



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 MAY 28, 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 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.B. **Conference with Legal Counsel – Anticipated Litigation -- Anticipate
significant exposure to litigation pursuant to Government Code Section
54956.9(d)(2): Claims against City: - *New item received.***

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;

Claim No. 19-146, claimant John Doe 7;

Claim No. 19-156, claimant Alvin Ferrara;

Claim No. 19-157, claimant Carlos Martinez;

Claim No. 19-158, claimant Jason Martin;

Claim No. 19-159, claimant Jose Lopez;

Claim No. 19-258, claimant Carlos Esquivias

- 1.C. **Conference with Legal Counsel – Anticipated Litigation -- Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): land use litigation claims: - *New item received.***

1323 5th Street, Administrative Approval (“AA”) Application# 18ENT-0283, Vesting Tentative Tract Map (“VTTM”) #82575 with Application #s 19PWMISC-0016, 19ENT-0089

1338 5th Street, AA Application# 19ENT-0041, VTTM #82579 with Application #s 19PWMISC-0019, 19ENT-0087

1415 5th Street, AA Application# 19ENT-0042, VTTM #82580 with Application #s 19PWMISC-0020, 19ENT-0086

1437 5th Street, AA Application# 19ENT-0039, VTTM #82578 with Application #s 19PWMISC-0018, 19ENT-0084

1437 6th Street, AA Application# 19ENT-0040, VTTM #82577 with Application #s 19PWMISC-0017, 19ENT-0088

1557 7th Street, AA Application# 19ENT-0206, VTTM #82576 with Application #s 19PWMISC-0021, 19ENT-0090

- 1.D. **Conference with Real Property Negotiator: Government Code Section 54956.8 Properties: 2322 Michigan Avenue, Santa Monica, California; Frank Street/2500 Michigan Avenue, Santa Monica, California.
City negotiator: Jason Harris, Economic Development Manager
Under Negotiation: Exchange of Interests in Real Property
Parties: Samuel V. Kardashian, Trustee of the Kardashian Family Trust, dated November 1, 1994; City of Santa Monica - *New item received.***
- 1.E. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Sima Lerner v. City of Santa Monica, Los Angeles Superior Court, Case No. BC 676664 - *New item received.***

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: Older Americans Month**
- 2.B. **Proclamation: Foster Care Awareness Month**
- 2.C. **Proclamation: Mental Health Awareness Month**

3. CONSENT CALENDAR

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

- 3.A. **Adopt a Resolution to Vacate Portions of Olympic Place South, 7th St, and Two Unnamed Alleys North of and Running Parallel to Pico Boulevard**

Recommended Action

Staff recommends that the City Council adopt the attached resolution to vacate the public service easement that exists along vacated portions of Olympic Place South, vacate a portion of 7th Street, and vacate two unnamed alleys that exist north of and parallel to Pico Boulevard.

3.B. Award Agreements for Construction, Material Testing and Deputy Inspection Services, and Construction Management for the Civic Center Multipurpose Sports Field Project - *SUPPLEMENTAL REPORT received. See attachment H.*

Recommended Action

Staff recommends that the City Council:

1. Award Bid# SP2461 to C.S. Legacy Construction, Inc., a California-based company, for construction of the Civic Center Multipurpose Sports Field;
2. Authorize the City Manager to negotiate and execute an agreement with C.S. Legacy Construction, Inc., in an amount not to exceed \$4,767,144 (including a 10% contingency of \$433,377).
3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.
4. Award RFP# SP2461 to AECOM, a California-based company, to provide material testing and deputy inspection services for the Civic Center Multipurpose Sports Field Project;
5. Authorize the City Manager to negotiate and execute an agreement with AECOM in an amount not to exceed \$97,818 (including a 20% contingency) over a one-year period;
6. Award RFP# SP2461 to Simpson & Simpson Management Consulting, a California-based company, to provide construction management services for the Civic Center Multipurpose Sports Field Project;
7. Authorize the City Manager to negotiate and execute an agreement with Simpson & Simpson Management Consulting in an amount not to exceed \$416,900 (including a 10% contingency) over a one-year period;

