

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

MAY 28, 2019

A regular meeting of the Santa Monica City Council was called to order by Mayor Davis at 5:34 p.m., on Tuesday, May 28, 2019, at City Council Chambers, 1685 Main Street.

Roll Call: Present: Mayor Gleam Davis
Mayor Pro Tem Terry O’Day
Councilmember Sue Himmelrich
Councilmember Ana M. Jara
Councilmember Greg Morena (*arrived at 6:30 p.m.*)
Councilmember Ted Winterer

Absent: Councilmember Kevin McKeown

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 5:34 p.m., with all members present except Councilmembers McKeown and Morena. City Attorney Lane Dilg led the assemblage in the Pledge of Allegiance.

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

Councilmember Morena arrived at 6:30 p.m. On order of the Mayor, the City Council recessed at 5:36 p.m., to consider closed sessions and returned at 7:06 p.m., with Councilmember McKeown absent, to report the following:

1.A. Conference with Labor Negotiator: Government Code Section 54957.6. Agency Designated Representatives: Lori Gentles, Chief People Officer-HR and Human Resources Manager Shawn Weiske, Bargaining Unit: Coalition of Santa Monica City Employees (CSMCE)

The City Attorney advised this matter was not heard.

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

**Claim No. 18-629, claimant Rogelio Monroy;
Claim No. 18-684, claimant Elizabeth Esquivias;**

**Claim No. 19-019, claimant Jose Zaldivar;
Claim No. 19-127, claimant John Doe 1;
Claim No. 19-128, claimant John Doe 2;
Claim No. 19-129, claimant John Doe 3;
Claim No. 19-130, claimant John Doe 4;
Claim No. 19-131, claimant John Doe 5;
Claim No. 19-132, claimant John Doe 6;
Claim No. 19-146, claimant John Doe 7;
Claim No. 19-156, claimant Alvin Ferrara;
Claim No. 19-157, claimant Carlos Martinez;
Claim No. 19-158, claimant Jason Martin;
Claim No. 19-159, claimant Jose Lopez;
Claim No. 19-258, claimant Carlos Esquivias**

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

**1.C. Conference with Legal Counsel – Anticipated Litigation --
Anticipate significant exposure to litigation pursuant to Government
Code Section 54956.9(d)(2): land use litigation claims:**

- **1323 5th Street, Administrative Approval (“AA”) Application# 18ENT-0283, Vesting Tentative Tract Map (“VTTM”) #82575 with Application #s 19PWMISC-0016, 19ENT-0089**
- **1338 5th Street, AA Application# 19ENT-0041, VTTM #82579 with Application #s 19PWMISC-0019, 19ENT-0087**
- **1415 5th Street, AA Application# 19ENT-0042, VTTM #82580 with Application #s 19PWMISC-0020, 19ENT-0086**
- **1437 5th Street, AA Application# 19ENT-0039, VTTM #82578 with Application #s 19PWMISC-0018, 19ENT-0084**
- **1437 6th Street, AA Application# 19ENT-0040, VTTM #82577 with Application #s 19PWMISC-0017, 19ENT-0088**
- **1557 7th Street, AA Application# 19ENT-0206, VTTM #82576 with Application #s 19PWMISC-0021, 19ENT-0090**

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

**1.D. Conference with Real Property Negotiator: Government Code
Section 54956.8**

Properties: 2322 Michigan Avenue, Santa Monica,
California; Frank Street/2500 Michigan Avenue,
Santa Monica, California.
City Negotiator: Jason Harris, Economic Development Manager
Under Negotiation: Exchange of Interests in Real Property
Parties: Samuel V. Kardashian, Trustee of the

Kardashian Family Trust, dated November 1, 1994; City of Santa Monica

The City Attorney advised this matter 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): Sima Lerner v. City of Santa Monica, Los Angeles Superior Court, Case No. BC 676664

The City Attorney reported Ms. Lerner alleges she suffered very severe and debilitating injuries after falling at a property defect near 2020 Santa Monica Boulevard. The City disputes and denies liability but the City Attorney recommends a settlement in the amount of \$750,000.

Motion by Mayor Pro Tem O’Day, seconded by Councilmember Himmelrich, to approve Settlement Agreement No. 10844 (CCS) in the amount of \$750,000. The motion was approved by the following vote:

- AYES: Councilmembers Morena, Himmelrich, Winterer, Jara, Mayor Pro Tem O’Day, Mayor Davis
- NOES: None
- ABSENT: Councilmember McKeown

SPECIAL AGENDA ITEMS:

2.A. Proclamation: Older Americans Month, was presented by the Mayor.

