

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

APRIL 25, 2017

A regular meeting of the Santa Monica City Council was called to order by Mayor Winterer at 5:31 p.m., on Tuesday, April 25, 2017, at City Council Chambers, 1685 Main Street.

Roll Call: Present: Mayor Ted Winterer
Mayor Pro Tem Glean Davis
Councilmember Sue Himmelrich
Councilmember Kevin McKeown
Councilmember Pam O'Connor (*arrived at 5:45 p.m.*)
Councilmember Terry O'Day (*arrived at 7:30 p.m.*)

Absent: Councilmember Tony Vazquez

Also Present: City Manager Rick Cole
Interim City Attorney Joseph Lawrence
City Clerk Denise Anderson-Warren

CONVENE/PLEDGE

On order of the Mayor, the City Council convened at 5:31p.m., with all members present except Councilmembers O'Day, O'Connor and Vazquez. City Clerk Denise Anderson-Warren led the assemblage in the Pledge of Allegiance.

CLOSED SESSIONS:

Member of the public Denise Barton commented on closed sessions.

On order of the Mayor, the City Council recessed at 5:34 p.m., to consider closed sessions and returned at 6:41 p.m., with Councilmembers Vazquez and O'Day absent, to report the following:

1.A. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Kelly Soo Park v. Karen Thompson, United States Court of Appeals, Ninth Circuit, Case Number 14-56655, D. C. No. 2:14-cv-00330-SJO-RZ

The Interim City Attorney advised this matter was heard with no reportable action taken.

1.B. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Arlene Rosenblatt, an individual on behalf of herself and all others similarly situated, v. City of Santa Monica et al., United States District Court, Central District of California, Western Division, Case Number 2:16-cv-04481-ODW-AGR

The Interim City Attorney advised this matter was heard with no reportable action taken.

1.C. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Joseph v. City of Santa Monica, United States District Court, Central District of California, Case Number CV17-00723-ODW(AFMx)

The Interim City Attorney advised this matter was heard with no reportable action taken.

1.D. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): City of Santa Monica v. United States of America, United States District Court Case Number CV 13-08046

The Interim City Attorney advised this matter was heard with no reportable action taken.

1.E. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): National Business Aviation, Inc., et al., v. Michael P. Huerta, Federal Aviation Administrator, U. S. Court of Appeals, District of Columbia Circuit Case No. 17-1054

The Interim City Attorney advised this matter was heard with no reportable action taken.

1.F. Conference with Labor Negotiator - City Negotiator: Donna C. Peter, Director of Human Resources - Bargaining Units: Administrative Team Associates (ATA), California Teamsters Local 911 (Teamsters), Management Team Associates (MTA), Public Attorneys Union (PAU), Supervisory Team Associates (STA), Municipal Employees Association (MEA), Firefighters Local 1109 IAFF (Local 1109), Fire Executive Management Association (FEMA), Police Officer Association (POA), SMART-TD

The Interim City Attorney advised this matter was heard with no reportable action taken.

REPORT ON COUNCIL TRAVEL

There was nothing to report on Council travel.

SPECIAL AGENDA ITEMS:

2.A. Proclamation Declaring April 26, 2017 as Denim Day in the City of Santa Monica, was presented by the Mayor.

2.B. Proclamation Recognizing Municipal Clerks Week May 7 - 13, 2017, was presented by the Mayor.

2.C. Proclamation: Arts Month, was presented by Lisa Wolpe.

2.D. Commendation: Lincoln Boulevard Task Force, was presented by the Mayor.

2.E. City Manager's Report: GoSaMo Results, was presented.

Questions asked and answered of staff included: how is the youth being approached to encourage ridership, the impact of the decrease in the monthly bus passes, and, the future of carshare programs.

Member of the public Jerry Rubin spoke on the GoSaMo results.

CONSENT CALENDAR:

All items were considered and approved in one motion unless removed by a Councilmember for discussion.

Member of the public Denise Barton commented on Consent Calendar items.

