

(NOT APPROVED)

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

JUNE 12, 2018

A regular meeting of the Santa Monica City Council was called to order by Mayor Winterer at 5:31 p.m., on Tuesday, June 12, 2018, 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 7:18 p.m.*)
Councilmember Terry O'Day (*arrived at 5:34 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 5:31 p.m., with all members present except Councilmembers O'Day and O'Connor. City Manager Rick Cole led the assemblage in the Pledge of Allegiance.

CLOSED SESSIONS

*Councilmember O'Day
arrived at 5:34 p.m.*

There was no one present for public comment on closed sessions.

On order of the Mayor, the City Council recessed at 5:33 p.m., to consider closed sessions and returned at 6:53 p.m., with Councilmember O'Connor 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): Leevan & Wilshire -26 LLC. V. City of Santa
Monica, Los Angeles Superior Court, Case No. SS026729**

The 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): Homeaway.com, Inc., and Airbnb, Inc. v. City of
Santa Monica, United States District Court, Central District of
California, Case Nos. 2:16-cv-6641-ODW-AFM, 2:16-cv-6645-ODW-**

AFM

The City Attorney advised this matter was not heard.

**1.C. Conference with Legal Counsel – Existing Litigation –
Litigation has been initiated formally pursuant to Government Code
Section 54956.9(d)(1): Pico Neighborhood Association and Maria Loya
v. City of Santa Monica, Los Angeles Superior Court, Case No. BC
616804**

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

**1.D. Conference with Labor Negotiator - Donna C. Peter, Director of
Human Resources Bargaining Unit: Coalition of Santa Monica City
Employees (CSMCE) and Public Attorney's Legal Support Staff Union
(PALSSU)**

The 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 54656.9(d)(1): Gonzalez v. City of Santa Monica, Los Angeles
Superior Court, Case No. 673 289**

The City Attorney advised this matter was brought after a parking sign fell near the intersection of 2nd Street and Arizona, and struck Mr. Gonzalez in the head causing alleged significant head and cognitive injury. The City denies and disputes the allegation in the lawsuit, the City Attorney's Office recommend settlement in the amount of \$55,000.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Davis to approve Settlement No. 10698 (CCS) in the amount of \$55,000. The motion was approved by the following vote:

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

**SPECIAL AGENDA
ITEMS:**

**REPORT ON COUNCIL
TRAVEL**

2.A. Proclamation Designating June 2018 as Pride Month, was presented by the Mayor.

Mayor Winterer reported that he traveled to Boston, MA for the U.S. Conference of Mayors to meet with Mayors from all over the country to

discuss issues that they have in common, which range from homelessness, affordable housing, efforts to combat climate change, autonomous vehicles, and a host of other topics.

CONSENT CALENDAR:

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

Members of the public Ben Mishie, Zina Josephs, and Myla Reson commented on various Consent Calendar items.

At the request of Councilmember Vazquez, Item 3-A was removed from the Consent Calendar.

Motion by Councilmember Vazquez, seconded by Councilmember O'Day, to approve the Consent Calendar except for Item 3-A, reading resolutions by title only and waiving further reading thereof. 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

**AIRPORT PROPERTY
MANAGEMENT**

3.B. Award Agreement to Aeroplex Group Partners for Commercial Real Estate Property Management Services at the Santa Monica Airport, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award RFP# 163 to Aeroplex Group Partners, a California-based company, to provide commercial real estate property management and related consultant services for the Santa Monica Airport;
2. Authorize the City Manager to negotiate and execute Agreement No. 10689 (CCS) with Aeroplex Group Partners in an amount not to exceed \$723,692 (including a 10% contingency) over a two-year period with three one-year renewal options in the amount of \$408,000 in year one, \$405,000 in year two and \$458,000 in year three for a contract total amount not to exceed \$1,994,692 over a five-year period, with future year funding contingent on Council approval.

TRANSIT

3.C. Award Bid to Provide Transit On-Board Surveillance System Service and Repair, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4317 to Wincal Technology Corporation, a California-based company, for transit onboard surveillance system service and repair;
2. Authorize the City Manager to negotiate and execute Agreement No. 10690 (CCS) with Wincal Technology Corporation, in an amount not to exceed \$117,711 including a \$10,701 contingency, for one year, with three-additional contract years, with a 6% increase in the second contract year and a 5% increase in the third and fourth contract years, for a total amount not to exceed \$511,060 over a four-year period, with future year funding contingent on Council budget approval.

WATER TREATMENT

3.D. Purchase of Sodium Fluoride for Water Treatment, was approved.

