



# 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.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:
  - 1<sup>st</sup> Reading
  - 2<sup>nd</sup> 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](mailto: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 wish 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](mailto: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 SEPTEMBER 10, 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): Sutphin v. City of Santa Monica, Los Angeles Superior Court, Case No. BC624887**
- 1.B. **Conference with real property negotiator (Govt. Code section 54956.8):  
Property: 4 parcels seaward of the 1921 Mean High Tide Line and adjacent to 850 Palisades Beach Road  
City negotiators: Judith Meister, Beach Manager  
Negotiating party: Jonathan Club  
Under negotiation: Lease price and terms**
- 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: Executive Pay Plan (EPP) - *New item received.***
- 1.D. **Conference with Legal Counsel – Anticipated Litigation – Request to enter into a lawsuit as an amicus curiae, pursuant to § 54956.9(d)(4): City of Boise v. Martin, U.S. Supreme Court, Case No. 19-247 - *New item received.***
- 1.E. **Conference with Legal Counsel – Anticipated Litigation – Initiate litigation pursuant to Government Code Section 54956.9(d)(4): 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: Regional Fire Prevention Efforts by Santa Monica Fire Department and Southern California Edison**

## 3. CONSENT CALENDAR

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

### **3.A. Award Bid and enter into Construction Contract for Street Lighting Modernization Program - Package 2**

#### **Recommended Action**

Staff recommends that the City Council:

1. Award Bid #SP2574 to Elecnor Belco Electric, Inc., a California-based company, for construction services for the Street Lighting Modernization Program – Package 2 Project for the Public Works Department;
2. Authorize the City Manager to negotiate and execute a contract with Elecnor Belco Electric, Inc. in an amount not to exceed \$1,651,100 (including a 10% contingency);
3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.

### **3.B. Award Agreement with Casco Equipment Corporation for Citywide Door and Gate Maintenance and Repair Services**

#### **Recommended Action**

Staff recommends that the City Council authorize the City Manager to negotiate and execute an agreement with Casco Equipment Corporation, a California-based company, to provide door and gate maintenance and repair services for City facilities, per Bid #4329, for a total amount not to exceed \$487,500 over a five-year period, with future year funding contingent on Council budget approval.

### **3.C. Agreement with PCMG, Inc. for Annual Purchase of Microsoft Software Licenses**

#### **Recommended Action**

Staff recommends that the City Council authorize the City Manager to negotiate and execute an agreement and issue a Purchase Order with PCMG, Inc, a Virginia-based company, for the purchase of Microsoft software licenses, including software license upgrades and license planning services for the Information Services Department. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.250(c) and is for a total amount not to exceed \$2,500,000 (including a 10% contingency of \$225,000), over a three-year period, with future year funding contingent on Council budget approval.

### **3.D. Approval of Software Maintenance and Support Services Agreement with Maintenance Connection, Inc. to track information about City Facilities and properties, maintenance requests, and repairs to the public right-of-way**

### **Recommended Action**

Staff recommends that the City Council authorize the City Manager to negotiate and execute a Software Maintenance and Support Agreement with Maintenance Connection, a California corporation, for a period of one-year with two additional one-year renewal options, with Maintenance Connection, Inc. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.080 (b) for an amount not to exceed \$150,000. Future funding is contingent on Council budget approval.

### **3.E. Approval of first Modification to Contract No. 10733 (CCS) with Michels Pipeline Construction for Water Main Replacement Project**

#### **Recommended Action**

Staff recommends that the City Council:

1. Authorize the City Manager to negotiate and execute a first modification to contract #10733 (CCS) in the amount of \$1,186,875 (including \$237,375 contingency) with Michels Pipeline Construction, a Wisconsin-based company, for the emergency replacement of 1,350 linear feet of water main pipeline on Ocean Avenue from Wilshire Boulevard to Washington Avenue for the Public Works Department. This will result in an amended contract with a new total amount not to exceed \$6,245,667.
2. Authorize the City Manager to negotiate and execute a first modification to professional services contract #10760 (CCS) in the amount of \$50,000 (including a 10% contingency) with MNS Engineers, Inc., a California-based company, to provide construction management services for water main pipeline on Ocean Avenue from Wilshire Boulevard to Washington Avenue for the Public Works Department. This will result in an amended contract with a new total amount not to exceed \$450,000.

