



City of Santa Monica

City Council Meeting

AGENDA

KEVIN MCKEOWN
MAYOR

GLEAM DAVIS
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

CIVIC CENTER EAST WING

1855 MAIN STREET, EAST WING

TUESDAY FEBRUARY 11, 2020

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): Gamliel v. City of Santa Monica, Case No. BC715676.

1.B. Conference with Legal Counsel – Existing Litigation - Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1):

Rogelio Monroy v. City of Santa Monica, et al., Los Angeles Superior Court, Case No. 19STCV10640; Elizabeth Esquivias v. City of Santa Monica, et al., Los Angeles Superior Court, Case No. 19STCP03381; Jose Zaldivar v. City of Santa Monica, et al., Los Angeles Superior Court, Case No. 19STCP03458; John Doe #1, et al. v. Roe #1, et al., Los Angeles Superior Court, Case No. 19STCV34374; John CU Doe, et al. v. City of Santa Monica, et al., Los Angeles Superior Court, Case No. 19STCV02840; John Moe v. Roe #1, et al., Los Angeles Superior Court, Case No. 20STCV01139; John UT Doe, et al. v. Defendant Doe 1, et al., Los Angeles Superior Court Case No. 20STCV04408.

1.C. Conference with Legal Counsel – Anticipated Litigation -- Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Claims against City:

Claim No. 18-629, claimant R.M.;
Claim No. 18-684, claimant E.E.;
Claim No. 19-019, claimant J.Z.;
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 A.F.;
Claim No. 19-157, claimant C.M.;
Claim No. 19-158, claimant J.M.;
Claim No. 19-159, claimant J.L.;
Claim No. 19-258, claimant C.E.;
Claim No. 19-435, claimant J.R.;
Claim No. 19-518, claimant J.G.

- 1.D. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Santa Monica Firefighters Local 1109 IAFF v. City of Santa Monica, Los Angeles Superior Court, Case No. 19STCV35615 - *New item received.***
- 1.E. Conference with Labor Negotiator: Government Code Section 54957.6. Agency Designated Representatives: Lori Gentles, Chief People Officer-HR, Human Resources Manager Shawn Weiske, and Outside Counsel Laura Kalty, Bargaining Unit: Coalition of Santa Monica City Employees (CSMCE). - *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. Los Angeles County Clerk Presentation of Voting Systems for All People (VSAP) and the New Voting Experience**

3. CONSENT CALENDAR

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

- 3.A. First Modification to Professional Services Agreement with Rincon Consultants, Inc., for Development of the Local Coastal Program Coastal Zoning Ordinance**

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a First Modification to agreement #3475 (CCS) for an additional amount not to exceed \$50,000 with Rincon Consultants, Inc. (“Rincon”), a California-based company, to provide professional services for the development of the Local Coastal Program (“LCP”) Coastal Zoning Ordinance (“CZO”). This would result in an amended agreement that terminates on July 31, 2021 with a new total amount not to exceed \$125,000 with future year funding contingent on Council budget approval.

- 3.B. Authorization to accept the 2019 Urban Area Security Initiative (UASI) Grant Funds for Homeland Security Projects and enter into a Subrecipient agreement with the City of Los Angeles**

Recommended Action

Staff recommends that the City Council:

1. Authorize the City Manager to accept a grant awarded in the amount of \$48,800 from the 2019 Urban Area Security Initiative (UASI) for homeland security projects in the Fire Department, and to accept all grant renewals.
2. Authorize the City Manager to execute all necessary documents to accept the grant and all grant renewals.
3. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

3.C. Third Modification to Agreement No. 10517 with The Active Network to provide a web-based, hosted, recreation management software system for the Community & Cultural Services Department

Recommended Action

Staff recommends that City Council authorize the City Manager to negotiate and execute a third modification to agreement #10517(CCS) in the amount of \$144,715 with The Active Network Inc. to provide a cloud-based, hosted recreation management software system for the Community and Cultural Services Department. This will result in an 8-year amended agreement with a new total amount of \$483,540.

3.D. Approval of 2020 Federal and State Legislative Platforms

Recommended Action

Staff recommends that the City Council approve the attached 2020 State and Federal Legislative Agendas, which detail both the City's historic legislative positions and those emerging policy priorities, aligned with the Council's six Framework priorities.