Recommended Action

Staff recommends that the City Council authorize the Purchasing Services Manager to issue a purchase order with Westco Chemicals, a California-based company, for sodium fluoride. 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 \$250,000 with future year funding contingent on Council budget approval.

FLOORING SERVICES

3.E. Award Agreement to Elite Floorcovering for Citywide Flooring Services, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4315 to Elite Floorcovering, a California-based company, for flooring contractor services;
2. Authorize the City Manager to negotiate and execute Agreement No. 10691 (CCS) with Elite Floorcovering, in an amount not to exceed \$395,000 for two years, with one additional three-year renewal option in the amount of \$592,500, for a total amount not to exceed \$987,500 over a five-year period, with future year funding contingent on Council budget approval.

WELL MAINTENANCE

3.F. Contract Award and Modification for Water Well and Pump Maintenance, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4332 to General Pump Company, a California-based company, for water well and booster pump maintenance and repair services;

2. Authorize the City Manager to negotiate and execute Contract No. 10692 (CCS) with General Pump Company, in an amount not to exceed \$2,180,000 over a five-year period, including 2.5% annual price increases, with future year funding contingent on Council budget approval.
3. Authorize the City Manager to negotiate and execute a first modification to agreement #10084 with General Pump Company, in an amount not to exceed \$155,000 for emergency repair of water well Charnock-13 and additional well and booster pump services through June 30, 2018. This will result in an amended agreement with a new total amount not to exceed \$683,000.

CITYWIDE COPY PAPER 3.G. Award Bid #4352 for Citywide Copy Paper, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4352 to Staples, a Massachusetts-based company, for the purchase and delivery of 8½ x 11 office copy paper; and
2. Authorize the Purchasing Services Manager to issue annual purchase orders with Staples, for the purchase and delivery of 8½ x 11 office copy paper for a total amount not to exceed \$336,000 over a five-year period including a 10% contingency, with future year funding contingent on Council budget approval.

LOBBYING SERVICES 3.H. Award of Contracts for State and Federal Lobbying Services, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to:

1. Award RFP# 166 to Shaw/Yoder/Antwih, a California-based company for state representative and legislative advocacy services;
2. Authorize the City Manager to negotiate and execute Agreement No. 10693 (CCS) with Shaw/Yoder/Antwih, in an amount not to exceed \$46,716 for one year, with four additional one-year renewal options in the amount of \$201,305, on the same terms and conditions for a total amount not to exceed \$248,021 over a five-year period, with future year funding contingent on Council budget approval.
3. Award RFP# 165 to The Ferguson Group, a Washington, D.C.-based company for federal representative and legislative advocacy services;
4. Authorize the City Manager to negotiate and execute Agreement No. 10694 (CCS) with The Ferguson Group, in an amount not to exceed \$45,000 for one year, with four additional one-year renewal options in the amount of \$180,000, on the same terms and conditions for a total amount not to exceed \$225,000 over a five-year period, with future year funding contingent on Council budget approval.

PICO IMPROVEMENT ORGANIZATION

3.I. Fiscal Agent Services for Pico Improvement Organization, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute Agreement No. 10695 (CCS) with the Pico Improvement Organization, Inc., for fiscal management of the Pico Boulevard business improvement district assessment funds for five years with five additional one-year renewal options.

WORKERS' COMPENSATION

3.J. Second Modification to Agreement #9650 with InterMed Cost Containment Services for Workers' Compensation Medical Bill Review Services, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a second modification to agreement #9650 in the amount of \$100,000 with InterMed Cost Containment Services, a California-based company, for workers' compensation medical bill review services. This will result in a ten-year amended agreement with a new total amount not to exceed \$850,000, with future year funding contingent on Council budget approval.

WATER CONSERVATION PROGRAMS

3.K. Modification of Contract to Change ConserveTrack Vendor Name to RightThere LLC for continued Software Maintenance and Support for City Water Conservation Programs, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to execute a seventh modification to agreement #9880 (CCS) to consent to the title transfer from the vendor name ConserveTrack LLC to RightThere LLC, for continued software maintenance and support for City water conservation programs. Effective from the execution date, RightThere LLC shall assume all of the rights and obligations under agreement #9880 (CCS).

CNG TRUCKS

3.L. Reject Bid for the Purchase of 56 New CNG-Powered Ford F-250 Pickup Trucks, was approved.

Recommended Action

Staff recommends that the City Council:

1. Reject the only bid for Bid #4303 for the purchase of new compressed natural gas (CNG)-powered Ford F-250 pickup trucks as required by Fleet Management; and
2. Direct staff to reissue a bid to obtain the best bidder for the purchase of new CNG-powered Ford F-250 pickup trucks.

