



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:
 - 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.

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SMOKING IS PROHIBITED IN CITY HALL (SMMC 4.44.030)



AGENDAS

CITY OF SANTA MONICA

REGULAR AND SPECIAL JOINT MEETING

CITY HALL COUNCIL CHAMBERS

1685 MAIN STREET, ROOM 213

TUESDAY JUNE 13, 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): Cruz v. Alvord, et al., Los Angeles Superior Court Case Number BC 600 248**
- 1.B. **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.C. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.(9)(1): Mancilla, et al. v. City of Santa Monica, et al., Los Angeles Superior Court Case Number BC 585 155**
- 1.D. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): McQueen v. City of Santa Monica, et al., Los Angeles Superior Court Case Number BC 618 128**
- 1.E. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Harder Facility v. City of Santa Monica, Los Angeles Superior Court Case Number BC 565 270**

- 1.F. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Avilez v. City of Santa Monica, Los Angeles Superior Court Case Number BC 489 178**
- 1.G. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Guerrero/City of Santa Monica v. Cote, Los Angeles Superior Court Case Number BC 572 824**
- 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. United States of America, United States District Court Case Number CV 13-08046**
- 1.I. **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**

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. Santa Monica Little League Minors Division Champions

3. CONSENT CALENDAR

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

3.A. Construction Contract for Santa Monica Utility Undergrounding and Excavation

Recommended Action

Staff recommends that the City Council:

1. Award RFB#UUC1006 to High Light Electric, Inc., a California based company for Utility Undergrounding and Excavation construction services related to the City's fiber optic network;
2. Authorize the City Manager to negotiate and execute a construction contract with High Light Electric, Inc., for two years in an amount not to exceed \$1,850,000 (including contingency) to provide utility undergrounding, excavation, and construction services for extension of the Santa Monica CityNet Digital Inclusion Pilot program.

3.B. Award Contract for Crosswalk Re-stripping Services

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4260 to Chrisp Company, a California-based company, for

- removal and restriping of City pedestrian crosswalks;
2. Authorize the City Manager to negotiate and execute an agreement with Crisp Company, in an amount not to exceed \$170,000 for one year, with four additional one-year renewal options in the amount of \$95,000, on the same terms and conditions for a total amount not to exceed \$550,000 over a five-year period, with future year funding contingent on Council budget approval.

3.C. Professional Services Agreement for Update of the City of Santa Monica Travel Demand Forecasting Model (TDFM) and Implementation of SB743

Recommended Action

Authorize the City Manager to negotiate and execute a sole-source professional services agreement with Fehr and Peers, California-based company, in an amount not to exceed \$280,500, to update the Travel Demand Forecasting Model and provide transportation consulting services for revised CEQA transportation analysis in accordance with Senate Bill 743. This recommendation is made as an exception to the competitive bidding process pursuant to Section 2.24.080(d).

3.D. BBB Facilities HVAC Maintenance and Repair

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4266 to ACCO Engineered Systems, a California-based company, for the maintenance and repair of the HVAC systems at existing Big Blue Bus facilities.
2. Authorize the City Manager to negotiate and execute an agreement with ACCO Engineered Systems, in an amount not to exceed \$80,000 for one year, with four additional one-year renewal options to extend on the same terms and conditions with a 3% annual increase, for a total amount not to exceed \$424,731 over a five-year period with future year funding contingent on Council budget approval.

3.E. Award Construction Contract for Repairs to Parking Garages 1, 2, 3, 4, 5, 9, 10

Recommended Action

Staff recommends that the City Council:

1. Award Bid #SP2373 to Slater Waterproofing, Inc., a California-based company for the Repairs to Parking Garages 1, 2, 3, 4, 5, 9, 10 Project;
2. Authorize the City Manager to negotiate and execute a contract with Slater Waterproofing, Inc., in an amount not to exceed \$3,273,260 (including a 10% contingency);
3. Award RFP #SP1982 to Psomas Inc., a Colorado-based company for construction management and inspection services for the Repairs to Parking Garages 1, 2, 3, 4, 5, 9, 10 Project;
4. Authorize the City Manager to negotiate and execute an agreement with Psomas Inc., a Colorado-based company, in an amount not to exceed \$330,000 (including a 10% contingency);
5. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.

