

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

JULY 24, 2018

A regular meeting of the Santa Monica City Council was called to order by Mayor Winterer at 5:36 p.m., on Tuesday, July 24, 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
Councilmember Tony Vazquez

Absent: Councilmember Terry O'Day

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 5:36 p.m., with all members present except Councilmember O'Day. 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.

On order of the Mayor, the City Council recessed at 5:39 p.m., to consider closed sessions and returned at 7:11 p.m., with Councilmember O'Day absent, to report the following:

1.A. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): 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.B. Conference with Labor Negotiator - City Negotiator: Donna C. Peter, Director of Human Resources Bargaining Units: Coalition of Santa Monica City Employees (CSME)

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

1.C. Conference with Real Property Negotiator

Property: 175 Ocean Park Boulevard

Negotiator: Andy Agle, Dir. Housing and Economic Development

Under Negotiation: Price and terms

Owner of Record: City of Santa Monica

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): 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.E. 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.F. Conference with Legal Counsel – Anticipated Litigation –

Request to enter into a lawsuit as an amicus curiae, pursuant to §

54956.9: City and County of San Francisco v. Sessions, U.S. District

Court, Northern District of California, Case No. 17-CV-4642

The City Attorney advised this matter is a request to enter a lawsuit as an amicus curiae. The case seeks to invalidate three burn grant conditions related to immigration enforcement, and the amicus brief would be in support of the City and County of San Francisco.

Motion by Councilmember McKeown, seconded by Councilmember

Himmelrich, to join the amicus brief. The motion was unanimously approved by voice vote, with Councilmember O’Day absent.

1.G. Conference with Legal Counsel – Existing Litigation –

Litigation has been initiated formally pursuant to Government Code

Section 54956.9 (d)(1): Rodriguez v. City of Santa Monica, Los

Angeles Superior Court, Case No. BC 673809

The City Attorney advised this matter was brought after being struck by a city vehicle while in a crosswalk. The City Attorney's Office recommends a settlement in the amount of \$20,000.

Motion by Mayor Pro Tem Davis, seconded by Councilmember Himmelrich, to approve Settlement No. 10726 (CCS) in the amount of \$20,000. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmember O'Day

1.H. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9 (d)(1): Mironova v. City of Santa Monica, Los Angeles Superior Court, Case No. BC 631461

The City Attorney advised this matter was a trip and fall accident on a sidewalk displacement, and Ms. Mironova alleges injury to her teeth, elbow, hip, and shoulder. The City Attorney's Office recommended settlement in the amount of \$160,000.

Motion by Councilmember Himmelrich, seconded by Mayor Pro Tem Davis, to approve Settlement No. 10727 (CCS), in the amount of \$160,000. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmember O'Day

SPECIAL AGENDA ITEMS:

2.A. Proclamation declaring July 2018 as Park & Recreation Month, was presented by the Mayor

2.B. City Manager's Report: Code Enforcement Update, was presented.

REPORT ON COUNCIL TRAVEL

Councilmember Vazquez traveled to Carlsbad, CA for the Independent Cities Association Conference representing the City of Santa Monica. There was a presentation on cannabis and what other cities are doing.

Councilmember O'Connor traveled to Montreal, Canada for the Local Governments for Sustainability meeting where she did a presentation on regional issues regarding wildlife habitat, as well as a presentation on Santa Monica's Climate initiatives and financing of them. She also attended the

National League of Cities summer Leadership conference in Little Rock, Arkansas. As Chair of the Transportation and Infrastructure Committee, matters discussed included: issues concerning infrastructure and transportation, with regards to the Federal government and advocacy that will be taken on behalf of cities; and a presentation on Santa Monica Smart City efforts, with emphasis on mobility.

CONSENT CALENDAR:

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

Members of the public John Jerabek, Denise Barton, Jerry Rubin, Myla Reson, and Carter Rubin commented on various Consent Calendar items.

Mayor Pro Tem Davis recused herself from Item 3.O, due to a potential conflict of interest.

At the request of Councilmember Himmelrich, Item 3.C was removed and Councilmember O'Connor removed Item 3.V from the Consent Calendar.

The City Clerk announced that staff request Item 3.Q. be pulled from the agenda.