AIRPORT ROOF

3.M. First Modification to Contract with Best Contracting Services for the Airport Roof Acrylic Application Project, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a first modification to agreement #10560 (CCS) in the amount of \$220,000 with Best Contracting Services, Inc., a California-based company, to provide additional roofing repairs to facilities located at the Santa Monica Airport. This will result in a one-year amended agreement with a new total amount not to exceed \$2,180,123, with future year funding contingent on Council budget approval.

WEBSITE DESIGN

3.N. Award Contract for Citywide Website Design and Development, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award RFP #128 to Edenspiekermann L.A. Corp., a Delaware-based corporation, for design and development of a new website,
2. Authorize the City Manager to negotiate and execute Agreement No. 10696 (CCS) with Edenspiekermann L.A. Corp., in an amount not to exceed \$1,000,000 including a 10% contingency, for a two-year term and possible one-year extension with the future year contingent on Council budget approval, and
3. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

2219 VIRGINIA AVENUE

3.O. Resolution No. 11116 (CCS) entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ACCEPTING AND APPROVING THE FINAL SUBDIVISION MAP FOR PARCEL NO. 73871 TO SUBDIVIDE A PROPERTY AT 2219 VIRGINIA AVENUE," was adopted.

Recommended Action

Staff recommends that the City Council adopt a resolution approving Final Parcel Map No. 73871 at 2219 Virginia Avenue.

MINUTES

3.P. Minutes for the City Council - Regular Meeting - Mar 27, 2018 5:30 PM, were approved.

MINUTES

3.Q. Minutes for the City Council - Regular Meeting - Apr 10, 2018 5:30 PM, were approved.

CLOVER PARK

3.A. Award Contract to C.S. Legacy Construction for the Clover Park Restroom Replacement Project, was presented.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #SP2388 to C.S. Legacy Construction, Inc., a California-based company, to provide construction services for the Clover Park Restroom Replacement Project;
2. Authorize the City Manager to negotiate and execute Contract No. 10688 (CCS) with C.S. Legacy Construction, Inc., in an amount not to exceed \$2,312,010 (including a \$210,183 contingency); and
3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.

This item was pulled by Councilmember Vazquez to ask questions about who saw and approved this project, the process to recommend this project, and an explanation of the costs. Questions asked and answered of staff included, if there was any consideration to use prefab products for this project, and is the city considering using prefab materials on other projects.

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, Mayor Pro Tem Davis, Mayor Winterer
- NOES: None
- ABSENT: Councilmember O’Connor

ORDINANCES:
ZONING

7.A. Second Reading and Adoption of Ordinance No. 2576 (CCS) entitled, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ADOPTING CHANGES, CORRECTIONS, AND CLARIFICATIONS TO THE CITY’S ZONING ORDINANCE, CHAPTERS 9.01 THROUGH CHAPTER 9.52 OF ARTICLE 9 OF THE SANTA MONICA MUNICIPAL CODE,” was presented.

Recommended Action

Staff recommends that City Council adopt the attached Ordinance.

Motion by Councilmember Himmelrich, 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, Vazquez, Himmelrich, O’Day, Mayor Pro Tem Davis, Mayor Winterer
- NOES: None
- ABSENT: Councilmember O’Connor

SHARED MOBILITY DEVICES

Councilmember O'Connor arrived at 7:18 p.m.

7.B. Establish a Pilot Program for Shared Mobility Devices, by 1) introducing for First Reading an Ordinance setting forth the Pilot Program, defining the terms and conditions of the Pilot and repealing previously adopted emergency regulations, 2) adopting Resolution No. 11117 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ESTABLISHING A PERMIT FEE FOR THE SHARED MOBILITY DEVICE PILOT PROGRAM AND A PER SHARED MOBILITY DEVICE FEE”, and 3) adopting Emergency Ordinance No. 2577 (CCS) entitled, “AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA LIMITING RENEWALS OF PERMITS AND BUSINESS LICENSES AUTHORIZING RENTALS OF SHARED MOBILITY DEVICES UNDER EXISTING LAW TO FACILITATE TRANSITION TO A NEW SHARED MOBILITY REGULATORY PILOT PROGRAM”, was presented.

Recommended Action

Staff recommends that the City Council:

- 1) Introduce for First Reading the attached proposed Ordinance establishing the Shared Mobility Pilot Program, defining the terms and conditions of the Pilot, and repealing previously adopted emergency regulations;
- 2) Adopt a Resolution establishing fees and charges in support of the Pilot program; and,
- 3) Adopt an emergency ordinance limiting the renewal period for Vendor Permits for Shared Mobility Devices for FY18-19.