### **3.F. Agreement with ELB US, Inc. for the purchase of audio-visual equipment, including system design/implementation and support services.**

#### **Recommended Action**

Staff recommends that the City Council:

1. Award RFP #198 to ELB US, Inc., a California-based company for the purchase of audio-visual equipment, system design and implementation, and support services for the Public Works Department;
2. Authorize the City Manager to negotiate and execute an agreement with ELB US, Inc. in an amount not to exceed \$495,855 (including \$373,843 for equipment and installation services, \$85,716 for five years of support, and a 10% contingency of \$36,296) with future year funding contingent on Council budget approval.

### **3.G. Cancellation of Regular City Council Meeting Scheduled for October 8, 2019, and Scheduling of a Special Meeting for October 15, 2019.**

#### **Recommended Action**

Staff recommends that the City Council vote to:

- 1) Cancel the regular meeting scheduled for October 8, 2019, due to the Holiday; and,

- 2) Schedule a special meeting for October 15, 2019.

**3.H. Cancellation of Regular City Council Meeting Scheduled for November 26, 2019, and Scheduling of a Special Meeting for November 5, 2019.**

**Recommended Action**

Staff recommends that the City Council vote to:

- 1) Cancel the regular meeting scheduled for November 26, 2019, due to lack of a quorum; and,
- 2) Schedule a special meeting for November 5, 2019.

**3.I. Approval of Modification of Contracts for Homeless Street-Based Services: OPCC HMST and LA County C3 Team**

**Recommended Action**

Staff recommends that the City Council:

1. Authorize the City Manager to execute a fourth modification to agreement #10291 (CCS) in the amount of \$1.2 million with OPCC, a California based company, for the continued operation of the Homeless Multidisciplinary Street Team (HMST). This proposed modification would also extend the term through June 30, 2021, resulting in a five-year amended agreement with a new total amount not to exceed \$2.85 million, with future year funding contingent upon Council budget approval.
2. Authorize the City Manager to execute a second amendment to agreement #10593 (CCS) in the amount of \$893,103 with Los Angeles County, for the continued operation and expansion of the C3 homeless outreach team to operate within Santa Monica city limits, under the direction of the City. This will result in a three year amended agreement with a new total amount not to exceed \$2 million, with future funding contingent upon Council budget approval.
3. Authorize budget changes as outlined in the Financial Impacts and Budget Actions section of this report.

**3.J. Award Request for Proposal #224 and enter into Agreement with EVgo Services LLC for Public Direct Current Fast Charging Stations**

**Recommended Action**

Staff recommends that the City Council:

1. Award RFP# 224 to EVgo Services LLC, a California-based company, to provide DC fast charging services in Santa Monica;
2. Authorize the City Manager to negotiate and execute an agreement with EVgo Services LLC Corporation to install, own, and operate DC fast charging stations on City-owned properties.

**3.K. Approval of Modification to Windward Lease Agreement to allow a Covenant to be recorded on City-Owned Property**

**Recommended Action**

Staff recommends that the City Council:

1. Authorize the City Manager to negotiate and execute a seventh amendment to the Windward School lease agreement to allow a covenant to be recorded on City-owned property and require its removal at the time of lease termination.
2. Authorize the City Manager to sign, on behalf of the City as property owner, the covenant and all related documents.

**3.L. City Council - Special Meeting - Aug 27, 2019 4:30 PM**

**3.M. City Council - Special Meeting - Aug 29, 2019 5:30 PM**

**4. STUDY SESSION**

**4.A. Study Session on Decarbonizing Buildings Through Electrification**

**Recommended Action**

Staff recommends that the City Council review and comment on building electrification strategies to provide policy direction on priorities for achieving carbon emission reductions.

**4.B. Review Potential Goals and Policy Options for Existing Housing Stock and Consider Role of New Housing Models**

**Recommended Action**

Staff recommends that the City Council review and discuss potential goals and policy options for protecting the City's existing housing stock and consider what role new housing models may have in the production of housing that consists of both affordable and market rate units serving the full range of family and household sizes in the City.

**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. Second Reading and Adoption of an Ordinance adding Santa Monica Municipal Code Chapter 4.67 to Enhance Protection of Hotel Workers in the Local Hospitality Industry**

**Recommended Action**

Staff recommends that City Council adopt the attached Ordinance.

