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UNTIL APPROVED BY THE
CITY COUNCIL

SPECIAL MEETING OF THE
CITY COUNCIL, CITY OF CULVER CITY
CALIFORNIA

October 1, 2012
7:00 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 7:01 p.m.

Present: Andrew Weissman, Mayor
Jeffrey Cooper, Vice Mayor
Jim B. Clarke, Councilmember
Micheál O'Leary, Councilmember
Meghan Sahli-Wells, Councilmember

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Invocation/Pledge of Allegiance

The Invocation was given by John Nachbar, City Manager, and the Pledge of Allegiance was led by Mim Shapiro.

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Report on Action Taken in Closed Session

None.

MOVED BY COUNCILMEMBER SAHLI-WELLS, SECONDED BY COUNCILMEMBER CLARKE AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF RICHARD HEINEMAN, JIM MCDEMUS AND BOB WASSETHEUR.

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Presentations

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Item P-1

Presentation of a Proclamation Designating October 3, 2012 as Walk to School Day

Councilmember Sahli-Wells presented the proclamation.

Representatives announced locations where students, parents and staff would be meeting for International Walk to School Day on October 3.

Councilmember O'Leary asked residents to be careful of students walking to school and to be sensitive to planned activities for that day.

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The following item was considered out of order.

Comment [mrc1]: May need to delete this.

Receipt and Filing of Correspondence

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCILMEMBER O'LEARY AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Community Announcements By City Council Members/Information Items From Staff

Councilmember Sahli-Wells reported on a community meeting by the Green Space Advisory Committee on September 27; attending the Build-a-thon at Sony Studios for Habitat for Humanity for units going in on Globe Avenue; she discussed the unveiling of the Rainbow sculpture; reported that IndieCade would take place October 5-7; and she announced CycLAvia on October 7 happening all around Los Angeles.

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Joint Public Comment - Items Not on the Agenda

Mayor Weissman invited public comment.

The following members of the audience addressed the City Council:

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Barbara Honig, Culver City Sister Cities Committee, reported that December 2012 marked the 50th anniversary of the formation of the Culver City Sister City Committee; she discussed activities to honor the cities with a two-part program on January 12; and she asked that the City co-sponsor the event.

Mayor Weissman requested a letter detailing the request for sponsorship and he indicated that once the information was received, the City Council could agendaize the issue for discussion.

David VonCannon announced a community meeting to discuss Measure Y at the King Fahad Mosque open to all residents on October 2, and a meeting at the Four-Square Church on October 9 on the formation of a Tellefson Park Community Watch committee.

Lynne Bronstein announced the publication of a new book called Alternate Lanes covering alternative methods of transportation in Los Angeles.

Dr. Tom Williams reported issues with the Division of Oil, Gas and Geothermal Resources and indicated that the Sierra Club and Natural Resources Defense Council were available to help come up with a model ordinance to address the issues.

May Frances invited everyone to attend IndieCade from October 5-7.

Cary Anderson discussed parking issues connected to the 4043 Irving Place project.

Discussion ensued between staff and Councilmembers regarding parking conditions connected with the 4043 project; strengthening language; mandating conditions of approval; discussions between staff and the developer; creating parking districts, district-wide parking standards, and uniform parking restrictions; and a suggestion was made to have the contractor talk to his employees.

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Consent Calendar

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Item C-1

Adoption of an Ordinance Adding a Subchapter entitled Very High Fire Hazard Severity Zone to Chapter 9.02 of Title 9 of the Culver City Municipal Code, to Designate Certain Properties in the Culver Crest Area a Very High Fire Hazard Zone (VHFHSZ)

Mayor Weissman invited public input.

The following member of the audience addressed the City Council:

Wena Dells expressed surprise at receiving a letter indicating her house is in an area that is now considered a VHFHSZ; she discussed the history of fires in the area; and she expressed support for building requirements indicated in the letter.

Discussion between staff and Councilmembers ensued regarding the state mandate; field models to predict fire behavior; flying embers and the ability of a fire to spread; brush in the neighborhood; homeowner appeals to CalFire for reevaluation and designation; hazard issues vs. risk management issues; efforts to make the community safer; developing the brush area; changes for homeowners due to the designation; clarification that insurance companies are not supposed to take the designation into consideration when assessing insurance rates; the intent to mitigate a hazard; CalFire survey methods; and clarification that CalFire evaluates areas all over the state.

