

OFFICIAL MINUTES

SPECIAL MEETING OF THE
CITY COUNCIL
CULVER CITY, CALIFORNIA

June 17, 2021
3:00 p.m.

Call to Order & Roll Call

Mayor Fisch called the special meeting of the City Council to order at 5:31 p.m. in the Mike Balkman Chambers at City Hall via Virtual Webex.

Present: Alex Fisch, Mayor
Daniel Lee, Vice Mayor
Göran Eriksson, Council Member
Yasmine-Imani McMorrin, Council Member
Albert Vera, Council Member

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Carol Schwab, City Attorney, reported receipt of a letter on June 17, 2021 from the law firm Alston and Bird representing Sentinel Peak Resources (SPR) challenging the proposed ordinance being considered under agenda Item PH-1; she indicated that a copy of the letter is available upon request as part of the public record; she proposed that Item CS-2 be added to the Closed Session agenda noting that staff had become aware of the need for the item after the posting of the agenda; and she indicated that pursuant to Government Code Section 54954.2(b)(2), upon a determination by a two-thirds vote of the City Council that there is a need to take immediate action, the following item may be added:

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

MOVED BY COUNCIL MEMBER VERA, SECONDED BY COUNCIL MEMBER

ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADD THE STATED ITEM TO THE CLOSED SESSION AGENDA.

Carol Schwab, City Attorney, stated that pursuant to government code 54956.9 (e) (5), she wanted to put a statement on the record indicating a statement was given to a City official by representatives of the California Independent Petroleum Association threatening litigation against the City with regard to the proposed ordinance being considered under agenda Item PH-1 and that the California Independent Petroleum Association indicated their desire to seek a settlement without litigation.

Mayor Fisch invited public comment.

Jeremy Green, City Clerk, reported that no public comment had been received for Closed Session.

MOVED BY COUNCIL MEMBER VERA, SECONDED BY COUNCIL MEMBER ERIKSSON AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADJOURN TO CLOSED SESSION.

Closed Session

At 5:37 p.m. the City Council adjourned to Closed Session to consider the following Closed Session Items:

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

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

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Regular Session

Mayor Fisch reconvened the special meeting of the City Council at 6:12 p.m.

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Pledge of Allegiance

Mayor Fisch led the Pledge of Allegiance.

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Report on Action Taken in Closed Session

Mayor Fisch indicated nothing to report from Closed Session.

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Community Announcements by City Council Members/Information Items from Staff

Council Member McMorris invited everyone to register for the Juneteenth Celebration on June 19 and she noted that the federal holiday had been approved.

Vice Mayor Lee reiterated the announcement for the Juneteenth event; discussed approval of the federal holiday noting that Culver City had been on track before the federal government; and he acknowledged the importance of the holiday.

Mayor Fisch announced that land use alternatives and the practice of exclusionary zoning would be considered at the June 23, 2021 Joint City Council/Planning Commission meeting noting that President Biden had condemned exclusionary zoning and encouraged cities to remove exclusionary provisions in zoning codes.

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Joint Public Comment - Items NOT on the Agenda

Mayor Fisch invited public comment.

Steven Gourley was called to speak, but could not be heard.

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Receipt and Filing of Correspondence

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

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Joint Public Comment - Items NOT on the Agenda (Continued)

Mayor Fisch invited public comment.

Steven Gourley expressed frustration with technical difficulties; discussed the job of politicians; the proposed ban on single-family houses; the assertion by the three-person majority of the City Council that houses are tools of segregation used by white men to keep people of color out of white neighborhoods throughout history; diversity in schools; single-family housing provided to thousands of people of color; quality police and fire services in the City; safe and secure housing; clear zoning regulations; commercial facilities; tall, dense, crowded and dangerous apartment buildings; careful planning over the past 100 years; outside developers prepared to build-out the City; extinction of the single-family home; and previous actions by City Council Members.

Suzanne Debenedittis expressed appreciation for the acknowledgement of past racism and plans for reparations by the City; asked the City to study the UCLA housing report; discussed abundant gentrification vs. abundant reparation; the National Homes Guarantee Briefing Book; work to shut down the oil field; justice for the disenfranchised; trickle-down housing; addressing issues; the need for General Plan Advisory Committee (GPAC) meetings; prioritizing affordable housing and ending homelessness; wraparound services; Regional Housing Needs Assessment (RHNA) numbers; and she wanted to see the City slow down and get the process done right.

Cary Anderson discussed technical issues; the Pride flag; the opening of City Hall; the Juneteenth flag; and he asked that consideration of flying a Juneteenth flag be placed on a future agenda for consideration.

Reverend Louis Chase, Fullman United Methodist Church in Los Angeles, spoke on behalf of the Coalition to Stand Against Neighborhood Drilling; he applauded clean air advocacy by Culver City; expressed support for phasing out and cleaning out oil wells in the next five years; discussed the right to breathe clean air and live free of toxic industries; the dangers of oil extraction to communities and the environment; free rein given to oil companies to extract profits and leave the community with the consequences; setting a precedent by ensuring that the oil companies take responsibility for cleaning up the wells and the land; and similar efforts by neighboring communities.

Mayor Fisch indicated that the previous comment pertained to Item PH-1.

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Order of the Agenda

Joint Public Comment - Items NOT on the Agenda was heard before and after Receipt and Filing of Correspondence.