At the request of staff, Item 3-J was removed from the agenda.

Motion by Councilmember Himmelrich, seconded by McKeown, to approve the Consent Calendar except for Item 3-J, reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:

AYES: Councilmembers O'Connor, Himmelrich, McKeown,
Mayor Pro Tem Davis, Mayor Winterer

NOES: None

ABSENT: Councilmembers Vazquez, O'Day

STREET LIGHTING IMPROVEMENTS

3.A. Award of Construction Contract for Street Lighting Improvements on Stewart Street, was approved.

Recommended Action

Staff recommends that the City Council:

- 1. Award Bid #SP2482 to Elecnor Belco Electric, Inc., a California-based company, for the installation of new street lighting on Stewart Street between Exposition Boulevard and Kansas Avenue;
- 2. Authorize the City Manager to negotiate and execute Contract No. 10450 (CCS) with Elecnor Belco Electric, Inc., in an amount not to exceed \$190,895 (including a \$24,900 contingency);
- 3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.

MOSS PUMP STATION AND SMURRF

3.B. Award a Construction Contract for the replacement of Moss Avenue Pump Station and SMURRF Variable Frequency Drives, was approved.

Recommended Action

Staff recommends that the City Council:

- 1. Award Bid #2269 to Leed Electric Inc., a California-based company, for the replacement of Variable Frequency Drives (VFDs) for Moss Avenue Pump Station (MAPS) and Santa Monica Urban Runoff Recycling Facility (SMURRF);
- 2. Authorize the City Manager to negotiate and execute Contract No. 10451 (CCS) with Leed Electric Inc., in an amount not to exceed \$980,113 (including a 20% contingency);
- 3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.

OPEN DATA PLATFORM

3.C. First Modification to Software License Agreement for Open Data Platform, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a first modification to Agreement No. 10452 (CCS) in an amount not to exceed \$111,264 with Socrata, Inc., a Delaware-based company, for licensing related to the City’s open data platform and the sustainability performance portal. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.080 (a) and is for a total amount not to exceed \$216,264 with future year funding contingent on Council budget approval.

PIER ELECTRICAL UPGRADE PROJECT

3.D. Award Construction Contract for Pier Electrical Upgrade Project, was approved.

Recommended Action

Staff recommends that the City Council:

- 1. Award Bid #2347 to Metro Builders and Engineers Group, Ltd., a

- California-based company, for the Pier Electrical Upgrade Project;
- 2. Authorize the City Manager to negotiate and execute Contract No. 10453 (CCS) with Metro Builders and Engineers Group, Ltd., in an amount not to exceed \$1,217,515 (including a 15% contingency);
- 3. Award Bid #1982 to Caltrop Corporation, a California-based company, for construction management and inspection services for the Pier Electrical Upgrade Project;
- 4. Authorize the City Manager to negotiate and execute Agreement No. 10454 (CCS) with Caltrop Corporation, a California-based company, in an amount not to exceed \$324,820 (including a 10% contingency);
- 5. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.

LITTLE BLUE BOOK

3.E. Change Order for Big Blue Bus' Little Blue Book Production, was approved.

Recommended Action

Staff recommends that the City Council authorize the Purchasing Services Manager to issue a change order to blanket purchase order #25712 with Pacific Graphics, Inc., a California-based company, for the print production of the Little Blue Book transit guide and system map. This would result in a revised blanket purchase order total not to exceed \$245,000, with future year funding contingent on Council budget approval.

CITY DEBT SERVICE POLICY

3.F. Amended City Debt Service Policy, was approved.

Recommended Action

Staff recommends that Council adopt the amended debt policy for the City of Santa Monica.

PURCHASE NATURAL GAS VEHICLES

3.G. Bid Award for the Purchase of Two Compressed Natural Gas Street Signs and Markings Stencil Trucks, was approved.

