



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

Meetings are broadcast live on CityTV cable channel 16, Radio Station KCRW FM 89.9 (after 8:00 PM), and on the internet at www.smgov.net and www.kcrw.org. Cable television re-broadcasts air on Thursday and Saturday at 11:30 AM. The agenda will air on CityTV on Saturday and Sunday at 11:00 AM and 6:00 PM, and on Monday and Tuesday at 12:30 PM and 6:00 PM.

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:
 - 1st Reading
 - 2nd 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.

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

REGULAR MEETING

CITY HALL COUNCIL CHAMBERS

1685 MAIN STREET, ROOM 213

TUESDAY MAY 23, 2017

MEETING BEGINS AT 5:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

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

1. CLOSED SESSIONS

- 1.A. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Southern California Edison v. City of Santa Monica, Los Angeles Superior Court Case Number BC 630 877**
- 1.B. **Conference with Labor Negotiator - City Negotiator: Donna C. Peter, Director of Human Resources - 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 Association (MEA), Firefighters Local 1109 IAFF (Local 1109), Fire Executive Management Association (FEMA), Police Officer Association (POA), SMART-TD**
- 1.C. **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, United States District Court Case Number CV 13-08046**
- 1.D. **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.E. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Atwood**

v. City of Santa Monica et al, United States District Court, Central District of California, Western Division, Case Number 2:16-cv-04114-PA-AGR

The following is the order of business for items to be heard no earlier than 6:30 p.m.

2. SPECIAL AGENDA ITEMS

2.A. Proclamation Declaring Public Works Week from May 21-27, 2017

2.B. American Public Works Association Accreditation Plaque Presentation to Public Works Department

2.C. Proclamation Declaring May 2017 as Building Safety Month in the City of Santa Monica

2.D. Proclamation Declaring May 2017 as Mental Health Awareness Month

3. CONSENT CALENDAR

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

3.A. Update to the Water Shortage Response Plan - *Staff will request to pull item from the agenda.*

Recommended Action

Staff recommends that the City Council adopt the Water Shortage Response Plan resolution (Attachment A).

3.B. Agreement for 24x7 Network Operations Center and Tier 3 Onsite Network Support services

Recommended Action

Staff recommends that the City Council:

1. Award RFP#108 to Mosaic451, LLC, an Arizona based company to provide 24x7 Network Operations Center network monitoring and remote support, and Tier 3 Onsite Network Support, for the City's business broadband customers;
2. Authorize the City Manager to negotiate and execute an agreement with Mosaic451, LLC, in an amount not to exceed \$222,000 for one year, with four one-year renewal options on the same terms and conditions, for a total not to exceed amount of \$1,110,000 over a term of five years with future year funding contingent on Council budget approval.

3.C. Purchase of Cummins Engine Replacement Parts

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4262 to Cummins Pacific, LLC, a California-based company, for the purchase and delivery of Original Equipment Manufacturer (OEM) Cummins engine replacement parts for transit buses and fire apparatus;

2. Authorize the Purchasing Services Manager to issue a purchase order with Cummins Pacific, LLC, for OEM Cummins engine replacement parts in the amount not to exceed \$764,302 for one year, including a 10% contingency, four additional one-year renewal options to extend on the same terms and conditions, and a 2.5% increase per renewal year for a total amount not to exceed \$4,017,422 with future year funding contingent on Council budget approval.

3.D. Services Agreement for Citywide Internet Telephony Services

Recommended Action

Staff recommends that the City Council:

1. Award RFP#102 to Windstream Communications, an Arkansas-based company, to provide citywide Internet Telephony service
2. Authorize the City Manager to negotiate and execute an agreement with Windstream Communications, in an amount not to exceed \$202,000 for three years, with 2-additional 1-year renewal option(s) in the amount of \$135,000, on the same terms and conditions for a total amount not to exceed \$337,000, including 10% contingency over a 5-year period, with future year funding contingent on Council budget approval.

3.E. Acceptance of 2016 Urban Area Security Initiative (UASI) Grant Funds

Recommended Action

Staff recommends that the City Council:

1. Authorize the City Manager to accept a grant awarded in the amount of \$749,289 from the 2016 Urban Area Security Initiative (UASI) for homeland security projects, and to accept all grant renewals.
2. Authorize the City Manager to execute all necessary documents to accept the grant and all grant renewals.
3. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

3.F. Los Angeles County Inmate Prisoner Maintenance Booking Fees

Recommended Action

Staff recommends that the City Council authorize the Purchasing Services Manager to issue a purchase order with the Los Angeles County Sheriff's Department (LASD), for maintenance fees related to inmates requiring housing in the Los Angeles County Jail. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.080(c). The first year would be in an amount not to exceed \$40,000, with four additional one-year renewal options to extend on the same terms and conditions for a total not to exceed \$200,000 with future year funding contingent on Council budget approval.

