

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

FEBRUARY 23, 2016

A regular meeting of the Santa Monica City Council was called to order by Mayor Pro Tem Winterer at 5:34 p.m., on Tuesday, February 23, 2016, at City Council Chambers, 1685 Main Street.

Roll Call: Present: Mayor Tony Vazquez (*arrived at 5:37 p.m.*)
Mayor Pro Tem Ted Winterer
Councilmember Gleam Davis
Councilmember Sue Himmelrich
Councilmember Kevin McKeown
Councilmember Pam O'Connor (*arrived at 5:38 p.m.*)

Absent: Councilmember Terry O'Day

Also Present: City Manager Rick Cole
City Attorney Marsha Jones Moutrie
Acting City Clerk Denise Anderson-Warren

CONVENE/PLEDGE

On order of the Mayor Pro Tem, the City Council convened at 5:34 p.m., with all members present excepting Councilmembers O'Day, O'Connor, and Mayor Vazquez. Councilmember Davis led the assemblage in the Pledge of Allegiance.

CLOSED SESSIONS

Mayor Vazquez arrived at 5:37 p.m.

Councilmember O'Connor arrived at 5:38 p.m.

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

On order of the Mayor Pro Tem, the City Council recessed at 5:36 p.m., to consider closed sessions and returned at 6:41 p.m., with Councilmember O'Day absent, to report the following:

1.A. Public Employee Appointment

Title: City Clerk

The Mayor reported that the Council decided to appoint Acting City Clerk, Denise Anderson-Warren as the new City Clerk, at a salary of \$183,000 a year.

Motion by Mayor Vazquez, seconded by Mayor Pro Tem Winterer, to appoint Denise Anderson-Warren as the City Clerk. The motion was approved by the following vote:

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

1.B. Conference with Legal Counsel - Existing Litigation - Litigation has been initiated formally pursuant to Government Code Section 54956.9 (d)(1): Rush v. City of Santa Monica, United States District Court Case # 2:15-CV01304-DSF-MANx

The City Attorney advised that this was a Civil rights case, and recommended a settlement in the amount of \$125,000.

Motion by Councilmember McKeown, seconded by Councilmember Davis, to approve Settlement Agreement No. 10261 (CCS), in the amount of \$125,000. The motion was approved by the following vote:

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

1.C. Conference with Legal Counsel - Existing Litigation - Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): City of Santa Monica v. Justice Aviation, Los Angeles Superior Court Case Number 16R00754

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

SPECIAL AGENDA

ITEMS:

**WOMEN'S HISTORY
MONTH**

2.A. Proclamation: Women's History Month, was presented to the Commission on the Status of Women.

Member of the public Goddess of Victory commented on this item.

**CITY MANAGER'S
REPORT**

2.B. City Manager's Report: Update on Expo Rail, was presented.

**REPORT ON MEETING
COMPENSATION**

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

**CONSENT CALENDAR:
JOINT MEETING WITH
THE REDEVELOPMENT
SUCCESSOR AGENCY**

There being a Consent Calendar for the Redevelopment Successor Agency, the Mayor, with the consensus of the Councilmembers, convened to a joint meeting with the Redevelopment Successor Agency at 7:21 p.m., and the two Consent Calendars were heard concurrently, with Councilmember

O'Day absent.

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

Members of the public Boston Dan, Zina Josephs, Denise Barton, Johnathan Foster, and, Lewis Perkins commented on various Consent Calendar items.

At the request of Agency/Councilmember Himmelrich, Item 3-J was removed from the Consent Calendar.

Motion by Agency/Councilmember O'Connor, seconded by Chair Pro Tem/Mayor Pro Tem Winterer, to approve the Consent Calendar, with the exception of Item 3-J, reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:

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

NOES: None

ABSENT: Agency/Councilmember O'Day

MINUTES

3.A. Approval of Minutes for the City Council - Special Meeting - Jan 26, 2016, were approved.

MINUTES

3.B. Approval of Minutes for the City Council - Regular and Special Joint Meeting - Jan 26, 2016, were approved.

TIRE PURCHASE

3.C. Bid Award for Purchase of Medium and Heavy Duty Tires, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4218 to Industrial Tire Service, Inc., a California-based company for the purchase and delivery of miscellaneous medium and heavy-duty tires, new and recapped, and related services.
2. Authorize the Purchasing Services Manager to issue a purchase order with Industrial Tire Service, Inc. for the purchase and delivery of miscellaneous medium and heavy-duty tires, new and recapped, and related services in the amount not to exceed \$84,105 for one year, with three additional one-year renewal options at an additional 3% increase per year, for a total not to exceed \$351,864, with future year funding contingent on Council budget approval.

