



# City of Santa Monica

## City Council Meeting

### AGENDA

TED WINTERER  
MAYOR

SUE HIMMELRICH  
COUNCILMEMBER

GLEAM DAVIS  
MAYOR PRO TEM

TONY VAZQUEZ  
COUNCILMEMBER

TERRY O'DAY  
COUNCILMEMBER

KEVIN MCKEOWN  
COUNCILMEMBER

PAM O'CONNOR  
COUNCILMEMBER

RICK COLE  
CITY MANAGER

JOSEPH LAWRENCE  
INTERIM CITY ATTORNEY

DENISE ANDERSON-WARREN  
CITY CLERK

### STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS:

- Treat everyone courteously;
- Listen to others respectfully
- Exercise self-control
- Give open-minded consideration to all viewpoints;
- Focus on the issues and avoid personalizing debate;
- Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions

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**STANDING IN AISLES OR AGAINST THE WALL IS NOT PERMITTED**

## **RULES OF ORDER FOR THE CONDUCT OF CITY COUNCIL MEETINGS**

(Resolution No.10928 (CCS))

Persons wishing to address the City Council regarding items on the agenda must be present and submit their name and address (optional) in writing to the City Clerk **before the public hearing is opened for that item.** Request-to-Speak forms are available prior to the meeting and throughout the meeting. Remarks from the public are limited to a total of 6 minutes per Council meeting, with a maximum of 2 minutes and a minimum of one minute per item. Except for the author of the request, public comment on 12-items are limited to 1 minute. Except on Public Input, speakers may donate 2 minutes to another person who may speak for a total of 4 minutes on that item. Both the donor of time and the designated speaker must submit their cards in person together.

**ORDER OF BUSINESS** (may not be changed except by majority vote of the City Council.)

1. Closed Session.
2. Special Agenda Items (City Manager's Report Commendations, Presentations, etc.).
3. Consent Calendar (All items considered in one motion unless removed by a Councilmember for discussion. Public comment shall be heard prior to council discussion).
4. Study Session.
5. Continued Items.
6. Administrative Proceedings.
7. Ordinances:
  - 1<sup>st</sup> Reading
  - 2<sup>nd</sup> Reading
8. Staff Administrative Item.
9. Public Hearings.
10. Reports of Boards and Commissions.
11. Resolutions.
12. Written Communications (other than Reports of Commission and Officers).
13. Councilmember Discussion Items.
14. Public Input (members of the public may address the City Council **only** on items not on the agenda, but within the subject matter jurisdiction of the City)

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**Addressing the City Council:** State your name, address (optional), and neighborhood for the record; address the City Council as a whole, not as individuals. After the public hearing closes, no member of the public shall address the City Council on the matter under consideration without first securing Council approval. Please be courteous.

**Members of the audience:** Please refrain from clapping, whistling, or acts of disorderly conduct; do not distribute literature without prior authorization of the presiding officer; remain seated unless addressing the City Council; do not stand or sit in aisles; do not enter the well area of the dais or go behind rails unless authorized by the presiding officer.

Members of the public unable to attend a meeting but wishing to comment on an item(s) listed on the agenda may submit written comments prior to the meeting by meeting by mailing them to: City Clerk, 1685 Main Street, Santa Monica, CA 90401 or to [councilmtgitems@smgov.net](mailto:councilmtgitems@smgov.net).

**MATERIALS RECEIVED FROM THE PUBLIC BY 12 PM ON THE DAY OF THE COUNCIL MEETING WILL BE DISTRIBUTED TO COUNCIL PRIOR TO THE MEETING AND POSTED ONLINE.**

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**SMOKING IS PROHIBITED IN CITY HALL (SMMC 4.44.030)**



## AGENDAS

CITY OF SANTA MONICA

SPECIAL MEETING

CITY HALL COUNCIL CHAMBERS

1685 MAIN STREET, ROOM 213

TUESDAY APRIL 18, 2017

**MEETING BEGINS AT 4:30 PM**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

(This is a special City Council meeting. Public comment is restricted to only items listed on the agenda.)

1. CLOSED SESSIONS

**1.A. Public Employee Evaluation:  
Title: City Manager**

**1.B. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): City of Santa Monica v. United States of America, U. S. District Court Case Number CV 13-08046**

**1.C. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): National Business Aviation, Inc., et al, v. Michael P. Huerta, Federal Aviation Administrator, U. S. Court of Appeals, District of Columbia Circuit Case No. 17-1054**

**1.D. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Ketrion v. City of Santa Monica, Jailer Greer and Jailer Dimas, U. S. District Court Los Angeles Case Number 2:16-cv-01478 MWF**

**1.E. Conference with Labor Negotiator-City Negotiator: Donna C. Peter, Director of Human Resources and Liebert, Cassidy and Whitmore Legal Counsel- Bargaining Units: Administrative Team Associates (ATA), California Teamsters Local 911 (Teamsters), Management Team Associates (MTA), Public Attorneys Union (PAU), Supervisory Team Associates (STA), Municipal Employees Assoc (MEA), Firefighters Local 1109 IAFF (Local 1109), Fire Executive Mgmt Assoc (FEMA), Police Officer Assoc (POA), SMART-TD**

- 1.F. **Conference with Legal Counsel – Potential Litigation: Consideration of whether to initiate litigation pursuant to Government Code Section 54956.9(d)(4): 1 case – 401 Ocean Avenue**
- 1.G. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Pico Neighborhood Association, Maria Loya and Advocates for Malibu Public Schools v. City of Santa Monica, Los Angeles Superior Court Case Number BC 616 804**
- 1.H. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): City of Santa Monica v. Gharib, et al., Santa Monica Superior Court Case Number SC 123 770**

(Please note that Agenda Items may be reordered during the Council meeting at the discretion of the City Council.)