Recommended Action

Staff recommends that the City Council:

- 1. Award Bid #4261 to Roadline Products, a California-based company, for the purchase and delivery of two Compressed Natural Gas Street Signs and Markings Stencil Trucks;
- 2. Authorize the Purchasing Services Manager to issue a purchase order with Roadline Products for the purchase and delivery of two Compressed Natural Gas Street Signs and Markings Stencil Trucks in an amount not to exceed \$335,398 for one year.

OFF-SITE CITY OFFICE SPACE

3.H. Approve Lease expenses for off-site City office space, was approved.

Recommended Action

Staff recommends that the City Council approve additional total lease expenses for 1437 Fourth Street, Suites 300 and 310, in the amount of \$521,440 for the four-year lease term, and for 1212 Fifth Street, Suite 300, in the amount of \$219,080 for the five-year lease term.

**2600 WILSHIRE
BOULEVARD**

3.I. Statement of Official Action Upholding the Appeal of the Landmarks Commission’s Denial of a Landmark Designation Application for the Property Located at 2600 Wilshire Boulevard, was approved.

Recommended Action

Staff recommends that the City Council approve the attached Statement of Official Action upholding Appeal 17ENT-0019 and designating the commercial building and parcel located at 2600 Wilshire Boulevard as a City Landmark.

**PUBLIC FINANCING
AUTHORITY**

3.J. Resolution of the Santa Monica Public Financing Authority Establishing Regular Annual Meeting, was pulled from the agenda at request of staff.

Recommended Action

Staff recommends that the Santa Monica Public Financing Authority:

1. Adopt the attached Authority Resolution to establish the second Tuesday of June and the fourth Tuesday of October, of every year, as the regular meetings of the Authority;
2. Authorize the officers of the Authority to take all actions necessary to implement the purpose of the Resolution.

**ORDINANCES:
PARKLETS**

7.A. Second Reading and Adoption of Ordinance No. 2541 (CCS) entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING SANTA MONICA MUNICIPAL CODE SECTION 4.44.020 TO ADD PARKLETS TO THE AREAS IN WHICH SMOKING IS PROHIBITED”, was presented.

Recommended Action

Staff recommends that City Council adopt the attached Ordinance.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Davis, to adopt the ordinance, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

- AYES: Councilmembers O’Connor, Himmelrich, McKeown,
Mayor Pro Tem Davis, Mayor Winterer
- NOES: None
- ABSENT: Councilmembers O’Day, Vazquez

ACCESS FEES

7.B. Second Reading and Adoption of Ordinance No. 2542 (CCS) entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA REAUTHORIZING SANTA MONICA MUNICIPAL CODE CHAPTER 6.109.040, STATE FRANCHISE HOLDER PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS FEES", was presented.

Recommended Action

Staff recommends that City Council adopt the attached Ordinance.

Motion by Mayor Pro Tem Davis, seconded by Councilmember Himmelrich, to adopt the ordinance, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

- AYES: Councilmembers McKeown, Himmelrich, O'Connor, Mayor Pro Tem Davis, Mayor Winterer
- NOES: None
- ABSENT: Councilmembers Vazquez, O'Day

SAINT JOHN'S HEALTH CENTER

7.C. Second Reading and Adoption of Ordinance No. 2543 (CCS) entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA APPROVING A PROCEDURAL AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SANTA MONICA AND PROVIDENCE HEALTH SYSTEM-SOUTHERN CALIFORNIA, A CALIFORNIA NON-PROFIT RELIGIOUS CORPORATION ("PROVIDENCE"), AS SOLE CORPORATE MEMBER OF PROVIDENCE SAINT JOHN'S HEALTH CENTER, A CALIFORNIA NON-PROFIT RELIGIOUS CORPORATION ("SAINT JOHN'S")", was presented.

Recommended Action

Staff recommends that City Council adopt the attached Ordinance.

Motion by Mayor Pro Tem Davis, seconded by Councilmember Himmelrich, to adopt the ordinance, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

- AYES: Councilmembers O'Connor, Himmelrich, McKeown, Mayor Pro Tem Davis, Mayor Winterer
- NOES: None
- ABSENT: Councilmembers O'Day, Vazquez

LOBBYING

7.D. Second Reading and Adoption of Ordinance No. 2544 (CCS) entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING CHAPTER 4.85 (REGULATING LOBBYING) OF THE SANTA MONICA MUNICIPAL CODE", was

presented.