FIRE DEPARTMENT

3.D. Fire Department Training Center and Temporary Fire Station Modular Building, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #SP2401 to Atlas Performance Industries, Inc. (API), a California-based company, for the Fire Department Training Center and Temporary Fire Station Modular Building.
2. Authorize the City Manager to negotiate and execute Contract No. 10252 (CCS) with Atlas Performance Industries, Inc., in an amount not to exceed \$694,857 (includes a 10% contingency).
3. Authorize the Director of Public Works to issue any necessary changes to complete additional work within contract authority.

BIKE SHARE

3.E. Memorandum of Understanding with the City of Los Angeles for Venice area Breeze Bike Share Stations Installation and operation, was approved.

Recommended Action

Staff recommends that the Council:

1. Authorize the City Manager to execute Memorandum of Understanding (MOU) No. 10253 (CCS) with the City of Los Angeles for the installation of Breeze Bike Share Stations and bike share operation in the Venice area of the City of Los Angeles.
2. Authorize the City Manager to execute future Memorandum of Understandings (MOU) with the City of Los Angeles for the installation and operation up to 15 additional Breeze Bike Share Stations in other adjacent areas, not to exceed 20 City of Los Angeles stations.

AUDITING SERVICES

3.F. Professional Auditing Services for the City of Santa Monica, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award RFP# 62 to Lance, Soll & Lunghard, LLC, a California-based company for professional external auditing services; and
2. Authorize the City Manager to negotiate and execute five-year Agreement No. 10254 (CCS) with Lance, Soll & Lunghard, LLC, for a total amount not to exceed \$779,175 over a five-year period, with future year funding contingent on Council budget approval. Costs for the first year of the agreement will not exceed \$149,725; each year thereafter contains an annual increase of 2%.

MONITORING PLAN

3.G. Cost-Sharing Memorandum of Agreements with the City of Los Angeles for the Coordinated Integrated Monitoring Plan for the Santa

Monica Bay and Ballona Creek, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to negotiate and execute Memorandum of Agreements (MOA) No. 10255 (CCS) with the City of Los Angeles to implement cost-share monitoring plans to comply with the Los Angeles Regional Water Quality Control Board's NPDES permit requirements for the Santa Monica Bay, \$438,886, and Ballona Creek, \$9,728.

**CLEAN ENERGY (PACE)
PROVIDERS**

3.H. Adopt Resolutions to Authorize Additional Property Assessed Clean Energy (PACE) providers, was pulled at request of staff.

Recommended Action

Staff recommends that City Council:

1. Adopt Resolutions authorizing additional Property Assessed Clean Energy (PACE) programs through the following joint powers authorities: California Home Finance Authority, California Enterprise Development Authority, California Municipal Finance Authority, and California Statewide Communities Development Authority.
2. Authorize the City Manager to negotiate and enter into member agreements with the following Joint Powers Authorities (JPAs): California Home Finance Authority and California Enterprise Development Authority.

**UNIFORMS AND
PROTECTIVE GEAR**

3.I. Purchase of Uniform and Protective gear for Public Safety Employees, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4209 to Uniform Warehouse, a California-based company for the purchase of uniforms and protective gear for Public Safety employees;
2. Authorize the Purchasing Services Manager to issue a purchase order with Uniform Warehouse for uniform and protective gear in the amount not to exceed \$218,050 for one year, with 4-additional 1-year renewal option(s) to extend on the same terms and conditions for a total not to exceed \$1,090,250, with future year funding contingent on Council budget approval.

**APPLICANT TRACKING
SOFTWARE**

3.K. Authorization to execute a contractual services agreement with Governmentjobs.com, was approved.

Recommended Action

Staff recommends that the City Council authorize the City Manager to

negotiate and execute contractual services Agreement No. 10257 (CCS) with Governmentjobs.com, Inc. dba NEOGOV, a California-based company, for Human Resources' applicant tracking software, under an exception to competitive bidding, in an amount not to exceed \$36,000 for two years, with three additional one-year renewal option(s), each of which are subject to a 3% annual increase, otherwise on the same terms and conditions for a total amount not to exceed \$93,305 over a five-year period, with future year funding contingent on Council budget approval.

MEETING CANCELLATION

3.L. Cancellation of Regular City Council Meeting Scheduled for March 8, 2016, was approved.

Recommended Action

Staff recommends that the City Council vote to cancel the regular meeting scheduled for March 8, 2016, due to a lack of quorum, and schedule a special meeting at 5:30 p.m. on Tuesday, March 1, 2016, in City Hall.