2.B. Proclamation: Foster Care Awareness Month, was presented by the Mayor.

2.C. Proclamation: Mental Health Awareness Month, was presented by the Mayor.

REPORT ON COUNCIL TRAVEL

There was nothing to report on Council travel.

CONSENT CALENDAR:

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

Members of the public Aria Soroudi, Farid Soroudi, Jaleh Mirashemi, Maryanne LaGuardia, Ann Bowman (check chits) commented on various Consent Calendar items.

Motion by Mayor Pro Tem O’Day, seconded by Councilmember Himmelrich, to approve the Consent Calendar, reading resolutions by title only and waiving further reading thereof.

The motion was approved by the following vote:

AYES: Councilmembers Jara, Winterer, Himmelrich, Morena
Mayor Pro Tem O’Day, Mayor Davis

NOES: None

ABSENT: Councilmember McKeown

STREET VACATION

3.A. Adopt Resolution No. 11170 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA, SUMMARILY VACATING A PUBLIC UTILITY EASEMENT LOCATED ALONG OLYMPIC PLACE SOUTH, A PORTION OF 7TH STREET, AND TWO UNNAMED ALLEYS NORTH OF AN PARALLEL TO PICO BOULEVARD”, was adopted.

Recommended Action

Staff recommends that the City Council adopt Resolution No. 11170 (CCS) to vacate the public service easement that exists along vacated portions of Olympic Place South, vacate a portion of 7th Street, and vacate two unnamed alleys that exist north of and parallel to Pico Boulevard.

**MULTIPURPOSE
SPORTS FIELD PROJECT**

3.B. Award Agreements for Construction, Material Testing and Deputy Inspection Services, and Construction Management for the Civic Center Multipurpose Sports Field Project, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid# SP2461 to C.S. Legacy Construction, Inc., a California-based company, for construction of the Civic Center Multipurpose Sports Field;
2. Authorize the City Manager to negotiate and execute Agreement No. 10845 (CCS) with C.S. Legacy Construction, Inc., in an amount not to exceed \$4,767,144 (including a 10% contingency of \$433,377).
3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.
4. Award RFP# SP2461 to AECOM, a California-based company, to provide material testing and deputy inspection services for the Civic Center Multipurpose Sports Field Project;
5. Authorize the City Manager to negotiate and execute Agreement No. 10846 (CCS) with AECOM in an amount not to exceed \$97,818 (including a 20% contingency) over a one-year period;
6. Award RFP# SP2461 to Simpson & Simpson Management Consulting, a California-based company, to provide construction management services for the Civic Center Multipurpose Sports Field Project;

- 7. Authorize the City Manager to negotiate and execute Agreement No. 10847 (CCS) with Simpson & Simpson Management Consulting in an amount not to exceed \$416,900 (including a 10% contingency) over a one-year period;

**OLYMPIC WELL FIELD/
ARCADIA WATER
TREATMENT PLANT
PROJECTS**

3.C. Award Professional Services Agreement with Dudek for the Preparation of an Environmental Study for the Olympic Well Field Restoration and Arcadia Water Treatment Plant Expansion Project, was approved.

Recommended Action

Staff recommends that the City Council:

- 1. Award RFP for the Preparation of an Environmental Study for the Olympic Well Field Restoration and Arcadia Water Treatment Plant Expansion Project to Dudek, a California-based company, for the Preparation of an Environmental Study for the Olympic Well Field Restoration and Arcadia Water Treatment Plant Expansion Project for the Water Resources Division;
- 2. Authorize the City Manager to negotiate and execute Agreement No. 10848 (CCS) with Dudek, in an amount not to exceed \$313,955 (including a \$50,000 contingency) for two years with future year funding contingent on Council budget approval.

1717 4TH STREET

3.D. Lease Modification for City Office Space at 1717 4th Street, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute Lease No. 10849 (CCS) with Santa Monica Hotel Owner, LLC for City offices at 1717 4th Street, to extend the lease term to May 31, 2020 for a monthly rent of \$93,723.50.

