

THESE MINUTES ARE NOT OFFICIAL
UNTIL APPROVED BY THE CITY COUNCIL,
CULVER CITY HOUSING AUTHORITY BOARD,
CULVER CITY PARKING AUTHORITY BOARD,
AND SUCCESSOR AGENCY TO THE CULVER CITY
REDEVELOPMENT AGENCY BOARD

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

February 27, 2017
5:30 p.m.

Call to Order & Roll Call

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

Present: Jim B. Clarke, Mayor
Jeffrey Cooper, Vice Mayor
Göran Eriksson, Council Member
Meghan Sahli-Wells, Council Member
Thomas Small, 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 Conference with Legal Counsel - Existing Litigation
Re: Hoover v. City of Culver City
Case No. WCAB VNO ADJ8058138; VNO ADJ8924321
Pursuant to Government Code Section 54956.9(d) (1)

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

CS-3 Conference with Real Property Negotiators
Re: 3725 Robertson Boulevard
City Negotiators: John Nachbar, City Manager; Sol
Blumenfeld, Community Development Director; Todd Tipton,
Economic Development Manager
Other Parties Negotiators: Michael Halaoui and Bernard
Ashkar of Icon West, Inc.
Under Negotiation: Price, Terms of Payment or Both,
Including Use Restrictions, Development Obligations and
Other Monetary Related Considerations
Pursuant to Government Code Section 54956.8

CS-4 Conference with Legal Counsel - Existing Litigation
Alliance for a Regional Solution to Airport Congestion
(ARSAC) v. City of Los Angeles et. al.
VCSC Case No. 56-2014-00451038-CU-WM-OXN
Pursuant to Government Code Section 54956.9(d) (1)

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Reconvene

Mayor Clarke reconvened the City Council meeting and
convened the Culver City Housing Authority Board, Culver
City Parking Authority Board, and the Successor Agency to
the Culver City Redevelopment Agency Board at 7:12 p.m.
with all Members present.

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Invocation/Pledge of Allegiance

John Nachbar, City Manager, led the invocation and the
Pledge of Allegiance was led by Sonia Karroum.

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Report on Action Taken in Closed Session

Mayor Clarke reported that no action had been taken in
Closed Session and that item CS-3 was not heard.

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

Jeremy Green, Deputy City Clerk, reminded everyone that Election Day is March 7; February 28 is the last day to request a vote by mail ballot; pertinent voter information can be found on the City's website; and she announced upcoming special City Council meetings on March 6, 7, and 20 regarding work plans for the coming year.

Mayor Clarke invited everyone to attend the special meetings to provide input on the City's budget.

Council Member Eriksson announced upcoming Community Emergency Response Team (CERT) refresher training programs on March 11, 18 and 25.

Council Member Sahli-Wells thanked Mike Cohen for his efforts on the Screenland 5K; reported attending a Youth in Government program in Sacramento with the Culver Palms YMCA; congratulated Culver City resident Selene Quadra on being named Chief Justice of Youth in Government for the state of California; reminded everyone that the City Council has endorsed Measure H on the upcoming ballot; she encouraged everyone to vote in favor of Measure H on March 7; and she announced her participation in the upcoming Leadership Conference at the USC Price School of Public Policy with a scholarship from the California Cities League of Women's Caucus.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT WHEN THIS MEETING IS ADJOURNED, THAT IT BE ADJOURNED IN MEMORY OF KEN WHEAT.

Mayor Clarke reported on receipt of a letter from Culver Palms Meals on Wheels announcing upcoming fundraising activity and noting that the March For Meals campaign was looking for donations and for volunteers to prepare and deliver meals in the month of March.

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Joint Public Comment - Items Not on the Agenda

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Mayor Clarke provided background on Greg and Lola Krentzman.

Greg Krentzman and his daughter Lola spoke about their experience in a recent terror attack in Nice, France, where Greg was injured.

David Winslow spoke about his experience with Jennifer Hartman running the Kaizuka marathon in South Korea through the Sister City Exchange Program and he presented the Mayor with a gift from the trip.

Darrel Menthe, Culver City Centennial Celebration Committee, presented a video of the Centennial Parade.

Chad Kroeger spoke about the ever-growing divide amongst Americans and the need for a unifying figure for people to turn to, and he proposed the City erect a 12-foot steel statue of Fast and the Furious star Paul Walker in the downtown area.

Deejay Phyre also supported the idea of a statue to honor Paul Walker, and he expressed concern regarding a slow traffic signal at Duquesne and Culver.

Dr. Janet Hoult read a poem she had written for the 5K run.