Members of the public Cris Gutierrez Chad Billmyee, Rich Branning, Dario Pulsini, Josh Warren, Adam Kramer (time donated by Jacob Daltan), Jesse Schleger, Dylan Skolnick, James Quacaster, Kim Pluth, Hunter Hall, Chris McDermot, Sam Dreiman, David Estrada (time donated by Jason Isles), Helen Malmgren, Peter Quain, Carl Hansen, David Islas, Phil Recht, Christine Rangel, Judy Abdo, Sammy Khorchid, Michael Cahn, and Andrew Hoyer, spoke generally in support to the recommended action.

Members of the public Mary Sampson, Martin Reznik, Catherine Lerer, Michael James Webb, Francois Vaillancourt, Arlene Vaillancourt, Erika Willhite, Bill Davids, Duncan Moran, Art Casillas, Joey Harris, Bill Greenslade, Thomas Moran, Richard Chacker, Harriet Epstein (time donated by Cris McLeod), Myla Reson, Elizabeth Lerer, Matt N, and Andria McFerson spoke generally in opposition and had concerns on the recommended action.

Questions asked and answered of staff including: does the 1,500 include all electrical devices (bikes and scooters), and are we aware if there are any other forms of modality; how is the split to be determined between scooters

and bikes; instead of charging per scooter per year, maybe charge per scooter per day; how many scooters are on the streets today; how was the 1,500 number of devices determined; for a cap, how will that be enforced since so many people ride scooters into Santa Monica from other cities; a charge for public property, does that relate to parking scooters or dockless mobility devices, or is that for the usage of public right-of-way; are there any statistics about what percentage of dockless users are operating in a dangerous way; how do you demonstrate sustained demand to increase the threshold beyond the first year; if there is a discussion based on demand, why have a cap at all; in the absence of trying to figure this out, how many vehicles could a neighborhood stand, and at what point does an area become over saturated; how does Breeze measure to the dockless bikes; how many trips per day for Breeze bikes; what is our investment in Breeze; can regular bikes be left at Breeze stations; and, how easily is it to make flexibility changes to the rules.

Considerable discussion ensued on topics including, but not limited to: acts of public safety, passive public safety, cooperation with public safety; deal with the issues of public safety; recognize that electric scooters and bikes fulfill the cities goals for greener modes of transportation; importance of safety and equity issues; a dynamic cap based on usage is a better solution than a static cap; set performance standards for safety to motivate companies; and, distribute the scooters or bikes throughout the city.

Motion by Mayor Pro Tem Davis, seconded by Councilmember O'Day, to introduce and hold first reading of the ordinance reading by title only and waiving further reading thereof with the following changes: adopt caps based on utilization rates of more than three times per day for scooters, two times per day for bikes, it could be adjusted on a weekly basis; include within the metrics that are required in the pilot program, use criteria #4 user safety - operators will propose whereby operators can notify their users of inappropriate use, and that operators can take responsibility and will show that they are monitoring and being responsible, and that information can be shared with the city; criteria #5, add there's a requirement of customer service being immediately available, remedy devices parked incorrectly within 2 hours from 7 am – 10 pm, and that vendors will try and come up with a shorter period of time to remove scooters when they are illegally parked.

Councilmember Himmelrich proposed a friendly amendment to separate the modalities into bikes and scooters and have competition within them. The amendment was considered friendly by the maker and seconder.

Councilmember Himmelrich proposed a friendly amendment to charge a per day fee for bikes and scooters that are used within the city, instead of the proposed \$130 per device annual fee. The motion was not considered

friendly by the seconder.

The Mayor and City Attorney provided clarification on the way the city can charge for fees, and that this discussion should be saved for later.

Councilmember McKeown, proposed a friendly amendment to add direction to staff to carefully monitor the equity of device placement and let Council know if they are creating a problem of non-equity over the city. The motion was considered friendly by the maker and seconder.

Councilmember Himmelrich, proposed a friendly amendment to direct staff to require operators come up with methods to make helmets available at the time of rental and not by mail. The motion was considered friendly by the maker and seconder.

Councilmember Himmelrich, proposed a friendly amendment to work with the City to create central locations where scooters can be dropped off and picked up, and work with vendors to incentivize their customers to do so. The motion was considered friendly by the maker and seconder.