PARKING SERVICES

3.E. Extension of Conduent Contract for parking citation processing, parking permit fulfillment, and payment processing services, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a sixth modification to agreement #9210 (CCS) in an estimated amount of \$1,438,750 with Conduent State & Local Solutions, Inc., a New Jersey-based company, to extend the agreement for up to one year for the integrated parking permit and citation management services for the Planning and Community Development Department. This will result in a ten-year amended agreement with a new total estimated amount of \$16,000,000, with future year funding contingent on Council budget approval.

EV CHARGING

3.F. Approve Beach Lot 5 South for Participation in the SCE Charge Ready Program to Add 24 Public EV Charging Ports, was approved.

Recommended Action

Staff recommends that the City Council:

1. Approve the selection of Beach Lot 5 South as the project site to apply for electric vehicle charging infrastructure from the Charge Ready Program.
2. Authorize the City Manager to negotiate and execute all necessary documents to participate in the SCE Charge Ready Program.

FIRE DEPARTMENT

3.G. Award Request for Proposal and enter into Agreement No. 10850 (CCS) with Citygate Associates for the development of a Strategic Plan and Community Risk Assessment-Standard of Cover for the Fire Department, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award RFP# 206 to Citygate Associates, LLC, a California-based company for the development of a Strategic Plan and Community Risk Assessment / Standard of Cover for the Fire Department.
2. Authorize the City Manager to negotiate and execute Agreement No. 10850 (CCS) with Citygate Associates, LLC, in an amount not to exceed \$135,435.
3. Authorize budget changes as outlined in Financial Impact and Budget Actions section of this report.

PARKING ON CITY PROPERTY

3.H. Award Request for Proposal and enter into License Agreement No. 10851 (CCS) for parking located at 3300 Pico Place North, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award RFP# 3719 to Arsher LLC, a California-based company, for parking on City property located at 3300 Pico Place North;
2. Authorize the City Manager to negotiate and execute license Agreement No. 10851 (CCS) with Arsher LLC, at a rate of \$1,400 per month for a five-year term, subject to annual escalations in rent, with five additional one-year renewal options on the same terms and conditions.

BIG BLUE BUS

3.I. Extension of Maintenance Contract Budget Authority with Trapeze Software Group to operate and maintain the Planning and Operator Management Systems for Big Blue Bus, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a one-year extension to contract #8928 in the amount not to exceed \$166,000 with Trapeze Software Group (Trapeze), an Ontario, Canada based company, for ongoing maintenance of the Motor Coach Operator Management System (OPS) and Planning and Scheduling (BlockBuster and FX) software for an additional year of service.

LOW CARBON TRANSIT OPERATIONS PROGRAM

3.J. Big Blue Bus Resolution No. 11171 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AUTHORIZING THE CITY MANAGER TO APPLY FOR LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) PROJECT FUNDS – FIXED ROUTE BUS TRANSIT OPERATIONS IN THE AMOUNT OF \$627,179; AND TO EXECUTE ALL DOCUMENTS THERETO”, was adopted.

Recommended Action

Staff recommends that the City Council adopt the attached resolution for the Low Carbon Transit Operations Program, which was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility.

SATISFACTION SURVEY

3.K. Modification to Resident Satisfaction Survey, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a fifth modification to agreement #10141 with Goodwin Simon Strategic Research, a California based company, that has provided professional services in the field of public opinion polling/research for the City’s Biennial Resident Satisfaction Survey. The proposed modification would extend the term of the agreement by twelve months and add a new amount not to exceed \$50,000, bringing the total not to exceed amount of the agreement to \$323,800, in order to have Goodwin Simon conduct an additional resident satisfaction survey in spring 2020. Future year funding is contingent on Council budget approval.

COUNCIL RULES

3.L. Adopt Resolution No. 11172 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING THE RULES OF ORDER AND PROCEDURE FOR THE CONDUCT OF CITY COUNCIL MEETINGS AND REPEALING RESOLUTION NUMBER 11106 (CCS)”, was adopted.

Recommended Action

Staff recommends that the City Council adopt the attached resolution amending the Council Rules to clarify the rules as it relates to public

speakers with special preferences, specifically K-12 students and speakers donating time.

MINUTES

3.M. Minutes of City Council - Regular Meeting - Apr 23, 2019 5:30 PM, were approved.

MINUTES

3.N. Minutes of City Council - Regular Meeting - May 14, 2019, were approved.

**CONTINUED ITEMS:
RECYCLING CENTER**

5.A. Update on Recycling Center and Approval of Contract with Allan Company for Recyclable Materials Processing Services, was presented.

