



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

Meetings are broadcast live on CityTV cable channel 16, Radio Station KCRW FM 89.9 (after 8:00 PM for regular meetings), 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.

RULES OF ORDER FOR THE CONDUCT OF CITY COUNCIL MEETINGS

(Resolution No.11172 (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.

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AGENDAS

CITY OF SANTA MONICA

REGULAR MEETING

CITY HALL COUNCIL CHAMBERS

1685 MAIN STREET, ROOM 213

TUESDAY JUNE 11, 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 – 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, California Court of Appeal,
Second Appellate District, No. B295935**
- 1.C. Conference with Legal Counsel – Existing Litigation – Litigation has been
initiated formally pursuant to Government Code Section 54956.9(d)(1): Morales
v. City of Santa Monica, Los Angeles Superior Court, Case No. BC 624887.**
- 1.D. Conference with Legal Counsel – Anticipated Litigation -- Anticipate
significant exposure to litigation pursuant to Government Code Section
54956.9(d)(2): land use litigation claims:**

**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.E. **Conference with Legal Counsel - Anticipated Litigation: Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) - 1 case - *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. **City Manager's Report: Pride Month**
2.B. **Proclamation declaring June 2019 as Pride 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. **Approval of agreement with The People Concern for improvements to SAMOSHEL Emergency Homeless Shelter**

Recommended Action

Authorize the City Manager to negotiate and execute an agreement with The People Concern (TPC, formerly known as OPCC), in an amount not to exceed \$669,000 (includes a \$61,000 contingency) for improvements to the SAMOSHEL emergency homeless shelter.

- 3.B. **Bequest to the Santa Monica Animal Shelter**

Recommended Action

Staff recommends that the City Council:

1. Adopt a resolution authorizing the City Manager to accept a bequest currently estimated to be approximately \$600,000 from the Bigus Living Trust dated December 9, 2014 (the "Bigus Living Trust") to be used for the Santa Monica Animal Shelter's general charitable purposes in accordance with the terms of the trust;
2. Authorize the City Manager to execute all necessary documents to accept funds from the trust; and
3. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

3.C. Approval of Lease Agreement with WISE & Healthy Aging for the use of the Ken Edwards Center, located at 1527 Fourth Street, Santa Monica

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a lease with WISE & Healthy Aging (WISE) for the Ken Edwards Center located at 1527 4th Street for continued provision of comprehensive services to older adults in Santa Monica for a term of five years for \$1/year with three five-year options to renew with no escalation.

3.D. Award Agreement for Citywide Roofing Contractor Services

Recommended Action

Staff recommends that City Council:

1. Award Bid #4377 to Best Contracting Services, Inc., Danny Letner Inc., dba Letner Roofing and Maverick Roofing, Inc., all California-based companies, for roofing contractor services for the Public Works Department;
2. Authorize the City Manager to negotiate and execute an agreement with Best Contracting Services, Inc. in an amount not to exceed \$150,000 for two years, with one additional three-year renewal option in the amount of \$225,000, on the same terms and conditions, for a total amount not to exceed \$375,000 over a five-year period, with future year funding contingent on Council budget approval;
3. Authorize the City Manager to negotiate and execute an agreement with Letner Roofing, Inc., in an amount not to exceed \$200,000 for two years, with one additional three-year renewal option in the amount of \$380,650, including a 15% increase for year three and a 10% increase for years four and five, for a total amount not to exceed \$580,650 over a five-year period, with future year funding contingent on Council budget approval;
4. Authorize the City Manager to negotiate and execute an agreement with Maverick Roofing, Inc., in an amount not to exceed \$110,000 for two years, with one additional three-year renewal option in the amount of \$165,000, on the same terms and conditions, for a total amount not to exceed \$275,000 over a five-year period, with future year funding contingent on Council budget approval.