Motion by Councilmember Vazquez, seconded by Mayor Pro Tem Davis, to approve the Consent Calendar except for Items 3.C, 3.O, 3.V, and 3.Q, reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmember O'Day

PURCHASE NATURAL GAS VEHICLES

3.A. Award Bid for the Purchase of Six Compressed Natural Gas Passenger Vans, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4304 to Reynolds Buick, Inc., a California-based company, for the purchase and delivery of six Compressed Natural Gas-powered passenger vans with the option to purchase up to three additional vans over a one-year option period; and
2. Authorize the Purchasing Services Manager to issue a purchase order with Reynolds Buick, Inc. for the purchase and delivery of six Compressed Natural Gas-powered passenger vans in the amount not to exceed \$321,145 for year one, with one additional renewal option year in the amount of \$160,573, for a total amount not to exceed

\$481,718, with future year funding contingent on Council budget approval.

REAL ESTATE BROKER SERVICES

3.B. Award Agreement to Corporate Realty Group, Inc. for Commercial Real Estate Broker Services at the Santa Monica Airport, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award RFP# 167 to Corporate Realty Group Inc., a California-based company, to provide commercial real estate broker and related consultant services for Santa Monica Airport; and
2. Authorize the City Manager to negotiate and execute Agreement No. 10713 (CCS) with Corporate Realty Group Inc. in an amount not to exceed \$430,611 (including a 10% contingency) for three years, with two one-year renewal options in the amounts of \$639,634 in year one and \$74,794 in year two, for a total amount not to exceed \$1,145,039 over a five-year period, with future year funding contingent on Council approval.

SAFETY TRAINING

3.D. Contract Modifications with ehs International, Inc. (“EHS”) and Global Environmental Network, Inc. (“GEN”) to Supply Required Cal/OSHA Safety Training to City Employees, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute first modifications for two employee safety-training Agreements:

1. Modification to Agreement No. 10715 (CCS) in the amount of \$263,360 with ehs International, Inc. (“EHS”) a California based company, for Cal/OSHA safety training. This will result in a 5-year amended agreement with a total contract amount not to exceed \$438,260, with future year funding contingent on Council budget approval.
2. Modification to Agreement No. 10716 (CCS) in the amount of \$183,480 with Global Environmental Network, Inc. (“GEN”), a California based company, for Cal/OSHA safety training. This will result in a 5-year amended agreement with a total contract amount not to exceed \$305,800, with future year funding contingent on Council budget approval.

PIER

3.E. Award Agreement to John S. Meek Company, Inc. for Pier Deck Board Replacements and Nail Patrol Services, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4331 to John S. Meek Company, Inc., a California-based company, for deck board replacements, nail patrol services and related repairs at the Santa Monica Pier; and
2. Authorize the City Manager to negotiate and execute Agreement No. 10717 (CCS) with John S. Meek Company, Inc., in an amount not to exceed \$438,900 for two years, with one additional three-year renewal option with a 9% increase per year, for a total amount not to exceed \$1,256,789 over a five-year period, with future year funding contingent on Council budget approval.

TRUCK PARTS

3.F. Award Bid to Completes Plus for Auto and Light-Duty Truck Parts, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4305 to Completes Plus, a California-based company, for the purchase and delivery of auto and light-duty truck parts; and
2. Authorize the Purchasing Services Manager to issue a purchase order with Completes Plus for the purchase and delivery of auto and light-duty truck parts in the amount not to exceed \$80,675 for one year, with four additional one-year renewal options to extend on the same terms and conditions, for a total amount not to exceed \$403,375 with future year funding contingent on Council budget approval.

CNG TRUCKS

3.G. Purchase of Three Compressed Natural Gas Stake-Bed Trucks Recommended Action, was approved.

Staff recommends that the City Council:

1. Award Bid #4300 to Reynolds Buick, Inc., a California-based company, for the purchase of one Compressed Natural Gas (CNG) stake-bed truck with the option to purchase up to two additional stake-bed trucks over a one-year option period; and
2. Authorize the Purchasing Services Manager to issue a purchase order with Reynolds Buick, Inc. for the purchase of three CNG stake-bed trucks in the amount not to exceed \$267,135. The City is utilizing the option to purchase an additional two vehicles at this time.

SOFTWARE SERVICES

3.H. Sixth Modification of Contract with Rimini Street for Maintenance and Support of the City's Financial and Human Resources Systems, was approved.

Recommended Action

Staff recommends that City Council authorize the City Manager to negotiate and execute a sixth modification to Master Services Agreement

#9635 (CCS), in the amount of \$167,767, with Rimini Street Inc., a Nevada-based company for software maintenance and support services of the City's payroll and financial systems. This will result in a seven-year amended agreement with a new total amount not to exceed \$690,708, with future year funding contingent on Council budget approval.