Maren Neufeld, Culver City Council of PTAs, requested a fee waiver for rental of the Senior Center for their honorary awards show and dinner on April 29-30.

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Receipt and Filing of Correspondence

MOVED BY COUNCIL MEMBER SAHLI-WELLS, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE RECEIVED BY THE CITY CLERK'S OFFICE BEFORE 4:00 P.M. ON FEBRUARY 27, 2017.

Jeremy Green, Deputy City Clerk, reported that 12 pieces of correspondence had been received on item A-1, two on item A-2, and one on item A-4.

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Order of the Agenda

No changes were made.

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Consent Calendar

Mayor Clarke reported a typo on the fifth line of item C-3 that should read 2016-2020 and he asked the Transportation Department to comment on item C-4.

MOVED BY COUNCIL MEMBER SMALL, SECONDED BY VICE MAYOR COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-3, C-5 AND C-6.

Item C-1

CC:HA:SA - Cash Disbursements

THAT THE CITY COUNCIL, CULVER CITY HOUSING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY BOARD: APPROVE CASH DISBURSEMENTS FOR FEBRUARY 4, 2017 - FEBRUARY 17, 2017.

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Item C-2

CC:HA:SA:PA - Meeting Minutes

THAT THE CITY COUNCIL, CULVER CITY HOUSING AUTHORITY BOARD, CULVER CITY PARKING AUTHORITY BOARD, AND SUCCESSOR AGENCY TO THE CULVER CITY REDEVELOPMENT AGENCY BOARD: APPROVE MINUTES FOR THE REGULAR MEETING OF FEBRUARY 13, 2017.

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Item C-3

CC - (1) Approval of a Three-Year Professional Services Agreement with Flynn Scale Service (Flynn Scale) for

Annual Scale Maintenance Service for the Transfer Station Truck Scales for Fiscal Year 2016-2017 (in an Amount Not-to-Exceed \$5,200), and Fiscal Years 2018-19 and 2019-20 (in an Amount Not-to-Exceed \$20,800 per Fiscal Year); and (2) Authorization to the Public Works Director/City Engineer to Approve an Optional Fourth Year for Fiscal Year 2020-2021 (in an Amount Not-to-Exceed \$20,800)

THAT THE CITY COUNCIL:

- 1) APPROVE A THREE-YEAR AGREEMENT WITH FLYNN SCALE SERVICES TO PROVIDE TRUCK SCALE MAINTENANCE SERVICES AT THE TRANSFER STATION IN AN AMOUNT NOT-TO-EXCEED \$5,200 FOR FISCAL YEARS 2016-2017 AND \$41,600 FOR FISCAL YEARS 2017-18 AND 2018-19 (\$20,800 PER FISCAL YEAR);
- 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 \$20,800) .
- 3) AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPROVE AN AMENDMENT(S) TO THE AGREEMENT IN CONTINGENCY AMOUNTS NOT-TO-EXCEED \$550 FOR FISCAL YEAR 2016-17 AND \$6,240 FOR FISCAL YEARS 2017-18, 2018-19 AND 2019-2020 (\$2,080 PER FISCAL YEAR);
- 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.

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Item C-5
(Out of Sequence)

(1) Acceptance of Work Performed by Superior Pavement Markings, 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 Washington Boulevard Striping and Bike Lane Project, PZ-965

THAT THE CITY COUNCIL:

- 1) ACCEPT THE WORK PERFORMED BY THE CONTRACTOR, SUPERIOR

PAVEMENT MARKINGS, INC., FOR THE WASHINGTON BOULEVARD STRIPING AND BIKE LANE PROJECT, PZ-965; 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 \$15,966.08 TO SUPERIOR PAVEMENT MARKINGS, INC. UPON EXPIRATION OF THE 35-DAY LIEN PERIOD.

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Item C-6

CC:HA:SA - Receipt and Filing of Fiscal Year 2015/2016 Year-End Report and Audit Summary

THAT THE CITY COUNCIL: RECEIVE AND FILE THE ATTACHED FISCAL YEAR 2015/2016 YEAR-END REPORT AND AUDIT SUMMARY.

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Item C-4
(Out of Sequence)

CC - Authorization of Free Fare Days for Culver CityBus in Association with (1) Bike to Work Day 2017 (May 19, 2017) and (2) National Dump the Pump Day 2017 (June 15, 2017)

Art Ida, Transportation Director, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding targeted marketing for the events; outreach to the business community; outreach through social media; ridership since the Expo parking lot has closed; the goal to get people out of their cars; and appreciation for the additional bus stops to bridge the distance between the Ince Parking lot and the station.

