

**CITY OF SANTA MONICA**

**CITY COUNCIL MINUTES**

**OCTOBER 24, 2017**

A regular meeting of the Santa Monica City Council was called to order by Mayor Winterer at 5:32 p.m., on Tuesday, October 24, 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  
Councilmember Terry O'Day (*arrived at 5:40 p.m.*)  
Councilmember Tony Vazquez

Also Present: City Manager Rick Cole  
City Attorney Lane Dilg  
City Clerk Denise Anderson-Warren

**CONVENE/PLEDGE**

On order of the Mayor, the City Council convened at 5:32 p.m., with all members present except Councilmember O'Day. Assistant City Attorney Joe Lawrence led the assemblage in the Pledge of Allegiance.

**CLOSED SESSIONS**

Member of the public Denise Barton commented on closed sessions.

*Councilmember O'Day  
arrived at 5:40 p.m.*

On order of the Mayor, the City Council recessed at 5:35 p.m., to consider closed sessions and returned at 6:52 p.m., with all members present, 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): Airbnb, Inc. and Homeaway.com, Inc. v. City of Santa Monica, United States District Court, Central District of California, Western Division, Case Numbers 2:16-cv-6645, 2:16-cv-6641**

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

**1.B. Conference with Legal Counsel – Anticipated Litigation – Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 1 case**

The 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): Allen v. City of Santa Monica, et al. – Central District Court Case Number CV 11-10139**

The 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): Los Angeles County Metropolitan Transit Authority consolidated with Bloxton v. City of Santa Monica, Los Angeles Superior Court Case Number BC 599 677**

The City Attorney advised this was a civil action arising out of injuries sustained when the Plaintiff fell into a pothole on 5<sup>th</sup> Street, while on duty as a Los Angeles County Metropolitan Transportation Authority Motor Coach Operator, and recommended a Settlement in the amount of \$25,000.

Motion by Councilmember McKeown, seconded by Councilmember O'Connor, to approve a Settlement No. 10571 (CCS) in the amount of \$25,000. The motion was approved by the following vote:

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

**1.E. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Pico Neighborhood Association, Maria Loya and Advocates for Malibu Public Schools v. City of Santa Monica, Los Angeles Superior Court Case Number BC 616 804**

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

**1.F. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): Kate Scott and James Babinski v. City Council of the City of Santa Monica, U.S. District Court Case No. 17-7329**

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

**SPECIAL AGENDA  
ITEMS:**

**2.A. City Manager's Report: Presentation from Climate Corps on the 2017 Climate Corps Program,** was presented.

**2.B. Recognition of Assistant City Attorney Joe Lawrence,** was presented by the Mayor.

Member of the public Barry Rosenbaum commented on this item.

**REPORT ON COUNCIL  
TRAVEL**

Mayor Winterer reported that he traveled to Seoul, Korea where he attended a conference held by the Organization of Economic Cooperation and Development (OECD), where this conference was about Climate changes and inclusive growth, and was attended by Mayors from around the world. The Mayor was asked to speak on a panel. Things discussed included: Whether or not policies to mitigate climate change might actually work against goals of inclusive growth; Gentrification; and, income inequity.

**CONSENT CALENDAR:**

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

There were no members of the public present to comment on Consent Calendar items.

At the request of Councilmember O'Connor, Item 3-B was removed from the Consent Calendar due to a conflict.

Motion by Councilmember O'Connor, seconded by Councilmember O'Day, to approve the Consent Calendar except for Item 3-B, reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:

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

**CHARNOCK WELL**

**3.A. Award Contract for Charnock Well Field Operations, Maintenance and Management Services RFP,** was approved.

**Recommended Action**

Staff recommends that the City Council:

1. Award RFP #131 to Grace Environmental Services, a California-based company, for Charnock Well Field operations, maintenance and management services for the production and treatment of potable

water;

2. Authorize the City Manager to negotiate and execute Contract No. 10567 (CCS) with Grace Environmental Services, for a total amount not to exceed \$2,000,000 over a five-year period, with future year funding contingent on Council budget approval.

## **PARKING STRUCTURES**

### **3.C. Design of Guardrail and Waterproofing Upgrades in Downtown Parking Structures 1-5, was approved.**

#### **Recommended Action**

Staff recommends that the City Council:

1. Award RFP #SP2516 to Walter P. Moore Corporation, a Texas-based company, for design services for Downtown Parking Structure Guardrail and Waterproofing Upgrades;
2. Authorize the City Manager to negotiate and execute Agreement No. 10568 (CCS) with Walter P. Moore Corporation, in an amount not to exceed \$243,100 (including a 10% contingency);
3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.