MOVED BY COUNCILMEMBER O'LEARY, SECONDED BY COUNCILMEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT AN ORDINANCE ADDING A SUBCHAPTER ENTITLED VERY HIGH FIRE HAZARD SEVERITY ZONES TO CHAPTER 9.02 OF TITLE 9 OF THE CULVER CITY MUNICIPAL CODE, TO DESIGNATE CERTAIN PROPERTIES IN THE CULVER CREST AREA A VERY HIGH FIRE HAZARD ZONE (VHFHSZ).

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Order of the Agenda

No changes were made.

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Action Items

Item A-1

Consideration of the Creation of a Citizens Committee on the Subject of Fracking

Martin Cole, Assistant City Manager/City Clerk, provided a summary of the material of record

Mayor Weissman invited public participation.

The following members of the audience addressed the City Council:

Rebecca Rona Tuttle requested support for the establishment of the Committee and she discussed hydraulic fracking and associated issues.

Khin Khin Gee, Culver Crest Neighborhood Association, expressed support for the establishment of a committee; discussed residents with expertise in legal research and medicine already working to inform each other about risks associated with fracking; and discussed affects to the health of residents.

Rebecca Hailey expressed support for the formation of a committee; she requested that all committee members disclose any affiliations with groups with interests in oil drilling; and she felt a committee could help provide clarity with decision-making.

Stephen Murray, Baldwin Hills Oil Watch, felt that the scope of the committee appeared to be too limited and that the water injection wells should be addressed; discussed potential radioactive material displaced with regular oil operations; the oil and gas code; addressing the sources of the activity demand; suggested establishing a committee for all heavy industry activities as well as a sustainability committee; and he felt other oil operation activities should be included for committee consideration.

Deborah Antoinese discussed the Viking Hike; New York Governor Cuomo's decision to hold off on fracking due to health impacts; either approving fracking or banning it; and she expressed support for the formation of a committee.

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Mim Shapiro discussed her experiences in Blair Hills; fracking; she expressed support for the formation of the Committee; and offered to serve.

Dr. Tom Williams, The Sierra Club, offered assistance; discussed the Ross Dress for Less explosion; the St. James Oil Company; the Air Quality Management District presentation on October 5; the importance of protecting residents; and he expressed support for the committee.

Paul Ferrazzi, Citizens Coalition for a Safe Community, discussed the northwest extension of the PXP plan; plans to drill under Ballona Creek; horizontally drilled wells; the Environmental Impact Report; plans to drill 100 wells by 2028; reserves under Culver City; wells under residential homes; the scope of the resolution; oil and gas extraction ordinances; and he volunteered to serve on the committee.

Gary Silbiger expressed support for establishing a committee to discuss all oil issues rather than just fracking issues.

Dr. Suzanne De Benedittis echoed the comments of previous speakers; volunteered to serve on the committee; discussed health issues; work already being done by citizen groups; she felt that the committee would give the work of the citizen volunteers more clout; and she discussed Mark Ridley Thomas' Empowerment Councils.

Goren Ericksson noted that fracking was one technology among many being used; he opposed formation of a fracking committee; he felt that fracking was an issue best left to City Council consideration; he did not want another layer between residents and the City Council; he felt the focus of a fracking committee was too narrow; and he questioned the value of a committee comprised of people with the same viewpoint.

Barry Silver expressed support for the formation of the committee; felt a committee could assist the City Council in obtaining key information; and he offered to serve on the committee.

Jane Brockman expressed support for the formation of the committee.

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Michelle Weiner, Transition Culver City, expressed support for the committee and for the expansion of the purview of the committee.

Discussion ensued between Councilmembers and staff regarding whether expanding the purview of the committee would require re-agendizing the item; appreciation to all who came out to speak; the proposed oil drilling ordinance; the need for awareness of existing legislation; staff cuts and the current workload; information helpful to the City; the committee as a public forum; community outreach; public interest on the issue; expanding the topic; oil drilling vs. fracking; clarification that hydraulic fracturing is not the same as fracking; concern with the purpose of the committee; creating a fair and unbiased committee; the number of committee members; Brown Act requirements; meeting format; differences between the committee and groups like the Democratic Club or the Chamber of Commerce; concern with structure and restrictions; creation of an advisory committee; concern that only the two Councilmembers on the committee would receive information from the public; concern that information received would be filtered; the three minute speaking limit; clarification that at present there is a two-member ad hoc committee; the ability of the public to speak at committee meetings vs. at City Council meetings; the committee as more active and participatory; whether committee members would have to file financial disclosure forms; choosing who can serve on the committee; maintaining the status quo; clarification that the Dog Park group was not a City committee; the work of the City and consultants; whether a citizens committee would improve the quality or nature of the discussion; the spirit of the Brown Act; acknowledgement of legal considerations; addressing issues as a community; consultants and costs to the City; a belief that those interested in serving know about the Brown Act; establishing a committee outside of the City umbrella; the ability to communicate with the City Council; a feeling that now is not the time for a committee; the ultimate test of transparency and openness; wordsmithing of the ordinance; a feeling that the issue is too important and that Councilmembers, consultants and the legal team need to see all the information; having an advisory group to the ad hoc subcommittee; and public notification.

