DISPENSARIES, FIVE DELIVERY ONLY RETAIL, SIX MANUFACTURING, SIX DISTRIBUTION, THREE CULTIVATION AND FOUR TESTING LABORATORIES.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

Discussion ensued between Council Members regarding deliveries from outside of Culver City and clarification that that the motion was direction to staff and the item would return to the City Council.

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Item A-6
(Out of Sequence)

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

Discussion ensued between staff and Council Members regarding consideration of the project in different phases; creating an integrated master plan; the larger proposal; sustainability; the master plan for the entire landscaping of City Hall; the three phases; integrated design; Lafayette; and the outreach plan to look at the entire site.

Mayor Cooper invited public participation.

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

Marla Koosed

Additional discussion ensued between staff and Council Members regarding Art in Public Places; Cultural Affairs consideration of the public art component; classification of the instruments as art; the subcommittee process; challenges in understanding the details; support for both teams; adjustments to details once a team is picked; bringing another local firm into the process to provide diversity and a new voice in the City; the extensive public outreach and inclusivity of WHY; including the review committee on an ongoing basis; the Cultural Affairs Commission; rules in place for Art in Public Places; differences in price; acupuncture rather than huge interventions; support for a hybrid of both ideas; opening up the space while preserving some trees; ensuring that the space is welcoming for children; creating outdoor meeting spaces; assurances to SWA that they will be used by the City again for other projects; and activating the space.

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

1. APPROVE AN AGREEMENT WITH WHY IN AN INITIAL AMOUNT NOT-TO-EXCEED \$150,000 [(\$60,000 TO COMPLETE A CONCEPT DESIGN

EXERCISE AND TO PREPARE A MASTER PLAN FOR THE ENTIRE SITE PLUS \$90,000 TO PREPARE ARCHITECTURAL PLANS FOR PHASE ONE'S CONSTRUCTION (THE LAFAYETTE PLACE FACING SIDE)]; PLUS 15% OF THE CONSTRUCTION COST TO BUILD THE REMAINING TWO PHASES OF THE PROJECT; PLUS SPECIALTY CONSULTANT COSTS IN AN AMOUNT TO BE DETERMINED;

2. DIRECT THE SUBCOMMITTEE TO MEET WITH WHY TO DEVELOP MORE SPECIFIC STEPS; AND

3. AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE AMENDMENT(S) TO THE AGREEMENT INCREASING THE NOT-TO-EXCEED AMOUNT BY UP TO 15% OF THE ORIGINAL AGREEMENT AS A CONTINGENCY IF DEEMED NECESSARY; AND

4. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND

5. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

Additional discussion ensued between staff and Council Members regarding cost offset by funds raised by the Culver City Centennial Committee; money made on the closing event; the final report from the Centennial Committee in October; and naming opportunities.

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Item A-5
(Out of Sequence)

CC - (1) Introduction of an Ordinance Amending Culver City Municipal Code Sections 9.04.015 (Prohibited Public Nuisance Conditions on Real Property) and 9.07.050.B (Domestic Power Tools), Relating to Leaf Blower Regulations (Including the Prohibition of the Sale and Use of Leaf Blowers with Noise Levels Exceeding 65 Decibels, Effective November 2022); and (2) Adoption of a Categorical Exemption Relating Thereto, Pursuant to the California Environmental Quality Act.

Mayor Cooper invited public input.

No cards were received and no speakers came forward.

Council Member Clarke received clarification that no changes were made and no public comment had been received.

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

1. INTRODUCE AN ORDINANCE AMENDING SECTION 9.04.015 (PROHIBITED PUBLIC NUISANCE CONDITIONS ON REAL PROPERTY) AND SECTION 9.07.050.B (DOMESTIC POWER TOOLS), RELATING TO LEAF BLOWER REGULATIONS (INCLUDING THE PROHIBITION OF THE SALE AND USE OF LEAF BLOWERS WITH NOISE LEVELS EXCEEDING 65 DECIBELS, EFFECTIVE NOVEMBER 2022); AND

2. ADOPT A CATEGORICAL EXEMPTION (CEQA GUIDELINES SECTION 15308) RELATED THERETO PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FINDING THAT THE PROPOSED ORDINANCE DOES NOT CREATE ANY POTENTIALLY SIGNIFICANT ADVERSE IMPACTS ON THE ENVIRONMENT.

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Item A-1
(Out of Sequence)

CC - Adoption of a Resolution Adopting an Updated, Comprehensive City Council Policy Entitled City Commissions, Boards and Committees; Appointed Representatives to Outside Agencies, as Recommended by the Ad Hoc City Council Policies Subcommittee

Council Member Sahli-Wells requested the use of gender neutral pronouns in staff reports and she agreed that the annual meetings be made mandatory.