## **GPS SOFTWARE**

### **3.D. Global Positioning System (GPS) Software Application and Airtime, was approved.**

#### **Recommended Action**

Staff recommends that the City Council authorize the Purchasing Services Manager to issue a purchase order with GPS Insight, LLC, an Arizona-based company, for vehicle location tracking for the Resource, Recovery & Recycling Division, in the amount not to exceed \$50,000 for one year, with 2-additional 1-year renewal options on the same terms and conditions. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.080(d) and is for a total amount not to exceed \$150,000. This will result in a new three-year service agreement, with future year funding contingent on Council budget approval.

## **BUS FLEET MAINTENANCE SOFTWARE**

### **3.E. Third Modification of Software License and Hardware Purchase Agreement for Big Blue Bus Fleet Maintenance Software, was approved.**

#### **Recommended Action**

Staff recommends that the City Council authorize the City Manager to negotiate and execute a third modification to contract #9508 (CCS) in the amount of \$277,853 with Trapeze, Inc., a Canadian corporation, to obtain additional software maintenance services for up to 3 more years. This will result in a new total amount not to exceed \$1,109,980, with future year funding contingent on Council budget approval.

**MARINE PARK**

**3.F. Professional Services Agreement Modification with Carollo Engineers for Marine Park Irrigation Retrofit Project**, was approved.

**Recommended Action**

Staff recommends that the City Council:

1. Authorize the City Manager to negotiate and execute a third modification to agreement #9902 (CCS) in the amount of \$30,130 with Carollo Engineers, a California-based company, for Engineering Services During Construction (ESDC). This will result in a three-year amended professional services agreement with a new total amount not to exceed \$291,462, with future year funding contingent on Council budget approval.
2. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

**COST ALLOCATION PLAN**

**3.G. First Modification to Professional Services Agreement for Cost Allocation Plan and User Fee/Cost of Services Study**, was approved.

**Recommended Action**

Staff recommends that the City Council authorize the City Manager to negotiate and execute a first modification to agreement #9993 (CCS) in the amount of \$26,300 with MGT of America, Inc., a Florida-based company, to prepare cost allocation plan updates for an additional two years and six months, through June 30, 2020. This will result in a five-year and six-month amended agreement with a new total amount not to exceed \$128,400, with future year funding contingent on Council budget approval.

**FINANCIAL ADVISORY SERVICES**

**3.H. First Modification to Professional Services Agreement with Public Resources Advisory Group for Financial Advisory Services**, was approved.

**Recommended Action**

Staff recommends that the City Council authorize the City Manager to negotiate and execute a first modification to agreement #9676 (CCS), with Public Resources Advisory Group (PRAG), a California-based company, for financial advisory services. This modification will extend the agreement's term by two years (and result in a seven-year amended agreement); all other terms and conditions, including the total not to exceed amount of \$250,000, will remain the same.

**LABOR NEGOTIATIONS**

**3.I. Resolution No. 11085 (CCS) entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ACCEPTING TENTATIVE AGREEMENTS AND AUTHORIZING THE CITY MANGER TO EXECUTE A MEMORANDA OF UNDERSTANDING WITH THE FIRE EXECUTIVE MANAGEMENT ASSOCIATION AND THE CALIFORNIA TEAMSTERS LOCAL 911,"** was adopted.

**Recommended Action**

Staff recommends that the City Council:

- 1. Adopt the Resolution authorizing the City Manager to execute Memorandum of Understanding (MOU) No. 10569 (CCS) between the City of Santa Monica and Fire Executive Management Association (FEMA) and California Teamsters Local 911.
- 2. Approve the attached revised salary schedule effective as a result of the agreement reached for the classifications represented by Fire Executive Management Association (FEMA) and California Teamsters Local 911.

**SCHEDULING SOFTWARE**

**3.J. Award Contract for Police Department Scheduling Software,** was approved.

**Recommended Action**

Staff recommends that the City Council:

- 1. Award RFP# 124 to Informer Systems, Inc. a California-based company for cloud-based scheduling software.
- 2. Authorize the City Manager to negotiate and execute Agreement No. 10570 (CCS) with Informer Systems, Inc. in an amount not to exceed \$77,031 for 1 year, with 4 additional 1-year renewal options in the amount of \$60,000 on the same terms and conditions for a total amount not to exceed \$317,031 over a 5-year period with future year funding contingent on Council budget approval.