Councilmember Himmelrich, proposed a friendly amendment to establish a 24/7 customer service line, with the expectation that Police and safety personnel can have direct contact for inquiries. The motion was considered friendly by the maker and seconder.

Councilmember O'Day, proposed a friendly amendment to give direction to staff to look at considering leasing parking spaces on the streets to the companies for drop zones or bike rails, suggested incorporating using the Breeze bike racks for drop off locations; and, identifying those areas where sidewalk violations are occurring, and look at gaps in the Bike Action Plan and investing in bike safety programs. The motion was considered friendly by the maker.

Mayor Winterer, proposed a friendly amendment to ask the operators to work with the city to provide their users Maps of the bike networks. This was considered friendly to the maker and seconder.

Mayor Winterer, proposed a friendly amendment that operators can surveys their users and get some data on the mode shift affects they're having, on mode shift and data to get analysis on their users such as distance traveled. The motion was considered friendly by the maker and seconder.

The City Manager asked if the dynamic cap could be established as a guideline instead of an established regulation.

City Attorney read the changes to the ordinance to include the proposed amendments.

The motion, with amendments 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

*Councilmember McKeown
excused at 11:39 p.m.*

Motion by Mayor Winterer, seconded by Mayor Pro Tem Davis, to adopt the Resolution No. 11117 (CCS) establishing fees and charges in support of the Pilot program reading by title only and waiving further reading thereof.

Councilmember O'Connor proposed a friendly amendment to give direction to staff to look at use of Private property charge. The motion was considered friendly by the maker and seconder.

The motion was approved, with an amendment by the following vote:

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

Motion by Mayor Winterer, seconded by Councilmember Himmelrich, to adopt emergency Ordinance No. 2577 (CCS) limiting the renewal period for Vendor Permits for Shared Mobility Devices for FY18-19 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, Mayor Pro Tem Davis, Mayor Winterer
NOES: None
ABSENT: Councilmember McKeown

Motion by Mayor Winterer, seconded by Councilmember Himmelrich, to have staff return with a proposal to reinvest the surplus revenues from the Breeze Bikeshare program, as soon as possible. The motion was approved by voice vote, with Councilmember McKeown absent.

ELECTIONS

7.C. Introduce for First reading and Ordinance Amending to the City's Election Code, Adopt Resolution No. 11118 (CCS) entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA CALLING AND GIVING NOTICE FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY,

NOVEMBER 6, 2018, FOR ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE CALIFORNIA ELECTIONS AND EDUCATION CODES AND PROVISIONS OF THE SANTA MONICA CITY CHARTER” and **Resolution No. 11119 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF THE CITY OF SANTA MONICA TO BE HELD ON NOVEMBER 6, 2018, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO ELECTIONS CODE SECTION 10403 AND TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE GENERAL MUNICIPAL ELECTION”**, was presented.

Recommended Action

Staff recommends that the City Council:

1. Adopt two resolutions to: a) call for a General Municipal Election to be held on November 6, 2018; and b) request that the Municipal Election be consolidated with the Los Angeles (LA) County Statewide General Election and request services from the LA County Registrar-Recorder for the General Municipal Election;
2. Authorize the City Manager to negotiate and execute contract Agreement No. 10697 (CCS) with Martin & Chapman Company, a California based company, for election services and supplies required to conduct the General Municipal Election in an amount not to exceed \$184,000. 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 \$184,000 with future year funding contingent on Council budget approval; and,
3. Introduce for first reading an ordinance amending sections 11.04.040 (Definitions) and 11.04.050 (Limitations on contributions from persons) of the Santa Monica Municipal Code (SMMC).

Motion by Councilmember Himmelrich, seconded by Mayor Winterer, to adopt Resolution No. 11118_ (CCS) calling and giving notice for the holding of a general municipal election to be held on Tuesday, November 6, 2018, and to adopt Resolution No. 11119 (CCS) requesting the Board of Supervisors of the County of Los Angeles to consolidate a general municipal election of the City of Santa Monica, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmember McKeown

Motion by Councilmember Himmelrich, seconded by Mayor Winterer, to approve the authorization of Agreement No. 10697 (CCS) with Martin & Chapman Company. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmember McKeown

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

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

NOES: None

ABSENT: Councilmember McKeown

STAFF
ADMINISTRATIVE
ITEMS:
101 SANTA MONICA
BOULEVARD

8.A. Preliminary review and discussion of the updated design concept for a new mixed-use development project consisting of commercial, hotel, museum, and residential uses, including the retention and rehabilitation of two City-designated Landmark buildings at the property located at 101 Santa Monica Boulevard (Development Agreement Application 13DEV-004), was presented.