3.C. Award Professional Services Agreement with Dudek for the Preparation of an Environmental Study for the Olympic Well Field Restoration and Arcadia Water Treatment Plant Expansion Project

Recommended Action

Staff recommends that the City Council:

1. Award RFP for the Preparation of an Environmental Study for the Olympic Well Field Restoration and Arcadia Water Treatment Plant Expansion Project to Dudek, a California-based company, for the Preparation of an Environmental Study for the Olympic Well Field Restoration and Arcadia Water Treatment Plant Expansion Project for the Water Resources Division;
2. Authorize the City Manager to negotiate and execute an agreement with Dudek, in an amount not to exceed \$313,955 (including a \$50,000 contingency) for two years with future year funding contingent on Council budget approval.

3.D. Lease Modification for City Office Space at 1717 4th Street

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a lease modification with Santa Monica Hotel Owner, LLC for City offices at 1717 4th Street, to extend the lease term to May 31, 2020 for a monthly rent of \$93,723.50.

3.E. Extension of Conduent Contract for parking citation processing, parking permit fulfillment, and payment processing services

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a sixth modification to agreement #9210 (CCS) in an estimated amount of \$1,438,750 with Conduent State & Local Solutions, Inc., a New Jersey-based company, to extend the agreement for up to one year for the integrated parking permit and citation management services for the Planning and Community Development Department. This will result in a ten year amended agreement with a new total estimated amount of \$16,000,000, with future year funding contingent on Council budget approval.

3.F. Approve Beach Lot 5 South for Participation in the SCE Charge Ready Program to Add 24 Public EV Charging Ports

Recommended Action

Staff recommends that the City Council:

1. Approve the selection of Beach Lot 5 South as the project site to apply for electric vehicle charging infrastructure from the Charge Ready Program.
2. Authorize the City Manager to negotiate and execute all necessary documents to participate in the SCE Charge Ready Program.

3.G. Award Request for Proposal and enter into an agreement with Citygate Associates for the development of a Strategic Plan and Community Risk Assessment-Standard of Cover for the Fire Department

Recommended Action

Staff recommends that the City Council:

1. Award RFP# 206 to Citygate Associates, LLC, a California-based company for the development of a Strategic Plan and Community Risk Assessment / Standard of Cover for the Fire Department.
2. Authorize the City Manager to negotiate and execute an agreement with Citygate Associates, LLC, in an amount not to exceed \$135,435.
3. Authorize budget changes as outlined in Financial Impact and Budget Actions section of this report.

3.H. Award Request for Proposal and enter into License Agreement for parking located at 3300 Pico Place North

Recommended Action

Staff recommends that the City Council:

1. Award RFP# 3719 to Arsher LLC, a California-based company, for parking on City property located at 3300 Pico Place North;

2. Authorize the City Manager to negotiate and execute a license agreement with Arsher LLC, at a rate of \$1,400 per month for a five-year term, subject to annual escalations in rent, with five additional one-year renewal options on the same terms and conditions.

3.I. Extension of Maintenance Contract Budget Authority with Trapeze Software Group to operate and maintain the Planning and Operator Management Systems for Big Blue Bus

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a one-year extension to contract #8928 in the amount not to exceed \$166,000 with Trapeze Software Group (Trapeze), an Ontario, Canada based company, for ongoing maintenance of the Motor Coach Operator Management System (OPS) and Planning and Scheduling (BlockBuster and FX) software for an additional year of service.

3.J. Big Blue Bus Resolution for Low Carbon Transit Operations Program (LCTOP)

Recommended Action

Staff recommends that the City Council adopt the attached resolution for the Low Carbon Transit Operations Program, which was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility.

3.K. Modification to Resident Satisfaction Survey Contract - *New item received.*

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a fifth modification to agreement #10141 with Goodwin Simon Strategic Research, a California based company, that has provided professional services in the field of public opinion polling/research for the City's Biennial Resident Satisfaction Survey. The proposed modification would extend the term of the agreement by twelve months and add a new amount not to exceed \$50,000, bringing the total not to exceed amount of the agreement to \$323,800, in order to have Goodwin Simon conduct an additional resident satisfaction survey in spring 2020. Future year funding is contingent on Council budget approval.