**LEGAL SERVICES**

**3.K. First Modification to Agreement with Orrick, Herrington & Sutcliffe LLP for Legal Services,** was approved.

**Recommended Action**

The City Attorney's Office recommends that the City Council authorize the City Manager to execute a first modification to Agreement # 9812 (CCS) with Orrick, Herrington & Sutcliffe LLP ("Orrick"), for legal services relating to three of the City's planned financing projects. This modification will extend the agreement's term by two years (and result in a seven-year amended agreement); all other terms and conditions, including the total not to exceed amount of \$250,000 will remain the same.

**MINUTES**

**3.L. Approve Minutes for the City Council - Regular Meeting – Sep. 26, 2017 5:30 PM,** were approved.

**3.M. Approve Minutes for the City Council - Special Meeting – Oct. 10, 2017 4:30 PM,** were approved.

**3.N. Approve Minutes for the City Council - Regular Meeting – Oct. 10, 2017 5:30 PM,** were approved.

**MILLS ACT**

*Councilmember O'Connor was excused at 7:41 p.m.*

**3.B. Historic Property Preservation Agreements (Mills Act Contracts) between the City of Santa Monica and the property owners of designated City Landmarks located at 401 Ocean Avenue, 927 Ocean Avenue, 909-911 Montana Avenue, and 2433 28th Street., was approved.**

**Recommended Action**

Staff recommends that the City Council adopt attached Resolution Nos. 11081 (CCS), 11082 (CCS), 11083 (CCS) and 11084 (CCS) authorizing the City Manager to negotiate and execute Historic Property Preservation Agreements (Mills Act Contracts) between the City of Santa Monica and the property owners of designated City Landmarks located at 401 Ocean Avenue, 927 Ocean Avenue, 909-911 Montana Avenue, and 2433 28<sup>th</sup> Street.

This item was pulled at the request of Councilmember O'Connor. She had to recuse herself because she works with one of the firms submitting information on this item.

Motion by Councilmember McKeown, seconded by Councilmember O'Day, to approve the recommendation. The motion was approved by the following vote:

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

**STUDY SESSION:  
LABOR PEACE  
AGREEMENTS**

*Councilmember O'Connor returned at 7:43 p.m.*

**4.A. Study Session regarding Labor Peace Agreements, was presented.**

**Recommended Action**

Staff recommends that Council review, consider, and provide direction regarding requiring labor-peace agreements in the City's leasing guidelines and policies for City-owned properties with food-service operations.

Members of the public Donal Tavey, Hunter Hall, Richard Chacker, Greg Moreno, Garrett Gerson, Mike Gruning, Chris Volaski, Lisa Gaynor, Colby Goff, Harriet Bonn, Marion Nataf, Laurel Rosen, Matt Miller, Sarah Hamilton, West Hooker, Adam Fitzpatrick, John Claritio, Nicole Olsen (time donated by Sean Gaynor), Carl Hansen, Jerry Rubin, and Natalya Zernitskaja spoke on the recommended action.

Questions asked and answered of staff included: are the carts on the Promenade affected; with regard to the living wage statute, how are the exemptions determined; have there been any effect as a result of the exemption for the living wage ordinance; what is the difference between a labor agreement and labor peace agreement, and who are these agreements

being signed with; would any labor union be allowed to enter into a labor peace agreement with an owner; how does the city validate what is a valid union; are there other standards in place where the city would be required to negotiate an agreement with a third party that may not be a governmental agency; is there a way that Option 4 could be crafted to keep the cost down; is there already Federal Labor law that could decide if things are arbitrary or capricious, or does the city have to try to reinvent a body of law that has been written at the Federal level; and, what precludes the Council from creating guidelines about what might be in a Labor Peace Agreement (LPA).

Considerable discussion ensued on topics including, but not limited to: being wary of any option that puts the city in the position of deciding what a labor peace agreement will be, other than that it protects the city's revenue; establishing a process, come up with something similar to what the school district agreed to, which agreed to no strikes; create a safety valve where either party can appeal; explore option 4; make the reviewing party not be a political body, but instead an impartial body, maybe hire a reviewing officer or designate an agency that has mediators working for them; consider the impact the new requirements will have on businesses; once a decision is made, come back in 18 months to report back on monitoring the effect on the economy and local businesses; and, it doesn't feel like the process will have a definite end.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Davis, to give direction to staff to explore Option 4, incorporating friendly amendments that the decision of arbitrary and capricious be made by some non-political reviewing body, and that a monitoring process for after be established, so that there are no unintended consequences.