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Public Hearing

Item PH-1

CC - PUBLIC HEARING: (1) Consideration of the City Council Oil Drilling Subcommittee's ("Subcommittee") Recommendation to Terminate Nonconforming Oil Uses and Phase the Closure and Removal of Nonconforming Oil Uses over a Five-Year Period Ending July 28, 2026; (2) Introduction of an Ordinance Approving Zoning Code Amendment P2021-0036-ZCA, Amending Culver City Municipal Code Title 17: Zoning Code, Section 17.610.010.D - Nonconforming Oil Use, to Terminate Nonconforming Oil and Gas Uses by July 28, 2026; and (2) Direction to the Subcommittee and City Staff as Deemed Appropriate

MOVED BY COUNCIL MEMBER ERIKSSON, SECONDED BY VICE MAYOR LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE THE AFFIDAVIT OF MAILING AND POSTING OF PUBLIC HEARING NOTICES.

Heather Baker, Assistant City Attorney introduced the item.

Melanie Doran Traxler, Project Manager, provided a summary of the material of record; discussed terminology; boundaries; the portion of the Inglewood Oil Field (IOF) that lies within Culver City; active vs. idle wells; declining output; percentage of the overall oil field located in Culver City; chronology of the IOF review; activity since 2014; key features of the termination ordinance; key dates established by the ordinance; the five-year time frame; necessary coordination; the request for quarterly project reports on the plugging and restoration process; and identified exemptions.

MOVED BY COUNCIL MCMORRIN, SECONDED BY VICE MAYOR LEE AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL OPEN THE PUBLIC HEARING.

Mayor Fisch invited public comment.

The following members of the public addressed the City Council:

Nicole Levin was called to speak but did not respond.

Wendy-Sue Rosen was called to speak but did not respond.

Jaya Nayar was called to speak but did not respond.

Amy Champion provided background on herself; commended the City for their work; expressed support for terminating non-conforming oil uses in Culver City; discussed health issues; and encouraged the City to protect the health of everyone in the City.

Damon Nagami was called to speak but did not respond.

Michael Rochmes was called to speak but did not respond.

Alexandra Nagy was called to speak but did not respond.

Craig Barry was called to speak but did not respond.

Damon Nagami, Natural Resources Defense Council, expressed strong support for the ordinance and phaseout plan; discussed health issues; environmental justice; addressing and reversing racist land use policies; BIPOC (Black, Indigenous, People of Color) communities as bearing the brunt of oil pollution; the approach taken by the City; best available data and science; addressing community concerns; and he asked the City to approve the ordinance and phaseout plan.

Leah Pressman read a statement from her cousin, Dr. Mark Santos, discussing his background; findings from the Intergovernmental Panel on Climate Change; the increase in greenhouse gas levels caused by burning of fossil fuels; the need to transition to low-carbon energy; being part of the solution; the importance of local action; and requested that the City Council phaseout oil and gas production at the IOF noting the importance of the example set.

Catherine Ronan expressed support for phasing out oil drilling in the IOF; hope that the operator would be compelled to clean

up the site; and she discussed transitioning to a fossil fuel free future.

Brian Frange was called to speak but did not respond.

Alexandra Nagy was called to speak but did not respond.

Lew Hollman provided background on himself; expressed support for the phaseout; discussed economic activity; air quality; negative effects to health; disproportionate impacts; collateral effects; climate change; economic impacts; and the importance of living free from environmental harm.

Craig Barry provided background on himself; discussed witnessing oily substances in the Creek and petroleum products in the air; he expressed support for the phaseout; and was looking forward to a cleaner and greener future.

Khin Khin Gyi, Citizens Coalition for a Safe Community and the Clean Break Subcommittee of the West Los Angeles Sierra Club, discussed her reasons for supporting the phaseout; prior incidents with the IOF; health impacts; clean energy jobs; union support; and providing a win-win solution for the climate debacle.

Deborah Weinrach provided background on herself; discussed her reasons for supporting the elimination of non-conforming oil and gas uses; her participation on the Community Advisory Panel (CAP); frustration with the response of SPR; risks to those living in Raintree; the safety and health of residents; and she asked the City Council to terminate the non-conforming oil and gas uses of the IOF.

Dr. Kelly Kent, Culver City Unified School District (CCUSD) Board of Education, provided background on herself noting that her comments were her own; praised and expressed gratitude for the work of Melanie Traxler; discussed her participation in the process; students vulnerable for the effects of oil related pollution; expressed support for the proposed ordinance; and she promised to support the City against backlash from profiteers benefiting from the destructive industry.

Terry Saucier expressed support for the proposed ordinance; asked that the City hold the current and prior operators responsible for the costs of remediation, well-plugging and cleanup, not the City and taxpayers; wanted those most impacted by the pollution to be guaranteed a seat at the table to

determine the future of the site; and she thanked the City for their leadership.

Paul Ferrazzi, Citizen's Coalition for a Safe Community, spoke in support for the proposed ordinance; pointed out that the action would only stop drilling on the surface area of the oil field in Culver City; discussed subsurface drilling; clarification regarding maps; leases signed with PXP; whether wells identified for re-plugging included surface wells outside the City surface area, but under Culver City jurisdiction; federal subsidies for enhanced recovery for oil operators; tax credits; and oil company profit.