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

1. AUTHORIZE CULVER CITYBUS TO OFFER FREE FARES TO RIDERS WITH A BICYCLE AND/OR BIKE HELMET ON BIKE TO WORK DAY,

FRIDAY, MAY 19, 2017; AND,

2. AUTHORIZE CULVER CITYBUS TO OFFER FREE FARES TO ALL RIDERS ON NATIONAL DUMP THE PUMP DAY, THURSDAY, JUNE 15, 2017.

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Action Items

Item A-1

CC - (1) Discussion of Potential Hillside Development and Construction Standards; and (2) Direction to the City Manager as Deemed Appropriate

Mayor Clarke explained procedures for public speaking.

Sol Blumenfeld, Community Development Director, presented a summary of the material of record.

Discussion ensued between staff and Council Members regarding the square footage of the proposed Accessory Dwelling Unit (ADU) in question; the geotechnical engineer's review of his 2015 inspection of the hillside in question; whether recent rains have impacted the hillside; efforts of the geologist in preparing the evaluation and report; what is looked at when inspecting the hillside; Culver sands; younger sediment; and clarification that liquefaction is not an issue on the lot in question.

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Dr. Selma Calmes reported on the history of slides on the Culver Crest hillside and provided images of several slides.

Fran Kissel continued the history of slides in Culver Crest and subsequent red tagging of multiple homes.

Rich Kissel asserted the Cranks Road construction would have an adverse effect on area property values; he referenced a 2005 LA Times article indicating that older fissures are reactivated by wet weather or irrigation and

the most reliable predictor of slides is the history of the hillside, not reports; and he asked the City Council to not allow the ADU construction and to create a hillside ordinance for the area.

Steven Gourley reminded the City Council of the costs the City incurred in lawyer fees from previous landslides; asserted that a previous settlement forbids construction in the area beyond the original footprint; stated that Culver sand moves and should not be built upon; he reported that Cathy Zermeno had sent a letter in opposition to the project or any new projects on the hill; he expressed concern that Public Works was not communicating with Planning as the City has lost \$3.2 million plus attorneys' fees on hillside losses; questioned who would be enforcing the R-1 designation on the property; felt the usage was a duplex; he asked that the applicant's loan application be reviewed to find out if it was for income property; and he reported the applicant had threatened to report neighbors who complained with zoning violations.

Melina Pillar reported that the hill was on the move with trees and power lines coming down recently; discussed cleanup efforts for the recent minor slide; she asserted the Cranks Road house was incongruous with the rest of the neighborhood; she opposed the ADU as an overreach; expressed concern with safety; and she asked for a moratorium on hillside development.

Mark Lorrin asserted the applicant could not have disclosed to the City his intention to live in one unit and rent out another as staff would have informed him of the R-1 zoning restrictions; he felt the applicant has misrepresented the property as a single family residence; reported the applicant had told neighbors he intended to rent out a portion of the house; threatened those who planned to oppose the project at the City Council meeting with retaliation; he stated the applicant had misled the Planning Department by not disclosing his plans for a pool and ADU until the last minute; reported on cracks and damage to the retaining wall; he discussed the porous soil composition of the hill; and asked for a moratorium on hillside construction including the Jackson project.

Mark Rothman reported witnessing two slides since living in the area; detailed the size and weight of the Cranks road construction; asserted that was the wrong place for a

project of that size and weight; and asked the City Council to consider the safety of the neighborhood rather than the bottom line of one man.

Sean Veder reported on a form letter from the applicant stating repairs to the retaining wall would be conditional on the construction of his ADU; discussed fortification of neighboring retaining walls; the potential domino effect for his neighbors; he expressed safety concerns with the amount of material that could come down the hill in the event of a slide; and he discussed the weight calculation in the report of the structural engineer.

Mayor Clarke received clarification regarding the artist's rendition of the ADU plans provided by Mr. Jackson to neighbors.

Paul Asai spoke on the lack of residential hillside building standards in the City; he pointed out that Los Angeles had strict hillside construction ordinances; and he asked the City to take action and enact a moratorium on hillside construction of ADUs and to create comprehensive building and zoning codes.

Nicholas Cregor spoke of the safety concerns with the project; reported no response to his request for reports, surveys and plans; asked for an independent structural engineering report, rather than one paid for by the developer; discussed liability of the City; he asserted the applicant should have special insurance for the hillside and all affected by its movement; he called for the City Attorney to investigate the two units being built on an R-1 lot; and he expressed concern with delays to making a decision on the item.

