



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

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 OCTOBER 10, 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 Unit: SMART-TD**
- 1.B. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Young v. City of Santa Monica, Los Angeles Superior Court Case Number BC 616 060**
- 1.C. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Segal v. City of Santa Monica, Los Angeles Superior Court Case Number BC 599 607**
- 1.D. **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.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 Numbers 2:16-cv-04114-PA-AGR**
- 1.F. **Conference with Legal Counsel – Anticipated Litigation – Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 1 case**

- 1.G. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Masterpiece Cakeshop, Ltd., et al., Petitioners v. Colorado Civil Rights Commission, et al., U. S. Supreme Court No. 16-111**
- 1.H. **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.I. **Conference with Legal Counsel – Potential Litigation: Consideration of whether to initiate litigation pursuant to Government Code Section 54956.9 (d)(4) – 1 case**

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 October Disability Employment Awareness Month**
- 2.B. **City Manager's Report: Building Disaster Resilience in Our Workforce and Community - FY 17-19 Office of Emergency Management disaster preparedness and resilience projects and activities.**

3. CONSENT CALENDAR

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

- 3.A. **Contractual Services Agreement for Water Feature and Pond Maintenance Services and Repairs**

Recommended Action

Staff recommends that the City Council:

- 1. Award Bid #4276 to California Waters, LLC, a California-based company, for water feature and pond maintenance services and repairs for the Public Landscaping Division;
- 2. Authorize the City Manager to negotiate and execute an agreement with California Waters, LLC in an amount not to exceed \$287,004 for one year, with four additional one-year renewal options (including 4% increases for years 2 and 3, a 5% increase for year 4, and a 6% increase for year 5), for a total amount not to exceed \$1,567,358 over a five-year period, with future year funding contingent on Council budget approval.

- 3.B. **Big Blue Bus Fare Restructure**

Recommended Action

Staff recommends that Council adopt the proposed fare adjustments as follows: decrease the TAP stored value single ride fare from \$1.25 to \$1.10, introduce a new

\$500 annual unlimited ride pass, and create new standardized pricing for employer provided fare media (Blue to Business).

3.C. Contractual Services Agreement for Palisades Park Palm Tree Planting

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4264 to B & B Nurseries, Inc., DBA The Landscape Center, a California-based company, to furnish and deliver labor and materials for palm tree supply, planting and aftercare at Palisades Park as required the by Public Landscape Division;
2. Authorize the City Manager to negotiate and execute an agreement with B & B Nurseries, Inc., in an amount not to exceed \$243,427 (includes a 10% contingency) for one year.

3.D. Construction Contract for Airport Roof Acrylic Application

Recommended Action

Staff recommends that the City Council:

1. Award Bid #SP2515 to Best Contracting Services, Inc., a California-based company, to provide roofing repairs to facilities located at the Santa Monica Airport;
2. Authorize the City Manager to negotiate and execute a contract with Best Contracting Services, Inc. in an amount not to exceed \$1,960,123 (including a 10% contingency) over a 90 day period;
3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.

3.E. Grant from the Annenberg Foundation for the Annenberg Community Beach House

Recommended Action

Staff recommends that the City Council:

1. Adopt the attached resolution to accept the grant in the amount of \$100,000 from the Annenberg Foundation to support visitor service, guest experience and facility improvements at the Annenberg Community Beach House.
2. Authorize the City Manager to execute all necessary documents to accept the grant.
3. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

3.F. Approval of Big Blue Bus Fuel & Wash Upgrade Project Design Modification 3

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a third modification to agreement #10019 (CCS) in the amount of \$73,420 (including a 10% contingency) with RNL Interplan, Inc., a California-based company, for additional design services to replace the methane gas-detection systems at two locations in the Big Blue Bus Campus. This will result in an amended agreement

with a new total amount not to exceed \$303,121, with future year funding contingent on Council budget approval.

3.G. Expansion of the Pre-Employment Physical Program to Include Functional Capacity Evaluation Testing

Recommended Action

Staff recommends that the City Council:

1. Award RFP #112 to Integrated Injury Management Services, Inc., a California-based company, for functional evaluation testing services for City employees; and
2. Authorize the City Manager to negotiate and execute an agreement with Integrated Injury Management Services, Inc. for five years in an amount not to exceed \$350,000, with future year funding contingent on Council budget approval.

