



City of Santa Monica

City Council Meeting

AGENDA

GLEAM DAVIS
MAYOR

KEVIN MCKEOWN
COUNCILMEMBER

TED WINTERER
COUNCILMEMBER

SUE HIMMELRICH
COUNCILMEMBER

ANA MARIA JARA
COUNCILMEMBER

GREG MORENA
COUNCILMEMBER

TERRY O'DAY
MAYOR PRO TEM

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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RULES OF ORDER FOR THE CONDUCT OF CITY COUNCIL MEETINGS

(Resolution No.11106 (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 City 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 City Councilmember for discussion. Public comment shall be heard prior to City 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. **Any electronic presentation materials intended to be presented at a City Council meeting must be emailed to the City Clerk at clerk@smgov.net no later than 12 PM on the day of a City Council meeting.**

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 or against the wall; 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 mailing them to: City Clerk, 1685 Main Street, Santa Monica, CA 90401 or to councilmtgitems@smgov.net. Written comments received from the public by 12 PM on the day of the City Council meeting will be distributed to the City Council prior to the meeting and **posted online**.

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AGENDAS

CITY OF SANTA MONICA

REGULAR MEETING

CITY HALL COUNCIL CHAMBERS

1685 MAIN STREET, ROOM 213

TUESDAY MARCH 26, 2019

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): Pico Neighborhood Association and Maria Loya v. City of Santa Monica, Los Angeles Superior Court, Case No. BC 616804, Second District Court of Appeal, Case No. B295935**
- 1.B. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Homeaway.com, Inc., and Airbnb, Inc. v. City of Santa Monica, United States District Court, Central District of California, Case Nos. 2:16-cv-6641-ODW-AFM, 2:16-cv-6645-ODW-AFM, Ninth Circuit Court of Appeals, Case Nos. 18-55367, 18-55805, 18-55806**
- 1.C. Conference with Labor Negotiator: Government Code Section 54957.6. Agency Designated Representatives: Lori Gentles, Chief People Officer-HR and Human Resources Manager Shawn Weiske, Bargaining Unit: Coalition of Santa Monica City Employees (CSMCE)**

- 1.D. **Conference with Legal Counsel – Anticipated Litigation -- Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Claim No. 18-629, claimant Rogelio Monroy; Claim No. 18-684, claimant Elizabeth Esquivias; Claim No. 19-019, claimant Jose Zaldivar; Claim No. 19-127, claimant John Doe 1; Claim No. 19-128, claimant John Doe 2; Claim No. 19-129, claimant John Doe 3; Claim No. 19-130, claimant John Doe 4; Claim No. 19-131, claimant John Doe 5; Claim No. 19-132, claimant John Doe 6.**
- 1.E. **Conference with Legal Counsel -- Anticipated Litigation: Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2); facts and circumstances are known under Section 54956.9(e)(2) – copyright infringement claim.**
- 1.F. **Conference with Legal Counsel – Anticipated Litigation – Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9 (d)(2): 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 March 2019 as Red Cross Month in the City of Santa Monica.**

3. CONSENT CALENDAR

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

- 3.A. **City Council - Special Meeting - Mar 5, 2019 4:30 PM**
- 3.B. **Award Construction and Construction Management Contracts for the Santa Monica Airport - Reuse of Excess Airfield Pavement Project**

Recommended Action

Staff recommends that the City Council:

1. Award Bid #SP2533 to Sully-Miller Contracting Company, a California-based company, to provide construction services for the Santa Monica Airport – Reuse of Excess Airfield Pavement Project for the Public Works Department;
2. Authorize the City Manager to negotiate and execute a contract with Sully-Miller Contracting Company in an amount not to exceed \$3,109,824 (including a 15% contingency);
3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority;
4. Authorize the City Manager to negotiate and execute a professional services contract with CivilSource, an NV5 Company, for construction management and inspection services in an amount not to exceed \$216,761 (including a 15% contingency);

5. Authorize the Director of Public Works to issue any necessary change orders and modifications to provide additional services within contract authority.
6. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

3.C. Award Bid to National Auto Fleet Group for the Purchase of One Sewer Jetter Vehicle

Recommended Action

Staff recommends that the City Council authorize the Procurement Manager to issue a purchase order with National Auto Fleet Group, a California-based company, for the purchase and delivery of one compressed natural gas high-pressure sewer jetter vehicle for the Public Works Department. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.080(b) and is for a total amount not to exceed \$334,545.

