



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

SPECIAL MEETING

CITY HALL COUNCIL CHAMBERS

1685 MAIN STREET, ROOM 213

TUESDAY DECEMBER 5, 2017

MEETING BEGINS AT 5:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

(This is a special City Council meeting. Public comment is restricted to only items listed on the agenda.)

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): 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.B. Conference with Legal Counsel - Anticipated Litigation: Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 2 cases - 1)1413 Palisades Beach Road; 2) 1405 Palisades Beach Road

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

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. City Manager's Report: Tis the Season to Buy Local - A Report on Initiatives of the Buy Local SM Committee

3. CONSENT CALENDAR

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

3.A. Agreement for Third Street Promenade Fountain Enhancements

Recommended Action

Staff recommends that the City Council:

1. Award RFP# SP2491 to Concept Consultant, Inc., a California-based company, for maintenance and enhancements to the medians and fountains on the Third Street Promenade;
2. Authorize the City Manager to negotiate and execute an agreement with Concept Consultant, Inc., in an amount not to exceed \$400,000 over a one-year period (including a \$24,000 contingency).

3.B. Annual Report on Low- and Moderate-Income Housing Asset Fund

Recommended Action

Staff recommends that the City Council:

1. Receive the Annual Report on the Low- and Moderate-Income Housing Asset Fund for Fiscal Year 2016-17 and authorize staff to post the report on the City's website by December 31, 2017; and
2. Direct staff to present the independent audit of the Low- and Moderate-Income Housing Asset Fund to the Council upon completion of the independent audit of the City's Comprehensive Annual Financial Report (CAFR) and authorize staff to post the results of the audit on the City's website after presentation to City Council.

3.C. Modification of Agreement with Compulink Management Center, Inc., dba Laserfiche, to Add Products and Services

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute first modifications to the software license agreement #9789 in the amount of \$381,000 and the software maintenance and support agreement in the amount of \$226,311 for an aggregate of \$607,311 with Compulink Management Center, Inc., dba Laserfiche, a California -based company, in order to add software and services to support Police mobile functionality and enhanced digitization of paper documents. This will result in additional perpetual software licenses, with an extended 10 year maintenance agreement, with a new total amount not to exceed \$767,292, with future year funding contingent on Council budget approval.

3.D. Second Modification to Professional Services Agreement with Dudek for Development of the Local Coastal Program Update Land Use Plan

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a second modification to Contract No. 10212 (CCS) in the amount of \$13,028 with Dudek, a California-based company, for professional services related to development of the Local Coastal Program Land Use Plan Update and extend the expiration date through November 2018. This will result in a three-year, amended agreement with a new total amount not to exceed \$137,028. The remainder of the professional services to be paid through this contract are fully-funded by a Planning Grant from the California Coastal Commission.

3.E. License Modification for Seasonal Ice Skating Rink

Recommended Action

Staff recommends that the City Council authorize the City Manager to execute a second modification to the license agreement with Downtown Santa Monica Inc., a California-based Corporation, to allow the sale of prepared food in operation of a seasonal ice rink on City property between the months of October and February.

4. STUDY SESSION

No items

5. CONTINUED ITEMS

No items

6. ADMINISTRATIVE PROCEEDINGS

6.A. Appeal 17ENT-0186 of the Planning Commission’s approval of Conditional Use Permit 17ENT-0075, Variance 17ENT-0147, and Fence/Wall Modification 17ENT-0148 permitting the establishment of a Child Care and Early Education Facility for up to 20 children at 2953 Delaware Avenue

Recommended Action

Staff recommends that the City Council deny the appeal and uphold the Planning Commission’s approval by taking the following actions:

1. Approve Conditional Use Permit 17ENT-0075
2. Approve Variance 17ENT-0147
3. Approve Fence Modification 17ENT-0148
4. Adopt the Statement of Official Action, pursuant to the draft findings and conditions.

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 to Amend the Zoning Ordinance Making Changes, Corrections, and Clarifications to the Zoning Ordinance Related to Policy Issues That Have Arisen Since the Adoption of the Zoning Ordinance Through Its Implementation

Recommended Action

Staff recommends that the City Council introduce for first reading an ordinance amending the City’s Zoning Ordinance making changes, corrections, and clarifications to Sections 9.26 Landscaping, 9.28 Parking, Loading and Circulation, 9.31 Standards for Specific Uses and Activities, 9.39 Administrative Approval, 9.48 Enforcement Procedures, and 9.51 Use Classifications, related to policy issues that have arisen since the adoption of the Zoning Ordinance through its implementation.

7.B. Introduction for First Reading of an Interim Zoning Ordinance Extending Interim Zoning Ordinance 2557 (CCS) Making Necessary Interim Changes to the Zoning Ordinance to Authorize Medicinal Cannabis Retailers and Medicinal Cannabis Light Manufacturing Within Certain Zoning Districts

Recommended Action

Staff recommends that the City Council introduce for first reading an Interim Zoning Ordinance extending Interim Zoning Ordinance 2557 (CCS) to April 20, 2020.

7.C. Introduction and first reading of an ordinance to Join Los Angeles Community Choice Energy (LACCE), Appoint a Director and Alternate to LACCE Board, and Request Regular Updates From Staff

Recommended Action

Staff recommends that the City Council:

1. Introduce for first reading the attached ordinance (Attachment A) approving the Los Angeles Community Choice Energy Joint Powers Agreement (Attachment D).
2. Authorize the City Manager to negotiate and execute the necessary documents to join the Los Angeles Community Choice Energy (LACCE) program.
3. Designate one representative and two alternates to serve as a director of the Board of the Los Angeles Community Choice Energy.
4. Direct staff to provide regular updates to Council on the most recent developments and provide recommendations on future action.

8. STAFF ADMINISTRATIVE ITEMS

8.A. Strategy for Long-Term Economic Sustainability

Recommended Action

Staff recommends that Council review, consider, and provide direction regarding the process to develop the scope of the City's long-term economic sustainability strategy.

9. PUBLIC HEARINGS

No items

10. REPORTS OF BOARDS AND COMMISSIONS

No items

11. RESOLUTIONS

No items

12. WRITTEN COMMUNICATIONS

No items

13. COUNCILMEMBER DISCUSSION ITEMS

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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