RESCUE VEHICLE

3.M. Award Bid for Purchase of Urban Search and Rescue Vehicle, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4227 to Emergency Vehicle Group (EVG) Inc., a California-based company, for the purchase of one Urban Search and Rescue Vehicle;
2. Authorize the City Manager to negotiate and execute contractual service Agreement No. 10258 (CCS) with EVG Corporation in an amount not to exceed \$998,000, which includes a 10% contingency.

WASTEWATER MAIN IMPROVEMENTS PROJECT

3.N. 2015 Annual Wastewater Main Improvements Project, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #SP2380 to Ramona, Inc., a California-based company, for the 2015 Annual Wastewater Main Improvements Project.
2. Authorize the City Manager to negotiate and execute Contract No. 10259 (CCS) with Ramona, Inc., in an amount not to exceed \$2,731,190 (including 15% contingency).
3. Authorize the City Manager to negotiate and execute Contract No. 10260 (CCS) with Willdan Engineering, a California-based company, in an amount not to exceed \$252,000 (including a 10% contingency) for construction management and inspection services for the 2015 Annual Wastewater Main Improvements Project.

4. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.

**JOINT MEETING WITH
THE REDEVELOPMENT
SUCCESSOR AGENCY
CITY INVESTMENT
POLICY**

3.O. Annual Update on City Investment Policy, was approved.

Recommended Action

Staff recommends that the City Council:

1. Review and approve the City's revised Investment Policy including the addition of a citizen representative to the City's Investment Committee;
2. Extend the delegation of investment authority to the Director of Finance, as City Treasurer, from March 1, 2016 through February 28, 2017; and
3. Adopt attached Resolution No. 10934 (CCS) entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AUTHORIZING THE ESTABLISHMENT AND USE OF BANK AND BROKERAGE ACCOUNTS AND UPDATING THE LIST OF PERSONS AUTHORIZED TO CONDUCT TRANSACTIONS WITH THE STATE LOCAL AGENCY INVESTMENT FUND."

Staff also recommends that the Successor Agency Governing Board:

1. Review and approve the City Investment Policy for Successor Agency Investments;
2. Extend investment authority to the Treasurer of the Successor Agency, from March 1, 2016 through February 28, 2017; and
3. Adopt attached Resolution No. 29 (SA) authorizing the establishment of bank and brokerage accounts and approving the list of persons authorized to conduct transactions with the State Local Agency Investment Fund on behalf of the Successor Agency.

**ADJOURNMENT OF
JOINT MEETING**

On order of the Chair/Mayor, the joint meeting with the Redevelopment Successor Agency was adjourned at 7:33 p.m., and the regular meeting of the City Council was reconvened, with Councilmember O'Day absent.

BUS STOPS

3.J. Custodial and Maintenance Services for Big Blue Bus (BBB) Bus Stops and Zones Located Within and Outside of Santa Monica, was presented.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4144 to Shelter Clean Services, Inc., a California-based company, to provide custodial and maintenance services for Big Blue Bus (BBB) bus stops and zones located within and outside of the City of Santa Monica.
2. Authorize City Manager to negotiate and execute Contractual

Services Agreement No. 10256 (CCS) with Shelter Clean Services, Inc., in an amount not to exceed \$155,000 for one year with one additional one year renewal option in the amount of \$160,000 on the same terms and conditions for a total amount not to exceed \$315,000 over a two year period, with future year funding contingent on Council budget approval.

This item was pulled by Councilmember Himmelrich to question why the City is choosing to use contract labor instead of using City Staff, and the pay rate that contractors will be paying their employees to perform this job. Staff responded to questions satisfactorily.

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

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

NOES: None

ABSENT: Councilmember O'Day

ORDINANCES:
SPEED LIMITS

7.A. Second Reading and Adoption of Ordinance No. 2510 (CCS) entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ESTABLISHING SPEED LIMITS FOR CERTAIN STREETS PURSUANT TO THE CALIFORNIA VEHICLE CODE AND AMENDING SANTA MONICA MUNICIPAL CODE SECTION 3.12.490," was presented.

Recommended Action

Staff recommends that City Council adopt the attached Ordinance.

Motion by Councilmember McKeown, seconded by Councilmember 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, Davis, Himmelrich, O'Connor Mayor Pro Tem Winterer, Mayor Vazquez

NOES: None

ABSENT: Councilmember O'Day

PUBLIC HEARINGS:
WATER FUND

9.A. State of the Water Fund, was presented.

Recommended Action

Staff recommends that the City Council suspend part of the 9% water rate increase authorized by Council to go into effect on January 1, 2016 and authorize a 5% increase. The partial suspension would reduce the water

rate increase scheduled to go into effect on January 1, 2016 from 9% to 5%. This rate adjustment would be in effect until December 31, 2016.