Recommended Action

It is recommended that the Council:

1. Review the Applicant's revised design concept for a new mixed-use hotel, cultural, retail, and residential development (in conformance with height and density limits for this site in the adopted Downtown Community Plan) and provide direction regarding desired design parameters for the site and potential priority community benefits to be negotiated;
2. Authorize staff to initiate negotiations with the Applicant for the Ocean Avenue Project and Development Agreement.

Members of the public Cris Gutierrez, Denise Barton, Natalya Zernitskaya, Laura Gillete, Bruria Finkel, Ryan Holman, Christina Navarro, Judy Abdo, and Elena Christopolous spoke on the recommended action.

Questions asked and answered of staff included any thought to putting the height back on 2nd Street; any idea on how many of the units will be three-bedroom units; and, is it going to be 30% affordable housing, as well as the

current rent control units.

Considerable discussion ensued on topics including, this project offers a lot of community benefits, including a museum, and the Landmarks Commission did a great job of pushing this building to get some good results.

Motion by Mayor Pro Tem Davis, seconded by Councilmember O'Day, to adopt the staff recommendation. The motion was approved by the following vote:

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

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, \$50 for meeting at the Parking Authority and 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, Parking Authority and Redevelopment Successor Agency at 12:43 a.m., with Commissioner/Agency/Authority/Councilmember McKeown absent.

PUBLIC HEARINGS: MINUTES

*Councilmember O'Connor
was excused at 12.44 a.m.*

9.A. Approval of Minutes for the Housing Authority, Parking Authority, and Redevelopment Successor Agency Meetings, was presented.

Recommended Action

Staff recommends that the City Council approve the minutes for the following meetings:

1. **Housing Authority** – February 13, 2018
2. **Parking Authority** – June 27, 2017, February 13, 2018
3. **Redevelopment Successor Agency** – January 9, 2018, February 27, 2018

Members of the public Denise Barton spoke on the recommendation.

Motion by Commissioner/Agency/Authority Member Himmelrich, seconded by Commissioner/Agency/Authority Member O'Day, to approve the Special Meeting minutes. The motion was approved by voice vote, with Commissioner/Agency/Authority Members O'Connor and McKeown absent.

BUDGET

Councilmember O’Connor returned at 12:47 a.m.

Councilmember O’Day was excused at 12:47 a.m.

9.B. Adoption of the Second Year of the Fiscal Year (FY) 2017-19 Biennial Budget, Adoption of the First Year and Approval of the Second Year of the FY 2018-20 Biennial Capital Improvement Program Budget, was presented.

Recommended Action

Staff recommends that the City Council, Housing Authority and Parking Authority:

1. **Adopt Resolution No. 11120 (CCS) entitled**, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ADOPTING THE SECOND YEAR (FISCAL YEAR 2018-19) OF THE FISCAL YEAR 2017-19 BIENNIAL BUDGET AND ADOPTING ITS CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2018-19 AND APPROVING ITS CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2019-20”; and
2. **Adopt Resolution No. 93 (HAS) entitled**, “A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SANTA MONICA ADOPTING THE SECOND YEAR (FISCAL YEAR 2018-19) OF THE FISCAL YEAR 2017-19 BIENNIAL BUDGET AND ADOPTING ITS CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2018-19 AND APPROVING ITS CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2019-20”; and
3. **Adopt Resolution No. 258 (PAS) entitled**, “A RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF SANTA MONICA ADOPTING THE SECOND YEAR (FISCAL YEAR 2018-19) OF THE FISCAL YEAR 2017-19 BIENNIAL BUDGET AND ADOPTING ITS CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2018-19 AND APPROVING ITS CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2019-20”.

Staff also recommends that the City Council:

1. **Adopt Resolution No. 11121 (CCS) entitled**, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA REVISING THE CITY'S MASTER FEE SCHEDULE TO ESTABLISH AND REVISE CERTAIN PERMIT AND USER FEES AND CHARGES IN THE PLANNING AND COMMUNITY DEVELOPMENT, PUBLIC WORKS, POLICE, COMMUNITY AND CULTURAL SERVICES, FINANCE, AND RECORDS AND ELECTIONS SERVICES DEPARTMENTS;
2. **Adopt Resolution No. 11122 (CCS) entitled**, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA SETTING FORTH THE ADMINISTRATIVE CITATION SCHEDULE OF FINES FOR CERTAIN VIOLATIONS OF THE

