

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

MARCH 27, 2012

A regular meeting of the Santa Monica City Council was called to order by Mayor Bloom at 5:37 p.m., on Tuesday, March 27, 2012, at City Council Chambers, 1685 Main Street.

Roll Call: Present: Mayor Richard Bloom
Mayor Pro Tem Gleam Davis
Councilmember Robert T. Holbrook
Councilmember Kevin McKeown
Councilmember Terry O'Day
Councilmember Bobby Shriver (arrived at 6:01 p.m.)

Absent: Councilmember Pam O'Connor

Also Present: City Manager Rod Gould
City Attorney Marsha Jones Moutrie
City Clerk Maria M. Stewart

CONVENE/PLEDGE On order of Mayor, the City Council convened at 5:37 p.m., with Councilmembers O'Connor and Shriver absent. Councilmember McKeown led the assemblage in the Pledge of Allegiance.

CLOSED SESSIONS Members of the public Roger Diamond and Richard McDonald commented on Item 1-D.

Councilmember Shriver arrived at 6:01 p.m. On order of the Mayor, the City Council recessed at 5:44 p.m., to consider closed sessions and returned at 6:34 p.m., with Councilmember O'Connor absent, to report the following:

1-A: **Conference with Legal Counsel – Existing Litigation: Bilet Properties, et al. v. City of Santa Monica, Los Angeles Superior Court Case Number SS 020333.**

City Attorney Marsha Moutrie reported that this item was heard with no reportable action taken.

1-B: **Conference with Legal Counsel – Existing Litigation: Lamle v. City of Santa Monica, et al., USDC, Case No. CV 04-06355 HGK (SHx).**

City Attorney Marsha Moutrie reported that this item was heard with no reportable action taken.

1-C: Conference with Legal Counsel – Existing Litigation:
Charmont Partners Ltd. and The Sovereign Restoration Partners v. City of Santa Monica, Los Angeles Superior Court Case Number BS 135739.

City Attorney Marsha Moutrie reported that this item was heard with no reportable action taken.

1-D: Conference with Legal Counsel – Existing Litigation:
McDonald and Golden State Collective v. City of Santa Monica, et al., Los Angeles Superior Court Case No. SS 0022090.

City Attorney Marsha Moutrie reported that this item was heard with no reportable action taken.

CONSENT CALENDAR:

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

Members of the public Joy Fullmer, Ann Kirby, Louisa Fish, Denise Barton, Zina Josephs, Roger Swanson, and Ellen Hannan commented on various Consent Calendar items.

At the request of Councilmember Shriver, Item 3-K was removed from the Consent Calendar.

City Attorney Marsha Moutrie advised, that the resolution for Item 3-F contained a typographical error which requested council to “ordain” rather than “resolve” and that the resolution and has been corrected.

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

AYES: Councilmembers McKeown, O’Day, Holbrook, Shriver,
Mayor Pro Tem Davis, Mayor Bloom

NOES: None

ABSENT: Councilmember O’Connor

20TH/CLOVERFIELD

3-A: 20th and Cloverfield Improvement Project – recommendation to authorize the City Manager to negotiate and execute Contract No. 9562 (CCS) with All American Asphalt, in the amount of \$4,013,054, for construction services for the project; and, a contract with Black and Veatch, in the amount of \$385,670, for construction services for the project, was approved.

BBB WASH VACUUM

3-B: Big Blue Bus wash-vacuum system refurbishment – recommendation to award Bid No. 3075 to Peterson Hydraulics Inc., in the amount of \$219,000, for the Big Blue Bus wash vacuum system refurbishment, was approved.

BBB TRANSMISSION REPAIR

3-C: Big Blue Bus transmission repair services – recommendation to award Bid No. 3072 to HD Industries, in the amount of \$200,000, to provide ZF transmission overhaul and repair services for a one-year term, was approved.

SUSTAINABLE WATER MASTER PLAN

3-D: Development of Sustainable Water Master Plan – recommendation to authorize the City Manager to negotiate and execute Contract No. 9563 (CCS) with Kennedy/Jenks Consultants, in the amount of \$871,856, to prepare a Sustainable Water Master Plan; and, authorize the proposed budget changes and appropriation of budget increases, was approved.