Susan Rosales asserted that the responsibility of the City for their residents' safety outweighed the construction of the ADU; she stated that one of two roads leading to the top of the hill had been closed for three years after the last major slide and created a public safety hazard; she expressed concern that the 2014 study was no longer accurate given current slide activity; asked that the larger community not be made to suffer for the overreach of a single developer; and she requested a moratorium on hillside construction.

Jennifer Merlis asked the City Council to disallow any hillside ADU construction due to safety concerns; expressed support for limiting hillside property construction to the footprint of the original structure; discussed liability; resident concerns; and she asked that the City enact a moratorium on all hillside construction and to deny the applicant's ADU.

Gerald Kitano asked that the Planning Department conduct a comprehensive review of the retaining wall, including what effect the McMansions have on the strength of the wall.

Jennifer Hodur reported on the loss of her house on Cranks Road due to a slide 12 years ago; she asserted the proposed project was a "ticking time bomb"; and she voiced concerns regarding safety and City liability should there be another slide.

Ron Ostrin expressed concern with safety due to the added weight of new housing since the 2005 slide; he asserted that the approval could not be made with a by-right minimum requirement but instead the City Council should insist on maximum requirements; and he asked that a moratorium be enacted for safety reasons and in order to create a comprehensive hillside ordinance.

Margarita Chie provided a history of Culver Crest development; she asked for a hillside construction moratorium as well as updated hillside regulations; and she stated that without stricter building codes, all properties will be built as large as possible.

Sally Haft discussed her experience trying to add a raised garden in her backyard, which proved too costly; reported on her landscape architect's assessment on the fragility of the hillside; and asked how the City could approve oversized construction on a cliff.

Paul Ehrlich gave a brief history of the Building and Safety Appeals Committee, suggesting that the City agendize consideration of updating the Committee membership and utilize the Committee as a tool in hillside construction issues.

Nancy Joujon-Rouche voiced concern regarding area development since the 2005 slide; asserted that the project was an accident waiting to happen and there was more weight

than the hillside could bear; and she asked for a moratorium on hillside development for safety reasons.

Roger Porter asserted that the geotechnical analysis, finding the hillside acceptable for construction, was not correct given the hillside's movement over the years; he asked for more stringent construction guidelines; he found the ministerial approval of the project by the City to be alarming given the history of the area; and he asked the City Council to be realistic and cautious about any such development.

Michael Landau stated that a project such as this should not be approved just because it can be done within current guidelines.

Charles Stevens felt the proposed structure posed a threat to public safety and a liability to the City.

Paul Jacobs reported on the history of slides in the area and the damage done, and voiced surprise that a project with such acute safety issues would advance administratively through the approval process.

David Heckendorf asserted the project showed disregard for the safety of neighboring homes; reported that the applicant's plans did not contain the ADU and lacked detail; he related a conversation between a City staff member and an SCE employee about possible slides on the hillside; and he expressed concern with setting a precedent by letting the project move forward.

Sharon Cotterell discussed current conditions and asked the City Council to bring common sense to their decision.

Steve Gardner expressed concern with the health, safety and welfare of all who live around the proposed project; reasonable use of the property; overburdening by human intervention; slippage caused by inadvertent overwatering that created liquefaction; and he encouraged the City Council to carefully consider before adding structures to a hillside that has collapsed before.

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

David Ellien

Darryl Cherness
Julie Wilhoit
Marlene McClure

Dan Mayeda recalled the history of slides noting that they seem to be 12-15 years apart with the last big slide 12 years ago, and he asked for a moratorium on hillside ADUs.

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Recess/Reconvene

Mayor Clarke called a brief recess from 9:14 p.m. to 9:22 p.m.

Discussion ensued between staff and Council Members regarding development standards; history of the hillside; City liability; arbitration; preserving the hillside; clarification that ADUs are allowed by state law and cities are not allowed to approve or deny the projects; the ability of the City to set development and locational standards; confirmation the state law does not preclude local zoning or building codes when it comes to ADUs; whether the location of an ADU on a hillside would be protected by the state law; hillside safety and previous slope failures; clarification regarding the R-1 vs. R-2 zoning issue; the second kitchen; the need for separate units with separate entrances in order for a duplex classification; weight on hillsides; clarification that the applicant's hillside review includes neighboring properties; development issues; a review of safety issues with the applicant's property and the minimum requirements by law; public meetings; current regulations; the authority of the City; California Building Code and the Hillside Ordinance approved in 2006; the ability of the City to apply additional zoning restrictions as well as structural and geotechnical criteria; justification for restrictions; clarification that by state law an ADU must be processed by the City ministerially not discretionarily; applicant reimbursement to the City for geotechnical reports produced by the City subcontractor; clarification that in the current case, the City has paid for an independent engineer to review the hillside; clarification on the review process; applicability of the Building Code Appeals Committee to the project; assertions from the geotechnical engineer that the soil is acceptable for construction and the retaining walls are not in disrepair; third party