Recommended Action

Staff recommends that the City Council:

1. Consider the Addendum with the Final City Yards Master Plan Environmental Impact Report (SCH No. 2017111053), which analyzes environmental impacts of minor modifications to the City Yards Master Plan, and adopt the resolution approving the Addendum;
2. Approve the minor modifications to the City Yards Master Plan analyzed in the Addendum;
3. Award RFP# 216 to Cedarwood-Young, Inc. dba Allan Company, a California-based company for recyclable materials processing services for the Public Works Department; and
4. Authorize the City Manager to negotiate and an agreement with Cedarwood-Young, Inc. dba Allan Company, in an amount not to exceed \$10,200,000 (including a 20% contingency) for seven years, with three additional one-year renewal options in the combined amount of \$6,090,000, on the same terms and conditions, for a total amount not to exceed \$16,290,000 over a ten-year period, with future year funding contingent on Council budget approval.

Member of the public Mark Border commented on the recommended action.

Questions asked and answered of staff including, but not limited to: what are the alternatives to this plan; what is the difference in price if the processing center if the city did not process on this site; would it be less or more if the processing was done offsite; explain why Allan Company was chosen over the other bidder; how much of the judgement in selecting Allan Company weighed into the decision that the deadline was nearing; given the recycling market worldwide, do we think that recycling is going to get any better; did we look at using this for processing and the Buy Back center, were there any thoughts to using this location for alternate uses that

could create revenue; what other considerations could equate to saving approximately \$1 million a year; what's going to happen to the space that Allan currently occupies on the City property; was the Buy Back center not included back until this item went before the Planning Commission, and why do we need a Buy Back center; could there be other uses for that space on the City Yards; what happens to the stuff in the green bins; have there been any thoughts about using this space to process composable items; what is the value of the Buy Back Center process; with the June 30th deadline, has there been any thought to a month to month with Allan until this is settled, and what is that cost; what is the price for offsite over a ten-year period; what is our prior history to reduce the amount of residue product, and how much is it going to cost to get to 20 percent; has the safety been studied to move the Buy Back center (how many trucks); with the diversion rates, shouldn't the numbers have gone down, and why is that now showing; in the contract, the projection of \$1 million a year, will that hold and increase in the CPI over the next 10 years; what happens on July 1st if there's no contract approved; what is the operations and activity of the Buy Back center; is the current equipment not up to standard for what we need, and given the changes in the standards, does it make sense to make decisions when we don't know what the new standards will be; can you elaborate on the detailed difference between the two companies; if there's no market for recyclables, what do people bring into the Buy Back centers; is executing a contract with Allan Company contingent on approving the contract tonight; did you look at the safety issue with people walking down the street with their recyclables and the heavy duty trucks that are there; what kind of outreach was done; did residents express any concerns; does the residual materials go into the landfill; was there a fire in the processing center; is the contract contingent on the Buy Back being on the location; could the contract be approved with the Buy Back center being located someplace else; is it correct that if the contract is not approved tonight, it will cause a \$1 million a month delay in the City Yards Remodel project; what happens if it takes a year to find a location for the Buy Back center and what would that cost be, and would that require a new contract; what is the timeline for the termination clause to become effective; and, can the termination be a liquid amount.

Considerable discussion ensued on topics including, but not limited to: separate out the processing center cost separate from the Buy Back center; the cost to provide outreach and education; the Buy Back center could be located in one of the city's retail parts of the center; the true cost of moving this material out of the city; trying to get the contamination amounts down, and the cost of achieving the Net Zero plan; it's important to maintain processing in the city; not comfortable with the long term contract given the uncertainty of the market, it is a priority to maintain some flexibility; consider other options for location of the Buy Back center; need to have the transfer and Buy Back center because people need to have a place to take

their recyclables in the city; there is some pressure to do this tonight because of the pending deadline; this is a large contract for a market that is in chaos; concerns about the location of the Buy Back center, and having residents walking in an area that may not be safe with large trash trucks passing through.

City Manager recommended the following alternatives:

Option A: To accept a flawed or suboptimal contract; or
Option B: To reject all bids resulting in the transport all of recyclables in the short term and come back with a Study Session for Council to give direction to staff on the parameters.