Charles Moore discussed the General Plan; questioned the power supporting the ordinance; Planning Commission involvement; and environmental quality documentation.

Colleen Callahan was called to speak but did not respond.

Varenka Lorenzi expressed support for the phaseout and cleanup of the oil wells; found it surprising that there was oil drilling within city limits; discussed evidence that the chemicals that leak from the wells are toxic; negative effects to those who live near the wells; she thanked the City for their work; and she asked the City to lead the way by putting health before money.

Sherita Coffelt, Clean Power Alliance, provided background on the organization; discussed future use of the site; local renewable energy projects; willingness to collaborate; and she thanked the City for their efforts toward clean power.

Nicole Levin, Sierra Club, provided background on the organization; thanked the City for their leadership; asserted that the IOF is an environmental justice issue; discussed health effects to those living in the vicinity; the pandemic; oil and gas exposure; the CAP meeting where SPR reported a methane leak from an abandoned well; the need to ensure cleanup along with the phaseout; and the importance of transitioning workers.

Michael Rochnes expressed support for the ordinance to phase out oil production and require remediation of the wells; thanked the City for their efforts; discussed the need to transition away from fossil fuels; improving public health in the City; and establishing precedent.

Nicki Carlsen, Alston and Bird, spoke representing SPR in opposition to the proposed amortization ordinance; reported submitting an opposition package; discussed environmental compliance reports from the last decade; applicable environmental laws; the amortization report; the Diminishing Asset Doctrine; actual investment; the Lange Report; industry benchmarks for pricing; reasonable rate of return; end of life abandonment costs; and differences between the numbers in the Lange Report vs. the City's Report.

Alison Hahm, Communities for a Better Environment, expressed support for the actions of the City to transition away from fossil fuels; urged support of the shortest possible timeline; discussed impacts of neighborhood oil drilling; plugging, capping, abatement and remediation; ensuring that SPR is held responsible for costs; and creating a model for other cities to prioritize health over profit.

Tanya van der Stee was called to speak but did not respond.

Colby Devitt provided background on herself; expressed support for the phaseout and cleanup of the oil wells; discussed danger to the quality of air, drinking water and health of residents; work over many years to ensure that corporate polluters are paying the costs for remediation and cleanup; engaging in a just process for deciding the future of the land; setting a precedent for other urban areas; promoting abundance; retiring fossil fuels and embracing renewable energy; and she asked the City Council to vote to support the phase out.

Gladys Delgadillo, Center for Biological Diversity, thanked the City for their efforts; expressed support for the proposal; discussed the urgency to end oil extraction actively causing harm in the community; health issues; phasing out fossil fuel production; meeting new national goals to reduce global warming; the opportunity of the City to lead; job creation; and she pledged support from the Center if the City moves forward with the ordinance.

Ethan Senser, Southern California Food and Water Watch, expressed support for the proposed ordinance; thanked the City for their work; discussed ensuring a just transition and cleanup; the future of the site; justice for the community; climate justice; the needs of those closest to extractive systems; and he expressed appreciation for the collaboration of the City with other organizations.

Andrew Flores was called to speak but did not respond.

Liz Gosnell spoke representing a trust of land owners in the IOF; discussed letters submitted to the City; issues that have not been addressed; unanswered questions; efforts of the City Attorney to enact a zoning change; the fact that a major portion of the land is private property; stakeholder rights; City estimates; the independent forensic audit; the need for transparency; taxpayer money being spent to try to stop the use; more efficient alternatives; and spending money on services to benefit citizens.

Andy Hattala was called to speak but did not respond.

Max Aronson provided background on himself; discussed a recent leak; potential health issues; the natural beauty of the hills; areas where the drilling has retreated; wildlife in the area; the pandemic; and he expressed support for a just transition away from drilling in Culver City as soon as possible.

Sonya Vasquez, Community Health Council, provided background on the organization; thanked the City for their efforts; discussed risks and impacts of the Baldwin Hills Oil Fields; impacts beyond the City's borders; impacts of the decision; providing an example; ensuring that the oil operator, not taxpayers, is responsible for the costs of well plugging, abandonment and site remediation; and establishing precedent.

David Haake, Sierra Club, provided background on himself; spoke in support of the proposed ordinance; he expressed support for jobs; discussed evidence regarding health risks to those living near the oil field; the California Climate Jobs Report endorsed by labor unions; providing a just and equitable transition for oil workers; creation of more jobs than will be lost; providing good jobs, clean air, clean water and a better quality of life; and creation of a better future for Culver City.

Suzanne Hume, cleaneearthforkids.org, expressed support for the proposed ordinance; discussed phasing out drilling; protecting the climate, water and ecosystems, children's and public health, food and climate; the effect of leaks and spills on health; premature deaths in the United States as a result of fossil fuels; pollution; she applauded the actions of the City; noted the importance of renewable energy; racial, social, climate, equity, public health and environmental justice issues; and she thanked the City for their efforts.

Armita Ariano expressed support for the proposed ordinance; noted that the land around the IOF had been undeveloped open space when it was established; discussed health and welfare issues; social justice and environmental issues; reliance on the oil fields; the phaseout process; providing a just transition for oil industry workers; support for training and wage replacement; holding the oil operator responsible for costs associated with plugging and abandonment; use of the land for renewable energy resources; and she thanked the City for being a leader.