review of geotechnical reports; responsibility of the property owner for the retaining walls; clarification that owner/builder permits apply to the project; whether expertise in hillside development is required; the structural engineer that designed the plans; agendizing a discussion of a moratorium as early as March 20; whether the moratorium could potentially apply to the current project; the intent of the owner to submit plans for an ADU; unique conditions for a specific area due to geological conditions; Blair Hills; limiting the moratorium to the Culver Crest Neighborhood; criteria and boundaries; clearly defining the area under the moratorium; clarification that the primary residence would not be affected by a moratorium as the project had a building permit issued and a substantial amount of construction has been completed; and the scope of a moratorium.

Mayor Clarke received City Council consensus to direct staff to return on March 20 for a discussion on bringing forth a moratorium on hillside development on upper and lower Crest construction development.

Steven Gourley received clarification that Sol Blumenfeld would not sign off on anything in the meantime.

Vice Mayor Cooper received clarification regarding the length of time for the review process for this type of construction.

Nicholas Cregor pointed out that Mr. Jackson had not broken ground on the construction and was planning to re-submit plans.

Additional discussion ensued between staff and Council Members regarding the scope of the moratorium discussion; the application of minimum standards; size and massing; the mansionization study; defining specific concerns; development standards for hillsides; involving the Planning Commission; clarification that residential hillside development is the main issue; buildable vs. non-buildable space; regulations that leave room for nuance; and safety as the number one priority.

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Item A-5

(Out of Sequence)

CC - Request from the National Association of Composers USA, Los Angeles Chapter, for Additional Funding in the Amount of \$1,850 to Supplement Production Funds for a Free Centennial-Themed Music in the Chambers Concert

Susan Obrow, Special Events Coordinator, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding how the change in the budget came about and what the money would go towards.

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Deon Price clarified that when submitting the grant, they mistakenly thought that the Council Chambers was an in-kind contribution of the City; she reviewed her fundraising efforts; detailed the performers involved; noted that they are working below their standard fees; discussed the focus of the performance; and announced that the performance would take place on April 15.

Discussion ensued between staff and Council Members regarding assurances that a precedent would not be set; the unusual nature of the situation; value for the money spent; costs to use the Council Chambers; other hard costs for the event; and availability of a piano in Veterans Auditorium.

Jihyoung Kim spoke about the National Association of Composers USA, LA and she asked that the City Council approve the budget.

Simon Hanna voiced support for the budget request.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER SAHLI-WELLS AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE A REQUEST FROM THE NATIONAL ASSOCIATION OF COMPOSERS USA, LOS ANGELES CHAPTER, FOR ADDITIONAL FUNDING IN THE AMOUNT OF \$1,850 TO SUPPLEMENT PRODUCTION FUNDS FOR A FREE CENTENNIAL-THEMED MUSIC IN THE CHAMBERS CONCERT.

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Item A-2
(Out of Sequence)

CC - Consideration of Adoption of a Resolution Taking a Position on Proposed California Senate Bill 54 (2017), the California Values Act

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

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Paula Amezola De Herrera discussed her experiences at El Marino Language School; asserted that Culver City encouraged immigrants to live in the City; reported on education for non-native speaking children; she read and submitted a statement from Senator Kevin De León; and she expressed support for SB 54 as immigrants fear reporting crime to police in case they are working with immigration officials and deport them.

Chris Wade voiced support for the intent of the Bill but was concerned it would be counter-productive; noted that the Bill would create a border-to-border sanctuary in the state, which he objected to; defined the word sanctuary and clarified the origin of its current usage; and he discussed the political clout of the state.

Daniel Lee voiced support for SB 54; noted that sanctuary cities have less crime than other cities; discussed falling immigration rates; racial profiling; legal implications; and he felt people should take pride in being a part of a sanctuary city or state.

Michelle Weiner voiced support for SB 54, the California Values Act; asserted California is a leader in social and environmental issues; and she noted that Culver City sought to be a City of Kindness.

Gary Silbiger reported working as an immigration lawyer for over 40 years; asserted that state and local police should not be involved in immigration enforcement; discussed

mandatory detention; and he asked everyone to vote for SB 54.