**STREETLIGHT
SUPPLIES AND PARTS**

3.I. Award Bid to One Source Distributors for Streetlight Electrical Parts, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4351 to One Source Distributors, a California-based company, for the purchase and delivery of streetlight repair supplies and parts; and
2. Authorize the Purchasing Services Manager to issue a purchase order with One Source Distributors for the purchase and delivery of streetlight repair supplies and parts in the amount not to exceed \$200,450 for one year, with four additional one-year renewal options to extend at a 4% price increase annually for a total amount not to exceed \$1,085,702, with future year funding contingent on Council budget approval.

**SOFTWARE
DEVELOPMENT**

3.J. Contract Modification with CityGrows for Software Development, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute a first modification to Agreement No. 10718 (CCS) in the amount of \$70,000 with CityGrows, a Los Angeles-based company, for software development. 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 \$138,000 with future year funding contingent on Council budget approval. Staff recommends that the City Council authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

WATER TREATMENT

3.K. Award Contract for Reservoir Water Treatment Mixing and Disinfectant Control, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award RFP #SP2544 to Process Solutions, Inc., a California based company, for the water treatment mixing and disinfectant control systems at the Mount Olivette, Riviera, and San Vicente Reservoirs Project;
2. Authorize the City Manager to negotiate and execute Agreement

No. 10719 (CCS) with Process Solutions, Inc. in an amount not to exceed \$1,000,000 (including a 16.3% contingency) for the design-build of disinfectant control systems at three reservoirs to automate adjustment of the City's drinking water quality;

3. Authorize the budget changes, including appropriations, as outlined in the Financial Impact and Budget Actions Section of this report.

PLASTIC BINS

3.L. Reject Bid for the Purchase of Solid Waste Plastic Bins, was approved.

Recommended Action

Staff recommends that the City Council:

1. Reject all bids for Bid #4275 for the purchase of 2-, 3-, and 4-yard plastic solid waste containers, and
2. Direct staff to reissue a bid to obtain the best bidder for the purchase of plastic solid waste containers.

ADVANCED TRAFFIC MANAGEMENT SYSTEM

3.M. Award Bid for the Advanced Traffic Management System, Phase 5 Project, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #SP2329 to Elencor Belco Electric, Inc, California-based company, for the Advanced Traffic Management System Phase 5 Project;
2. Authorize the City Manager to negotiate and execute Contract No. 10720 (CCS) with Elencor Belco Electric, Inc, in an amount not to exceed \$1,748,476 (including a 10% contingency);
3. Authorize the Director of Planning and Community Development to issue any necessary change orders to complete additional work within contract authority.

BUS PURCHASE

3.N. Purchase of One Battery Electric 40-Foot Bus from Gillig LLC, was approved.

Recommended Action

Staff recommends that the City Council:

1. Authorize the City Manager to negotiate and execute a sixth modification to Agreement #9855 with Gillig, LLC, a California-based company, to furnish and deliver one 40-foot battery electric bus (BEB) in an amount not to exceed \$429,559. This would result in a four-year amended agreement with a new total amount not to exceed \$45,643,006.
2. Authorize the City Manager to negotiate and execute Agreement No. 10721 (CCS) with the Center for Transportation and Excellence (CTE) to assist in the assessment of charging equipment and BEB technology for the BEB. This recommended award is made as an

exception to the competitive bidding process pursuant to Section 2.24.080 (A) and is for an amount not to exceed \$131,500, with future year funding contingent on Council budget approval.

**FLEET MAINTENANCE
AND REPAIRS**

3.P. Award Bid for Purchase of Detroit Diesel and Allison Engine and Parts, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4322 to Dartco Transmission Sales & Service Inc., a California-based company for the purchase of new Detroit Diesel and Allison engine and transmission parts;
2. Authorize the Purchasing Services Manager to issue a purchase order with Dartco Transmission Sales & Service Inc. for the purchase of Detroit Diesel and Allison Transmissions parts in the amount not to exceed \$100,658 for one year, with three-additional one-year renewal options to extend on the same terms and conditions for a total amount not to exceed \$421,117, which includes a 10% contingency and applicable taxes, with future year funding contingent on Council budget approval.