Council Member Clarke indicated that Committee Members had met with the Commissions, Boards and Committees to receive input.

Mayor Cooper invited public input.

No cards were received and no speakers came forward.

MOVED BY VICE MAYOR SMALL, SECONDED BY COUNCIL MEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION ADOPTING AN UPDATED, COMPREHENSIVE CITY COUNCIL POLICY ENTITLED CITY COMMISSIONS, BOARDS AND

COMMITTEES; APPOINTED REPRESENTATIVES TO OUTSIDE AGENCIES AND BOARDS, AS RECOMMENDED BY THE AD HOC CITY COUNCIL POLICIES SUBCOMMITTEE.

Council Member Eriksson expressed gratitude for the work of staff and for their insightful comments on the matter.

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Item A-2

CC - FOUR-FIFTHS VOTE REQUIREMENT: Adoption of an Urgency Ordinance Setting Forth an Expedited, Streamlined Permitting Process for Electric Vehicle Charging Stations as Required by Government Code Section 65850.7 and Declaring the Urgency Thereof and that it Shall Take Effect Immediately, Pursuant to Culver City Charter Section 614 and Government Code Section 36937(b)

Mayor Cooper invited public participation.

No cards were received and no speakers came forward.

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT AN ORDINANCE WHICH SETS FORTH AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS IN COMPLIANCE WITH STATE LAW, AND DECLARING THE URGENCY THEREOF AND THAT IT SHALL TAKE EFFECT IMMEDIATELY. (THIS ITEM REQUIRES A FOUR-FIFTHS VOTE.)

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Item A-3

CC - Approval of a Professional Services Agreement with Walker Parking, Inc. in an Amount Not-to-Exceed \$86,900 to Prepare Necessary Bid Construction Documents and Provide Construction Administration Services for Capital Improvements Related to the Ince, Cardiff, Watseka, Venice, Canfield, Virginia, and 3757 Robertson Parking Facilities

Mayor Cooper invited public input.

No cards were received and no speakers came forward.

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

1. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH WALKER PARKING, INC. IN AN AMOUNT NOT-TO-EXCEED \$86,900 TO PREPARE NECESSARY BID CONSTRUCTION DOCUMENTS AND PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR CAPITAL IMPROVEMENTS RELATED TO THE INCE, CARDIFF, WATSEKA, VENICE, CANFIELD, VIRGINIA, AND 3757 ROBERTSON PARKING FACILITIES;
2. AUTHORIZE THE CITY ATTORNEY TO PREPARE THE NECESSARY DOCUMENTS;
3. AUTHORIZE THE CITY MANAGER TO EXECUTE THE DOCUMENT ON BEHALF OF THE CITY.

Discussion ensued between staff and Council Members regarding the workload to be accomplished and the directional signage.

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Item A-4

CC - (1) Approval of an Amendment to an Existing Professional Services Agreement with Willdan Engineering for Contract Planning Services in an Amount Not-to-Exceed \$180,000; and (2) Approval of a Related Budget Amendment (Requires a Four-Fifths Vote)

Mayor Cooper invited public comment.

No cards were received and no speakers came forward.

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

1. APPROVE AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ENGINEERING FOR CONTRACT PLANNING SERVICES, IN AN AMOUNT NOT-TO-EXCEED \$180,000 (FOR A TOTAL NOT-TO-EXCEED AMOUNT \$290,000);
2. APPROVE A RELATED BUDGET AMENDMENT (REQUIRES A FOUR-FIFTHS VOTE);

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.

Council Member Eriksson received clarification that the item was to make up for an unanticipated shortfall when contract staff had to be hired and he was assured that some costs would be covered by salary savings.

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Public Comment - Items Not on the Agenda

Mayor Cooper invited public comment.

Jeremy Green, City Clerk, read comments submitted by:

Barbara Van de Bogart
Paula Amezola de Herrera

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Items from Council Members

Discussion ensued between Council Members regarding concern with publicizing the CCAN event on DACA renewal at St. Augustine Church in the event that ICE could be attracted.

Council Member Clarke received City Council consensus to discuss a granting a waiver request from The Culver Hotel for \$2,000 in rental fees related to the Parcel B Centennial closing event.

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Adjournment

There being no further business, at 12:04 a.m. Tuesday, September 26, 2017, the City Council, Successor Agency to the Culver City Redevelopment Agency Board, and Culver City Housing Authority Board adjourned in memory of Vince Motyl and Carlos Reynosa to October 9, 2017.

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Jeremy Green
CITY CLERK of Culver City, California
EX-OFFICIO CLERK of the City Council and SECRETARY of the
Successor Agency to the Culver City Redevelopment Agency
Board, and Culver City Housing Authority Board
Culver City, California

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