



City of Santa Monica

City Council Meeting

AGENDA

KEVIN MCKEOWN
MAYOR

GLEAM DAVIS
COUNCILMEMBER

TED WINTERER
COUNCILMEMBER

SUE HIMMELRICH
COUNCILMEMBER

ANA MARIA JARA
COUNCILMEMBER

KRISTIN MCCOWAN
COUNCILMEMBER

TERRY O'DAY
MAYOR PRO TEM

LANE DILG
INTERIM CITY MANAGER

GEORGE CARDONA
INTERIM 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, on the internet at www.smgov.net, and can be live streamed at <https://primetime.bluejeans.com/a2m/live-event/tvrpddf>. 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. To listen to the Council meeting through your telephone the Attendee Dial-In number is: 1 (415) 466-7000 - PIN 5653344 #.

RULES OF ORDER FOR THE CONDUCT OF CITY COUNCIL MEETINGS

(Resolution No.11172 (CCS))

In lieu of attending the meeting, the public is strongly encouraged to submit their written correspondence and written public comment on agenda items via email to councilmtgitems@smgov.net. Written public comment submitted before 2:00 pm on the day of the meeting will be available for online viewing. Additionally, **effective May 5, 2020 and until COVID-19 restrictions are lifted**, remote public comments can be made by phone at (310) 458-8423. Caller queues for each item do not open until just before the item is called. Remarks from the public are limited to a total of 6 minutes per City Council meeting, with a maximum of 2 minutes per agenda item; under some circumstances, Council may change the maximum to 1 minute per agenda item. Except for the author of the request, public comment on 12-items are limited to 1 minute.

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. **Suspended until COVID-19 restrictions are lifted: 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 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. Written comments received from the public by 2 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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Santa Monica Blue Bus Lines #2, #3, #5, #9 and the EXPO Line serve City Hall. Parking is available on Main Street, on Olympic Drive, and in the Civic Center Parking Structure (validation free).



AGENDAS

CITY OF SANTA MONICA

REGULAR MEETING

VIA TELECONFERENCE PURSUANT TO

EXECUTIVE ORDER N-29-20 ISSUED BY,
GOVERNOR GAVIN NEWSOM

TUESDAY, JULY 28, 2020

MEETING BEGINS AT 5:30 PM

Meeting can be viewed at: CITY TV: Cable Channel 16 or Streaming at <https://www.smgov.net/content.aspx?id=4292> LIVE STREAM (Chrome Browser Recommended): <https://primetime.bluejeans.com/a2m/live-event/tvrpddfV> AND DIAL-IN NUMBER: 1 (415) 466-7000 (US), PIN 5653344 #

LIVE STREAM

[<https://primetime.bluejeans.com/a2m/live-event/tvrpddfV>](https://primetime.bluejeans.com/a2m/live-event/tvrpddfV)

AND DIAL-IN NUMBER

1 (415) 466-7000 (US), PIN 5653344 #

TO PROVIDE REMOTE PUBLIC COMMENT: Call (310) 458-8423

(Please Note: Caller queues for each item do not open until just before the item is called.)

In an effort to reduce the risk of spreading Coronavirus (COVID-19), members of the City Council and City Staff will participate via teleconference. The meeting will be broadcast on CityTV Channel 16 and streaming on the City's website as normal, but participants may also join the teleconference via other methods listed above. Those wishing to give public comment must submit their comments via email to councilmtgitems@smgov.net [<mailto:councilmtgitems@smgov.net>](mailto:councilmtgitems@smgov.net) or call in at the number listed above. Please note the agenda item number in your comments.