UNIFORMS

3.Q. Award Contract to Provide Motor Coach Operator Uniforms, was pulled at the request of staff.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4353 to two (2) vendors, providing two options for our Motor Coach Operator (MCO) uniforms. The contract awards would go to Becnel Uniforms, a California-based company, and Galls, a California-based company, for the provision of uniform supplies and related services for Big Blue Bus MCOs.
2. Authorize the City Manager to negotiate and execute separate agreements with Becnel Uniforms and Galls, with each not to exceed \$136,200 for the first year, with four additional one-year options to renew, for a total not to exceed \$681,000 for both agreements over a five year period with future funding contingent on City budget approval

POP-UP PARKLETS

3.R. License Agreement with DTSM, Inc. for Temporary Pop-Up Parklets, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute license Agreement No. 10722 (CCS) with Downtown Santa Monica, Inc. (DTSM), a California-based not-for-profit corporation, to facilitate the deployment of temporary pop-up parklets in the on-street

parking zone of downtown commercial streets. The proposed license agreement will have a term of one year, with four one-year extension options.

KCRW

3.S. KCRW Professional Services Award to Broadcast Regular City Council Meetings, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute Agreement No. 10723 (CCS) with Santa Monica Community College District (SMMCD), a California-based community college, to broadcast regular City Council meetings for up to one year. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24,080 (a-f) and is for a total not to exceed \$94,416 with future year funding contingent on Council budget approval.

BIG BLUE BUS

3.T. Adoption of Big Blue Bus Drug & Alcohol Program, was approved.

Recommended Action

Staff recommends that the City Council adopt the Big Blue Bus Drug and Alcohol Program, as required by the Federal Transit Administration.

TESTING SERVICES

3.U. Award Bid for Drug and Alcohol Collection Testing Services, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award RFP #177 to Barry Leeder, Inc., dba Collections Plus, a California-based company, for providing drug and alcohol collection testing services; and
2. Authorize the City Manager to negotiate and execute Agreement No. 10724 (CCS) with Collections Plus, in an amount not to exceed \$188,140 (including a 10% contingency) for three years, with two additional one-year renewal options in the amount of \$69,340 for the first option, and \$65,340 for the second option, on the same terms and conditions, for a total amount not to exceed \$322,820 over a five-year period with future year funding contingent on Council budget approval.

MINUTES

3.W. City Council Minutes - Regular Meeting - Apr 24, 2018, were approved.

**SANTA MONICA
GROUNDWATER BASIN**

3.C. Joint Funding Agreement with the U.S. Geological Survey (USGS), for Hydrogeologic Sampling, Planning and Installation of a

Deep Nested Monitoring Well, and Development of a Basin-Wide Hydrogeologic Model for the Santa Monica Groundwater Basin, was presented.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute Joint Funding Agreement (JFA) No. 10714 (CCS) with the U.S. Geological Survey (USGS), an agency within the United States Department of the Interior, for hydrogeologic sampling, planning and installation of a deep nested monitoring well, and development of a basin-wide hydrogeologic model for the Santa Monica Groundwater Basin. This recommendation is made as an exception to the competitive bidding process pursuant to Section 2.24.080 (d) and is for an initial amount not to exceed \$1,800,000. Future year funding is contingent on Council budget approval.

Pulled by Councilmember Himmelrich to get answers to the following questions: who is funding the \$1.8 million, and will there be any additional costs; did this go to the Task Force on the Environment; and, what is the significance of this well.

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

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

BIKE NETWORK LINKAGES

3.V. Award Construction Contract for Bike Network Linkages to Exposition Light Rail Project, was presented.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #SP2390 to Elecnor Belco Electric Inc., a California-based company, to provide construction services for the Bike Network Linkages to Exposition Light Rail Project;
2. Authorize the City Manager to negotiate and execute Contract No. 10725 (CCS) with Elecnor Belco Electric Inc. in an amount not to exceed \$5,214,148, including a 5 percent contingency;
3. Authorize the Director of Finance to allocate up to \$2 million in additional local match from FY 2017-2018 savings to be repaid from future funding sources, and approve changes outlined in the Financial Impacts and Budget Action section of the report;
4. 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 O'Connor to ask if this project was a protected bike lane. As well as curb cuts, and where are we with protected bike lanes.

Motion by Councilmember O'Connor, seconded by Councilmember Vazquez, to approve the recommended action. The motion was approved by the following vote:

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

WINDWARD SCHOOL

*Mayor Pro Tem Davis
excused at 8:26 p.m.*

3.O. Windward School Lease Amendment, was presented.