3.G. Lawyer-Client Retainer Agreement for Outside Labor and Employment Counsel

Recommended Action

1. Award RFP Number 93 to Liebert, Cassidy and Whitmore, a California professional corporation (“LCW”), for Outside Labor and Employment Counsel services; and
2. Authorize the City Manager to negotiate and execute a Lawyer-Client Retainer Agreement (“Agreement”) with LCW for outside labor and employment counsel services in an amount not to exceed \$1,875,000, for a five-year term.

3.H. Adopt Resolution for Low Carbon Transit Operations Program (LCTOP)

Recommended Action

Staff recommends that the City Council adopt a resolution for the Low Carbon Transit Operations Program, which was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility.

3.I. Access Services Free Fare Reimbursement Agreement

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a new agreement with Access Services Inc., a Los Angeles public agency, to accept Access-issued identification cards as fare payment on Big Blue Bus and to reimburse Big Blue Bus using the prevailing Council approved fares for seniors and persons with disabilities.

4. STUDY SESSION

4.A. Financial Status Update, FY 2017-19 Proposed Biennial Budget, and FY 2017-18 Proposed CIP Budget

Recommended Action

Staff recommends that the City Council:

1. Receive the FY 2017-18 through FY 2021-22 Financial Status Update;
2. Receive City Departments’ presentations on the FY 2017-19 Proposed Biennial Budget;
3. Review and provide direction to staff on the FY 2017-19 Proposed Biennial Budget and FY 2017-18 Proposed Capital Improvement Program (CIP) Budget (Attachment A); and
4. Review and provide direction to staff on the recommendations of the Fee Study Report (Attachment D) and proposed Beach Parking rates.

2017-2019 Biennial Budget Study Session Presentations:

- . **Proposed FY 2017-19 Biennial Budget and FY 2017-18 CIP**
- . **City Council and City Manager’s Office**
- . **Records and Election Services**
- . **Police**

- . **City Attorney**
- . **Public Works**
- . **Planning and Community Development**
- . **Big Blue Bus**
- . **Fire**
- . **Housing and Economic Development**

5. CONTINUED ITEMS

No items

6. ADMINISTRATIVE PROCEEDINGS

No items

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. Second Reading and Adoption of Ordinance Amending Santa Monica Municipal Code 7.16.050 To Require That New Development Off-Set Water Use On-Site, Or Alternatively, Pay The City An In-Lieu Fee To Fund Retrofitting Of Plumbing Fixtures Off-Site

Recommended Action

Staff recommends that City Council adopt the attached Ordinance amending Municipal Code 7.16.050.

7.B. Second Reading and Adoption of Ordinance Amending Santa Monica Municipal Code Chapter 7.10 To Update and Clarify The City's Runoff Pollution Ordinance

Recommended Action

Staff recommends that City Council adopt the attached Ordinance amending Santa Monica Municipal Code Chapter 7.10.

8. STAFF ADMINISTRATIVE ITEMS

No items

9. PUBLIC HEARINGS

No items

10. REPORTS OF BOARDS AND COMMISSIONS

No items

11. RESOLUTIONS

No items

12. WRITTEN COMMUNICATIONS OTHER THAN REPORTS OF COMMISSION AND OFFICERS

No items

13. COUNCILMEMBER DISCUSSION ITEMS

- 13.A. Request of Mayor Winterer that the Council allocate from discretionary funding \$2,000 to the Ocean Park Association, a 501(c)3, to hire a professional coordinator to assist with organizing and staging of the annual Fourth of July Parade on Main Street and up to \$5,895 for city expenses related to the parade. These funds will augment funds already encumbered to OPA for the 2017 parade.**
- 13.B. Request of Mayor Pro Tem Davis that the Council approve the use of travel funds for attendance at the Mobility Pricing Academy in London from June 20-22, 2017.**
- 13.C. Request of Mayor Winterer, Mayor Pro Tem Davis, and Councilmember O'Day to allocate \$50,000 of Council discretionary funds to Community Corporation of Santa Monica for completion of a Net Zero Energy upgrade to 1616 Ocean Avenue and promotion of the project as a case study for sustainable housing rehabilitation that benefits tenants by reducing energy costs, increases comfort of the residences, and achieves climate pollution reduction objectives.**
- 13.D. Request of Councilmembers McKeown and Himmelrich that the Council direct staff to agendize for the Planning Commission a resolution of intention to amend the Bergamot Area Plan to increase the percentage of required housing.**

14. PUBLIC INPUT

(Public comment is permitted only on items not on the agenda that are within the subject matter jurisdiction of the City. State law prohibits the City Council from taking any action on items not listed on the agenda, including issues raised under this agenda item.)

ADJOURNMENT

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