Sandrine Cassidy, Ballona Creek Renaissance and CCUSD Sustainability Coordinator, discussed the opportunity to address health concerns; the Cal Enviro Screen Interactive Map; pollution and population vulnerabilities; direct physical and socio-economic consequences of the IOF; addressing environmental justice concerns; the importance of acting quickly; holding the operator responsible for remediation costs; and she thanked the City for their support in the long fight.

Ralph Combs was called to speak but did not respond,

Edward Hazard, National Association of Royalty Owners, provided background on the organization; expressed opposition to the amendment; discussed negative effects to royalty owners; assets; the difficulty of equitably amortizing mineral rights during current production with known reserves; clarification that the action proposed by the City would take the valuable assets of mineral owners who will be forced to take action; lawsuits in other cities; and he asked that the City reconsider the proposed action.

Marc Futernick was called to speak but did not respond.

Tom Camarella was called to speak but did not respond.

Heather Pearce, SPR, reported that lawyers had submitted an opposition packet to the proposed ordinance and were prepared to fight for their rights; she proposed working with the City to develop other solutions; invited the City to engage in substantive dialogue; discussed success in working with Los Angeles; the need to resolve differences; and she indicated that SPR was committed to good faith dialogue.

Mayor Fisch reported that SPR had submitted two letters earlier in the day and had ample opportunity to engage in dialogue since at least 2018, but had not chosen to do so; he discussed repeated

requests for information from the City ignored by SPR; the ordinance; addressing just transition; the clearly defined process; confidence in the ordinance; review of SPR's comments; previous instances where the City has delayed action and accepted the invitation from SPR to engage in discussions to amicably resolve the dispute; reasons to be skeptical; and the need for SPR to present specifics rather than generalized references.

Heather Pearce, SPR, acknowledged the City's goals; indicated willingness to discuss possibilities; and she referenced previous successful resolutions at other sites in Los Angeles with other governments with similar goals.

Colleen Callahan was called to speak but did not respond.

Daniel Taimuty, SPR, discussed their environmental compliance record in the IOF; standards and regulations; the Community Standards District (CSD); compliance reports; periodic reviews prepared by the CSD; and provisions to protect health, safety and welfare.

Sarah Wiltfong, Los Angeles County Business Federation, provided background on the organization, expressed concerns with the proposed ordinance; discussed government overreach; setting a precedent; uprooting well-established businesses; concern that the Planning Commission was not included in the process; loss of taxes and jobs with a phaseout; and services threatened if the City chooses to move forward.

Michelle Pritchard, Liberty Hill Foundation, provided background on the organization; expressed support for the proposed ordinance; discussed a report regarding community consequences of the oil field; risks to residents adjacent to the IOF; environmental injustice; she urged the City Council to adopt the ordinance; and she congratulated the City for their leadership.

Michelle Weiner commended the City for progress in the process; discussed organizations working on the effort to close the Culver City portion of the IOF; Supervisors that have failed to act; the need to take a stand; and she thanked the City Council for moving forward with the ordinance.

Veronica Wilson provided background on herself; expressed support for the action to phase out the IOF and move toward a clean energy future; she wanted to see SPR be held responsible

for costs associated with cleanup and remediation; and she wanted to see a just transition for workers.

Rachel Smith thanked the City for their work; expressed support for the phaseout and cleanup of the IOF within the next five years; discussed benefits; jobs and environmental justice; disproportionate effects; a recent spill; the importance of a just transition for workers; and costs associated with well plugging and abandonment.

Eric Romann, Stand LA, provided background on the organization; discussed efforts to move the item forward; social justice; inequities; partnership to get to this point; support for phasing out operations with SPR held responsible for the costs for plugging and cleanup; providing an equitable transition for workers in the process to shift from reliance on fossil fuels; and hopes that the proposed action would encourage the complete phaseout of the entire IOF.

Barbara Hensleigh, Sierra Club, discussed her efforts to phase out oil drilling in the LA basin; providing an example by phasing out oil drilling; protecting the health of residents; property rights exerted for years; the phaseout in the 1940s in privileged communities; and she thanked the City for their efforts.

Freddy Puza expressed support for phasing out oil drilling from the Culver City portion of the IOF; discussed prioritizing the health of residents over profit; the importance of winding down neighborhood drilling and fracking; leading the way for Los Angeles and other areas; requiring that the company that has profited from polluting the land, cover the costs of remediation; support for a just transition to clean energy; opportunities for local workers; good paying union jobs; and input from those most impacted on future use of the land.

Meghan Sahli-Wells thanked the City Council for supporting the recommendations from the Oil Drilling Subcommittee; discussed efforts to make Culver City a model community of independence from fossil fuels; housing policy; efforts toward climate justice; she reported being elected to the National Board of the Sierra Club; and she indicated that the nation was watching the vote.

Mark Lipman applauded the City Council for the work done; thanked staff for pushing through the technical difficulties; he asserted that those discussing their property rights

understand that their rights end when their actions adversely affect the health and well-being of the general public; discussed tax, fines, regulation and shut down; and he proposed a class action lawsuit against the property and royalty owners.

Disa Lindgren was pleased by the support voiced for the ordinance and she thanked the City for standing up and enacting the ordinance.

Jaya Nayar provided background on herself and thanked the City for their efforts to mitigate the impacts of climate change.

David Metzler expressed support for the phaseout; discussed oil organizers; a meeting ten years ago; previous government representatives unwilling to act on behalf of their constituents; and continued support for the difficult fight and resources devoted in the event of future litigation.