SANTA MONICA MUNICIPAL CODE, SETTING CIVIL PENALTIES FOR PARKING VIOLATIONS AND FOR THE LATE PAYMENT OF PENALTIES, SETTING FINES FOR POLICE AND FIRE DEPARTMENT RESPONSES TO EXCESSIVE FALSE ALARMS, AND SETTING FINES FOR THE SANTA MONICA PUBLIC LIBRARY;

3. **Adopt Resolution No. 11123 (CCS) entitled**, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ESTABLISHING PARKING RATES AND PERMIT FEES FOR ALL CITY PARKING FACILITIES AND RESOURCES”;
4. **Adopt Resolution No. 11124 (CCS) entitled**, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ESTABLISHING NEW CLASSIFICATIONS AND ADOPTING SALARY RATES FOR ADMINISTRATIVE AIDE, ADMINISTRATIVE INTERN, ADMINISTRATIVE TRAINEE, AQUATICS PROGRAM MANAGER, CROSSING GUARD, CUSTODY OFFICER, CUSTODY OFFICER SUPERVISOR, DIRECTOR OF HUMAN RESOURCES/CHIEF PEOPLE OFFICER, FACILITIES ATTENDANT, FINANCIAL REPORTING ADMINISTRATOR, JUNIOR POOL LIFEGUARD, LABORER TRAINEE, LEAD CUSTODY OFFICER, LIBRARY PAGE, PARKING METER CREW LEADER, POLICE CADET, PROCUREMENT MANAGER, PRODUCTION ASSISTANT, SENIOR RISK MANAGEMENT ANALYST, SOFTWARE DEVELOPER, STUDENT WORKER, STOREKEEPER, SUPERVISING ACCOUNTANT, TRANSIT COMMUNITY ENGAGEMENT OFFICER, TRANSIT SCHEDULER, URBAN FOREST ADMINISTRATOR, VIDEO INTERN, VIDEO STUDENT INTERN, VIDEO TECHNICIAN I, WAREHOUSE SUPERVISOR”;
5. **Adopt Resolution No. 11125 (CCS) entitled**, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ESTABLISHING THE GANN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2018-19”;
6. **Adopt a Resolution No. 11126 (CCS) entitled**, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING ITS BIENNIAL CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2018-20 TO INCORPORATE A PROPOSED ROAD REPAIR AND ACCOUNTABILITY ACT PROJECT”;
7. Approve revisions to the City’s framework for a Sustainable City of Wellbeing (Attachment L);
8. Approve the Proposed FY 2018-19 Human Services Grants Program (HSGP), incorporating the proposed funding levels (Attachment M);
9. Approve the Proposed FY 2018-19 Organizational Support Program

- (OSP) Grants for Arts and Culture Nonprofits, incorporating the proposed funding levels (Attachment N);
10. Accept Continuum of Care Program Grant funds from the U.S. Department of Housing and Urban Development (HUD) in the amounts of \$496,926 and \$2,890,184 to serve the homeless and disabled populations with housing subsidies; and
 11. Authorize the City Manager to negotiate and execute a second modification to Services Agreement #10402 (CCS) in the amount of \$473,698 with Downtown Santa Monica, Inc. to extend ambassador services for Tongva and Palisades Parks through June 30, 2019, increase services at Palisades Park, and provide four additional one-year renewal options totaling \$3,309,133 (includes annual increases of 3% up to 5%). This will result in a six and a half year amended agreement with a new total amount not to exceed \$4,797,831 with future year funding contingent on Council budget approval.

Members of the public Olga Zurawska (time donated by Judy Casey), Lorenna Taylor, Zina Josephs, David Morris, Alexandra Weyman, Dominic Gomez, Laurence Eubank, and Michael Louis, spoke on the recommended action.

Questions asked and answered of staff included, the movement and appropriation of the \$38 million from the Water Funds to the General Fund, if the 4.4 increase in fees are used to cover compensation increases, and, when the parking rates for downtown were increased, wasn't some of those monies supposed to be used for mobility programs.