Motion by Mayor Pro Tem O'Day, seconded by Councilmember Morena, to reject all bids, direct staff to act on an alternative that will allow the city to continue processing materials onsite, whether that includes a month to month option with Allan Company or a solution that means transferring offsite for an interim basis, but ultimately still envisioning allowing processing onsite, and try not to impact the City Yards project; and, also consider what is the real impact on the City Yards project.

Staff provided guidance and proposed direction to keep some sort of transferring and processing center onsite during this duration.

Substitute motion by Mayor Davis, seconded by Councilmember Winterer, to authorize the City Manager to negotiate and execute an agreement with Cedarwood-Young, Inc. dba Allan Company, in an amount not to exceed \$10,200,000 (including a 20% contingency) for seven years, with three additional one-year renewal options in the combined amount of \$6,090,000, on the same terms and conditions, for a total amount not to exceed \$16,290,000 over a ten-year period, with future year funding contingent on Council budget approval, with a contingent that Allan Company create a processing station at the site proposed in the current proposed contract, but that they not create the Buy Back Center, and to explore alternative locations for the Buy Back Center.

Mayor Davis, amended her motion to include a provision that gives the City Manager's Office the authority to negotiate a month to month solution for up to six months in order to accommodate the change and identify an alternative location for the Buy Back Center. The amendment was considered friendly to the seconder.

The substitute motion failed by the following vote:

AYES: Councilmembers Jara, Winterer, Mayor Davis

NOES: Councilmembers Himmelrich, Morena, Mayor Pro Tem O'Day

ABSENT: Councilmember McKeown

The main motion was restated, with recommendation from the Attorney’s Office to add an emergency provision which would allow the City to go out to bid to get companies that could transport materials offsite during this time, if needed. The recommendation was considered friendly by the maker and seconder.

The main motion by Mayor Pro Tem O’Day, seconded by Councilmember Morena, to adopt the staff recommendation, with amendments. The motion was approved by the following vote:

- AYES: Councilmembers Morena, Himmelrich, Winterer,
Mayor Pro Tem O’Day
- NOES: Councilmember Jara, Mayor Davis
- ABSENT: Councilmember McKeown

ADMIN. PROCEEDINGS:
401 MONTANA AVENUE

6.A. Appeal (19ENT-0032) of the Planning Commission's Approval of Conditional Use Permit 15ENT-0230 at 401 Montana Avenue, Requesting Revised Conditions for the Rainbow Garden, was presented.

Recommendation

Staff recommends that the City Council hold a public hearing, receive public comment, and approve Conditional Use Permit 15ENT-0230 and Fence Height Modification 18ENT-0342 per the attached findings and conditions.

Ex-Parte Communications

Councilmember Winterer did not receive any correspondence from the appellant, he did receive an email from the Applicant a few weeks prior and spoke with her this morning the two new conditions that staff was proposing for the CUP and got her reaction.

Mayor Pro Tem O’Day met with the Ma Family approximately 18 months prior to talk about the project and how it might move through the process. He has not discussed it significantly since.

Councilmember Morena spoke with Ms. Ma today at 3:00 to talk in general about her experience, the format for tonight, and some of the appellant’s concerns, and her application.

Councilmember Himmelrich, received correspondence from the appellant and their supporters. Also discussed this matter Saturday morning with the Neighborhood Council, and representatives from various organizations.

Mayor Davis met 2 years ago with the Ma family to discuss the project. She received an email from Mrs. Ma, she did not respond to the email.

Anne Burkley, spoke on behalf of the Appellant in support of the appeal.

Susan Steinberg, represented the Applicant, and spoke in opposition of the appeal.

Members of the public Mario Fonda-Bonardi, Lisa Taub, Andrew Hoyer, Denise Barton, Paul Song, Terence Young, Zina Josephs, Jerry Rubin, and Ken Parr commented on the recommended action.

Questions asked and answered of staff included: if there were a Cultural facility, would it have a different use; will there be more drop off and pick-ups than your typical childcare facility; what was the number of special events requested by the Applicant; why can't a school for children be the same as a school for adults; has the staff's recommended changes been presented to the Planning Commission; why is there a notification requirement when there are more than 50 people expected to participate; why is the language included that the school will be closed on all State and Federal holidays; if they decided not to build a school, how many units would they have been allowed to build; how often must the CUP be renewed and reviewed; and, isn't the fence height allowed.