3.E. Amendment of Contract Awarded to ProDIGIQ for Software Licensing and Services

Recommended Action

Staff recommends that the City Council modify its August 2019 action to authorize the City Manager to negotiate and execute a software licensing and services agreement with ProDIGIQ, Inc. ("ProDIGIQ"), in an amount not to exceed \$360,000 (including a \$60,000 contingency) for five years, with five additional one-year renewal options in the amount of \$72,000, on the same terms and conditions, for a total amount not to exceed \$720,000 over a ten-year period, with future year funding contingent on Council budget approval.

3.F. Award Bid and enter into a Design-Build Contract with W.E. O'Neil Corporation for Memorial Park Redevelopment and Expansion Project

Recommended Action

Staff recommends that the City Council:

1. Award Bid #SP2509 to W.E. O'Neil Corporation for the Memorial Park Redevelopment and Expansion Project;
2. Authorize the City Manager to negotiate and execute a contract with W.E. O'Neil Corporation, in an amount not to exceed \$2,070,000 (including a \$100,000 contingency) for design services. This agreement would be the first of two phases in the design-build delivery method, with the final construction phase being contingent upon future Council approval;
3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority; and
4. Authorize budget changes as outlined in the Financial Impacts and Budget Actions section of this report.

3.G. City Council - Regular Meeting - Jan 28, 2020 5:30 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. Second Reading and Adoption of Ordinance Amending Santa Monica Municipal Code Section 3.21.090 to Extend the Term of the First Shared Mobility Device Pilot Program to June 30, 2020, and Creating Santa Monica Municipal Code Chapter 3.22 to Establish a Second Shared Mobility Device Pilot Program and Related Permitting and Operator Selection Process

Recommended Action

Staff recommends that City Council adopt the attached Ordinance.

7.B. Introduction for First Reading of an Interim Zoning Ordinance Extending Interim Zoning Ordinances 2557 (CCS) and 2566 (CCS) for Interim Changes to Standards Related to Medicinal Cannabis Retailers and Authorizing Medicinal Cannabis Light Manufacturing

Recommended Action

Staff recommends that the City Council introduce for first reading an Interim Zoning Ordinance extending interim regulations related to Medicinal Cannabis Retailers and permitting Medicinal Cannabis Light Manufacturing in certain zoning districts.

7.C. Introduce for First Reading an Ordinance Modifying the Minimum Wage Law -
Staff will request to pull item from the agenda.

Recommended Action

Staff recommends that the City Council:

1. Introduce for first reading the attached ordinance amending Chapters 4.62 and 4.63 of the Santa Monica Municipal Code to broaden the prior service charge language to regulate all surcharges, to prohibit misleading surcharges, and to make changes clarifying employer size calculation; and amending Sections 4.62.100, 4.63.100, and 6.20.100 of the Santa Monica Municipal Code to remove provisions requiring mandatory reimbursement of investigative costs upon conviction based on changes in the Penal Code; and
2. Receive staff updates on existing minimum wage enforcement efforts and the potential impact that Assembly Bill 5, the State law regarding independent contractors, may have on future enforcement efforts.

8. STAFF ADMINISTRATIVE ITEMS

8.A. Approval of the Wilshire Boulevard Safety Improvements - Design and Phasing Plan

Recommended Action

Staff recommends that the City Council:

1. Approve the recommendations outlined in the Wilshire Safety Study, including but not limited to:
 - a. Short-term measures to install right-turn only from stop-controlled side streets, rectangular rapid flashing beacons, signage and pavement marking enhancements, enhanced north-south bicycle connections, restricted u-turns, signal timing adjustments, hot-spot intersection enhancements, bus safety and performance improvements, median refuge replanting, photometric assessment and lighting, and curbside management plans;
 - b. Medium-term measures to install a new traffic signal, permanent “hot-spot” improvements, curb extensions, and signal phasing upgrades; and
 - c. Long-term measures to install a new traffic signal, corridor-wide curbside management strategies, additional curb extensions, additional bus safety and operational enhancements, and lighting improvements.
2. Direct staff to proceed with phased implementation of the Wilshire Safety Study recommendations.

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. Recommendation to accept Loren Bloch's resignation from the Housing Commission and authorize the City Clerk to publish the vacancy.**
- 13.B. Request of Mayor McKeown and Councilmembers Davis and Morena that Council authorize up to \$3000 from the Council contingency account to Santa Monica-based 501(c)(3) non-profit Dancesence, as matching funds to help support the fourth annual "Transit Dances," an artistic celebration of mobility and movement on April 18th at each of Santa Monica's three Expo light rail stations.**

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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