Recommended Action

Staff recommends that City Council adopt the attached Ordinance.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Davis, to adopt the ordinance, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

AYES: Councilmembers McKeown, Himmelrich, O'Connor,
Mayor Pro Tem Davis, Mayor Winterer

NOES: None

ABSENT: Councilmembers Vazquez, O'Day

STAFF
ADMINISTRATIVE
ITEMS:
LINCOLN
NEIGHBORHOOD
CORRIDOR PLAN
STREETSCAPE

*Councilmember O'Day
arrived at 7:30 p.m.*

8.A. Design approval for the Lincoln Neighborhood Corridor Plan Streetscape, was presented.

Recommended Action

Staff recommends that City Council approve the final streetscape and transportation concept for the Lincoln Neighborhood Corridor Plan.

Questions were asked and answered of staff including but not limited to: the bus lane survey, who participated, and how did you reach those people; the accident record and how medians can improve safety, storm water management, how will the water be captured, and any connections with Sustainable Water Infrastructure Plan (SWIP); is part of the wayfinding to direct cyclist to side streets instead of Lincoln for safer streets, medians and pedestrians, and how to get pedestrians to use crosswalks; where is the Big Blue Bus with conversations with the City of Los Angeles to extend the bus lanes beyond the City of Santa Monica city limits; is there a way to design a curb extension that has a cut through that will allow a cyclist to bypass going around the curb extension and bulb-outs; are additional bike boxes being implemented and possible enhancements; what data is available to the impacts and safety of median installations; why weren't there more crossways for bicycles as connectors; what is the best practice for bicycles with regard to the designated bus lanes; why not paint the designated lane in order to provide better safety for bikes in that lane; and, concerns about small business and how to address some of their parking concerns.

Members of the public Roger Swanson, Dolores Sloan, Zina Josephs, Cris Gutierrez, Britta Clancey, Jerry Rubin, Nima Mohtashami, Shawn Landres, Isabel Biazón, Jeffrey Ruiz, Basilio Martinez, Rachel Kelley, and Jane Swords spoke on the recommended action.

Considerable discussion ensued on topics including, but not limited to: searching for opportunities to find parking for business located on Lincoln during peak hours; measure the performance on 7th and 11th Streets to see how bikes and buses are working; would it be appropriate to change some of the intersections to be more cyclist friendly, looking for a more creative and innovative solution; think about testing the median and maybe consider using paint instead of a concrete solutions; rethinking the size of the medians; why not have dedicated bike lanes; honor the neighborhood work that has been done the last five years; and, comments that this plan has beautification over practical uses for bicycles.

Motion by Councilmember McKeown, seconded by Mayor Winterer, to approve the staff recommendation.

Councilmember O'Day made a friendly amendment to add additional crossings with a treatment, such as bike boxes, because two crosses are not sufficient. The motion was accepted as friendly by the maker and seconder.

Direction to staff to evaluate and address some of these issues, including bike lanes through bulb-outs in the transportation action plan at the May 9th Council meeting. Friendly to the maker and seconder.

Councilmember O'Day made a friendly amendment to evaluate the median concept, and to use it as a designated space for cyclist. Not considered friendly by the maker or seconder.

The motion to approve the staff recommendation with two amendments was approved by the following vote:

AYES: Councilmembers O'Connor, Himmelrich, McKeown,
Mayor Pro Tem Davis, Mayor Winterer
NOES: Councilmember O'Day
ABSENT: Councilmember Vazquez

PARKS FUNDING

8.B. Planning for Potential Parks Funding, was presented.