Katy Krantz felt City support for SB 54 was important as many residents are living in fear of being deported; noted that the action would lay a foundation for support of the Sanctuary City resolution; discussed the importance of designating safe spaces such as schools, hospitals and courthouses as places ICE should not come; she clarified that warrants would still stand; and she noted that the action was not a call for open borders.

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

Lila Swenson
Julie LaRue

Mayor Clarke invited the Culver City Police Department to discuss any impact the Bill would have on the police and their practices.

Ron Iizuka, Assistant Police Chief, reiterated that the local police are not acting as ICE agents nor enforcing immigration law and he stated that there was an ICE notification process that this Bill would repeal, which could negatively affect major narcotics cases.

Discussion ensued between the speaker and Council Members regarding details of the data sharing aspect of the Bill; confirmation that Culver City does not share immigration status on people they arrest with ICE; clarification that the Bill clarifies that immigration is not a crime but does not prohibit law enforcement; clarification that the Bill passed Public Safety in the California State Senate; the speed with which the Bill is moving through the Assembly; the vetting process; a review of the California State Sheriff's Association written opposition to the Bill; and Federal funding.

Further discussion ensued between Council Members regarding the visa process and the privilege of US citizenship; concern with being unable to report major criminals to ICE; a feeling that criminals should be deported; a suggestion to wait on taking a position until amendments have been completed; honoring the concerns of the Police Department; support for the carefully prepared Bill; concern with the

current state of the Federal government; the importance of the symbolic gesture; the country of immigrants; the Culver City School Board resolutions on safe zones; an assertion that oppression, racism and fascism are the problem, not immigration; appreciation for the Community-friendly approach of the Police Department; the challenge to police policy by new Federal executive orders; adoption of President Obama's 21st Century Best Policing Practices; the Community Forum to discuss current practices on March 15; challenges for the Police Department with new Executive Orders; concern with local issues rather than state or national issues; whether the City could support the Bill as amended; clarification on how the amendment would read; drugs specified in SB 54; the various crimes listed from small infractions to major felonies; clarification that the Bill only prevents communicating immigration status of criminals to ICE; inherent racism in the criminal justice system; and an assertion that immigration status should not be used as a form of punishment.

Mayor Clarke suggested that item A-3 be deferred to a later meeting due to the lateness of the hour.

Emily Linnemier provided statistics regarding deportees and crimes committed; discussed benefits provided by immigrants in the community; asked for clarification on the section of the Bill indicating that police would be hampered on addressing serious offences; creating a more detailed policy in the future; she asserted that the Bill covered much more than just how Police shared data; and she felt it important for the City to make a statement by supporting SB 54.

Gary Silbiger noted that if the police are not asking for or looking at the immigration status of criminals there should be no problem in supporting the Bill.

Council Member Sahli-Wells moved to adopt a resolution in support of SB 54, the California Values Act.

Additional discussion ensued between staff and Council Members regarding a request that staff bring back additional information on the item; clarification regarding requirements of the current law that the police report arrests to appropriate Federal agencies including ICE; an assertion that the Bill in question would repeal that; whether the Bill would protect drug traffickers from

deportation; the feeling that drug dealers should be deported if here illegally; support for the rest of the Bill; the intent of the Bill to restore trust in the state; eroding trust; whether the Bill would prevent the police from doing their job; and real examples of people being deported for very little cause.

MOVED BY COUNCIL MEMBER SAHLI-WELLS AND SECONDED BY COUNCIL MEMBER SMALL THAT THE CITY COUNCIL:

1. ADOPT A RESOLUTION TAKING A POSITION IN SUPPORT OF SB 54 (2017), THE CALIFORNIA VALUES ACT; AND
2. DIRECT THE CITY MANAGER OR HIS DESIGNEE TO COMMUNICATE THE CITY'S POSITION ON SB 54 AS NECESSARY.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

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

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Item A-3

CC - Four-Fifths Vote Requirement - (1) Receive Presentation on Mid-Year Budget Monitoring Report and General Fund Financial Forecast, (2) Receipt and Filing of the Fiscal Year 2016/2017 Mid-Year Budget Monitoring Report, (3) Provide Notification to Public Inviting Comment and Input for the Upcoming Proposed Budget for Fiscal Year 2017/2018, (4) Approval of Proposed Blanket Purchase Order Amendments and (5) Approval of Proposed Budget Amendments

This item was deferred to a future meeting.