3.F. Video Production Truck and Equipment

Recommended Action

Staff recommends that the City Council:

1. Award RFP #103 to IPTV International, Inc. dba TV Pro Gear, a California-based company), for purchase of a video production vehicle with installation of new infrastructure and production equipment;
2. Authorize the City Manager to negotiate and execute an agreement with TV Pro Gear, in an amount not to exceed \$625,471, including a \$43,173 contingency, for one year.

3.G. Professional Services Agreement with Cotton, Shires & Associates, Inc. and Professional Services Agreement with Ninyo & Moore Geotechnical and Environmental Sciences Consultants

Recommended Action

Staff recommends that the City Council:

- 1) Award RFP #107 to the following two firms:
 - a) Cotton, Shires & Associates, Inc., a California-based company, to provide geotechnical review services; and
 - b) Ninyo & Moore Geotechnical and Environmental Sciences Consultants, a California-based company, to provide geotechnical review services; and
- 2) Authorize the City Manager to negotiate professional services agreements with:
 - a) Cotton, Shires & Associates, Inc. in an amount not to exceed \$105,000 for three years with two one-year renewal options in the amount of \$35,000, on the same terms and conditions for a total amount not to exceed \$175,000 over a five-year period, with future year funding contingent on Council budget approval; and
 - b) Ninyo & Moore Geotechnical and Environmental Sciences Consultants in an amount not to exceed \$105,000 for three years with two one-year renewal options in the amount of \$35,000, on the same terms and conditions for a total amount not to exceed \$175,000 over a five-year period, with future year funding contingent on Council budget approval.

3.H. Updates to the Santa Monica Pier Leasing Guidelines

Recommended Action

Staff recommends that the City Council amend the Santa Monica Pier Leasing Guidelines to delegate tenant selection and approval of general lease terms to the Santa Monica Pier Corporation and to delete reference to the City's former policy on business with Arizona-based firms.

3.I. CEQA Negative Declaration Resolution for the North Beach Playground Project

Recommended Action

Staff recommends that the City Council adopt the resolution for the Initial Study and Negative Declaration (IS/ND) for the North Beach Playground Project (Attachment A), in accordance with the California Environmental Quality Act (CEQA) and the City of Santa Monica CEQA Guidelines. The IS/ND determined the project would not

have a significant impact on the environment.

3.J. Bid Award for the Purchase of 345 Mobile Phone Tablets

Recommended Action

Staff recommends that the City Council

1. Award Bid# 4273 to Lehr Auto Electric, Inc., a California based company for the purchase and delivery of up to 345 rugged mobile phone tablets
2. Authorize the Purchasing Services Manager to issue a Purchase Order with Lehr Auto Electric, Inc., for the purchase and delivery of up to 345 rugged mobile phone tablets in an amount not to exceed \$727,481

3.K. Amended and Restated Lease Agreement for 1657 Ocean Avenue

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute an Amended and Restated Lease Agreement with Jay's Tavern, Inc., a California-based corporation, doing business as Chez Jay, to amend the existing lease agreement #7640 (RAS) to reflect additional leased premises at 1657 Ocean Avenue to include an outdoor dining area, as well as to increase to the base monthly rent to \$2,125 and to establish a five-year lease term.

3.L. Contract Modification for Temporary Staffing in Building and Safety Division

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a first modification to agreement #3239 in the amount of \$370,000 with JAS Pacific, a California-based company, for temporary staffing services. This will result in a three-year amended agreement with a new total amount not to exceed \$450,000 with future year funding contingent on Council budget approval.

3.M. Second Modification of Contract for Administration of Professional Medical Services

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a second modification to agreement #10090 in the amount of \$55,000 with Barry W. Leeder, Inc. dba Collections Plus, a California based company, for professional medical services. This will result in a five year amended agreement with a total amount not to exceed \$205,847 with future year funding contingent on Council budget approval.