Nancy Barba provided background on herself; expressed support for the proposed ordinance; discussed risks associated with continued operation of the IOF; detrimental effects of the IOF; the disproportionate effect on low income communities; ensuring that operators are held responsible for plugging and cleanup; ensuring a just transition for workers, the community and the City; and continuing on the path toward a clean energy future.

Andy Hattala, Climate Reality Project, provided background on the organization; endorsed the measure; acknowledged the difficulty of the path; and discussed benefits of the proposed action.

Kimberly Ferguson expressed support for the phaseout of oil drilling and cleanup of the land; discussed public health risks; environmental hazards caused for the community; taxes; profits; ensuring that corporate polluters cover costs for remediation, removal, cleanup, plugging, abandonment, site remediation and future monitoring; opportunity for well-paying jobs; and community involvement in the future use of the land.

Richard Kennedy, Los Angeles South Chamber of Commerce, provided background on himself; indicated that the IOF had been deemed an essential business by the state and federal government; discussed employment of local workers; eminent domain; concern with setting a precedent by phasing out a well-established business; violation of state law by not going through the Planning Commission; and he asked the City to refrain from

attempting an illegal amortization process and to work with SPR on a better solution.

Suzanne Debeneditis thanked the City for their efforts; discussed the work of other cities; healthier options available; and she proposed initiating a lawsuit against SPR and landowners against ecocide, and class action lawsuits to hold those accountable for paying reparations for harms caused.

Siena Real, Clean Break - Sierra Club, discussed her experience with climate catastrophes; the need to take action toward renewable sources of energy; providing a safe and healthy environment for all community members; responsibility for cleanup costs; support for transitioning displaced workers to good jobs; and she thanked the City Council for their work and encouraged them to continue.

Danny Horn, Grid Alternatives, provided background on the organization; expressed support for the proposed ordinance; applauded the City for their recognition of climate change and the focus on making positive steps to address it; discussed a just transition for workers; inclusion; alignment with the vision for Culver City; and he urged the City Council to vote yes on the ordinance.

Monica Embrey, Sierra Club, thanked the City for their work; discussed the death of her cousin due to a rare form of blood cancer linked to pollution from oil and gas extraction; impacts to health and lives; connections between environmental pollution, health and the economy; climate chaos; the pandemic; air pollution from urban oil productions; taking care of the community and workers; the just transition plan; and she indicated that the Sierra Club would stand with the City and their leadership in the fight.

Jeremy Green, City Clerk, read a comment submitted by Tom Camarella in support of the ordinance and requesting more specific information.

MOVED BY VICE MAYOR LEE, SECONDED BY COUNCIL MEMBER MCMORRIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Council Members regarding the blowout in the IOF in 2005; mobilization of residents around the threat to health and safety; Citizens Coalition for a Safe Community; the Clean Break Committee of the Sierra Club; history

of the movement to make changes in the IOF; length of the process; the methodical nature of work done; the push from local activists and stakeholders; making a just transition; Grid Alternatives; the timeline; considerations to be taken into account; expected legal challenges and obstruction by SPR; support expressed for phasing out during Council Member campaigns; the will of the community; consensus; staff recommendations; threats from the oil operator; and exposing the City to potential litigation.

Additional discussion ensued between staff and Council Members regarding acknowledgement that things are never clear-cut; the process to phaseout oil production; acknowledgement that the City would be sued; risks; costs of litigation; reaching the same result without spending money on a lawsuit; the current deficit; the lawsuit for Hero Pay; and support for exploring the offer from SPR.

Council Member Eriksson moved to take SPR up on their offer to negotiate an agreement that satisfies City.

Further discussion ensued between staff and Council Members regarding the ultimate goal of closing down the IOF; fiscal responsibility; finding an amicable solution; campaign platforms that included support for the phaseout of the IOF; acknowledgement of the work of past and present Council Members; support for the staff recommendation; length of the process; the emphasis on a just transition; openness to negotiation; and the need to move forward.

Mayor Fisch proposed a motion to introduce the ordinance, direct staff to look closely at what has been presented by SPR and make any necessary changes, work with the Oil and Gas Subcommittee, and incorporate the motion proposed by Council Member Eriksson.

Further discussion ensued between staff and Council Members regarding concern that the ordinance would be seen as an existential threat to the oil industry; concern with losing the opportunity for constructive discussion; incorporating a delay into the passage to allow time for negotiation; the two-step ordinance process; time allowed for changes; the delay caused in 2015 by the same tactics to promise negotiation that did not transpire; work done; the desire to move forward while fulfilling community objectives within the same timeframe; being reasonable and responsible moving forward; negotiations and amendments between the first and second reading of the ordinance; urgency of the matter; and empowering the

subcommittee and City staff to explore alternatives with SPR to forestall litigation.

Mayor Fisch proposed to amend Council Member Eriksson's motion to incorporate the staff recommendation with direction to work with staff on an amicable resolution. Council Member McMorrin seconded the motion.

Council Member Eriksson indicated that his motion was to delay to allow negotiation over a specific timeframe and he did not accept the amendment as he felt that would be seen as a hostile move.

Additional discussion ensued between staff and Council Members regarding the relationship between the City and SPR; the ultimate goal to close down the IOF; responsibility of the City to safeguard public funds; those who are typically asked to wait; power dynamics; and withdrawal of previously proposed motions.