**7.B. Introduction and First Reading of an Ordinance adopting Local Amendments to the 2019 Energy and Green Building Codes and adoption of a Resolution that provides findings of local climatic, geological, and topographical conditions as required by the Health and Safety Code**

**Recommended Action**

Staff recommends that the City Council:

1. Adopt the attached resolution that provides findings of local climatic, geological, topographical, and environmental conditions as required to adopt Santa Monica local amendments to the 2019 California Energy Code and 2019 California Green Building Standards Code;
2. Introduce for first reading the attached ordinance that adopts the 2019 California Energy Code, 2019 California Green Building Standards Code and Santa Monica local amendments; and
3. Direct the City Manager to file the adopted resolution and ordinance with the California Energy Commission following the second reading of the ordinance at least 30 days before the effective date of the Codes.

**7.C. Introduction and First Reading of an Ordinance Amending Santa Monica Municipal Code 4.36.020 To Improve Clarity and Add an Additional Basis for Payment of Permanent Tenant Relocation Expenses**

**Recommended Action**

Staff recommends that the City Council:

1. Introduce for first reading the attached ordinance amending Santa Monica Municipal Code Section 4.36.020 to improve clarity and precision and to add an additional basis for mandatory payment of relocation expenses;
2. Amend the Affordable Housing Production Program Administrative Guidelines (Attachment B) and the Housing Trust Fund Guidelines (Attachment C) to provide affordable-housing-referral priority for income-qualified households displaced as a result of constructive eviction associated with owner-occupancy, rent-decontrol of their apartments.
3. Direct staff to explore whether such households could also qualify for affordable-housing priority for federally funded housing vouchers.

**7.D. Introduction and First Reading of an Ordinance Amending Chapter 6.20 to Strengthen Regulation of Home-sharing**

**Recommended Action**

Staff recommends: (1) that the City Council introduce for first reading the attached proposed amendments to Chapter 6.20 of the Santa Monica Municipal Code to strengthen the regulation of home-sharing within Santa Monica; and (2) that the City Council pass a resolution creating and establishing a regulatory permit fee for the initial and renewal applications for participation in the home-sharing program.

**8. STAFF ADMINISTRATIVE ITEMS**

**8.A. Approval of the Sustainable Water Infrastructure Project (SWIP) Design/Build Contract Guaranteed Maximum Price Amendment**



## **Recommended Action**

Staff recommends that the City Council:

1. Authorize the City Manager to negotiate and execute a Guaranteed Maximum Price amendment to Design-Build Agreement No. 10736 (CCS) in the amount not to exceed \$84,973,490 (including \$6,050,000 City contingency) with Kiewit Infrastructure West Co., a Delaware-based company, for the construction phase of the Sustainable Water Infrastructure Project for the Public Works Department for a new total amount not to exceed \$92,473,490.
2. Authorize the Director of Public Works to issue any necessary change orders and contract modifications to complete additional work within the contract authority.
3. Authorize the City Manager to negotiate and execute a first modification to Professional Service Agreement No. 10541 (CCS) in the amount of \$1,090,080 with Stantec Consulting Services, an Edmonton, Canada-based company, to provide additional owner's engineer services and construction inspection services for the Public Works Department. This will result in a five-year agreement with a new total amount not to exceed \$2,740,000, with future year funding contingent on Council budget approval.
4. Authorize the City Manager to accept and execute the amended funding agreement and all necessary documents to increase the funding from the State Water Board Clean Water State Revolving Fund Program in the amount of \$19,000,000 and to accept all renewals.
5. Adopt the attached resolution authorizing the application for an additional \$19,000,000 in funding from the State Water Board Clean Water State Revolving Fund Program.
6. Adopt the attached resolution for Reimbursement Resolution and Pledged Revenue and Fund(s).
7. Authorize the Director of Public Works, as the City's Authorized Representative pursuant to State Water Board requirements, to issue any necessary amendments to the Clean Water State Revolving Fund agreement within contract authority.
8. Authorize the budget changes as outlined in the Financial Impacts & 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 two unscheduled vacancies on the Housing Commission for terms ending June 30, 2021 and June 30, 2022.**
- 13.B. Appointment to one unscheduled vacancy on the Social Services Commission for a term ending on June 30, 2020.**
- 13.C. Appointment to one unscheduled vacancy on the Task Force on the Environment.**
- 13.D. Appointment to two new seats on the Urban Forest Task Force for terms ending 6/30/2021.**

### 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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