3.N. City Council - Special Meeting - Apr 18, 2017 4:30 PM - *Revised*

3.O. City Council - Regular and Special Joint Meeting - Apr 25, 2017 5:30 PM

3.P. City Council - Special Meeting - Apr 29, 2017 10:00 AM

3.Q. Statement of Official Action Denying Appeal 17ENT-0016 of the Planning Commission's Approval of Conditional Use Permit 16ENT-0128 for the Property Located at 1530 2nd Street - *Staff will request to pull item from the agenda.*

Recommended Action

Staff recommends that the City Council approve the attached Statement of Official Action denying Appeal 17ENT-0016 and upholding the Planning Commission's approval of Conditional Use Permit 16ENT-0128 for a Type-47 alcohol license for a restaurant at 1530 2nd Street.

3.R. The Hawkins Company and Ralph Andersen & Associates PSA Modification

Staff recommends that the City Council authorize the City Manager to negotiate and execute:

1. A first modification to agreement number 3170 in the amount of \$105,500 with The Hawkins Company, a California-based company, for executive recruitment services. This will result in a 2 year amended agreement with a new total amount not to exceed \$140,000.
2. A first modification to agreement number 3131 in the amount of \$78,000 with Ralph Andersen and Associates, a California-based company, for executive recruitment services. This will result in a 2 year amended agreement with a new total amount not to exceed \$110,000.

4. STUDY SESSION

No items

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. Home-Sharing and Accessory Dwelling Units

Recommended Action

Introduction and First Reading of an Ordinance Amending Chapter 6.20 of the Santa Monica Municipal Code Relating to Accessory Dwelling Units and Vacation Rentals and a Clarification of the Definition of Vacation Rental.

8. STAFF ADMINISTRATIVE ITEMS

8.A. Bergamot Station Arts Center

Recommended Action

Staff recommends that the City Council:

1. Provide conceptual direction regarding a preliminary plan for revitalization of the City-owned Bergamot Station Arts Center (Arts Center);
2. Authorize the City Manager to negotiate an extension of the exclusive negotiating agreement with the Worthe Group for a period of three years, with two, one-year options;
3. Authorize the City Manager to negotiate and execute an interim, master ground lease with the Worthe Group, for a period of three years, with two, one-year options, pursuant to: (a) the terms included in the staff report, including that existing tenants would face lease rate increases no greater than the consumer price index during the interim period, in order to ensure stability while future plans are developed, and (b) development of an arts center management plan in collaboration with the Arts Commission, as further discussed in the staff report.

. SPECIAL JOINT MEETING OF THE CITY COUNCIL AND HOUSING AUTHORITY

. ROLL CALL

8.B. Payment Towards Unfunded Pension Liability

Recommended Action

- 1) Staff recommends that the City Council and Housing Authority approve budget actions necessary for a \$45 million payment to the California Public Employees Retirement System (CalPERS) towards the City's unfunded pension liability, as outlined in the Financial Impacts and Budget Actions section of this report.
- 2) Staff recommends that the City Council approve a \$519,669 General Fund payment to CalPERS on behalf of the Rent Control Fund, and authorize the City Manager to advance a \$519,669 General Fund loan to the Rent Control Fund and negotiate with the Rent Control Board on proposed repayment terms starting in FY 2017/18.

. ADJOURNMENT OF SPECIAL JOINT MEETING

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. **Appointment to one unscheduled vacancy on the Audit Subcommittee for a term ending on 06/30/2019**
- 13.B. **Appointment to one unscheduled vacancy on the Commission for the Senior Community for a term ending June 30, 2018**
- 13.C. **Appointment to one unscheduled vacancy on the Social Services Commission for a term ending June 30, 2020**
- 13.D. **Request of Councilmember McKeown that, in response to the Trump withdrawal from the Paris Climate accords, abandoning international agreement to take necessary actions to save our planet, that the Council reaffirm our commitment to the Paris goals, intensify our sustainability efforts in defiance of the Trump decision, and work with California leadership to continue creating the 21st Century clean energy economy.**
- 13.E. **Recommendation to accept Stuart Tom's resignation from the Building & Life - Safety Commission and authorize the City Clerk to publish the vacancy**

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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