



# 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

LANE DILG  
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).

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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 MEETING

CITY HALL COUNCIL CHAMBERS

1685 MAIN STREET, ROOM 213

TUESDAY SEPTEMBER 12, 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 Labor Negotiator-City Negotiator: Donna C. Peter, Director of Human Resources-Bargaining Units: California Teamsters Local 911 (Teamsters), Fire Executive Management Association (FEMA), and SMART-TD**
- 1.B. 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 Numbers 2:16-cv-04114-PA-AGR**
- 1.C. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Airbnb, Inc. and Homeaway.com, Inc. v. City of Santa Monica, United States District Court, Central District of California, Western Division, Case Numbers 2:16-cv-6645, 2:16-cv-6641**
- 1.D. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Dai v. City of Santa Monica, Los Angeles Superior Court Case Number BC 583 813**
- 1.E. Conference with Legal Counsel – Potential Litigation: Consideration of whether to initiate litigation pursuant to Government Code Section 54956.9 (d)(4) – 1 case**
- 1.F. Conference with Legal Counsel – Existing Litigation - Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Trevor v. City of Santa Monica, Los Angeles Superior Court Case Number BC 595 439**

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. Acknowledgment of Chief Seabrooks' Retirement**

**2.B. Update on the Office of Wellbeing**

**3. CONSENT CALENDAR**

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

**3.A. Contractual Service Agreement for Plumbing Contractor Services**

**Recommended Action**

Staff recommends that the City Council:

1. Award Bid #4281 to Plumbing by Todd R. Marsh, Inc., a California-based company, and Horn's Backflow & Plumbing Service, Inc., a California-based company, for plumbing contractor services;
2. Authorize the City Manager to negotiate and execute an agreement with Plumbing by Todd R. Marsh, Inc., in an amount not to exceed \$200,000 for one year, with two additional two-year renewal options in the amount of \$840,808 including an increase of 2% each year, for a total amount not to exceed \$1,040,808 over a five-year period, with future year funding contingent on Council budget approval; and
3. Authorize the City Manager to negotiate and execute an agreement with Horn's Backflow & Plumbing Service, Inc., in an amount not to exceed \$45,000 for one year, with two additional two-year renewal options, in the amount of \$45,000, on the same terms and conditions for a total amount not to exceed \$225,000 over a five-year period, with future year funding contingent on Council budget approval.

**3.B. Contract Award for Graffiti Removal Services**

**Recommended Action**

Staff recommends that the City Council:

1. Award Bid #4280 to Woods Maintenance Services (dba Graffiti Control Systems), a California-based company, for graffiti removal services;
2. Authorize the City Manager to negotiate and execute an agreement with Graffiti Control Systems in an amount not to exceed \$68,640 (including a \$6,240 contingency) for one year, with four additional one-year renewal options in the amount of \$68,640 plus a 2% increase per year, for a total amount not to exceed \$357,205 over a five-year period, with future year funding contingent on Council budget approval.

**3.C. Contract Award for Citywide Custodial Services**

**Recommended Action**

Staff recommends that the City Council:

1. Award Bid #4272 to UNISERVE Facilities Services Corp., a California-based company, for custodial services for various City locations, as required by the Custodial Services Section; and
2. Authorize the City Manager to negotiate and execute an agreement with UNISERVE Facilities Services Corp. in an amount not to exceed \$1,488,016 (including a 20% contingency) for one year, with four additional one-year renewal options for a total amount not to exceed \$7,713,321 over a five-year period, with future year funding contingent on Council budget approval.

**3.D. Award a Construction Contract for Pier Railing and Lighting Replacement and Area 4 Decking Upgrade**

**Recommended Action**

Staff recommends that the City Council:

1. Award Bid #2465 to John S. Meek Company, Inc. a California-based company, for the Santa Monica Municipal Pier Railing and Lighting Replacement and Area 4 Deck Upgrade;
2. Authorize the City Manager to negotiate and execute a contract with John S. Meek Company, Inc. in an amount not to exceed \$1,483,327 (including a \$193,477 contingency); and
3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.

**3.E. Award Bid for Purchase of 2-, 3-, and 4-yard Plastic Bins - *Staff will request to pull item from the agenda.***

**Recommended Action**

Staff recommends that the City Council:

1. Award Bid #4275 to Ball, Bounce, and Sports Inc., d/b/a Hedstrom Environmental, an Ohio-based company, for the purchase of 2-, 3-, and 4-yard plastic bins;
2. Authorize the Purchasing Services Manager to issue a purchase order with Ball, Bounce, and Sports Inc. d/b/a/ Hedstrom Environmental for the purchase of 2-, 3-, and 4-yard plastic bins in the amount not to exceed \$625,000 for one year (including \$27,500 for taxes), with four-additional one-year renewal options in the amount of \$336,000 for the first renewal and an annual increase of approximately 3% thereafter, for a total amount not to exceed \$2,030,800 with future year funding contingent on Council budget approval.

**3.F. Reject Proposal and Re-advertise Request for Proposal (RFP) for Design of 4th Street Phase II Project**

**Recommended Action**

Staff recommends that the City Council:

1. Reject the single proposal for Request for Proposal (RFP) #123 to provide professional design services for the 4th Street Phase II Project; and
2. Direct staff to re-advertise the RFP to obtain the best bidder to provide professional design services for the 4th Street Phase II Project.

**3.G. First Modification for Workers Compensation Medical Bill Review Services Contract**

**Recommended Action**

Staff recommends that the City Council authorize the City Manager to negotiate and execute a first modification to agreement #9650 with InterMed Cost Containment Services, a California-based company, for workers' compensation medical bill review services. This modification will extend the agreement's term by one year (and result in a six-year amended agreement); all other terms and conditions, including the total not to exceed amount of \$750,000, will remain the same.

