



# 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.

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**Si desea comunicarse con alguien en español, llame a nuestra oficina al (310) 458-8211 y pida hablar con Esterlina Lugo.**

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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 27, 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. Public Employee Recruitment  
Title: City Attorney**

**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 Assoc (MTA), Public Attorneys Union (PAU), Supervisory Team Assoc (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(d)(1): Polytime v. City of Santa Monica, Los Angeles Superior Court Case Number BC 594 177**

**1.D. 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.E. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Airbnb, Inc. v. City of Santa Monica, United States District Court for the Central District of California Case Number 2:16-cv-06645-ODW-AFM**

- 1.F. **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.G. **Real Property Negotiations: for Property Located at 3100 Airport Avenue City Negotiators: Nelson Hernandez and Stelios Makrides Under Negotiation: 5-year lease term (price, terms of payment) with the Museum of Flying**

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. Amendment to the Resolution Adopting Rules of Conduct for the Audit Subcommittee**

**Recommended Action**

Staff recommends that the City Council adopt an amended resolution modifying the Audit Subcommittee Rules of Conduct.

**3.B. Update to the Water Shortage Response Plan**

**Recommended Action**

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

**3.C. Pilot License Area Program with Downtown Santa Monica, Inc.**

**Recommended Action**

Staff recommends that the City Council authorize the City Manager to negotiate and execute pilot-program license agreements with Downtown Santa Monica, Inc. (DTSM) with no license fee to enable DTSM to provide public-serving amenities and art installations with an initial term of one year with four, one-year renewal options. The license areas include: (a) the pedestrian right-of-way on the east side of Ocean Avenue from Colorado Avenue to the northwestern entrance of Tongva Park, (b) the triangular landscaped open space at Colorado Avenue and Main Street, and (c) other downtown locations to be identified for art installations.

**3.D. Downtown Santa Monica, Inc. FY 2017-18 Budget and Work Plan**

**Recommended Action**

Staff recommends that the City Council approve the Downtown Santa Monica, Inc. Budget and Operational Work Plan for FY 2017-18.

**3.E. Purchase of In-Car Camera Systems and Body Worn Cameras for the Police Department.**

**Recommended Action**

1. Award RFP #70 to Watch Guard Video, Inc., a Texas-based company for the purchase of body worn cameras and in-car cameras.
2. Authorize the Purchasing Services Manager to issue a Purchase Order in the amount of \$696,488 to Watch Guard Video, Inc., a Texas-based company for the purchase of 60 in-car camera systems and 330 body worn camera systems, related accessories and supplies, and software.
3. Authorize the City Manager to negotiate and execute an agreement for a total amount not to exceed \$315,000 with Watch Guard Video, Inc, a Texas-based company for the maintenance of the in-car camera and body worn camera equipment for a period of up to five years.
4. Authorize the City Manager to negotiate and execute an agreement for a total amount not to exceed \$595,500 with Watch Guard Video, Inc., a Texas-based company for the storage of archived video for a period of up to five years.

**3.F. Modification to Professional Services Agreement for Real Estate and Economic Development Consultant**

**Recommended Action**

Staff recommends that Council authorize the City Manager to negotiate and execute a third modification to Professional Services Agreement Number 9543 in the amount of \$100,000 with Allan D. Kotin & Associates, a California-based company, for economic consulting and financial analysis. The proposed modification would result in a five-year amended agreement with a new total amount not to exceed \$300,000, with future-year funding contingent on Council budget approval.

**3.G. Award Bid for Purchase of Citywide Recycled Content Copy Paper**

**Recommended Action**

Staff recommends that the City Council:

1. Award Bid #4267 to Xpedex, a California-based company, for the purchase and delivery of recycled content office copy paper; and
2. Authorize the Purchasing Services Manager to issue purchase orders with Xpedex for the purchase and delivery of office copy paper in an amount not to exceed \$393,000, including a 10% contingency, over a five-year period, with future funding contingent on Council budget approval.

**3.H. Award Construction Contract for Clean Beaches Project**

**Recommended Action**

Staff recommends that the City Council:

1. Award Bid #2356 to Reyes Construction, Inc. a California-based company, for the Clean Beaches Project;
2. Authorize the City Manager to negotiate and execute a contract with Reyes Construction, Inc., in an amount not to exceed \$14,856,970 (no contingency);

3. Award RFP #1982 to GK & Associates a California-based company, for construction management and inspection services for the Clean Beaches Project;
4. Authorize the City Manager to negotiate and execute an agreement with GK & Associates, a California-based company, in an amount not to exceed \$485,000 (including a 10% contingency);
5. Authorize the City Manager to negotiate and execute a second modification to Professional Services Agreement No. 10283 (CCS) in an amount of \$160,000 with Tetra Tech, Inc. a California-based company, for additional scope of work to complete the control systems integration and provide the real-time storm forecasting and monitoring tools for the Clean Beaches Project. This would result in a three-year amended agreement with a new total amount not to exceed \$774,556;
6. Authorize the Director of Public Works to issue any necessary change orders within contract authority;
7. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