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 Negotiators: Government Code Section 54957.6 – Agency Designated Representatives : Chief People Officer Lori Gentles and Senior Human Resources Analyst Ericka Reinke. Bargaining Units: Administrative Team Associates, California Teamsters Local 911, Confidential Unrepresented Employees Pay Plan, Executive Pay Plan, Municipal Employees Association, Management Team Associates, Public Attorneys Legal Support Staff Union, Public Attorneys Union, Santa Monica Fire Executive Management Association, Santa Monica Firefighters Local 1109 IAFF, Santa Monica Police Officers Association, Supervisory Team Associates, International Association of Sheet Metal, Air, Rail, and Transportation Workers, Transportation Division Local 1785 (SMART TD).**
- 1.B. **Conference with Legal Counsel – Anticipated Litigation – Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Threat of Litigation by Santa Monica Coalition for a Livable City (SMCLC) relating to the Plaza at Santa Monica Project. - *New attachment added.***
- 1.C. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Mercedes Rodriguez v. City of Santa Monica, Los Angeles Superior Court, Case No. 18STCV09105.**
- 1.D. **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. 20-0110, claimants Sean Singletary, Jessica Naito.**
- 1.E. **Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Kendrick C. Azubuike v. City of Santa Monica, et al., United States District Court, Central District, Case No. 19-CV-08536-DMG.**

The following is the order of business for items to be heard no earlier than 6:30 p.m.

2. SPECIAL AGENDA ITEMS

No items

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 with Access Pacific Inc. for Pedestrian Improvement Projects at Four Schools**

Recommended Action

Staff recommends that the City Council:

1. Award Bid #2475 to Access Pacific, Inc., to provide construction services for the Pedestrian Improvements at Four Schools Project for the Public Works Department;
2. Authorize the Interim City Manager to negotiate and execute a contract with Access Pacific, Inc. in an amount not to exceed \$2,196,160 (including a 15% contingency);
3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority..

3.B. Adoption of Resolution Approving Final Parcel Map No. 74859 - 1649 Centinela Avenue

Recommended Action

Staff recommends that the City Council adopt the attached resolution approving Final Parcel Map No. 74859.

3.C. Approval of First Modification of the Construction Contract with Bernards Bros., Inc. for Fire Station No. 1

Recommended Action

Staff recommends that the City Council authorize the Director of Public Works to negotiate and issue a change order to construction contract #10643 (CCS) in the amount of \$495,000 with Bernards Bros. Inc. for additional construction services on the Fire Station No. 1 New Construction Project. This will result in an amended contract with a new total amount not to exceed \$29,672,500.

3.D. Award Bid #4396 to Harrington Industrial Plastics for the Purchase of Water Treatment Maintenance Supplies

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4396 to Harrington Industrial Plastics for the purchase of water treatment maintenance supplies for the Public Works Department.
2. Authorize the Procurement Manager to issue a purchase order with Harrington Industrial Plastics for the purchase of water treatment maintenance supplies in the amount not to exceed \$165,000 for one year, with four additional one-year renewal options, with Year Two at the same price, terms, and conditions, and Years Three through Five with an increase not to exceed 5%, for a total amount not to exceed \$876,000, over a five-year period, with future year funding contingent on Council budget approval.
3. Authorize the Procurement Manager to issue any necessary change orders or modifications to complete additional work within contract authority.

3.E. Award Bid #261 and enter into Agreement with Potential Industries Inc. and Sanitation Districts of Los Angeles County for Recyclable Materials Processing and Marketing Services

Recommended Action

Staff recommends that the City Council:

1. Award Bid #261 to Potential Industries Inc. and Sanitation Districts of Los Angeles County for recyclable materials transferring and processing services for the Public Works Department.
2. Authorize the City Manager to negotiate and execute an agreement with Potential Industries, in an amount not to exceed \$962,000 (including a 30% contingency) for two years, with three additional one-year renewal options in the amount of \$1,638,000, on the same terms and conditions for a total amount not to exceed \$2,600,000 over a five-year period, with future year funding contingency on Council budget approval.
3. Authorize the City Manager to negotiate and execute an agreement with Sanitation Districts of Los Angeles County, in an amount not to exceed \$611,000 (including a 30% contingency) for two years, with three additional one-year renewal options in the amount of \$1,014,000, on the same terms and conditions for a total amount not to exceed \$1,625,000 over a five-year period, with future year funding contingency on Council budget approval.