MOVED BY COUNCIL MEMBER ERIKSSON AND SECONDED BY MAYOR FISCH THAT THE CITY COUNCIL MOVE FORWARD WITH NEGOTIATIONS.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, FISCH, MCMORRIN, VERA
NOES: NONE
ABSTAIN: LEE

MOVED BY VICE MAYOR LEE AND SECONDED BY COUNCIL MEMBER MCMORRIN THAT THE CITY COUNCIL:

1. INTRODUCE AN ORDINANCE APPROVING ZONING CODE AMENDMENT P2021-0036-ZCA, AMENDING CULVER CITY MUNICIPAL CODE TITLE 17: ZONING CODE, SECTION 17,610.010.D - NONCONFORMING OIL USE, TO TERMINATE NONCONFORMING OIL AND GAS USES BY JULY 28, 2026; AND

2. PROVIDE DIRECTION TO CITY STAFF TO WORK WITH THE SUBCOMMITTEE, AS NEEDED, ON THE FOLLOWING ITEMS:

A. STUDY AND RETURN TO CITY COUNCIL WITH A FEE RESOLUTION ESTABLISHING AN APPROPRIATE "TERMINATION FEE".

B. EVALUATE AND RETURN TO CITY COUNCIL WITH RECOMMENDATIONS AND A RESOLUTION ESTABLISHING APPROPRIATE INSURANCE AND BOND REQUIREMENTS.

C. INITIATE COORDINATION WITH CALGEM TO REVIEW THE STATUS OF LONG-TERM IDLE WELLS WITHIN THE CITY AND PRIORITIZE AND DETERMINE APPROPRIATE ACTION AS CAN BE FACILITATED THROUGH

CALGEM'S IDLE WELL PROGRAM (WHICH CAN BE SEPARATE AND INDEPENDENT FROM THE ORDINANCE REQUIREMENTS).

D. INITIATE COORDINATION WITH CALGEM TO DOCUMENT BASELINE CONDITIONS, INCLUDING THE NUMBER AND STATUS OF ALL EXISTING WELLS, BY DEVELOPING A CURRENT AND COMPLETE LIST OF ALL NONCONFORMING OIL AND GAS USES WITHIN THE CITY, WHICH ARE SUBJECT TO TERMINATION UNDER THE ORDINANCE.

E. SEEK CALGEM'S GUIDANCE AND ASSISTANCE TO COORDINATE AND FACILITATE THE TIMELY TERMINATION OF NONCONFORMING OIL AND GAS USES WITHIN THE CITY.

F. CONTINUE RESEARCH INTO OTHER "JUST TRANSITION" ISSUES THAT MAY COMPLEMENT AND FACILITATE IMPLEMENTATION OF THE ORDINANCE.

G. INITIATE COORDINATION WITH CALGEM TO REVIEW SAFETY CONSIDERATIONS, ASSESS COMPLIANCE AND ARRANGE TO MONITOR THE INTEGRITY OF PLUGGED WELLS, INCLUDING PREVIOUSLY AND PENDING FUTURE PLUGGED WELLS, WITHIN THE CITY CORPORATE LIMIT AND PROVIDE RECOMMENDATIONS FOR CITY COUNCIL CONSIDERATION, AS APPROPRIATE.

H. ADDRESS COMPLIANCE AND ENFORCEMENT FOR ONGOING OPERATIONS UNDER PROVISIONS OF CHAPTER 11.12.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FISCH, LEE, MCMORRIN, VERA

NOES: ERIKSSON

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Action Items

Item A-1

CC - Recommendation from the City Council Ad Hoc Equity Subcommittee to (1) Discuss and Consider the Adoption of a Resolution Acknowledging Culver City's Racial History; and (2) Provide Direction to the City Manager as Deemed Appropriate

Serena Wright-Black, Assistant City Manager, provided a summary of the material of record.

Discussion ensued between staff and Council Members regarding acknowledgement of the work done by John Kent, the current and previous City Council, and the Equity subcommittee; involvement of the Human Resources Equity Manager; and concern with properly addressing relationships with indigenous peoples.

Mayor Fisch invited public comment.

The following members of the audience addressed the City Council:

Kelli Estes felt that there should be several community hearings to take input; expressed concern with the last minute addition to the agenda; discussed the need for proper notification; financial impacts to the City; concern with the racist and exclusionary proclamation; support for the proposal by Ron Ostrin; financial stability of the City; the lack of a plan to lay out who is approved; indication in the staff report that there are no financial impacts; and she asked that the process be slowed down and properly addressed.

Ronald Ostrin reported writing a revised version of the proposal; expressed support for a resolution; discussed concern with divisiveness; the need for an uplifting resolution; progress made in the City; the rushed process and need for more City input; Brown vs. Topeka; support for unanimous consent; outreach to the Vice Mayor; and the importance of acknowledging both the history and progress made.

John Kent thanked the City for agendizing the important resolution; discussed the history of Culver City as being a hostile environment for Black people, People of Color (POC) and those of other religious faiths; the Culver City Police Department (CCPD); helping to repair damage and accelerate the process of changing the City's image; ensuring that the resolution is not just lip service to hide an ugly and racist past; and instruction to the Chief of Police and staff to take steps outlined in the resolution.