### **3.I. Approve Purchase Order for Various Auto and Light-Duty Truck Repair Parts**

#### **Recommended Action**

Staff recommends that the City Council authorize the Purchasing Services Manager to issue a purchase order with Warren Distributing, Inc., a California-based company, for the purchase and delivery of various auto and light-duty truck parts. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.080(b), as competitive bidding has already occurred, and is for a total amount not to exceed \$228,064 through December 31, 2017, with future year funding contingent on Council budget approval.

#### **SPECIAL JOINT MEETING OF THE CITY COUNCIL, SUCCESSOR AGENCY, HOUSING AUTHORITY , PARKING AUTHORITY, AND PUBLIC FINANCING AUTHORITY**

#### **ROLL CALL**

### **3.J. Approval of Minutes for the Redevelopment Successor Agency, Housing Authority, Parking Authority and Public Financing Authority Meetings**

#### **Recommended Action**

Staff recommends that the City Council/Agency Members/Commissioners/Authority Members approve the minutes for the following meetings:

1. **Redevelopment Successor Agency** – October 25, 2016, November 1, 2016, December 6, 2016, January 10, 2017, and January 24, 2017
2. **Housing Authority** – October 25, 2016, December 6, 2016, and January 24, 2017
3. **Parking Authority** – December 6, 2016
4. **Public Finance Authority** – December 6, 2016

#### **ADJOURNMENT**

- 3.K. **City Council - Special Meeting - May 9, 2017 3:30 PM**
- 3.L. **City Council - Regular and Special Meeting - May 9, 2017 5:30 PM**
- 3.M. **City Council - Special Meeting - May 23, 2017 4:30 PM**
- 3.N. **City Council - Regular Meeting - May 23, 2017 5:30 PM**
- 3.O. **Resolution Authorizing the City Manager to Execute the Executive Pay Plan (EPP) and the Memorandum of Understanding Setting the Terms and Conditions of Medical Insurance Coverage with the Administrative Team Associates (ATA), California Teamsters Local 911 (IBT), Management Team Association (MTA), Municipal Employees Association (MEA), Public Attorneys Union (PAU), Public Attorneys' Legal Support Staff Union (PALSSU), Supervisory Team Association (STA), United Transportation Union, Local 1785 (SMART), Executive Pay Plan Participants, and certain unrepresented classifications.**

Staff recommends that the City Council:

1. Adopt the attached Resolution authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City and the Coalition of Santa Monica City Employees (“the Coalition”) extending the terms and conditions of the contract with the City’s miscellaneous employee (non-safety) units and certain unrepresented employees, namely the Management Team Association, Supervisory Team Association, Administrative Team Associates, Municipal Employees Association, California Teamsters Local 911, Public Attorneys Union, Public Attorneys’ Legal Support Staff Union, International Association of Sheet, Metal, Air, Rail, and Transportation Workers - Transportation Division Local 1785, Executive Pay Plan Participants and Confidential Unrepresented Employees for an additional one-year period.
2. Adopt the attached resolution authorizing the City Manager to execute revisions to the Executive Pay Plan.
3. Approve the attached revised salary schedule effective as a result of the agreement reached for the classifications represented by EPP.

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. Second Reading and Adoption of Ordinance Amending Santa Monica Municipal Code Section 6.20.010 Relating To Accessory Dwelling Units and Vacation Rentals**

**Recommended Action**

Staff recommends that City Council adopt the Ordinance Amending Santa Monica Municipal Code Section 6.20.010.

**7.B. Introduce for First Reading an Ordinance Amending the Living Wage Ordinance, Municipal Code Chapter 4.65, to Provide for a Temporary Exemption for Contractors Providing Emergency Ambulance and Billing Services and Fourth Modification to Contract to Provide Emergency Ambulance and Billing Services**

**Recommended Action**

Staff recommends that the City Council:

- 1) Introduce for first reading an ordinance amending Municipal Code Chapter 4.65 to Provide for a Temporary Exemption for Contractors Providing Emergency Ambulance Services; and
- 2) Authorize the City Manager to negotiate and execute a Fourth Modification to Contract No. 9438 (CCS) with Ameri-Care Ambulance, a California-based company, to provide emergency ambulance and billing services. This will result in a 6 year and 6 month amended contract at no cost to the City.