THE FOLLOWING IS THE ORDER OF BUSINESS FOR ITEMS TO BE HEARD NO EARLIER THAN 6:30 P.M.

## 2. SPECIAL AGENDA ITEMS

**No items**

## 3. CONSENT CALENDAR

(All items will be considered and approved in one motion unless removed by a Councilmember for discussion.)

- 3.A. **City Council - Regular Meeting - Feb 14, 2017 5:30 PM**
- 3.B. **City Council - Regular and Special Joint Meeting - Feb 28, 2017 5:30 PM**
- 3.C. **City Council - Special Meeting - Mar 25, 2017 10:00 AM**
- 3.D. **Accept Streetlight Assessment Petitions and Set a Public Hearing**

### **Recommended Action**

Staff recommends that the City Council:

- 1. Accept the signed petitions for each Assessment District;
- 2. Approve the Preliminary Engineer's Reports for each Assessment District;  
and
- 3. Approve the resolutions of intent, setting the public hearings on July 25, 2017 for the formation of the following street light assessment districts:

District "A" - 10th Street between Carlyle Ave. and Marguerita Ave.  
District "B" - 25<sup>th</sup> Street between Idaho Ave. and Washington Ave.

District "C" - 27<sup>th</sup> Street between Pico Blvd. and Pearl Street.

4. Authorizing the City's 50% contribution to the assessments in the event that the assessment districts are formed after counting ballots.

### **3.E. Bid Award for the Purchase of 17 Good Earth FireFly Electric Vehicles**

#### **Recommended Action**

Staff recommends that the City Council:

1. Award Bid #4259 to ev Transportation Services, Inc., a Massachusetts-based company, for the purchase and delivery of 17 Good Earth FireFly Electric Vehicles;
2. Authorize the Purchasing Services Manager to issue a purchase order with ev Transportation Services, Inc. for the purchase and delivery of 17 Good Earth FireFly Electric Vehicles in an amount not to exceed \$837,747 for one year.

### **3.F. Resolution Approving Final Parcel Map No. 72225 for a 3-Unit Condominium Project at 1329 California Avenue.**

#### **Recommended Action**

Staff recommends that the City Council adopt the attached resolution approving Final Tract Map No. 72225.

### **3.G. Award Professional Services Agreement to provide Engineering Design Services for Airport and Beach Parking Lot Paving**

#### **Recommended Action**

Staff recommends that the City Council:

1. Award RFP# 2492 to Anderson-Penna Partners (APP), a California-based company, to provide pavement design and engineering services for airport and beach parking lot paving;
2. Authorize the City Manager to negotiate and execute an agreement with Anderson-Penna Partners (APP), in an amount not to exceed \$91,080 for one year, with two additional 1-year renewal options in the amount of \$91,080 on the same terms and conditions for a total amount not to exceed \$273,240 over a 3-year period, with future year funding contingent on Council budget approval.

### **3.H. Purchase of Three Compressed Natural Gas Regenerative Air Street Sweeper Vehicles**

#### **Recommended Action**

Staff recommends that the City Council authorize the Purchasing Services Manager to issue a purchase order to Mar-Co Equipment Company, a California-based company, for the purchase and delivery of three Compressed Natural Gas Truck Mounted Regenerative Air Street Sweepers. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.080 (b) and is for a total amount not to exceed \$956,389.

4. STUDY SESSION

**No items**

5. CONTINUED ITEMS

**No items**

6. ADMINISTRATIVE PROCEEDINGS

- 6.A. Appeal (17ENT-0016) of the Planning Commission's Approval of a Conditional Use Permit (16ENT-0128) to Allow a Type 47 alcohol license in conjunction with a new full-service, 3,306 square foot 102 seat restaurant (Avery) comprised of 92 indoor dining seats (12 bar seats) and 10 outdoor seats located within a ground floor space of the Shore Hotel located at 1530 2nd Street.**

**Recommended Action**

Staff recommends that the City Council deny the appeal and uphold the decision of the Planning Commission to approve a Conditional Use Permit to allow a Type 47 alcohol use in conjunction with a full service restaurant on a property located at 1530 2<sup>nd</sup> Street, based on the findings and subject to the conditions of approval attached to the report.

7. ORDINANCES

(Public comment is permitted on ordinances for introduction and first reading. No public discussion is permitted on ordinances for second reading and adoption.)

- 7.A. Introduction and First Reading of an Ordinance Amending the Lobbying Regulations**

**Recommended Action**

Staff recommends that the City Council introduce for first reading an ordinance amending Santa Monica Municipal Code Section 4.85 to update the current lobbyist regulations.

8. STAFF ADMINISTRATIVE ITEMS

- 8.A. Policies for City Boards, Commissions, Committees, Task Forces and Regional Advisory Boards**

**Recommended Action**

Staff recommends that the City Council adopt a resolution modifying the policies for City Boards, Commissions, Committees, Task Forces and Regional Advisory Boards and repealing Resolution Numbers 6751 (CCS), 9088 (CCS), and 10920 (CCS).

9. PUBLIC HEARINGS

**No items**

10. REPORTS OF BOARDS AND COMMISSIONS

**No items**

11. RESOLUTIONS

**No items**

12. WRITTEN COMMUNICATIONS

**No items**

13. COUNCILMEMBER DISCUSSION ITEMS

**13.A. Recommendation to accept Nimish Patel's resignation from the Audit Subcommittee and authorize the City Clerk to publish the vacancy**

ADJOURNMENT

Any documents produced by the City and distributed to a majority of the City Council regarding any item on this agenda will be made available at the City Clerk's Counter located at City Hall, 1685 Main Street, Santa Monica during normal business hours. Documents are also available at [www.smgov.net/council/agendas](http://www.smgov.net/council/agendas).

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