Questions were asked of staff regarding penalties, conservation block charges and fixed charges, and ground water supply. Staff responded to questions.

Members of the public Conner Everets, Johnathan Foster, Jerry Rubin, and Brian Hutchings spoke in favor of the recommended action.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Winterer, to approve the recommendation.

Councilmember Himmelrich made a friendly amendment, when this returns next year to have a look at the revised rate structure as proposed by the two groups of experts on water rates. The maker and seconder accepted the amendment to include the information provided by the experts as friendly, but not to restructure rates.

The amended motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmember O'Day

RESOLUTIONS: **PEDESTRIAN ACTION** **PLAN**

11.A. Consideration of the Pedestrian Action Plan, was presented.

Recommended Action

Staff recommends that the City Council hold a public hearing, receive public comment, and adopt attached Resolution No. 10935 (CCS) entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING THE OFFICIAL DISTRICTING MAP FOR 1419 19TH STREET," and the Pedestrian Action Plan. The Pedestrian Action Plan contains goals, policies, practices, programs, built projects, implementation priorities, and a framework for strategic on-going investments that enhances pedestrian safety and comfort.

Questions of staff included: with regard to the Pedestrian walk phase, what are special circumstances that make it inappropriate to not time traffic signals to automatically allow pedestrians to cross, and how widespread will that be in this plan; why are certain locations more prone to accidents than others, what can we do to reduce pedestrian crashes, why is there a disproportionate amount of pedestrian accidents in some areas more than others, are we constrained by State law regarding signage, and, is there more that we can do to provide better signage. Staff responded to questions.

Members of the public Denise Barton, Jerry Rubin, and Lewis Perkins spoke to the recommended action.

Considerable discussion included, but no limited to: improving lighting on the streets for safety reasons, especially for Seniors; reflective clothing giveaways to promote awareness; work on better communications to the public to promote better education involving pedestrian travel; innovative intersection options to be considered in future planning; encourage safety, place making, and support education; give pedestrians reasons to walk, and places to walk with good pedestrian amenities; regional partners encouraging multi-modal options supporting walking, biking, and other transportation models.

Motion by Councilmember McKeown, seconded by Councilmember O'Connor, to approve the recommendation, including those incorporated the changes in Attachment D, as well as the Draft Plan. The motion was approved by the following vote:

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

NOES: None

ABSENT: Councilmember O'Day

1419 19TH STREET

11.B. Amendment to the Official Districting Map for 1419 19th Street, was presented.

Recommended Action

Staff recommends that the City Council adopt Resolution No. 10936 (CCS) entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING THE OFFICIAL DISTRICTING MAP FOR 1419 19TH STREET."

Questions asked of staff included the parcel location, is this an appeal of the Planning Commission, or is it a procedural matter granted to the property owner. Staff responded.

Members of the public Paula Larmore (time donated by Morad Memarzabel), and Denise Barton on the recommended action.

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

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

NOES: None
ABSENT: Councilmember O'Day

COUNCILMEMBER
DISCUSSION ITEMS:
CLEAN BEACHES
OCEAN PARCEL TAX
CITIZENS OVERSIGHT
COMMITTEE

13.A. Appointment to one annual vacancy on the Clean Beaches Ocean Parcel Tax Citizens Oversight Committee for a term ending on 12/31/2017.

Member of the public Brian Hutchings, spoke on this item.

On order of the Mayor, the floor was opened for nominations.

Councilmember Himmelrich nominated Mary Marlow

Councilmember O'Connor nominated Mark Pritchard

Mary Marlow was appointed by the following vote, with Councilmember O'Day absent:

Marlow: Councilmembers McKeown, Davis, Himmelrich,
Mayor Pro Tem Winterer, Mayor Vazquez

Pritchard: Councilmember O'Connor

*Councilmember O'Connor
was excused at 9:42 p.m.*

PUBLIC INPUT:

Members of the public Kelly McGuir, Aura Berciano (translated by Juan Carlos Espirial), Boston Dan, Valarie Esteen, Johnathan Foster, Michael Toney, Art Casillas commented on various local issues.

ADJOURNMENT

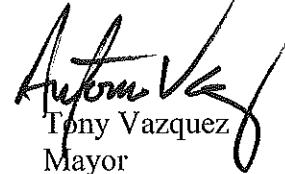
On order of the Mayor, the City Council meeting was adjourned at 10:08 p.m. in memory of Jeannine Robin Wainrib, Sheila Ostrow, Tamara Mugalian, James Keane, and Charles Garabedian.

ATTEST:



Denise Anderson-Warren
City Clerk

APPROVED:



Tony Vazquez
Mayor