**3.H. Professional Services Agreement Modification for Graphic Design Services with Selbert Perkins Design for Wayfinding Project**

**Recommended Action**

Staff recommends that the City Council authorize the City Manager to negotiate and execute a second modification to agreement #10239 in the amount of \$49,990 with Selbert Perkins Design, a California-based company, for graphic design services of Downtown Parking Wayfinding Signage, Citywide First-Last Mile Signage, and Citywide Signage and Wayfinding Guidelines. This will result in a seven year amended contract/agreement with a new total amount not to exceed \$229,890.

**3.I. License Agreements with Doctors Without Borders for use of a portion of the 1550 Beach Lot and with Film Independent for the 2018, 2019 and 2020 Independent Spirit Awards**

**Recommended Action**

Staff recommends that the City Council:

1. Authorize the City Manager to negotiate and execute a license agreement with Doctors Without Borders/Médecins sans Frontières to use a portion of the 1550 Beach Parking Lot for an exhibition, *Forced from Home*, from November 11 to November 20, 2017.
2. Authorize the City Manager to negotiate and execute a license agreement with Film Independent to use a portion of the 1550 Beach Parking Lot for the Independent Spirit Awards from February 21 to March 7, 2018, and to return on tentative dates of February 12 to February 27, 2019 and February 12 to February 27, 2020.

**3.J. Authorization to Continue to Purchase Passenger and Light-Duty Tires from Byron Woodley Tire**

**Recommended Action**

Staff recommends that the City Council authorize the Purchasing Services Manager to increase the purchase order amount with Byron Woodley Tire, a California-based company, for the purchase and delivery of various passenger and light-duty tires and tubes, by an additional \$213,332 and extend the purchase order for one-and-a-half years through January 14, 2019, for a revised total amount not to exceed \$423,332, with future year funding contingent on Council budget approval.

**3.K. Authorization for the City Manager to Accept a Funding Agreement from the State Water Resources Control Board Clean Water State Revolving Fund Program for the Sustainable Water Infrastructure Project (SWIP) and Authorization to Negotiate and Execute an Agreement with MWH/Stantec Consulting to Serve as Owner's Engineer for the SWIP Project**

**Recommended Action**

Staff recommends that the City Council:

1. Authorize the City Manager to accept and execute a funding agreement in the amount of \$56,885,903 from the State Water Resources Control Board (State Water Board) Clean Water State Revolving Fund (CWSRF) program for the City of Santa Monica's Sustainable Water Infrastructure Project (SWIP), and to accept all renewals.
2. Authorize the City Manager or his/her designee to execute all necessary documents to accept the funding agreement and all renewals.
3. Authorize the Director of Public Works, as the City's Authorized Representative pursuant to State Water Resources Control Board requirements, to issue any necessary amendments to the agreement within contract authority.
4. Award RFP# SP2456 to MWH/Stantec, a California-based company, to serve as the Owner's Engineer for the SWIP.
5. Authorize the City Manager to negotiate and execute an agreement with MWH/Stantec, in an amount not to exceed \$1,649,920 (including a 10% contingency of \$149,992) over a 5-year period.

**3.L. Request for a Senior Advisor on Homelessness**

**Recommended Action**

Staff recommends that the City Council approve the addition of a full-time employee to the City Manager's Office to act as Senior Advisor for Homelessness, and authorize the budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

**3.M. City Council - Regular Meeting - Jul 11, 2017 5:30 PM**

**3.N. City Council - Special Meeting - Jul 25, 2017 4:30 PM**

**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. Adoption of an Emergency Interim Ordinance to Authorize the Issuance of Additional Temporary Use Permits for Temporary Sidewalk Sales Undertaken in Conjunction with a City Public Street Event by Business Improvement Districts and Areas and by Businesses Located within a Seven Hundred Fifty Foot Radius of the City Event and Waiving the Filing Fee for Temporary Use Permits that Will Be Exercised During the City Public Street Event by These Entities**

**Recommended Action**

Staff recommends that the City Council:

- 1) Adopt the attached emergency interim ordinance authorizing the issuance of additional Temporary Use Permits for temporary sidewalk sales undertaken in conjunction with a City public street event by business improvement districts and area and by businesses located within a 750-foot radius of the City event; and
- 2) Waive the filing fee for Temporary Use Permits that will be exercised in conjunction with and contemporaneous with the City public street event by these entities.

**7.B. Introduction for First Reading of an Ordinance setting forth an Expedited and Streamlined Permitting Process for Electric Vehicle Charging Stations as required by Government Code Section 65850.7**

**Recommended Action**

Staff recommends that the City Council introduce for first reading the attached ordinance (Attachment A) which sets forth an expedited, streamlined permitting process for electric vehicle charging stations in compliance with State law.

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. Annual Appointments to Boards and Commissions**

<b>Board/Commission Appts.</b>	<b>No. of</b>
Architectural Review Board	1
Disabilities Commission <i>(One position must be filled by a person with self-identified disabilities)</i>	2
Personnel Board (term ends on June 30, 2022)	1

**13.B. Appointment to one unscheduled vacancy on the Task Force on the Environment.**

**13.C. Recommendation to accept Anthony Perez's resignation from the Social Services Commission and authorize the City Clerk to publish the vacancy.**

**13.D. Request of Mayor Winterer that the Council allocate discretionary funds to the Houston relief effort via the Greater Houston Community Foundation at [www.ghcf.org](http://www.ghcf.org), per the request of Houston Mayor Sylvester Turner in a letter to the members of the US Conference of Mayors.**

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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