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Item A-6
(Out of Sequence)

CC - (1) Approval of In-Kind Assistance for the Culver City Healthy Family 5K Run/Walk to be Held at West Los Angeles College on April 2, 2017 in an Amount Not-To-Exceed \$2,656.00; and (2) If Desired, Designation of the

Culver City Healthy Family 5K Run/Walk as a City-Sponsored Event

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

1. DETERMINE THE AMOUNT OF FINANCIAL ASSISTANCE FOR THE 2017 CULVER CITY HEALTHY FAMILY 5K RUN/WALK TO BE IN AN AMOUNT NOT-TO-EXCEED \$2,656.00; AND,
2. (IF SUCH IN-KIND FINANCIAL ASSISTANCE IS APPROVED AND DETERMINED TO BE AT LEAST \$1,000.00) DESIGNATE THE 2017 CULVER CITY HEALTHY FAMILY 5K RUN/ WALK AS A CITY-SPONSORED EVENT.

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Item A-7

CC - FOUR-FIFTHS VOTE REQUIREMENT - (1) Receipt and Filing of the Financial Statements from Culver City's Boulevard Music 2016 Summer Festival; (2) Approval of a Budget Amendment Appropriating \$41,494 from the General Fund; (3) Designation of Culver City's Boulevard Music 2017 Summer Festival Series as a City-Sponsored Event; (4) Approval of a Memorandum of Understanding and License Agreement with Boulevard Music in an Amount Not-to-Exceed \$41,494 for Culver City's Boulevard Music 2017 Summer Festival; and (5) Approval of a Fee Waiver for the \$119 City Banner Permit Application Fee

Mayor Clarke invited public comment.

The following member of the audience addressed the City Council:

Gary Mandell, Boulevard Music, responded to inquiry noting that concerts would be on Thursday nights beginning July 6.

Discussion ensued between Mr. Mandell and Council Members regarding small cost increases; performance fees; tie-ins with the Centennial; sponsorship money raised; the fixed-rate producer fee; usage of the same model that has been consistently used for several years; and coordination with the Centennial Committee.

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

1. RECEIVE AND FILE THE 2016 SUMMER CONCERT FINANCIALS PROVIDED BY BOULEVARD MUSIC; AND
2. (FOUR-FIFTHS VOTE REQUIRED) APPROVE A BUDGET AMENDMENT APPROPRIATING \$41,494 FROM THE GENERAL FUND; AND,
4. DESIGNATE CULVER CITY'S BOULEVARD MUSIC 2017 SUMMER FESTIVAL A CITY-SPONSORED EVENT; AND,
4. APPROVE A MEMORANDUM OF UNDERSTANDING AND LICENSE AGREEMENT WITH BOULEVARD MUSIC IN AN AMOUNT NOT-TO-EXCEED \$41,494 FOR THE 2017 CULVER CITY SUMMER CONCERT SERIES; AND,
5. WAIVE THE \$119 CITY BANNER PERMIT APPLICATION FEE; AND,
6. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND,
7. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item A-4

CC - (1) Establishment of a Marijuana Task Force; (2) Appointment of Two City Council Members to the Marijuana Task Force; and (3) Direction to the City Manager to Return with a Request for Proposals (RFP) for Consultant(s) to Assist in the Development of Marijuana Policies and Regulations

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

Discussion ensued between staff and Council Members regarding usage of people with previous experience on the item; including key stakeholders on the task force; and timing of the item to make it on the April 2018 ballot.

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Daniel Lee expressed support for formation of the task force; discussed his experiences suffering from chronic pain; alternative forms of treatment; medical marijuana; and he suggested allowing several dispensaries within the City and ensuring that input is solicited from elderly residents dealing with chronic illnesses and end of life conditions.

Gary Silbiger expressed support of the formation of the Committee; discussed the composition of the Committee; and outreach and getting residents involved.

Charles Houghton reported sitting on the task force for the City of Colorado Springs, and he offered to share his experiences and help in any way he could.

Ruben Honig discussed his experiences with medical cannabis; expressed willingness to serve; provided background on his work experience with the City of Los Angeles; and he suggested having a wide variety of people serve on the task force.

Discussion ensued between staff and Council Members regarding the importance of community outreach and input; concern with having too large a committee; previous experience with absences; clarification that the Task Force would be subject to the Brown Act; the technical aspects of the issue; staff commitment; bringing in people with specific knowledge; consultants; the importance of public outreach; criteria for selection; the urgency of the California state law; appreciation for input from the speakers; concern with conflicts of interest; the timeframe; professionalizing the process; support for the suggested structure; non-voting members; policy issues; the need for a formal process; clarification that it is an important public committee; the staff report and agenda item; making it clear if an opportunity exists; use of a legal consultant and a policy consultant; the multi-departmental nature of the issue; the need for tax and financial professionals; and ex-officio, non-voting members.