Steve Sutor was called to speak but did not respond.

Bubba Fish addressed comments made that the resolution is divisive; discussed addressing the City's racist past, exclusionary policies and violence against those who are different; the first step to recovery; important changes in the City; he observed that those asking the City Council to slow down are often those opposing measures to make the City more inclusive for everyone; and he thanked the City and asked the City Council to support the measure.

Kimberly Ferguson discussed the resolution; racially charged, hateful actions; suffering and sorrow felt by the victims of atrocities; fear and ignorance; acceptance of ancestral differences; support for going a little bit slower to allow for

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more participation in the process; the importance of eliminating bias; funding; and she quoted Kareem Abdul-Jabbar: "Make a friend who doesn't look like you".

Michelle Weiner discussed the address by Thomas Small about the racist history of the City; articles written by John Kent; embarrassment and change; her ability to purchase a home in the 1980s vs. that of a person of color; the opportunity to face something difficult; and she thanked the City Council for their action.

Khin Khin Gyi discussed recognition of what has been done to marginalized people throughout history; acknowledgement before healing can occur; divisive issues; and she expressed hope that everyone would be able to heal together and more forward.

Steven Mullen felt the proposed action was an insult to those in the City who have had nothing to do with racism; he questioned what reparations would be and their cost; and his comments were cut short due to a loss of audio.

Mayor Fisch proposed that Mr. Mullen type the rest of his comments into the chat for Council Members to see.

Mark Lipman expressed appreciation to the City Council for taking the much-needed step; discussed the truth in reconciliation process; not repeating past mistakes; concern with replacing exclusionary policies of the past with exclusionary policies of the future; equity and justice; language in the resolution; providing financial assistance for housing; he felt that equity should be funded, not just promoted; he asserted that justice should be placed in the budget; discussed reenforcing the status quo vs. making meaningful changes; funding for a Direct Housing Program; underfunding schools, senior services and parks while CCPD is overfunded; publicly-owned social housing through community land trusts; and he questioned whether meaningful action would be taken.

Disa Lindgren noted the importance of passing the resolution and acting on the action items in the resolution; discussed apologizing and making amends for harms that the community was responsible for in the past; the truth in reconciliation process; teaching about white supremacy in public schools; providing reparations to address racial and economic inequities; and she expressed gratitude to the City for taking on systemic racism to make real and lasting change in the City.

Janet McKeithen provided background on herself; asserted that when racism is denied, it becomes stronger and more entrenched; discussed the effects of racism through policy and procedure; important steps to acknowledge the past and what has been done; historical racism; generational trauma; intentional and continual racism; she quoted Isabel Wilkerson from her book, *Caste*; discussed responsibility; denial; moving toward healing and wholeness; hope for a unanimous resolution; and, as the President of the Santa Monica Area Interfaith Council and the co-founder of the Committee for Racial Justice, she asked that Culver City support health and wholeness by supporting the resolution.

Cary Anderson discussed specific areas of resolution; use of cannabis revenue; financial assistance; Measure K; and he indicated that he was fine with everything except for the entitlements.

Freddy Puza thanked the Equity Subcommittee for their work; expressed support for the resolution; discussed taking concrete steps to atone for harms caused; addressing negative impacts of past policies; continued community dialogue; creating a new path forward; taking responsibility; and offering anti-racist training and other equitable policies.

Rosie LaBriola discussed the history of exclusion in the City; support for the goal of addressing past harms; groups that have faced discrimination; ensuring that the descriptors are broadened to address all the groups that have faced discrimination; reexamining the pledge for reparation; financing affordable housing for the workforce; identifying those who have suffered discrimination; and concern with committing future Councils to undeliverable programs.

Meghan Sahli-Wells commended the Equity Subcommittee for their work; thanked John Kent for his research on the history of the City and efforts on the item; discussed the importance of making the statement of commitment; budget line items; the power of apology; admitting wrongs; justice; and she thanked the City for bringing the thoughtful, impactful, bold and just resolution forward.

Dr. Kelly Kent, CCUSD Board of Education, spoke on behalf of herself; expressed support of the resolution; discussed the importance of education; teaching accurate history; low-income assistance; consideration by the Superintendent and School

Board; those seeking to outlaw teaching the truth about structural racism; the importance of disrupting the status quo; and she thanked the City and all of those who worked so hard on the resolution.

Karim Sahli-Wells expressed support for the resolution; discussed concern with racist comments made by some of the previous speakers; he quoted Martin Luther King Jr. about the pace of change; saluted everyone who worked on the resolution; and expressed hope that the resolution would be unanimously accepted.

David Metzler was called to speak but could not unmute himself.

Nancy Barba expressed support for the resolution; thanked everyone who worked on bringing the item forward; discussed joining other cities in acknowledging racist history and taking steps to proactively be anti-racist; historic racial inequities; investment in people and communities; and addressing continued racial and economic disparities in housing, education, parks and public health.

Andrew Lachman discussed restrictive covenants and additional groups that were discriminated against; asked that on line 22 of page 1, and line 12 of page 3 it be acknowledged that Catholics, Jews and other non-Christians were targeted; discussed aspirational solutions; guideposts on how to repair the wrongs in the history of the City; expressed support for admitting the faults of the past; and he noted the action did not deny progress made.

David Metzler was called to speak, but was not able to connect.