Paul Ferrazzi requested information on the maximum file size capability for City Councilmember email systems.

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Dr. Suzanne De Benedittis discussed neighborhood councils in Los Angeles which would have obviated concerns raised by City Councilmembers, and she hoped that the City Council would rethink and revisit the issue as expert witnesses would be more agreeable to participate in a City sanctioned committee.

Councilmember Clarke reported that the neighborhood councils in Los Angeles required members to file financial disclosure forms.

The City Council took no action on this item.

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Item A-2

Discussion about City Council Positions on Ballot Measures

Mayor Weissman invited public input.

The following member of the audience addressed the City Council:

Goren Ericksson felt that a City should be very restrictive with taking stands on propositions, and that positions taken should be limited to propositions that have a direct impact on the City and its operation vs. effects on citizens.

Councilmember Clarke suggested that the City Council take a position on ballot propositions that have a direct impact on the City Council's subject matter jurisdiction; he proposed that such positions would require a super majority vote by the City Council; he suggested that for all other valid propositions, time could be set aside for individual Councilmembers to make individual statements of support or opposition; he suggested that consideration of official City positions could be agendaized with enough time prior to the election for careful consideration but not before positions have been certified and published; and he felt that no official City funds or resources should be used in promoting City positions.

Discussion ensued between staff and Councilmembers regarding determining direct impacts; subject matter jurisdiction; municipal affairs; the process; concern with taking away the

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ability to make an exception; issues affecting the civil rights of residents; concern with politically divisive propositions; work of the League of California cities; endorsement of items as individual Councilmembers; the GMO labeling initiative; actions of other City Councils and other city officials that have taken positions; Measure Y; maintaining a local focus; a suggestion to have staff bring forward a list of propositions that could affect the City; holding a Proposition night; staff suggestions for criteria to assist the City Council; the guidelines proposed by Councilmember Clarke; concern with taking time from local issues to consider Propositions; Proposition 30; concern with compromising Measure Y by expressing support for Proposition 30; agreement that Councilmembers would bring forth propositions that they would like agendaized for discussion; and concern that the position of Councilmember could become political.

The City Council took no action on this item.

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Public Comment for Items NOT On the Agenda (Continued)

Mayor Weissman invited public input.

The following member of the audience addressed the City Council:

Paul Ferrazzi announced the annual PXP community meeting on October 15 at Knox Presbyterian Church, and he indicated that PXP would be posting the hydraulic fracturing study on their website on October 10, noting that many environmental non-profits would work to analyze the report and make comment.

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Items from the Staff

Carol Schwab, City Attorney, reported that staff would submit comments on October 10 regarding the draft EIR for the LAX Specific Plan Advisory Committee, and she indicated that a link to the draft EIR would be posted on October 2.

Discussion ensued between staff and Councilmembers regarding a request that the three Culver City delegates be kept advised on the item; whether the item would come before the City Council; and the complexity of the EIR.

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Items from the City Council

Items from Councilmember Clarke

- Asked about comments on the PXP Oil Drilling plan

Items from Vice Mayor Cooper

- Reported attending a meeting of the Westside Council of Governments where he requested support for a ban on fracking

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Adjournment

There being no further business, at 9:48 p.m., the City Council adjourned its meeting in memory of Richard Heineman, Jim McDemus and Bob Wassetheur to a meeting on Monday, October 8, 2012 at 7:00 p.m.

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Martin R. Cole
CITY CLERK of the City of Culver City, California
EX-OFFICIO CLERK of the City Council
City of Culver City, California

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ANDREW WEISSMAN
MAYOR of the City of Culver City, California