3.H. Authorize the City Manager to negotiate and execute an operating agreement with the Mexican Consulate Plaza Comunitares

Recommended Action

Staff recommends that the City Council authorizes the City Manager to negotiate and execute a Memorandum of Understanding with the Consulate General of Mexico in Los Angeles to establish terms and conditions under which the City will collaborate with the Consulate General of Mexico in Los Angeles, the Institute for Mexicans Abroad (SRE) and the National Institute for Adult Education (INEA) on establishing Plaza Comunitaria program at the Santa Monica Public Library, Pico Branch.

3.I. Accept California Office of Traffic Safety Grant for the Selective Traffic Enforcement Program

Recommended Action

Staff recommends that the City Council:

1. Authorize the City Manager to accept a grant award in the amount of \$300,000 from the California Office of Traffic Safety for the Selective Traffic Enforcement Program.
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.J. Consideration of five persons nominated by City staff to serve as the first nonprofit Board of Directors for the Friends of Santa Monica Animal Shelter

Recommended Action

Approve five persons nominated by City staff to serve as the first nonprofit Board of Directors for the Friends of Santa Monica Animal Shelter to initially serve two or three-year terms.

3.K. Second Modification to Cabling Design and Installation Services Contract

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a second modification to contract #4075 in the amount of \$175,000 with Intelinet, Inc., a California based company, for citywide structured cabling design and installation services. This will result in a 5 year amended contract with a new total amount not to exceed \$350,000, with future year funding contingent on Council budget approval.

3.L. First Modification to Microsoft Enterprise Agreement for Software Licenses

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a first modification to agreement #9975 (CCS) in the amount of \$1,390,000 with Insight Public Sector, an Illinois-based company for the purchase of Microsoft software licenses, software license upgrades, and license tracking services. This will result in a five year amended agreement with a new total amount not to exceed \$3,402,250 with future year funding contingent on Council budget approval.

3.M. Donation of Two Horses Retiring from Police Department Mounted Unit

Recommended Action

Staff recommends that the City Council approve the donation of two horses to Karen Schaffner, Teresa Foote, and Jodie Sailor as individuals. Through this donation, the City would be retiring these two horses and providing them with a good home whereupon the horses would receive proper care and housing.

3.N. City Council - Regular and Special Joint Meeting - Aug 8, 2017 5:30 PM

3.O. City Council - Regular Meeting - Sep 12, 2017 5:30 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. Introduction and First Reading of an Ordinance Amending Article VI of the Santa Monica Municipal Code Establishing a Selection and Permitting Process for Medicinal Cannabis Retailers and Medicinal Cannabis Light Manufacturing, while continuing to prohibit commercial non-medicinal cannabis uses; Introduction and First Reading of an Interim Zoning Ordinance making necessary interim changes to the Zoning Ordinance to authorize Medicinal Cannabis Retailers and Medicinal Cannabis Light Manufacturing within certain zoning districts; and Adoption of a Fee Resolution Establishing Related Permit Fees.

Recommended Action

Staff recommends that the City Council:

- 1) Introduce for first reading the attached ordinance (Attachment A) amending the Santa Monica Municipal Code adding:
 - a. Chapter 6.200 Commercial Cannabis, in order to establish general regulations and definitions for commercial cannabis activities;
 - b. Chapter 6.201 Medicinal Cannabis Retailer, in order to establish a regulatory permit for medicinal cannabis retailing;
 - c. Chapter 6.202 Medicinal Cannabis Light Industry Manufacturer, in order to establish a regulatory permit for medicinal cannabis light manufacturing;
 - d. Chapter 6.210 Adult Use Cannabis, prohibiting commercial adult cannabis non-medicinal use activities; and
- 2) Introduce for first reading the attached Interim Zoning Ordinance (Attachment B) updating the definition of “Medical Marijuana Dispensaries” to conform with state law and setting forth interim development standards for light medicinal cannabis manufacturing; and
- 3) Adopt the attached Resolution (Attachment C) establishing Medicinal Cannabis Retail Permit fee; and
- 4) Direct staff to examine options for a ballot measure to create new business license tax classifications and rates for cannabis related businesses.

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. Recommendation to accept Nicole Phillis' resignation from the Commission on the Status of Women 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

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.

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