UTILITY USERS TAX/ FRANCHISE FEE

3-E: Utility Users Tax and Utility Franchise Fee audit and revenue recovery services – recommendation to authorize the City Manager to negotiate and execute an amendment to Contract No. 6221 with Muni-Services LLC, to conduct revenue recovery services for an additional year; fees to be negotiated at time audit is requested not to exceed 25% of the audit findings, was approved.

PERFORMANCE HOURS FOR PROMENADE, PIER, TRANSIT MALL

3-F: Adoption of Resolution No. 10666 (CCS) entitled “AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA TO ADD MARTIN LUTHER KING, JR. DAY AS ONE OF THE HOLIDAYS FOR WHICH SPECIAL PERFORMANCE HOURS APPLY ON THE THIRD STREET PROMENADE, THE TRANSIT MALL, AND THE PIER”, was approved.

PACIFIC PARK

3-G: Transfer of Santa Monica Amusement by MAPCO, LLC. – recommendation to consent to the transfer of the membership shares in Santa Monica Amusements to MAPCO, for continued operation of Pacific Park on the Santa Monica Pier; and, authorize the City Manager to execute the appropriate documents evidencing the City’s consent, was approved.

PICO BRANCH LIBRARY 3-H: **Pico Branch Library construction management services** – recommendation to authorize the City Manager to negotiate and execute Contract No. 9564 (CCS) with Swinerton Management and Consulting, in the amount of \$768,020, for construction management services for the project; and, appropriate the proposed budget increases, was approved.

CITYTV 3-I: **Recommendation to appropriate proposed budget increases for the purchase of CityTV Studio equipment**, was approved.

LINCOLN BOULEVARD STREETScape 3-J: **Grant funds application for Lincoln Boulevard streetscape design** – recommendation to adopt Resolution No. 10665 (CCS) entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF TRANSPORTATION COMMUNITY-BASED TRANSPORTATION PLANNING GRANT PROGRAM FOR FUNDING IN FISCAL YEAR 2012-13 AND THE EXECUTION OF DOCUMENTS NECESSARY TO PARTICIPATE IN THE PROGRAM”, was approved.

REDEVELOPMENT SUCCESSOR AGENCY: CONFLICT OF INTEREST CODE 3-L: **Recommendation to adopt Resolution No. 10667 (CCS)** entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING THE CITY'S CONFLICT OF INTEREST CODE TO REVISE THE DESIGNATED POSITIONS FOR WHICH STATEMENTS OF ECONOMIC INTEREST ARE REQUIRED TO BE FILED”, was approved.

SB1220 3-K: **Letter of support for SB1220 – *The Housing Opportunity Trust Act of 2012*** – recommendation to support Senate Bill 1220 and direct staff to forward a letter of support to the City’s Sacramento delegation, was presented.

Councilmember Shriver advised he removed this item to provide staff the opportunity to explain how the legislation is supposed to work. Staff provided additional information and answered questions from Councilmembers.

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

AYES: Councilmembers McKeown, O’Day, Holbrook, Shriver, Mayor Pro Tem Davis, Mayor Bloom
NOES: None
ABSENT: Councilmember O’Connor

ORDINANCES:
CALIFORNIA PUBLIC
EMPLOYEES’
RETIREMENT SYSTEM

7-A: Amendment to contract with the California Public Employees’ Retirement System – recommendation to hold a public hearing and receive public comment; adopt Resolution No. 10668 (CCS) entitled “RESOLUTION OF INTENTION TO APPROVE AND AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM AND THE CITY COUNCIL”; and, introduce for first reading an ordinance authorizing the amendment to the contract, was presented.

Member of the public Denise Barton spoke in opposition to the recommendation.

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

- AYES: Councilmembers McKeown, O’Day, Holbrook, Shriver,
Mayor Pro Tem Davis, Mayor Bloom
NOES: None
ABSENT: Councilmember O’Connor

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

- AYES: Councilmembers Shriver, Holbrook, O’Day, McKeown,
Mayor Pro Tem Davis, Mayor Bloom
NOES: None
ABSENT: Councilmember O’Connor

MAIN STREET SIGNAGE

7-B: Introduction and first reading of an interim ordinance extending certain provisions of Ordinance 2359 (CCS), that established a new permitted temporary portable sign type for properties located within the Main Street Commercial Zoning District, was presented.