Councilmember Himmelrich wanted to add to not prejudge who the impartial body will be, and need to get more education and outreach on this topic.

Councilmember O'Day added, what is needed is very clear standards for the lessees; important to have low or no cost for Administration to the City; be careful not to weigh into something that is going to cause significant cost, uncertainty for the lessees. Choose Option 5, leave things as is, because there are clear standards already established.

Councilmember O'Connor, leaned towards Option 5, concerned about unintended consequences that may come up, even with neutral arbitration; and, questioned whether or not, the city should even be in the business of having labor peace agreements in the city.

Mayor Winterer, shared concerns by comments from small, independent businesses that the city still has not defined what would be the terms of a Labor Peace Agreement; prefer to pursue the option of developing a template



to provide clarity on both sides about exactly what a Labor Peace Agreement terms should contain, would prefer Option 2 or 3.

Mayor Pro Tem Davis, shared concerns that Option 5 may not work in the future and in fact could impact future revenue; some guidelines need to be established; when staff returns with this item, set forth some of the things that might be included in a Labor Peace Agreement, so that people can get some idea about specifics without making it a requirement.

Mayor Pro Tem Davis, proposed an amendment to give direction, when staff comes back that they include if there are some standards that the Council can look at to determine the parameters of what goes too far, what is unreasonable, or shows evidence of bad faith. The amendment was considered friendly by the maker.

Mayor Winterer, proposed a friendly amendment to direct staff to take a look at the possibility to have some kind of guidelines about what exactly a Labor Peace Agreement would look like. The amendment was considered friendly by the maker and the seconder.

Mayor Winterer, proposed a second friendly amendment to ask staff to explore, in the interest of keeping city owned properties from becoming vacant, that we might allow pop-up tenancies in those spaces for a short-term lease without a LPA. The amendment was considered friendly by the maker and the seconder.

Councilmember O'Day, proposed to staff to explore other strategies to ensure the city's on-going revenue from the lessees, for example: limiting our exposure from limited rents versus percentage leases; financial strategies, and, legal strategies.

Direction was also given for staff to look at the concept of an employee staff size threshold.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Davis, to provide direction based on Option 4, with the change that the decision of what's arbitrary and capricious will be turned over to some non-political entity, that we will monitor what the impact of this has been, over time, that we will have some attempt at making standards for the process, that we will try to come up with a process that limits the expense to the parties trying to get leases, and that we will look for additional information as asked for by various Councilmembers. The motion was approved by the following vote:

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

ABSENT: None

**ORDINANCES:**  
**CANNABIS USES**

**7.A. Second Reading and Adoption of Ordinance No. 2556 (CCS) entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA SETTING FORTH REGULATIONS FOR COMMERCIAL MEDICINAL AND NONMEDICINAL CANNABIS USES",** was presented.

**Recommended Action**

Staff recommends that City Council adopt the attached Ordinance adding Section 6.200 to the Santa Monica Municipal Code and shall be known as the Santa Monica Cannabis Ordinance.

Motion by Councilmember McKeown, 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, O'Day, Himmelrich, Vazquez,  
McKeown, Mayor Pro Tem Davis, Mayor Winterer  
NOES: None  
ABSENT: None

**MEDICINAL CANNABIS  
LIGHT  
MANUFACTURING**

**7.B. Second Reading and Adoption of Interim Ordinance No. 2557 (CCS) entitled "AN INTERIM ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA REPLACING THE TERM "MEDICAL MARIJUANA DISPENSARY" WITH "MEDICINAL CANNABIS RETAILER" THROUGHOUT THE CITY'S ZONING ORDINANCE, CHAPTER 9.01 THROUGH CHAPTER 9.52 OF ARTICLE 9 OF THE SANTA MONICA MUNICIPAL CODE; CREATING A DEFINITION FOR "MEDICINAL CANNABIS RETAILER" TO REPLACE THE DEFINITION FOR "MEDICAL MARIJUANA DISPENSARY" TO CONFORM WITH STATE LAW; REMOVING CERTAIN REQUIREMENTS FOR MEDICINAL CANNABIS RETAILERS FOR CONSISTENCY WITH STATE LAW AND TO ALLOW FOR SEPARATE REGULATION AND RULEMAKING; AND MODIFYING THE DEFINITION OF "INDUSTRY, LIMITED" TO ALLOW FOR MEDICINAL CANNABIS LIGHT MANUFACTURING",** was presented.