3.D. Award of Communications and Outreach Contracts

Recommended Action

Staff recommends that the City Council:

1. Award RFP# 122917 to fourteen California-based companies and one Florida-based company to provide as-needed communications and outreach services available to all City of Santa Monica departments for assistance on a variety of programs and services;
2. Authorize the City Manager to negotiate and execute an agreement with each company, in an amount not to exceed \$174,000 for two years, with three additional one-year renewal option(s), on the same terms and conditions for a total amount not to exceed \$174,000 each over a 5-year period, with future year funding contingent on Council budget approval.

3.E. Award Bid to Frontier Ford for the Purchase of up to 70 Pickup Trucks

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4366 to Frontier Ford, a California-based company, for the purchase and delivery of 60 Ford F-250 pickup trucks for the Planning and Community Development, Police, and Public Works departments;
2. Authorize the Procurement Manager to issue a purchase order with Frontier Ford for the purchase and delivery of 60 Ford F-250 pickup trucks in the amount not to exceed \$3,638,781 for one year, with future year funding contingent on Council budget approval; and
3. Authorize the Procurement Manager to issue any necessary change orders to the purchase order in an amount not to exceed \$891,378 for the purchase of up to an additional 10 vehicles for an additional 12 months after receipt of the purchase order, at the same price, terms and conditions. This would result in a revised purchase order total amount not to exceed \$4,530,159, with future year funding contingent on Council budget approval.

3.F. Proposed South Lincoln Boulevard Assessment District

Recommended Action

Staff recommends that the City Council:

- 1) Conceptually approve the draft management plan for the proposed South Lincoln Boulevard Property-Based Assessment District; and
- 2) Affirm the City's financial support for the general benefits associated with the assessment district of approximately \$7,000 to \$11,000 per year over a ten-year period.

3.G. Framework Revision- Adjustment of Values

Recommended Action

Staff recommends that the City Council modify the Framework values identified at the Council Retreat to better distinguish between values and Framework Outcome Areas. Specifically, staff recommends that "Innovation" replace "Safety" as one of the Council chosen values as Safety is already one of the seven Framework Outcomes and "Keeping Neighborhoods Safe" is one of the six Framework Priorities.

3.H. Second Modification to Agreement with Innovative Resources Consultant Group for Staff Development, Team Building and Coaching Services.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a second modification to agreement #10421 (CCS) in the amount of \$150,000 with Innovative Resources Consultant Group (IRCG) for the continued services of staff development, team building, employee coaching, and strategic planning. In January 2017, Council approved a two year agreement with IRCG. This second modification will retain the original agreement term and award additional funds in the amount of \$150,000 resulting in a 2 year agreement with a new total amount not to exceed \$420,000, with future year funding contingent on Council budget approval.

3.I. First Modification to Agreement #9956 with Moss Adams for Internal Audit Services

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a first modification to agreement #9956 in the amount of \$210,000 with Moss Adams, LLP, a Washington-based company, for internal audit services for the Finance Department. This will result in a five-year amended agreement with a new total amount not to exceed \$1,135,000, with future year funding contingent on Council budget approval.

3.J. Second Contract Modification with West Valley Investment Group for Parking Structure 5 Tenant Improvement Project

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a second modification to agreement #10417 (CCS) in the amount of \$70,000 with West Valley Investment Group, Inc., a California-based company, for additional construction services to complete the Parking Structure 5 Tenant

Improvement Project for the Public Works Department. This will result in an amended agreement with a new total amount not to exceed \$4,086,715, with future year funding contingent on City Council budget approval.

3.K. Purchase Order for Network Infrastructure Equipment

Recommended Action

Staff recommends that the City Council authorize the Procurement Manager to issue a purchase order to Zones, Inc, a Washington-based company, for the purchase of Cisco manufactured network equipment and services that support City operations, for a period of five years. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.080(b) where competitive bid procedures have already been utilized, such as in purchasing from Federal, State, County, City or special district government agencies. The total amount of the purchase order over five years will not to exceed \$3,500,000, with future year funding contingent on Council budget approval.