There was no one present for public comment.

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

AYES: Councilmembers McKeown, O'Day, Holbrook, Shriver,
Mayor Pro Tem Davis, Mayor Bloom
NOES: None
ABSENT: Councilmember O'Connor

STAFF ITEMS:
CITY HALL

8-A: City Hall Office Space Assessment – recommendation to provide input and direction on recommended site for a City Services Building in order to consolidate offsite staff at the Civic Center; and authorize staff to seek proposals for initial design for the building on the selected site, east of City Hall, was presented.

Member of the public Louisa Fish commented on various aspects of the recommendation.

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

AYES: Councilmembers Shriver, Holbrook, O'Day, McKeown,
Mayor Pro Tem Davis, Mayor Bloom
NOES: None
ABSENT: Councilmember O'Connor

PIER PARKING

8-B: Pier Parking Replacement Assessment - recommendation to provide input and direction on proposed concept of replacement parking for the Pier; authorize staff to seek proposals for initial design services, was presented.

Members of the public Jeff Kocke, Erin Deviny, Cindy Pfeifer, and Ellen Brennan spoke in favor of the recommendation.

Motion by Mayor Pro Tem Davis, seconded by Councilmember O'Day, to approve recommendation.

Motion to amend by Councilmember McKeown to give direction to include looking at other parking alternatives and solutions. The maker and seconder accepted the motion as friendly. The motion, as amended, was approved by the following vote:

AYES: Councilmembers McKeown, O'Day, Holbrook, Shriver,
Mayor Pro Tem Davis, Mayor Bloom
NOES: None
ABSENT: Councilmember O'Connor

ELECTORAL PROCESS

8-C: **Resolution No. 10669 (CCS)** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA TO SAFEGUARD FREE AND FAIR ELECTIONS AND OUR DEMOCRATIC PROCESS", was presented.

Members of the public Denise Barton, Michael Toney, Christel Andersen, Cris Gutierrez, and Ellen Brennan spoke in support efforts directed to election reform.

Motion by Councilmember McKeown, seconded by Councilmember O'Day, to approve recommendation.

Motion to amend by Mayor Pro Tem Davis, that in Section 1 of the resolution add the following language, "The City of Santa Monica supports efforts to ensure the fairness of our electoral process." To delete the following language on page 1: "...the Move To Amend campaign and other efforts". And on page 2 remove the comma and the word "especially" before the phrase "with regard to corporate participation in political campaigns." The motion was accepted as friendly by the maker and the seconder of the motion.

The motion, as amended, was approved by the following vote:

AYES: Councilmembers Shriver, Holbrook, O'Day, McKeown,
Mayor Pro Tem Davis, Mayor Bloom
NOES: None
ABSENT: Councilmember O'Connor

COUNCIL ITEMS: HOUSING COMMISSION

13-A: **Appointment to one unscheduled vacancy on the Housing Commission for a term ending June 30, 2014**, was continued to a future meeting.

HOUSING BILLS

13-B: **Request of Councilmember McKeown that the Council support or oppose various housing bills currently in the California Legislature that will affect affordable housing and rent control policy in Santa Monica, and that our support or opposition on the following bills be conveyed to members of the legislature and to the Governor as appropriate**, was presented.

SUPPORT

SB 1055 (Lieu) - rent payments
AB 1865 (Alejo) - notification of legal options
AB 1547 (Eng) - foreclosures
SB 708 (Corbett) - foreclosures

OPPOSE

AB 317 (Calderon) - mobile home rent control change
AB 2044 (Wagner) - unlawful detainer service

Member of the public Christel Andersen commented on the request.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Davis, to approve staff recommendation. The motion was unanimously by voice vote, with Councilmember O'Connor absent.

Motion by Councilmember Shriver, seconded by Councilmember Holbrook, to direct staff to schedule a study session on the financing of affordable housing. The motion was unanimously by voice vote, with Councilmember O'Connor absent.

PUBLIC INPUT:

Members of the public Louisa Fish, Brian Lee, Denise Barton, Zina Josephs, Rick King, and Michael Toney commented on various local issues.

On order of the Mayor, the City Council meeting was adjourned at 9:10 p.m. in memory of Larry Stevenson.

ATTEST:



Maria M. Stewart
City Clerk

APPROVED:



Richard Bloom
Mayor