**Recommended Action**

Staff recommends that City Council adopt the attached Ordinance amending Chapter 9.01 through Chapter 9.52 of Article 9 of the Santa Monica Municipal Code.

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

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

**REPORT ON MEETING  
COMPENSATION**

Pursuant to State law, City Clerk Denise Anderson-Warren announced that Council will receive \$50 for meeting as the Housing Authority. Council will receive no compensation for meeting as the Redevelopment Successor Agency.

**SPECIAL JOINT  
MEETING**

On order of the Mayor, the City Council convened to a special joint meeting with the Housing Authority, and Redevelopment Successor Agency at 9:50 p.m., with all members present.

**STAFF  
ADMINISTRATIVE  
ITEMS:  
FY 2017-18 BUDGET**

**8.A. FY 2016-17 Year-End Budget Changes; and FY 2017-18 Budget, Position and Compensation Changes, was presented.**

**Recommended Action**

Staff recommends that the City Council, Housing Authority and Successor Agency to the Santa Monica Redevelopment Agency:

1. Approve changes to the FY 2016-17 Revised Budget as detailed in Attachment A; and
2. Approve changes to the FY 2017-18 Adopted Budget and FY 2018-19 Budget Plan as detailed in Attachment B.

Staff also recommends that the City Council:

1. Review the City’s year-end financial status;
2. Adopt **Resolution No. 11086 (CCS) entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ESTABLISHING NEW CLASSIFICATIONS AND ADOPTING SALARY RATES FOR ASSISTANT PARK PLANNER, BATTALION CHIEF – PREVENTION, BATTALION CHIEF – SUPPRESSION, COUNCIL OFFICE COORDINATOR, DEPUTY FIRE CHIEF, ELECTRICIAN II, FIRE MARSHAL, FIREFIGHTER PARAMEDIC, HUMAN RESOURCES FISCAL TECHNICIAN, INFRASTRUCTURE AND CLOUD SERVICES ADMINISTRATOR, LEAD COMBINATION BUILDING INSPECTOR, LEAD COMMUNITY SERVICES OFFICER, LEAD JAILER, LEAD MOTOR COACH CLEANER, LEAD TRANSIT MECHANIC, PROPERTY MANAGEMENT SPECIALIST, PUBLIC LANDSCAPE ADMINISTRATOR, PUBLIC SAFETY ADMINISTRATOR, PUBLIC SAFETY DISPATCHER, PUBLIC SAFETY DISPATCHER - LATERAL**

- TRANSFER, PUBLIC SAFETY SUPERVISOR, SENIOR ADVISOR TO THE CITY MANAGER ON AIRPORT AFFAIRS, SENIOR ADVISOR TO THE CITY MANAGER ON HOMELESSNESS, SENIOR PARK PLANNER, SENIOR TRANSIT OPERATIONS ANALYST, TRANSIT COMMUNITY AND GOVERNMENT ENGAGEMENT MANAGER, TRANSIT MAINTENANCE MANAGER, TRANSIT MAINTENANCE QUALITY ASSURANCE COORDINATOR, TRANSIT MAINTENANCE SAFETY TRAINING COORDINATOR, TRANSIT SAFETY AND SECURITY OFFICER, URBAN FOREST ADMINISTRATOR, VETERINARIAN.”;
3. Approve the position and classification changes detailed in Attachment D;
  4. Adopt **Resolution No. 11087 (CCS) entitled** “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING ITS CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2017-18 TO INCORPORATE A PROPOSED ROAD REPAIR AND ACCOUNTABILITY ACT-PROJECT”;
  5. Direct staff to proceed with creating new engagement models, including pursuing regional partnerships, issuing a request for proposals, as needed, for street outreach teams, and refocusing existing resources to address homelessness; and
  6. Authorize the City Manager to negotiate and execute a first modification to Services Agreement #10391 (CCS) in the amount of \$197,000 with Santa Monica Travel and Tourism, a California-based company, for a destination perception study.

Members of the public Denise Barton, Zina Josephs, and Shawn Landres, spoke on the recommended action.