3.F. Approval of Second modification to the Agreement for Emergency Stroke Transport Services between UCLA Health System and Santa Monica Fire Department

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a second modification to the agreement with the Regents of the University of California, on behalf of the UCLA Health System and the David Geffen School of Medicine at UCLA, Department of Neurology, a California based public research university, for Emergency Stroke Transport Services for the Fire Department. This will result in a two-year amended agreement at no cost to the City.

3.G. Approval of Contract Modification to Professional Services Agreement with Sheri E. Ross for Parking Citation Hearing Examiner

Recommended Action

Staff recommends that the City Council:

1. Authorize the City Manager to negotiate and execute a modification to professional services agreement with Sheri E. Ross, extending the term of the agreement by two years in an amount not to exceed \$100,000 for the extended term (includes 10% contingency);
2. Authorize the Director of Community Development to issue any necessary changes to complete additional work within contract authority.

3.H. Approval of Agreements for Dark Fiber Cross Connections Colocation Services

Recommended Action

Staff recommends that the City Council authorize the City Manager to: (a) exercise the 9-year renewal options in agreements #4641, #4643, #4644, and #4646 with Crown Castle International Corp dba Crown Castle Fiber, LLC, a Texas based

corporation, for a total not to exceed \$1,000,000 over a ten-year period for Dark Fiber leases, Cross Connects and Colocation Services for City operations; and (b) negotiate a modification to agreement #4648 with Evocative Data Centers, a California based company, to extend its term for an additional 9-years for a total not to exceed \$250,000 over a ten-year period for Colocation Services only. Collectively, the recommended action will result in five 10-year agreements for a total not to exceed \$125,000 per year, with a combined cumulative total amount not to exceed \$1,250,000, with future year funding contingent on Council budget approval.

3.I. Approval of First Contract Modification with Token Transit for Big Blue Bus Mobile Ticketing

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a first modification to agreement #4461 in the amount of \$749,122 with Token Transit, Inc. for the purchase and maintenance of electronic validators in Fiscal Year (FY) 2020-21 and to extend mobile ticketing services to the Big Blue Bus Department for three (3) additional option years from FY 2021-22 through the end of FY 2023-24. This will result in an amended six-year contract, with a new total amount not to exceed \$921,922, with future year funding contingent on Council budget approval.

3.J. Cancellation of Regular City Council Meeting Scheduled for August 11, 2020

Recommended Action

Staff recommends that the City Council vote to cancel the Regular Meeting scheduled for August 11, 2020, due to a lack of a quorum for summer break.

3.K. Adoption of Resolution Authorizing the City Manager to Execute Memoranda of Understanding with the Administrative Team Associates and the Santa Monica Police Officers Association and adopt the Executive Pay Plan - *New item received.*

Recommended Action

Staff recommends that the City Council:

1. Adopt the proposed Resolution (Attachment A) accepting the tentative agreements reached with ATA and POA and authorizing the City Manager to execute Memoranda of Understanding between the City of Santa Monica and ATA and between the City of Santa Monica and POA in accordance with these agreements and adopting and authorizing the City Manager to execute the revised Executive Pay Plan and salary schedule (Attachment B); and
2. Authorize budget changes as outlined in Attachment C.

3.L. Adoption of Resolution Ratifying COVID-19 Emergency Proclamation and Supplements - *New item received.*

Recommended Action

Staff recommends that Council adopt the proposed resolution ratifying the Executive Order issued by the Director of Emergency Services declaring the existence of a local emergency in the city of Santa Monica and the

Supplements to that Order.

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 Ordinance Setting FY2020-21 Tax Rate for 2012 Library General Obligation Bonds

Recommended Action

Staff recommends that the City Council adopt the attached ordinance (Attachment A) setting the FY 2020-21 tax rate for the 2012 Library General Obligation Bonds.

