

Dear Editor – Farragut Resident Offers History

 culvercitycrossroads.com/2016/04/29/dear-editor-farragut-resident-offers-history

Former City Council Member Andrew Weissman, an attorney, apparently forgot what he publicly espoused 30 years ago—“Culver City is entitled to the independent judgment of council members whose impartiality is untainted....” and “The responsibility that the elected official has is to disclose conflicts of interest.” (Los Angeles Times, 3/23/86) His memory lapse is costing Culver City taxpayers big-time.

Fast-forward to the September 8, 2014 City Council meeting. Council Member Weissman then sat upon the throne of government, and the issue is his appearance of bias. A Farragut resident specifically asked all City Council Members whether any Council Member has or had a relationship with any member of the Grace Evangelical Lutheran Church. Weissman and Ken Smith sat silently without making any disclosure.

Weissman knew that Smith was then an Officer and Director of Grace Church and the only member of Grace Church who wished to turn the 10700 block of Farragut Drive (Farragut) into Grace Church's personal parking lot. Further, Weissman knew that Smith and his wife had entertained guests at their home to launch Weissman's fund-raising campaigns. Mrs. Smith served as Weissman's campaign manager. Weissman had incorporated Smith's business and served as its agent. For many years, the Smiths and the Weissmans had been social friends. Lest we forget, Smith and Weissman are card-playing buddies.

Before the September 8, 2014 City Council meeting, Weissman had engaged in heavy email traffic with the Staff. He knew that the parking Procedures, which he voted to adopt in November 2013, provided that parking-restriction modifications were strictly in the Staff's discretion, and the City Council had no such authority. He knew that there were 16 permit-only- parking areas in Culver City, but he was fixated on Farragut. He wanted the Staff to take positions contrary to the Farragut residents and wanted Staff to make a statement that Staff did not believe to be true. When Staff declined, Weissman wrote, "I'll gladly go out on a limb and say it."

On September 8, 2014, all this was unknown to the Farragut residents who simply desired a fair and just hearing before an unbiased City Council.

How many other Council Members knew of and did not reveal Weissman's lack of disclosure? Why does Culver City government have difficulty in understanding basic issues of fair play? Are political relationships in Culver City so rampant and incestuous that no one wishes to disclose another's relationships for fear of casting the first stone? Is this a "code of silence"?

The Farragut residents reported their post-September 8, 2014 relationship discoveries to the City Attorney. She responded that Weissman had no financial conflict of interest. She failed to recognize that, for example, conflicts are not limited to financial matters. She probably would not recommend relationship disclosure even if a Council Member's mother sought relief from the City Council. Her public statement on the issue is that each Council Member decides for him/herself whether he/she has a conflict of interest. The problem is that a non-disclosing Council Member could easily lead the public to believe there is no relationship when one exists.

At the March 14, 2016 City Council meeting, the Farragut residents, after waiting five hours—until 1:30 AM—to be heard for two-minutes each, provided documentary evidence to the City Council of the Weissman-Smith relationships, and asked Weissman to recuse himself. When confronted with details of his relationships with Smith, Weissman did not even explain why he dodged the initial inquiry. He, the other City Council members and the City attorney said nothing. Their lack of response is called "stonewalling."

That night, the City Council ordered a \$35,000 "parking study," which Staff had informed the City Council was seriously flawed. A reasonable person would have first required Grace Church to demonstrate a need for additional parking space. If so, the City Council would have learned that there is no need for additional parking—it is just a figment of Smith's imagination—and saved \$35,000. On February 3, 1997, Grace Church's former Pastor Ellen Jennrich wrote to "All groups using Grace Lutheran Church facilities." She stated, "[T]here has been considerable impact on the neighborhood near the church from cars belonging to people who come to meetings at Grace. The residents of the 10700 blocks of Farragut Drive and Franklin Avenue are especially affected by traffic, parked cars and noise near their homes. ... Use the parking lot at the County Assessor's Office ... this alternate parking facility has been opened to us." Staff had just recently spent three weeks obtaining permission for Grace Church to park at the Assessor's Office. What a difference a few years make—Smith arrived on the scene with his obsession to use Farragut as Grace Church's

personal parking lot.

The current chapter of this 34-year-old saga comes back to Weissman and Smith, and the appearance of bias. It degenerated when the City Council Members became angered that some Farragut residents had the gall to challenge and reveal Weissman's apparent, but undisclosed, bias.

This anger clouded their judgment, caused them to behave irrationally and act not in the best interest of Culver City. It has started to cost Culver City taxpayers serious money. Before bringing a Brown-Act lawsuit that, win-lose-or-draw, would cost taxpayers substantial sums, Farragut residents informed the City Council how, without admission of culpability, to avoid the dispute. The City Council declined. So far, the City has paid legal fees of more than \$150,000. Then, there is a recent Brown-Act violation, which could have been avoided with a Farragut-suggested, simple do-over. It will be equally expensive to defend. The City Council's displaced anger could result in \$1 million folly to protect Weissman. Taxpayers and other City officials should be angry at Weissman and Smith, not Farragut residents.

Farragut residents are standing-up for the legal rights of all. The Brown Act promotes open and transparent government and was designed to protect all of us from the governmental overreaching that has infected the City Council. Edmund Burke taught us, "The only thing necessary for the triumph of evil is for good men to do nothing." Fortunately, Farragut residents are willing and able to do something.

Weissman once said that he wanted to "encourage debate in Culver City." There is no better time to begin. Every time someone seeks something by appearing before the City Council, Council Members should publicly reveal all their past or present relationships with the person. Some biases warrant recusal; others may not. The naive might argue that such a process would be too time consuming, because politicians are so inter-connected in Culver City. That inter-connection is a problem for the 99%+ of Culver-City residents who are not connected, and have lost faith in government.

Paulette Greenberg, 41 year Farragut resident