**8. STAFF ADMINISTRATIVE ITEMS**

**8.A. Civic Center Multipurpose Sports Field Feasibility Study and Economic Analysis Findings and Options for Next Steps**

**Recommended Action**

Staff recommends that the City Council:

- Review and comment on feasibility study and economic analysis findings for the temporary and permanent multipurpose sports field with a softball field overlay; and
- Consider options and alternatives and provide direction to staff on next steps.

**9. PUBLIC HEARINGS**

**. SPECIAL JOINT MEETING OF THE CITY COUNCIL, HOUSING AUTHORITY AND PARKING AUTHORITY**

**. ROLL CALL**

**9.A. Adoption of the First Year and Approval of the Second Year of the Fiscal Year (FY) 2017-19 Biennial Budget, Adoption of the Second Year of the FY 2016-18 Biennial Capital Improvement Program Budget**

**Recommended Action**

Staff recommends that the City Council, Housing Authority and Parking Authority:

1. Adopt a Resolution of the City Council of the City of Santa Monica adopting



- the first year and approving the second year of the FY 2017-19 Biennial Budget and adopting the second year of the FY 2016-18 Biennial Capital Improvement Program Budget at Attachment A, as amended by Attachment D;
2. Adopt a Resolution of the Housing Authority of the City of Santa Monica adopting the first year and approving the second year of the FY 2017-19 Biennial Budget and adopting the second year of the FY 2016-18 Biennial Capital Improvement Program Budget at Attachment B, as amended by Attachment D; and
  3. Adopt a Resolution of the Parking Authority of the City of Santa Monica adopting the first year and approving the second year of the FY 2017-19 Biennial Budget and adopting the second year of the FY 2016-18 Biennial Capital Improvement Program Budget at Attachment C, as amended by Attachment D.

Staff also recommends that the City Council:

1. Adopt a Resolution of the City of Santa Monica revising the City's Master Fee Schedule to establish and revise certain permit and user fees and charges in the Planning and Community Development, Public Works, Fire, Community and Cultural Services, Finance, and Records and Election Services Departments and for the Santa Monica Public Library and City Manager's Office (Attachment E);
2. Adopt a Resolution of the City of Santa Monica setting forth the administrative citation schedule of fines for certain violations of the Santa Monica Municipal Code, setting civil penalties for parking violations and for the late payment of penalties, setting fines for Police and Fire Department responses to excessive false alarms, and setting fines for the Santa Monica Public Library (Attachment F);
3. Adopt a Resolution of the City of Santa Monica establishing parking rates and permit fees for all City facilities and resources (Attachment G);
4. Adopt a Resolution of the City of Santa Monica establishing new classifications and adopting salary rates for various listed positions (Attachment H) and approve the position and classification changes (Attachment I);
5. Adopt a Resolution of the City of Santa Monica establishing the Gann appropriations limit for FY 2017-18 (Attachment J);
6. Approve the Proposed FY 2017-18 Human Services Grants Program (HSGP), incorporating the proposed funding levels (Attachment K);
7. Approve the Proposed FY 2017-18 Organizational Support Program (OSP) Grants for Arts and Culture Nonprofits, incorporating the proposed funding levels (Attachment L); and
8. Accept Continuum of Care Program Grant funds from the U.S. Department of Housing and Urban Development (HUD) in the amounts of \$478,782 and \$2,786,792 to serve the homeless and disabled populations with housing subsidies.

## **ADJOURNMENT OF SPECIAL JOINT MEETING**

### **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. Annual Appointments to Boards and Commissions for terms ending June 30, 2017.**

<b>Board/Commission of Appts.</b>	<b>No.</b>
Airport Commission	1
Architectural Review Board	2
Arts Commission	2
Audit Subcommittee	1
Building and Fire-Life Safety Commission (One position must be filled by a State of California licensed/registered architect)	3
Commission for the Senior Community	2
Commission on the Status of Women	3
Disabilities Commission (One position must be filled by a person with self-identified disabilities)	3
Housing Commission (Two positions must be filled by participants in the Housing Authority Section 8 Program and one must be 62 years of age or older - terms ending June 30, 2019)	4
Landmarks Commission	2
Personnel Board (term ends on June 30, 2022)	1
Planning Commission	1
Recreation and Parks Commission	1
Santa Monica Library Board	1
Santa Monica Travel & Tourism, Inc.	1
Social Services Commission	2
Urban Forest Task Force (term ends on June 30, 2019)	7

**13.B. Request of Mayor Winterer and Councilmembers McKeown and Vazquez that Council direct staff to explore ways to protect hotel tax revenue, jobs and employment opportunities, preservation of visitor-serving uses in the California Coastal Zone, and controls on coastal land use intensification under Santa Monica's 1990 Prop S.**

#### 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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