7.B. Introduction and first reading of an ordinance amending Transportation Demand Management, Preferential Parking, Pedicabs and Bikeshare

Recommended Action

Staff recommends that, to reflect recent operational changes effectuated by the budget and staffing impacts of the COVID-19 pandemic, the City Council:

- (1) introduce for first reading the attached ordinance amending Chapter 3.08 Preferential Parking Zones, Chapter 3.20 Bikeshare, Chapter 6.50 Pedicabs, and Chapter 9.53 Transportation Demand Management; and,
- (2) give direction to transition the Taxicab Franchise-based system to a permit-based system.

8. STAFF ADMINISTRATIVE ITEMS

8.A. Adoption of Resolution to place Revenue Measure on the November 2020 Ballot - *New item received.*

Recommended Action

Staff recommends that the Council adopt a resolution to place on the November 3, 2020 ballot a measure that would retain the current documentary transfer tax rate of \$3 per thousand dollars of consideration or property value for all real estate sales or transfers of less than \$5 million and set the documentary transfer tax at \$6 per thousand dollars of consideration or property value for all real estate sales or transfers of \$5 million or greater.

8.B. Adoption of Resolution Submitting to the Voters a Measure to Amend Section 1107 and Repeal Section 1108 of Article XI of the City of Santa Monica Charter Relating to Civil Service Appointment and Promotional Rules to Advance Racial Equity and Further Strengthen our Workforce - *New item received.*

Recommended Action

Staff recommends that the City Council adopt a resolution submitting to voters a measure to amend section 1107 and repeal section 1108 of Article XI of the City of Santa Monica Charter relating to civil service appointment and promotional rules.

8.C. Proposed Development at 1301 4th Street (Plaza at Santa Monica)

Recommended Action

Staff recommends that the City Council:

- 1) Authorize the City Manager to resume exclusive negotiations with Clarett West Development, LLC and DLJ Real Estate Capital Partners, LLC (collectively, Developer) for the ground leasing of City-owned or master-leased property between 4th and 5th Streets, south of Arizona Avenue (Site); or, in the alternative, direct the City Manager to terminate all negotiations with Developer and list the property as surplus within the meaning of AB 1486 or maintain the property for municipal purposes; and
- 2) If continuing exclusive negotiations with the Developer are authorized: (a) authorize the City Manager to enter into an amended and restated Exclusive Negotiating Agreement with Developer; and (b) provide updated direction on the scope of the project and prioritization of public objectives associated with the project.

9. PUBLIC HEARINGS

9.A. Public Hearing and Approval of the Stormwater Parcel Reports, and Stormwater Management User Fees and Clean Beaches and Ocean Parcel Taxes for Fiscal Year 2020-21

Recommended Action

Staff recommends that the City Council hold a public hearing, receive public comment, and approve the proposed 2020 Stormwater Parcel Reports and the Stormwater Management User Fees and Clean Beaches and Ocean Parcel Taxes for Fiscal Year 2020-21.

10. REPORTS OF BOARDS AND COMMISSIONS

No items

11. RESOLUTIONS

11.A. Adoption of a Resolution amending Preferential Parking Zone L for Hill Street between 21st and 23rd streets and Preferential Parking Zone TT for 25th Street between Idaho and Washington avenues

Recommended Action

Staff recommends that the City Council:

1. Amend Preferential Parking Zone L to modify the restrictions on Hill Street between 21st and 23rd streets;
2. Amend Preferential Parking Zone TT to modify the restrictions on 25th Street between Idaho and Washington avenues; and
3. Approve the Resolution amending Preferential Parking Regulations (Attachment A).

12. WRITTEN COMMUNICATIONS OTHER THAN REPORTS OF COMMISSION AND OFFICERS

No items

13. COUNCILMEMBER DISCUSSION ITEMS

13.A. Recommendation to accept Kristin McCowan's resignation from the Santa Monica Pier Corporation and authorize the City Clerk to publish the vacancy.

13.B. Appointment to one Councilmember vacancy on the Audit Subcommittee for a term ending June 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.)

14.A. Written Comments

ADJOURNMENT

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