3.L. Adopt a Resolution Clarifying Council Rules of Order - *New item received.*

Recommended Action

Staff recommends that the City Council adopt the attached resolution amending the Council Rules to clarify the rules as it relates to public speakers with special preferences, specifically K-12 students and speakers donating time.

3.M. City Council - Regular Meeting - Apr 23, 2019 5:30 PM - *New item received.*

3.N. City Council - Regular Meeting - May 14, 2019 5:30 PM - *New item received.*

4. STUDY SESSION

No items

5. CONTINUED ITEMS

- 5.A. Update on Recycling Center and Approval of Contract with Allan Company for Recyclable Materials Processing Services - *SUPPLEMENTAL REPORT received. See attachment L.***

Recommended Action

Staff recommends that the City Council:

1. Consider the Addendum with the Final City Yards Master Plan Environmental Impact Report (SCH No. 2017111053), which analyzes environmental impacts of minor modifications to the City Yards Master Plan, and adopt the resolution approving the Addendum;
2. Approve the minor modifications to the City Yards Master Plan analyzed in the Addendum;
3. Award RFP# 216 to Cedarwood-Young, Inc. dba Allan Company, a California-based company for recyclable materials processing services for the Public Works Department; and
4. Authorize the City Manager to negotiate and execute an agreement with Cedarwood-Young, Inc. dba Allan Company, in an amount not to exceed \$10,200,000 (including a 20% contingency) for seven years, with three additional one-year renewal options in the combined amount of \$6,090,000, on the same terms and conditions, for a total amount not to exceed \$16,290,000 over a ten-year period, with future year funding contingent on Council budget approval.

6. ADMINISTRATIVE PROCEEDINGS

- 6.A. Appeal (19ENT-0032) of the Planning Commission's Approval of Conditional Use Permit 15ENT-0230 at 401 Montana Avenue, Requesting Revised Conditions for the Rainbow Garden**

Recommendation

Staff recommends that the City Council hold a public hearing, receive public comment, and approve Conditional Use Permit 15ENT-0230 and Fence Height Modification 18ENT-0342 per the attached 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. Second Reading and Adoption of Ordinance Amending the Text of the City's Zoning Ordinance to Prohibit Single-Room Occupancy Housing Uses That Are Not One-Hundred Percent Affordable Housing Projects or Certain Types of Specialized Housing Such as Emergency Shelters, Transitional Housing and Supportive Housing**

Recommended Action

Staff recommends that City Council adopt the attached Ordinance.

8. STAFF ADMINISTRATIVE ITEMS

9. PUBLIC HEARINGS

No items

10. REPORTS OF BOARDS AND COMMISSIONS

No items

11. RESOLUTIONS

11.A. Public Hearing and Adoption of a Resolution Approving the California Enterprise Development Authority to Issue Revenue Obligations for the Benefit New Roads School

Recommended Action

Staff recommends that the City Council:

1. Hold a public hearing under the requirements of the Tax and Equity Fiscal Responsibility Act ("TEFRA") and the Internal Revenue Code of 1986, as amended; and
2. Adopt a resolution approving the issuance of the Obligations by the CEDA for the benefit of New Roads School.

11.B. Adopt the Final Draft of the Climate Action & Adaptation Plan

Recommended Action

Staff recommends that the City Council:

1. Adopt the attached resolution adopting the final Negative Declaration (Attachment E).
2. Adopt the attached resolution adopting the final draft of the Climate Action & Adaptation Plan (Attachment A).

12. WRITTEN COMMUNICATIONS OTHER THAN REPORTS OF COMMISSION AND OFFICERS

No items

13. COUNCILMEMBER DISCUSSION ITEMS

13.A. Request of Councilmember McKeown for authorization to use his Council travel funds to attend the annual Railvolution conference September 8th through 10th in Vancouver, with a focus on transit, housing, and preventing gentrification.

13.B. Request of Mayor Davis and Councilmember Winterer that the City Council allocate \$1500 of discretionary funds to Samohi Grad Nite, a 501(c)3, to close the shortfall between funding and expenses for June 2019. For 28 years Grad Nite has provided a safe, secure venue for graduating Santa Monica High School seniors to celebrate their achievements.

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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