Motion by Mayor Pro Tem O'Day, seconded by Councilmember Winterer, to adopt the staff recommendation, including changes to the Planning Commission's Conditions 5 and 6 with two changes to include the following: the noticing requirement to inform neighbors when an event is being held, within 30 day for a large event, to allow 104 special events per year, and change the compliance review for the CUP process from 2 years to 3 years from the granting of the certificate of occupancy.

The motion was restated by Mayor Davis as follows: to deny the appeal and uphold the decision of the Planning Commission with only two changes: 1) to inform the neighbors 30 days before any event (large event), to allow 104 special events (less than 20 persons per year); and to have a compliance review three years after the date of occupancy.

The City Attorney requested the language state CUP enforcement change to the date of operation instead of the date of occupancy and recall the definition of neighbors.

Discussion ensued on topics, not limited to the following: we're never too old to learn, and there are times when kids are more productive when they are around their parents, so this should not be so limited.

The motion was approved by the following vote:

AYES: Councilmembers Jara, Winterer, Himmelrich, Morena,
Mayor Pro Tem O’Day, Mayor Davis
NOES: None
ABSENT: Councilmember McKeown

ORDINANCES:
HOUSING ZONING

7.A. Second Reading and Adoption of Ordinance No. 2610 (CCS) entitled, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING THE TEXT OF THE CITY’S ZONING ORDINANCE TO PROHIBIT SINGLE-ROOM OCCUPANCY HOUSING USES THAT ARE NOT ONE-HUNDRED PERCENT AFFORDABLE HOUSING PROJECTS OR CERTAIN TYPES OF SPECIALIZED HOUSING SUCH AS EMERGENCY SHELTERS, TRANSITIONAL HOUSING AND SUPPORTIVE HOUSING”, was presented.

Recommended Action

Staff recommends that City Council adopt the attached Ordinance.

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

AYES: Councilmembers Morena, Himmelrich, Winterer, Jara,
Mayor Pro Tem O’Day, Mayor Davis
NOES: None
ABSENT: Councilmember McKeown

RESOLUTIONS:
NEW ROADS SCHOOL

*Councilmember Morena
excused at 11:34p.m.*

11.A. Public Hearing and Adoption of Resolution No. 11173 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA APPROVING THE ISSUANCE BY THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY OF ITS REVENUE OBLIGATIONS FOR THE BENEFIT OF NEW ROADS SCHOOL AND/OR A RELATED ENTITY IN AN AGGREGATE AMOUNT NOT TO EXCEED \$16,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE COST OF ACQUISITION, DEVELOPMENT, CONSTRUCTION, INSTALLATION, EQUIPPING AND FURNISHING OF CERTAIN FACILITIES, AND OTHER MATTERS RELATING THERETO”, was presented.

Recommended Action

Staff recommends that the City Council:

1. Hold a public hearing under the requirements of the Tax and Equity Fiscal Responsibility Act (“TEFRA”) and the Internal Revenue Code of 1986, as amended; and

- 2. Adopt a resolution approving the issuance of the Obligations by the CEDA for the benefit of New Roads School.

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

Motion by Councilmember Winterer, seconded by Councilmember Himmelrich, to adopt the staff recommendation. The motion was approved by the following vote:

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

CLIMATE ACTION & ADAPTATION PLAN

Councilmember Morena returned at 11:36 p.m.

11.B. Adopt the Final Draft of the Climate Action & Adaptation Plan, was presented.

Recommended Action

Staff recommends that the City Council:

- 1. Adopt attached Resolution No. 11174 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ADOPTING THE NEGATIVE DECLARATION FOR THE CLIMATE ACTION AND ADAPTATION PLAN” (Attachment E).**
- 2. Adopt attached Resolution No. 11175 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ADOPTING THE CLIMATE ACTION AND ADAPTATION PLAN” (Attachment A).**

Members of the public Denise Barton, Molly Baseler, Jerry Rubin, Marcia Hanson (time donated by Joan Klaus), Kathy Knight (time donated by Louise Steiner), Roy Vandehouk (time donated by Miriam Faugus), Mike Feinstein, Laurene Von Klan, Cris Gutierrez, and Diane Forte spoke generally in favor of the recommended action.