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 Adoption of an Urgency Interim Zoning Ordinance Regarding Single-Room Occupancy Uses

Recommended Action

Staff recommends Council introduce and adopt an urgency interim zoning ordinance to prohibit Single-Room Occupancy (SRO) uses citywide on an interim basis in order to prevent the proliferation and over-concentration of SRO uses that are not 100% Affordable Housing Projects or certain specialized housing uses such as emergency shelters, transitional housing, and supportive housing. This urgency interim zoning ordinance would allow for study of revised development standards, land use regulations, use classifications, and additional requirements related to physical design or amenity plans, for SRO uses in order to protect the public health, safety and welfare.

7.B. Introduction and First Reading of an Ordinance for Proposed Amendments to the Affordable Housing Production Program

Recommended Action

Staff recommends that the City Council:

- 1) Review and discuss the information contained in this report regarding the City's regulatory and policy framework to support housing production, as well as affordable housing production trends, including units in the Extremely Low Income (ELI) category.
- 2) Authorize the City Manager to negotiate and execute an agreement with HR&A Advisors, Inc., a California-based company, for financial feasibility analysis of potential affordable housing requirements and minimum density requirements for the Planning and Community Development and Housing and Economic Development Departments. This recommended award is for a total amount not to exceed \$150,000 with future year funding contingent on Council budget approval.
- 3) Consider introduction and first reading of an ordinance amending the text of the Municipal Code to temporarily remove the option for providing ELI units to satisfy a project's Affordable Housing Production Program obligation pursuant to SMMC Chapter 9.64 and specify that 100% Affordable Housing Projects that are owned and operated by non-profit housing providers and financed with tax credits may be exempt from certain provisions of the Affordable Housing Production Program (SMMC Chapter 9.64), subject to certain conditions (Attachment "A")

7.C. Introduction and First Reading of an Ordinance Making Changes, Corrections, and Clarifications to the City's Zoning Ordinance Related to Policy Issues That Have Arisen Since the Adoption of the Zoning Ordinance Through Its Implementation; Amending the Zoning Ordinance and Santa Monica Municipal Code Section 6.14.040 Related to Fortunetelling; and Amending the Official Districting Map for 1411 Cloverfield Boulevard

Recommended Action

Staff recommends that the City Council introduce for first reading an ordinance making changes, corrections, and clarifications to the City's Zoning Ordinance related to policy issues that have arisen since the adoption of the Zoning Ordinance through its implementation; amending the Zoning Ordinance and Santa Monica Municipal Code Section 6.14.040 related to Fortunetelling; and amending the Official Districting Map for 1411 Cloverfield Boulevard.

8. STAFF ADMINISTRATIVE ITEMS

8.A. Annual Report on Homelessness - *Council will request item be heard after Consent.*

Recommended Action

Staff recommends that the City Council:

- 1) Review and comment on the Four-Pillar strategy and activities in the report, and direct staff to proceed with the next steps;
- 2) Direct staff to proceed with feasibility analysis of possible sites for the replacement of SAMOSHEL and associated community engagement process and return to Council with recommendations;

3) Authorize budget changes as outlined in the Financial Impacts and Budget Actions section of this report.

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 Building & Fire-Life Safety Commission for a term ending on 06/30/2021. (Continued from February 26, 2019)

13.B. Designation of a Delegate and an Alternate to the Southern California Association of Governments Regional Conference and General Assembly scheduled for May 2 - 3, 2019 in Palm Desert, California.

13.C. Request of Mayor Pro Tem O'Day and Councilmembers McKeown and Winterer that the Council allocate \$75,000 of Council discretionary funds for COAST 2019 to support new activities for engaging community members in the event, such as workshops with artists that will be held in advance of and during the event to provide Santa Monicans with tools to "Primp Their Ride." Through processions and prizes, COAST 2019 will highlight the individual creativity utilized to decorate whatever people use to get around: bike, scooter, roller-skates, feet, skateboard. The community workshops will also educate participants about use of sustainable materials, further reinforcing the goal of combating Climate Change.

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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