Council Member Eriksson moved to accept the staff recommendation and Council Member Small seconded the motion.

Vice Mayor Cooper made a substitute motion to appoint Ruben Honig and Charles Houghton as ex-officio non-voting members.

Additional discussion ensued between staff and Council Members regarding ex-officio members; noticing concerns; and examination of background and qualifications.

Vice Mayor Cooper received clarification regarding the willingness of Charles Houghton to attend the public meetings and provide input.

The substitute motion died for lack of a second.

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

1. ESTABLISH A MARIJUANA TASK FORCE AS DESCRIBED IN THE STAFF REPORT; AND
2. DIRECT THE CITY MANAGER TO RETURN TO CITY COUNCIL WITH A REQUEST FOR PROPOSALS FOR A CONSULTANT(S) TO ASSIST THE CITY WITH THE PROCESS OF DEVELOPING NEW MARIJUANA REGULATIONS.

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: APPOINT VICE MAYOR COOPER AND COUNCIL MEMBER SAHLI-WELLS TO THE MARIJUANA TASK FORCE.

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Item A-9

CC - Adoption of a Resolution Amending City Council Policy Statement 2010-01 (Mayoral Rotation), as Recommended by the Ad Hoc City Council Policies Subcommittee

Serena Wright, Administrative Services Director, provided a summary of the material of record.

Mayor Clarke invited public comment.

The following members of the audience addressed the City Council:

Daniel Lee observed that the policy had not been regularly followed and he expressed support for consistency.

Mayor Clarke related previous reasons for inconsistency.

Michelle Weiner noted that over the years the order had been used in different ways and sometimes not very nicely; she indicated that the policy had not always been adhered to; she questioned why the policy was being brought back at this time; and she appealed for courtesy and fairness.

Discussion ensued between staff and Council Members regarding reasoning for the amendment; creating a clear rotational order; the provision that one cannot be the Vice Mayor in the year before being termed out; how many times one can serve; the Vice Mayor position as being in training; the ability to deviate from the policy; circumstances; the policies of Beverly Hills; the City Charter; holding a meeting to determine the mayor before the actual swearing in; a suggestion for further consideration by the subcommittee; ensuring an orderly transition; a previous experience in 2010 where the expected Mayor was not chosen to serve; whether the Council has followed policy since 2010; and correction to a typographical error on the last page of the staff report to indicate "two or more" rather than "two or".

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY MAYOR CLARKE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: ADOPT A RESOLUTION AMENDING CITY COUNCIL POLICY STATEMENT 2010-01 (MAYORAL ROTATION).

Mayor Clarke indicated that he and Council Member Eriksson would like to stay on the Policy Subcommittee to get through all the City policies within the next year.

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Item A-8
(Out of Sequence)

CC - Affirm Position in Support of SB 1 (Beall) and AB 1 (Frazier), Transportation Funding Proposals

Mayor Clarke indicated that generally the City opposes things that raise taxes although the intention of improving infrastructure is positive.

Mayor Clarke invited public comment.

No cards were received and no speakers came forward.

Discussion ensued between staff and Council Members regarding the financial forecast; a developing structural deficit; returning money back to the City; the limited ability of the City to raise taxes; a fair way to get money for road improvements; and clarification that SB 1 and AB 1 are state measures, not City measures.

MOVED BY VICE MAYOR COOPER, SECONDED BY COUNCIL MEMBER SMALL AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL: AUTHORIZE THE IMMEDIATE SUBMISSION OF LETTERS OF SUPPORT FOR SB 1 AND AB 1; AND THE SUBMISSION OF SUBSEQUENT LETTERS OF SUPPORT IN THE FUTURE AS THE BILLS MOVE THROUGH THE LEGISLATIVE PROCESS.

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Public Comment - Items Not on the Agenda

Mayor Clarke invited public comment.

No cards were received and no speakers came forward.

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Items from Council Members

Vice Mayor Cooper expressed concern with future projected structural deficits and suggested starting early to bring a conversation before the voters to make Measure Y permanent.

Mayor Clarke reported a discussion with the School Superintendent regarding a potential bond issue or parcel tax for the School District and timing what the City plans to bring forward.

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Adjournment

There being no further business, at 12:42 a.m., Tuesday, February 28, 2017, the City Council, Housing Authority Board, Parking Authority Board, and Successor Agency to the Culver City Redevelopment Agency Board adjourned in memory of Ken Wheat.

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Jeremy Green

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

JIM B. CLARKE

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