Recommended Action

Staff recommends that the City Council:

1. Authorize the City Manager to negotiate and execute a sixth amendment to the Windward School lease Agreement No. 5457 (CCS) to modify the provisions regarding the shared use of school facilities and,
2. Authorize the City Manager to sign, as Landlord, Windward School's Master Plan Land Use Application.

Motion by Councilmember McKeown, seconded by Councilmember Vazquez, to approve the recommended action. The motion was approved by the following vote:

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

ORDINANCES: LIBRARY GENERAL OBLIGATION BONDS

*Mayor Pro Tem Davis
returned at 8:28 p.m.*

7.A. Ordinance No. 2580 (CCS) entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA SETTING THE 2017/18 TAX RATE FOR THE LIBRARY GENERAL OBLIGATION BONDS", was presented.

Recommended Action

Staff recommends that the City Council adopt the attached ordinance (Attachment A) setting the FY 2018-19 tax rate for the 2012 Library General Obligation Bonds.

There were no members of the public present.

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

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

**ELECTRONIC
SIGNATURES**

7.B. Ordinance Authorizing the Use of Electronic Signatures on City Records, was presented.

Recommended Action

Staff recommends the City Council introduce for first reading the attached ordinance enabling the use of digital signatures and authorizing the City Manager to delegate signature authority under certain circumstances.

Member of the public Denise Barton spoke in opposition of the recommended action.

Questions asked and answered of staff included, is it standard to allow the City Manager to delegate his authority to sign contracts, and expressed concerns about the dollar amount and if department heads are allowed to delegate signing authority as well.

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

**STAFF
ADMINISTRATIVE
ITEMS:
QUALIFIED INITIATIVE
PETITION**

8.A. Qualified Initiative Petition amending the City Charter to establish term limits for members of the City Council, was presented.

Recommended Action

Staff recommends that the City Council:

1. Receive and file the attached Certification of Qualification regarding an initiative measure that proposes an amendment to the City Charter that would limit the time a person may serve on the City Council to three terms;

2. Adopt attached **Resolution No. 11128 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA SUBMITTING TO THE VOTERS AN INITIATIVE MEASURE TO AMEND THE CITY CHARTER TO LIMIT THE TIME A PERSON MAY SERVE ON THE CITY COUNCIL TO THREE TERMS.”**

Members of the public Jerry Rubin, spoke in opposition of the recommended action.

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

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

Mayor Pro Tem Davis will represent the City Council in writing the Argument Against the ballot measure.

BOARDS AND COMMISSIONS ELIGIBILITY

8.B. Proposed Ballot Measure Amending the City Charter to Amend Boards and Commissions Eligibility Requirement, was presented.

Recommended Action

Staff recommends that the City Council:

- 1) Adopt attached **Resolution No. 11129 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA SUBMITTING TO THE VOTERS A MEASURE AMENDING THE CITY CHARTER TO CHANGE THE ELIGIBILITY REQUIREMENT FOR THE LIBRARY BOARD, PERSONNEL BOARD, AND AIRPORT COMMISSION FROM QUALIFIED ELECTOR OF THE CITY OF SANTA MONICA TO RESIDENT OF THE CITY OF SANTA MONICA AND TO ENSURE COMPLIANCE WITH APPLICABLE LAWS RELATED TO COMPENSATION AND REIMBURSEMENT”**
- 2) Introduce for first reading the attached ordinance (Attachment B) amending Santa Monica Municipal Code Section 2.48.010 to change the eligibility requirement for serving on the Commission for the Senior Community from elector of the City to resident of the City and amending Section 2.32.270 to ensure compliance with applicable laws.

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

Motion by Councilmember McKeown, seconded by Councilmember Vazquez, to adopt Resolution No. 11129 (CCS) submitting to the voters a measure amending City Charter Sections 1009, 1011, and 1015 to change the eligibility requirement for the Library Board, Personnel Board and Airport Commission from qualified electoral of the City of Santa Monica to resident of the City of Santa Monica and amending the City Charter Section 1005 to ensure compliance with applicable laws. The motion was approved by the following vote:

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

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

Mayor Winterer will represent the City Council in writing the Argument in Favor of the ballot measure.

SAFE STREETS

8.C. Proceed with Final Design phase for the Safe Streets for 17th Street & Michigan Avenue Project, was presented.

