

Dear Editor – Ethical Advisory

 culvercitycrossroads.com/2016/08/23/dear-editor-ethical-advisory

Dear Editor:

What do you know about the Culver City City Council's Code of Ethics? What do you know about the so-called Ethics Advisory Committee? It is unlikely that you would know that either exists as no related information appears on the City's website. Culver City has a hot line to report roadway pot holes and graffiti, but not ethics violations.

It is a little more likely that you know that the Culver City Charter requires all "officers and employees of the city to observe the highest standards of ethics." But what if they do not? One might learn something about Culver City's ethical desert from our recent experience.

First, the Culver City Code of Ethics declares, “City Council and Commission members are not day-to-day supervisors of City staff, and should not individually attempt to exercise direction or control over the responsibilities of employees.” The violation is the attempt, whether or not successful. Backroom dealing is taboo.

We filed a Public Records Act request with the City Clerk for all communications between former City Council Member Andrew Weissman and staff concerning permit-only parking restrictions on Farragut Drive.

In response, we received an avalanche of smoking-gun emails wherein Weissman repeatedly pressured the Engineering Department staff.

Further, the Code of Ethics requires staff to prevent and report Weissman’s meddling. It states, “Public employees and officials have a duty to prevent and report unethical ... action. ... [I]t is appropriate to be a ‘whistle blower’ if another employee or official may be acting improperly.” In other words, if staff sees something, it should say something, and do something.

But the emails evidence that City Engineer Herbertson, City Administrator Nachbar and City Attorney Schwab knew of Weissman’s influence peddling, as it occurred, and said nothing and made no attempt to prevent it.

It gets worse. The Traffic Engineer repeatedly informed both Weissman and Herbertson that the action Weissman requested is both intellectually dishonest and unfair to Farragut residents. Further, Weissman requested that Herbertson keep quiet about the defects of Weissman’s request and Herbertson agreed not to raise the issue.

Second, the Code of Ethics requires recusal when a Council Member appears to be biased. Appearances are everything. Bias does not necessarily involve a financial interest, but anything that could reasonably be perceived to adversely affect impartiality, e.g., personal like or dislike, political relationships, friendships, memberships.

Council Member Jeffrey Cooper has ranted against Farragut residents on an anti-Farragut-hate-filled-Facebook page managed by one of Cooper’s former campaign fund raisers.

For anyone supposedly adhering to the highest standards of ethics, Cooper’s recusal should be a no-brainer. Instead, Cooper just stonewalls the issue, and the others are too timid to say peep-one. Their motto should be, “See something, say nothing.”

On multiple occasions, we have requested that the City Council promptly hear our serious allegations as a separate agenda item. Culver City’s response was, in effect, to declare us as public enemies by conducting a “Closed Session” discussion to circle their wagons under the subterfuge of alleged threatened litigation. This is understandable as Culver City’s legal advisor is one of the staff members who failed to disclose or prevent Weissman’s violations of the Code of Ethics.

Culver City Council is trying to bury our allegations of violations of the Code of Ethics by hearing them as part of another item. They will simply discuss the other issue and ignore the ethics issues. They have done it before when we sought Weissman’s recusal—wait 5 hours to be heard at 1:30 AM, and state your case in two minutes.

A recent Alameda Grand Jury Report described a similar situation that occurred in the City of Oakland by stating:

Political interference from elected officials can erode public confidence and trust in government, thus damaging its effectiveness. ... The city council must ... take action to ensure this conduct is acknowledged

and addressed. City employees, especially senior staff, need to report improper conduct....backroom dealing cannot be the standard by which the city ... is governed.

“Backroom dealing.” Culver City? Hmmm.

Les Greenberg