Discussion ensued between staff and Council Members regarding how people in California think that they are not racist; the small difference between California and the south; financial reasons for reduced numbers of Black people living in California; redlining; policies supported by the state and federal government; admitting history; the importance of who is telling the story and whose perspective is being left out; Culver City as one of many Sundown Towns in California; Black towns vs. white towns; the Congressional Black Caucus; acknowledging the true history of the country; purposefully vague reparations; restrictions on governments to making provisions around race, gender and sexuality; acknowledging past harms; recognizing current policies; housing and homelessness; making reparations on a small scale; the link between housing,

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mental health, and access to better school districts; and consideration of the whole story.

Additional discussion ensued between staff and Council Members regarding equity; focusing on those closest to the pain; support for the work of staff, John Kent, Meghan Sahli-Wells and Vice Mayor Lee; power and privilege; policy decisions; racism; noting who is traditionally censored; those who feel uncomfortable; divisiveness; code-switching; support for reading *Caste* by Isabel Wilkerson and *The Color of Law*; housing; redlining; government funded exclusion; recognition of Juneteenth; Critical Race Theory; preventing the conversation about history; the new federal holiday; not being afraid of history; taking a positive step forward; and acknowledgement of more work to be done.

Further discussion ensued between staff and Council Members regarding the power of apology; recognizing progress made; making a vow to fight racism moving forward; a suggestion to have the Human Resources and Equity Manager work with the Subcommittee; the importance of bringing everyone along on the journey; creating dialogue; incorporating community input; the Glendale resolution; efforts to build bridges; exceptions made; parts of the resolution that are aspirational rather than operative; the need to be able to follow through; refining areas; moving forward collectively; ensuring that oppressed groups and religions are not excluded; reparations; being right vs. getting it right; educational programming proposed as part of the Glendale resolution; and possibilities for community involvement.

Additional discussion ensued between staff and Council Members regarding support for using the Glendale resolution; the Emergency Rental Assistance Program; using a resolution that the whole City can support; eliminating vague language regarding reparations; adoption of a unifying resolution; and having a resolution in time for Juneteenth.

MOVED BY COUNCIL MEMBER ERIKSSON AND SECONDED BY COUNCIL MEMBER VERA THAT THE CITY COUNCIL ADOPT THE GLENDALE RESOLUTION WITH ADJUSTMENTS MADE TO SPECIFIC AREAS.

THE MOTION FAILED BY THE FOLLOWING VOTE:

AYES: ERIKSSON, VERA
NOES: FISCH, LEE, MCMORRIN

Discussion ensued between staff and Council Members regarding differences between the City of Glendale and Culver City; the importance of acknowledging the experience of native peoples; work to be done; concerns with the Jewish community; watering things down; doing the work to change the City; ensuring that the harm is not repeated; offering a fair apology; forgiveness; racism that lives on; continued segregation of schools; Brown vs. the Board of Education; the new federal holiday; people upset by the reference to reparations; types of things necessary to work on; acknowledging, apologizing and condemning negative parts of the past; celebrating the good history; examining the historical role of racism; continued promotion of equity and inclusion; involvement of the Human Resources and Equity Manager; moving forward with an action plan; involving City professionals in the conversation; concern with being held back from moving forward; the efforts of John Kent to involve the Historical Society; due diligence; policies and practices; concerns that things are moving too fast; the General Plan; the need to take action so that people understand that things are moving forward; concern with bullying; comments made by a public speaker indicating that voting against the resolution would constitute racism; and prior opportunities for community feedback.

MOVED BY MAYOR FISCH AND SECONDED BY VICE MAYOR LEE THAT THE CITY COUNCIL: ADOPT A RESOLUTION ACKNOWLEDGING CULVER CITY'S RACIAL HISTORY.

THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FISCH, LEE, MCMORRIN
NOES: ERIKSSON, VERA

Discussion ensued between staff and Council Members regarding including the Glendale resolution as part of the minutes, and previous consideration of including the apology as part of the process.

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Public Comment - Items Not on the Agenda

Mayor Fisch invited public comment.

Mimi Ferrel, City Clerk Specialist, indicated that no additional public comment had been received.

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Items from Council Members

None.

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Council Member Requests to Agendize Future Items

Council Member McMorris received Council consensus to agendize a discussion of making public records requests public, with clarification on how much staff time is associated with each request.

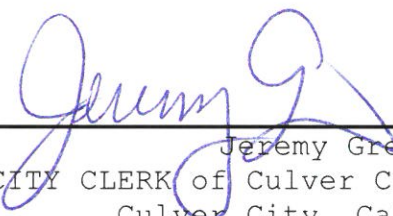
Council Member Vera clarified that he had not meant to implicate Vice Mayor Lee in his comments about being called a racist for not supporting the resolution.

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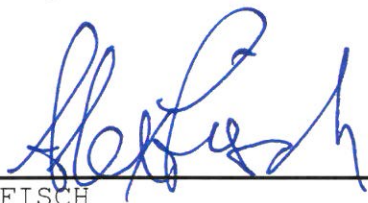
Adjournment

There being no further business, at 8:52 p.m., the City Council adjourned to a special joint meeting with the Planning Commission to be held on June 23, 2021 at 7:00 p.m.

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Jeremy Green
CITY CLERK of Culver City, California
Culver City, California



ALEX FISCH
MAYOR of Culver City, California

Date: 12 July 2021