Recommended Action

Staff recommends that the City Council direct staff to proceed with the Final Design phase for the Safe Streets for 17th Street and Michigan Avenue project.

Members of the public Carter Rubin and Oscar Duenas, spoke generally in favor of the recommended action.

Questions asked and answered of staff included but not limited to: will those arriving in a paratransit van be able to park on 17th Street; have you thought about a different name other than bike lanes because there are a variety of vehicles using those lanes; and, will this project cost more than what is being granted by the Federal government or will the city have to pay for some of this project.

Considerable discussion ensued on the topics included, but not limited to:

finding solutions for dealing with parking in residential areas; this will make 17th Street a safer street for those bicycling; and consider those with disabilities and making sure they have access.

Motion by Councilmember McKeown, seconded by Councilmember O'Connor, to direct staff to proceed with the Final Design phase for the Safe Streets for 17th Street and Michigan Avenue project, and direct staff to look at the parking question on residential streets, and communicate with the college to see if there is a safe way through the college between Pico and Ocean Park Blvd. The motion was approved by the following vote:

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

HOUSING TRUST FUND

8.D. Approve the Proposed Housing Trust Funds Initial Plan, was presented.

Recommended Action

Staff recommends that the City Council approve the proposed Housing Trust Funds Initial Plan, as recommended by the Housing Commission, which would establish priority goals and funding allocations among target populations for the use of housing trust funds, as described in Attachment A.

Members of the public Michael B. Soloff, Richard Hilton, Tara Barauskas, Denise Barton, Nicole Phillis, and Denny Zane (time donated by Sonya Sultan), spoke generally in favor of the recommended action.

Considerable discussion and questions of staff ensued on topics including, but not limited to: concern about setting a soft cap on a dollar amount could be limiting; need to figure out a way to boost affordable housing; stop thinking about the POD program is a pilot program, but instead as a long-term subsidy program; determining the priorities on who qualifies for this program; concerns about committing the full \$2 million dollars right away, when there is an equal concern about a potential for a recession in the near future

Motion by Councilmember Himmelrich, seconded by Councilmember Vazquez, to adopt the staff recommendation, incorporating the directions concerning unusual opportunities with respect to the soft cap. This includes: matching funds from tax credits or any federal funds; cheaper or unusual methods of construction; looking at not just the number of rooms, but also the number of bedrooms.

Mayor Winterer proposed a friendly amendment that the city should endeavor to spend \$15 million per year on affordable housing production considered quality projects that have a reasonable cost per unit and serve a diversity of constituents. The motion was considered friendly by the maker and seconder.

Mayor Pro Tem Davis proposed a friendly amendment to spend at least \$15 or \$18 million. The motion was considered friendly by the maker and seconder.

Councilmember McKeown proposed a friendly motion direction to staff to look at ways for the citywide affordable housing production plan could be modified to get the city to its Prop. R goals the way the Downtown Plan was modified. The motion was considered friendly by the maker and seconder.

The motion was restated and approved, with amendments by the following vote:

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

NOES: None

ABSENT: Councilmember O'Day

COMPENSATION PHILOSOPHY

8.E. Adoption of a Compensation Philosophy, was presented.

Recommended Action

Staff recommends that the City Council approve the proposed Compensation Philosophy, a statement that documents the City's approach to establishing staff compensation.

There were no members of the public present.

Discussion ensued with suggestions to propose new language and make a few minor changes to the Compensation philosophy language. The Deputy City Attorney read into the record the language changes to the Compensation Policy. The City Manager and Council discussed further changes.

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

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

NOES: None

ABSENT: Councilmember O’Day

**PUBLIC HEARINGS:
STORMWATER PARCEL
REPORTS**

9.A. Public Hearing and Approval of the Stormwater Parcel Reports, and Stormwater Management User Fees and Clean Beaches and Ocean Parcel Taxes for Fiscal Year 2018-19, was presented.

Recommended Action

Staff recommends that the City Council hold a public hearing, receive public comment and approve the proposed 2018 Stormwater Parcel Reports pursuant to the California Health and Safety Code, and Stormwater Management User Fees and Clean Beaches and Ocean Parcel Taxes for Fiscal Year 2018-19.

There were no members of the public present.