Questions asked and answered of staff included: the \$4.2 million in litigation expenses, has there been funds set aside in the upcoming budget for those costs; what is the special revenue fund, and the \$17 million that was transferred for housing, how is that being used; explain the \$2 million designated for the total workplace initiative, and the \$1.4 million designated for homeless.

Motion by Commissioner/Agency/Councilmember Himmelrich, seconded by Commissioner/Agency/Councilmember O’Connor, to approve changes to the FY 2016-17 Revised Budget as detailed in Attachment A; and, approve changes to the FY 2017-18 Adopted Budget and FY 2018-19 Budget Plan as detailed in Attachment B. The motion was approved by the following vote:

AYES: Commissioner/Agency/Councilmembers, O'Connor, O'Day, Himmelrich, Vazquez, McKeown, Vice Chair/Chair Pro Tem /Mayor Pro Tem Davis, Chair/Mayor Winterer  
NOES: None  
ABSENT: None

Motion by Councilmember Himmelrich, seconded by Councilmember Vazquez, to adopt Resolution No. 11086 (CCS) establishing classification and salary rates for various positions detailed in Attachment C; and, approve the position and classification changes detailed in Attachment D. The motion was approved by the following vote:

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

Motion by Councilmember Himmelrich, seconded by Councilmember Vazquez, to adopt Resolution No. 11087 (CCS) incorporating a project funded by SB1: The Road Repair and Accountability Act detailed in Attachment E. The motion was approved by the following vote:

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

Motion by Councilmember Himmelrich, seconded by Councilmember Vazquez, to direct staff to proceed with creating new engagement models, including pursuing regional partnerships, issuing a request for proposals, as needed, for street outreach teams, and refocusing existing resources to address homelessness; and, authorize the City Manager to negotiate and execute a first modification to Services Agreement # 10391 (CCS) in the amount of \$197,000 with Santa Monica Travel and Tourism, for a destination perception study. The motion was approved by the following vote:

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

**ADJOURNMENT OF  
SPECIAL JOINT  
MEETING**

On order of the Chair/Mayor, the special joint meeting with the Housing Authority and Redevelopment Successor Agency was adjourned at 10:22 p.m., and the regular meeting of the City Council was reconvened with all members present.

**COUNCILMEMBER  
DISCUSSION ITEMS:  
ETHICS TRAINING**

**13.A. Request of Mayor Winterer that the City Council consider removal of Board and Commission members who are not in compliance with Ethics Training, was presented.**

There were no members of the public present to speak on this item.

The City Clerk reported that all current members are in compliance with their Ethics training, and no action is needed on this item.

**BALLONA WETLANDS  
RESTORATION  
PROJECT**

**13.B. Request of Councilmember McKeown, who represents Santa Monica and the Westside Cities Council of Governments on the Santa Monica Bay Restoration Commission, that the Council direct staff to ask the California Department of Fish and Wildlife for an extension on the public comment period for the Ballona Wetlands Restoration Project Draft Environmental Impact Report until March 1st, to allow participating agencies, advocacy groups, and members of the public sufficient time for meaningful input, was presented.**

Member of the public Kathy Knight (time donated by Zina Josephs) in support of the recommendation.

Motion by McKeown, seconded by Councilmember Himmelrich, to approve recommendation, with an amendment to make a request of both the California Department of Fish and Wildlife and the U.S. Army Corp of Engineers changing the public hearing deadline to March 24<sup>th</sup> instead of March 1<sup>st</sup>. The motion was approved unanimously by voice vote, with all members present.

**SANTA MONICA ARTS  
FOUNDATION**

**13.C. Request of Councilmembers Vazquez, Himmelrich, and Mayor Winterer that the Council allocate up to \$7,500 of Discretionary Funds to the Santa Monica Arts Foundation to enable 200 Santa Monica High School students to attend the Los Angeles Theater Center's Encuentro de las Américas performances on November 11th and November 16th, 2017. The funds will cover the cost of the theater tickets, bus transportation and meals for the students, was presented.**

There were no members of the public present to speak on this item.

Motion by Councilmember Vazquez, seconded by Councilmember Himmelrich, to approve the recommendation. The motion was approved by the following vote:

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

NOES: None

ABSENT: None


**PUBLIC INPUT:**

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

**ADJOURNMENT**

On order of the Mayor, the City Council meeting was adjourned at 10:43 p.m. in memory of Anna Weissman Collins.

ATTEST:



Denise Anderson-Warren  
City Clerk

APPROVED:



Ted Winterer  
Mayor