Questions asked and answered of staff included: why have the omissions in commercial and industrial gone up more over the past years; as part of the Clean Beaches initiative, what’s happening with the water that is collecting under the Pier; how do you nourish a beach; what can be done about the diesel burning Star Tour buses; what can be done about air travel to reduce the carbon offsets; is it not true that the city is 100% REX; how does the city get to the 100% renewable energy; do you capture all of the trips into the city; would moving food into the mitigation category affect the actions that we take; how do you see closing of the airport, which will reduce the emissions and pollution, but will increase the carbon sucking with large

trees and other green infrastructure into the plan; how does the tree ordinance fit into this; how do we make sure that the trees that are being planted are good for the environment; has there been any thought of creating a Farmer's Market permanent space; what part of the plan addresses building patterns; what is the biggest impediment to the city building more bike lanes sooner; what efforts is the city making to identify buildings that are the biggest energy users, and incentivizing them to clean up; is there a reason that the language on the staff report doesn't duplicate the language in the Plan; is the language suggested by Edison consistent with the Climate Plan, and is staff okay with the recommended language.

Considerable discussion ensued on topics including, but not limited to: homes near freeways, water conservation and the results to see where the city is with the new water restrictions and offsets; with the influx of visitors to the city, it increases our daily consumption numbers; food needs to get into the emissions category; an electrification policy; the Ballona Wetlands Restoration issue, and does it fit in this plan.

Motion by Councilmember Winterer, seconded by Councilmember Jara, to adopt the attached resolutions adopting the Final Negative Declaration.

The motion was approved by the following vote:

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

Motion by Councilmember Winterer, seconded by Councilmember Jara, to adopt the attached resolution adopting the Final Draft of the Climate Action and Adaptation Plan, with revision to the language as suggested by Southern California Edison.

Councilmember Himmelrich proposed a friendly amendment under Sustainable Mobility that language is included which addresses reducing City-sponsored air travel. The motion was considered friendly by the maker and seconder.

Councilmember Himmelrich, proposed a second friendly amendment under Vulnerability Assessment, refer to homes within 500 feet of freeways are known to get substantial higher exposure to carbon emissions. The motion was considered friendly by the maker and seconder.

Councilmember Morena, proposed a friendly amendment to include in the Ecosystem discussion the expansion of the Urban Forest including, but not limited to the proposed Airport Park.

The Mayor noted that the language proposed by Edison includes: where electrification of appliances is infeasible or not a customer choice, then a methane equivalent alternative such as renewable natural gas would be an option.

The recommendations were considered friendly by the maker and seconder.

Motion by Councilmember Winterer, seconded by Councilmember Jara, to adopt the attached resolution adopting the Final Draft of the Climate Action and Adaptation Plan, addressing the reduction of City-sponsored air travel, housing built near freeways, expansion of the urban forest, including the proposed Airport Park and inclusion of language provided by Southern California Edison.

The motion was approved by the following vote:

- AYES: Councilmembers Jara, Winterer, Himmelrich, Morena
Mayor Pro Tem O’Day, Mayor Davis
- NOES: None
- ABSENT: Councilmember McKeown

**COUNCILMEMBER
DISCUSSION ITEMS:
RAILVOLUTION**

13.A. Request of Councilmember McKeown for authorization to use his Council travel funds to attend the annual Railvolution conference September 8th through 10th in Vancouver, with a focus on transit, housing, and preventing gentrification, was presented.

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

Motion by Councilmember Winterer, seconded by Councilmember Himmelrich, to adopt the staff recommendation. The motion was approved by the following vote:

- AYES: Councilmembers Jara, Winterer, Himmelrich, Morena
Mayor Pro Tem O’Day, Mayor Davis
- NOES: None
- ABSENT: Councilmember McKeown

SAMOHI GRAD NITE

13.B. Request of Mayor Davis and Councilmember Winterer that the City Council allocate \$1500 of discretionary funds to Samohi Grad Nite, a 501(c)3, to close the shortfall between funding and expenses for June 2019. For 28 years Grad Nite has provided a safe, secure venue for graduating Santa Monica High School seniors to celebrate their achievements, was presented.

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

Motion by Councilmember Winterer, seconded by Councilmember Morena, to adopt the staff recommendation. The motion was approved by the following vote:

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

PUBLIC INPUT:


Member of the public Denise Barton commented on various local issues.

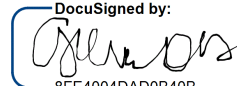
ADJOURNMENT

On order of the Mayor, the City Council meeting adjourned at 1:29 a.m.

ATTEST:

APPROVED:

DocuSigned by:

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Denise Anderson-Warren
City Clerk

DocuSigned by:

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Glean Davis
Mayor