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

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

NOES: None

ABSENT: Councilmember O’Day

**RESOLUTIONS:
CITY CHARTER
AMENDMENT**

11.A. Adoption of a Resolution entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA SUBMITTING TO THE VOTERS A MEASURE TO AMEND CITY CHARTER SECTION 1804, IN THE EVENT THAT THE STATEWIDE VOTER INITIATIVE TITLED THE AFFORDABLE HOUSING ACT IS ADOPTED, TO MAINTAIN CURRENT BASE RENT CEILINGS FOR EXISTING TENANCIES AND ESTABLISH NEW BASE RENT CEILINGS FOR TENANCIES COMMENCING ON OR AFTER APRIL 1, 2018”, was presented.

Recommended Action

The City Attorney recommends that the City Council review and consider adopting the attached resolution (Attachment A) placing a measure on the November 6, 2018 ballot that would amend Section 1804 of the City Charter to: a) maintain base rent ceilings for existing residential tenancies; and b) establish base rent ceilings for new residential tenancies commencing on or after April 1, 2018, for purposes of calculating maximum allowable rents within the City. The measure would become effective only if the Affordable Housing Act, a statewide voter initiative that would repeal the Costa-Hawkins Rental Housing Act (“Costa-Hawkins Act”) is adopted at the Statewide General Election on November 6, 2018.

Members of the public Bill Dawson, Michael Soloff, Matt Stauffer, Kevin Kozal, Linda Lancaster, Nicole Phillis, Sonya Sultan, and Jennifer Kennedy spoke in opposition of the recommendation.

Questions asked and answered of staff included, is there confidence that the Rent Control Board has the authority to set a base rate ceiling if the statewide Costa-Hawkins law passes in November; and, why and how will the April 1st versus the November 6th date.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Davis, to pass on this matter, and leave this to the Rent Control Board to address.

The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmember O’Day

COUNCILMEMBER
DISCUSSION ITEMS:
ANNUAL
APPOINTMENTS

13.A. Annual Appointments to Boards and Commissions for terms ending June 30, 2018, was continued to a future meeting.

Board/Commission	No. of Appts.	Term Ending
Airport Commission	1	6/30/2022
Architectural Review Board	2	6/30/2022
Arts Commission <i>(Must reside or work in the City of Santa Monica)</i>	2	6/30/2022
Commission for the Senior Community	3	6/30/2022
Commission on the Status of Women	2	6/30/2022
Disabilities Commission <i>(One must be a person with a self-identified disability)</i>	3	6/30/2022
Downtown Santa Monica, Inc. <i>(Must live, work, own property, or hold a business license in the City of Santa Monica)</i>	3	6/30/2022
Housing Commission	2	6/30/2022
Landmarks Commission <i>(One appointment must be a local historian. One appointment must be an architect historian)</i>	3	6/30/2022

Personnel Board	1	6/30/2023
Planning Commission	1	6/30/2022
Recreation and Parks Commission	2	6/30/2022
Santa Monica Library Board	2	6/30/2022
Santa Monica Travel & Tourism, Inc.	1	6/30/2021
Santa Monica Travel & Tourism, Inc.	3	6/30/2022
Social Services Commission	2	6/30/2022

**CLEAN BEACHES
OCEAN PARCEL TAX
CITIZENS OVERSIGHT
COMMITTEE**

13.B. Appointment to two unscheduled vacancies on the Clean Beaches Ocean Parcel Tax Citizens Oversight Committee for one term ending 12/31/2018 and one term ending 12/31/2019, was continued to a future meeting.

**LEAGUE OF
CALIFORNIA CITIES
ANNUAL CONFERENCE**

13.C. Designation of voting delegate and alternate(s) for the League of California Cities Annual Conference and Business Meeting, to be held September 12 through September 14, 2018, in Long Beach, California, was presented.

There were no members of the public present.

Councilmember Himmelrich nominated Councilmember Vazquez to serve as the delegate for the League of California Cities annual conference. There being no other nominations, Councilmember Vazquez was appointed by acclamation, with Councilmember O'Day absent.

PUBLIC INPUT:

Members of the public Michael Rowe, Denise Barton, Danielle Borgia, Walt Davis, and David Fetterman commented on various local issues.

ADJOURNMENT

On order of the Mayor, the City Council meeting adjourned at 11:52 p.m.

ATTEST:

APPROVED:

Denise Anderson-Warren

Ted Winterer
Ted Winterer (Nov 20, 2018)

Denise Anderson-Warren
City Clerk

Ted Winterer
Mayor