Recommended Action

Staff recommends that the City Council:

Review and comment on the concept of a potential park funding measure, provide direction to staff, and authorize the City Manager to negotiate and execute a fourth modification to agreement #10141 in the amount of \$51,350 with Goodwin Simon Strategic Research, a California-based company, to conduct a resident survey to gauge support for a potential park funding strategy. This will result in a four year amended agreement with a new total amount not to exceed \$273,800.

Questions were asked and answered of staff including, but not limited to: besides crafting the survey questions, what other services will the consultant provide; priorities for funding; why was the college not included for funding; as to the polling, the types of projects that residents expressed are of most interest to them; the soda tax, would that require a different ballot; did the commission weigh in to include cultural and arts, specifically some of the funding going towards the Civic Auditorium restoration; and, would the Civic Auditorium scope change as a result of the polls.

Member of the public Carol Lemlein, spoke generally in favor of the recommended action.

Motion by Mayor Pro Tem Davis, seconded by Councilmember McKeown, to approve the staff recommendation, with the amendment that at least in the polling of the strategic analysis include the possibility of Cultural facilities, or maybe specifically the Civic Auditorium. The motion was approved by the following vote:

AYES: Councilmembers McKeown, Himmelrich, O'Day, O'Connor,
Mayor Pro Tem Davis, Mayor Winterer

NOES: None

ABSENT: Councilmember Vazquez

MOUNTAIN VIEW MOBILE HOME PARK

8.C. Transition of Mountain View Mobile Home Park to Nonprofit Ownership, was presented.

Recommended Action

Staff recommends that the City Council:

1. Authorize the City Manager to enter into exclusive negotiations with the Caritas Corporation, a California-based non-profit corporation, to transfer ownership of City-owned Mountain View Mobile Home Park pursuant to Council-approved parameters; and
2. Authorize the City Manager to negotiate and execute a seventh modification to Contract #9183 in an amount not to exceed \$566,052, including a ten-percent contingency, with Real Estate Consulting and Services, Inc., a California-based company, to provide property management services at Mountain View Mobile Home Park. The proposed amendment would result in a 99-month amended contract with a new total contract amount not to exceed \$4,260,939, and would extend the contract term for an additional twelve months through June 2018.

Questions asked and answered of staff including, but not limited to: could there be some sort of grievance process for tenants who are not happy with the property management company; is it easy to move the new company in

sooner; are they accepting the current tenants in their lot lines; and are new occupants protected.

Members of the public Ken Ward and Denise Barton, spoke generally on the recommended action.

Motion by Councilmember Himmelrich, seconded by Councilmember O'Day, to approve the staff recommendation, with the added recommendation that staff explore the idea of Caritas taking over management of the mobile home park as soon as possible, or alternatively giving instructions so that they have a grievance process, respond to residents emails, residents phone calls, and to residents visits. The motion was approved by the following vote:

AYES: Councilmembers O'Connor, O'Day, Himmelrich, McKeown,
Mayor Pro Tem Davis, Mayor Winterer

NOES: None

ABSENT: Councilmember Vazquez

**COUNCILMEMBER
DISCUSSION ITEMS:
SOCIAL SERVICES
COMMISSION**

13.A. Recommendation to accept Anita Prentice's resignation from the Social Services Commission and authorize the City Clerk to publish vacancy, was presented.

Motion by Councilmember Himmelrich, seconded by Councilmember McKeown, to accept the resignation with regret.

The motion was approved by a unanimous voice vote, with all members present except Councilmember Vazquez.

**COMMISSION FOR THE
SENIOR COMMUNITY**

13.B. Recommendation to accept Elizabeth Wilson's resignation from the Commission for the Senior Community and authorize the City Clerk to publish the vacancy, was presented.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Davis, to accept the resignation with regret.

The motion was approved by a unanimous voice vote, with all members present except Councilmember Vazquez.

PUBLIC INPUT:

Members of the public Denise Barton and Art Casillas commented on various local issues.

ADJOURNMENT

On order of the Mayor, the City Council meeting was adjourned at 10:10 p.m.

ATTEST:



Denise Anderson-Warren
City Clerk

APPROVED:



Ted Winterer
Mayor