3.E. Approval of Big Blue Bus (BBB) lease extension with Bearcomm for Hollywood Hills Radio Site

Recommended Action

Staff recommends that City Council authorize the City Manager to negotiate and execute a second amendment and reinstatement of agreement #4553 in the amount of \$181,000 with Bear Communications, Inc., a California corporation, for extension of an antenna site lease. The change would result in a 20-year amended agreement with a total contract amount not to exceed \$507,000, with future year funding contingent on Council budget approval.

3.F. Adoption of SB2 Housing Grant Resolution

Recommended Action

Staff recommends that the City Council:

1. Adopt the attached resolution authorizing the application for grant funds in the amount of \$310,000 from the State of California Department of Housing and Community Development
2. Authorize the City Manager to execute all necessary documents to apply for the grant, and if awarded, accept and administer the grant, including any renewals.
3. Authorize budget changes as outlined in the Financial Impacts and Budget Actions section of this report, in the event that the grant is awarded.

3.G. City Council - Special Meeting - Apr 30, 2019 6:00 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 creating Article 12 of the Santa Monica Municipal Code titled "Sustainability" to integrate new ordinances related to sustainability and protecting the rights of natural environments

Recommended Action

Staff recommends that the City Council:

1. Introduce for first reading the attached ordinance creating Article 12 of the Santa Monica Municipal Code titled "Sustainability" (Attachment A) related to sustainability and protecting the rights of natural environments, moving Santa Monica Municipal Code Chapter 4.75 to Article 12, and repealing Santa Monica Code Chapters 5.16, 5.28, 5.36, and 7.08.
2. Consider the Task Force on the Environment's request that Council direct staff to evaluate the feasibility of developing and implementing a process for staff to determine the consistency of proposed projects, policies, and ordinances that meet a certain threshold with the City's Sustainability Rights ordinance and the staff recommendation against initiating such a study at this time.

8. STAFF ADMINISTRATIVE ITEMS

8.A. Review and update Parklets Pilot Program

Recommended Action

Staff recommends that the City Council:

1. Review and discuss the Main Street Parklet Pilot Program, and consider closing out the City-funded Parklet component;
2. Review and provide direction to staff regarding partial revision and extension of the Parklet Pilot Program to other locations throughout the city;
3. Authorize the City Manager to negotiate and execute an extension of the existing operator agreements with Holy Guacamole, LLC (dba Holy Guacamole) and One Red, LLC (dba Ashland Hill) until June 30, 2020; and
4. Authorize the City Manager to negotiate and execute an operator agreement with Jamesons SM, LLC (dba Jamesons), the new owners of the restaurant formerly known as Finn MCCool's, to operate and maintain the parklet located adjacent to Jamesons until June 30, 2020.

8.B. First Modification to Guaranteed Maximum Price Contract with Hathaway Dinwiddie Construction Company and Award RFP to Twining Consulting for Deputy and Material Testing Inspection Services for City Yards Modernization Project

Recommended Action

Staff recommends that the City Council:

1. Authorize the City Manager to negotiate and execute a Guaranteed Maximum Price (GMP) first amendment to Design-Build Contract No. 10371(CCS) in the amount of \$37,000,000 with Hathaway Dinwiddie Construction Company, a California-based company, for construction services for laying underground foundations and site utility work for the City Yards Modernization – Package A Project for the Public Works Department. This will result in a five-year amended agreement with a new total amount not to exceed \$47,000,000;
2. Award RFP#SP2396 to Twining Consulting, a California-based company, to provide deputy and material testing inspection services for the City Yards Modernization for the Public Works Department;
3. Authorize the City Manager to negotiate and execute an agreement with Twining Consulting in an amount not to exceed \$888,216 (including a 20% contingency) over a four-year period;
4. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.
5. Adopt a Resolution Declaring the City's Intent to Reimburse Expenditures from the Proceeds of Obligations to be Issued by the City of Santa Monica, a Related Party or Other Affiliate, and Approving Certain Related Actions.

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

No items

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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