Motion by Mayor/Chair Winterer , seconded by Commissioner/Authority/Councilmember O'Connor, to adopt Resolution No. 11120 (CCS), No. 93 (HAS), and No. 258 (PAS), adopting the second year of the Fiscal Year 2017-19 Biennial Budget and adopting the first year and approving the second year of the Fiscal Year 2018-20 Biennial Capital Improvement Program Budget. The motion was approved by the following vote:

AYES: Commissioner/Authority/Councilmembers O'Connor, Himmelrich, Vazquez, Vice Chair/Chair/Mayor Pro Tem Davis, Chair/Mayor Winterer

NOES: None

ABSENT: Commissioner/Authority/Councilmembers McKeown, O'Day

Motion by Mayor Winterer, seconded by Councilmember O'Connor, to adopt Resolution No. 11121 (CCS) revising the City's master fee schedule to establish and revise certain permit and user fees and charges in the Planning and Community Development, Police, Public Works, Community and Cultural Services, Finance, and Records and Election Services

Departments. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmembers O'Day, McKeown

Motion by Mayor Winterer , seconded by Mayor Pro Tem Davis, to adopt Resolution No. 11122 (CCS) of the City Council of the City of Santa Monica setting forth the administrative citation schedule of fines for certain violations of the Santa Monica Municipal Code, setting civil penalties for parking violations and for the late payment of penalties, setting fines for Police and Fire Department responses to excessive false alarms, and setting fines for the Santa Monica Library.

The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmembers McKeown, O'Day

Motion by Mayor Winterer, seconded by Mayor Pro Tem Davis, to adopt Resolution No. 11123 (CCS) of the City Council of the City of Santa Monica establishing parking rates and permit fees for all City parking facilities and resources. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmembers O'Day, McKeown

Motion by Mayor Winterer, seconded by Councilmember Himmelrich, to adopt Resolution No. 11124 (CCS) of the City of Santa Monica establishing new classifications and adopting salary rates for various listed positions and approve the position and classification changes. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmembers McKeown, O'Day

Motion by Mayor Winterer, seconded by Mayor Pro Tem Davis, to adopt Resolution No. 11125 (CCS) of the City of Santa Monica establishing the Gann appropriations limit for FY 2018-19. The motion was approved by

the following vote:

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

NOES: None

ABSENT: Councilmembers O'Day, McKeown

Motion by Mayor Winterer, seconded by Councilmember O'Connor, to adopt Resolution No. 11126 (CCS) incorporating a project funded by SB1: The Road Repair and Accountability Act. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmembers McKeown, O'Day

Motion by Mayor Winterer, seconded by Councilmember Himmelrich, to approve revisions to the City's framework for a Sustainable City of Wellbeing; approve the Proposed FY 2018-19 Human Services Grants Program (HSGP), incorporating the proposed funding levels; approve the Proposed FY2018-19 Organizational Support Program (OSP) Grants for Arts and Culture Nonprofits, incorporating the proposed funding levels. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmembers O'Day, McKeown

Motion by Mayor Winterer, seconded by Councilmember Himmelrich, to accept Continuum of Care Program Grant funds from the U.S. Department of Housing and Urban Development (HUD) in the amounts of \$496,926 and \$2,890,184 to serve the homeless and disabled populations with housing subsidies. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmembers McKeown, O'Day

Motion by Mayor Winterer, seconded by Councilmember Himmelrich, to Authorize the City Manager to negotiate and execute a second modification to Services Agreement #10402 (CCS) in the amount of \$473,698 with Downtown Santa Monica, Inc. to extend ambassador services for Tongva and Palisades Parks. The motion was approved by the following vote:

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

Councilmember Himmelrich, seconded by Councilmember Vazquez to give direction to staff to bring back an item consistent with the discussion of forming a committee to help with advice on pensions, particularly in finances, in conjunction with the Audit Committee, in connection with their future deliberations on those matters.

Mayor Pro Tem Davis, proposed a friendly amendment to broaden the direction to include, to ask staff to come back with proposals for having community input into the budgeting process. The motion was considered friendly by maker and seconder. The motion was approved by voice vote, with Councilmembers O'Day and McKeown absent.

**ADJOURNMENT OF
SPECIAL JOINT
MEETING**

On order of the Chair/Mayor, the special joint meeting with the Housing Authority, Parking Authority and Redevelopment Successor Agency was adjourned at 1:41 a.m., and the regular meeting of the City Council was reconvened with all members present, except Councilmembers McKeown and O'Day.

**COUNCILMEMBER
DISCUSSION ITEMS:
TENANT PROTECTIONS**

13.A. Request of Councilmembers McKeown and Himmelrich that Council authorize staff to explore appropriate local responses to the possible statewide repeal of the Costa-Hawkins Act, and ways in which our community might capture a portion of rent windfalls to support hardship renters and fund affordable housing, was continued as a 5-item to the June 26, 2018 meeting.

PUBLIC INPUT:

Members of the public Denise Barton and Dr. Wayne Jottson commented on various local issues.

ADJOURNMENT

On order of the Mayor, the City Council meeting adjourned at 1:47 a.m. in memory of Craig Hoffman.

ATTEST:

APPROVED:

Denise Anderson-Warren
City Clerk

Ted Winterer
Mayor