

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

APRIL 25, 2023

A regular meeting of the Santa Monica City Council was called to order by Mayor Davis at 5:32 p.m., on Tuesday, April 25, 2023, at City Council Chambers, 1685 Main Street, Santa Monica, CA.

Roll Call: Present: Mayor Glean Davis
 Councilmember Phil Brock
 Councilmember Oscar de la Torre
 Councilmember Christine Parra
 Councilmember Caroline Torosis (*arrived at 5:34 p.m.*)
 Councilmember Jesse Zwick

Absent: Mayor Pro Tem Lana Negrete

Also Present: City Manager David White
 City Attorney Douglas Sloan
 City Clerk Denise Anderson-Warren

CONVENE/PLEDGE

On order of the Mayor, the City Council convened at 5:32 p.m., with all members present except Mayor Pro Tem Negrete and Councilmember Torosis. City Clerk Denise Anderson-Warren led the assemblage in the Pledge of Allegiance.

GENERAL PUBLIC INPUT:

*Councilmember Torosis
arrived at 5:34 p.m.*

Members of the public Jerry Rubin, Cris Gutierrez, Beatrice Felix, Erik Klinger, Randy Ziglar, Johnathan Foster, and Denise Barton commented on various local issues.

PUBLIC INPUT FOR CLOSED SESSION, SPECIAL AGENDA ITEMS AND CONSENT CALENDAR ONLY:

There were no members of the public present to comment on closed session items.

Member of the public Denise Barton commented on special agenda items.

Member of the public Johnathan Foster commented on consent calendar items.

AGENDA MANAGEMENT

Motion by Councilmember Torosis, seconded by Councilmember Brock, to continue the appointment, Item 16.A. to the May 9th meeting. The motion was unanimously approved by voice vote, with all members present, except Mayor Pro Tem Negrete.

REPORT ON MEETING

Pursuant to State law, City Clerk Denise Anderson-Warren announced that

COMPENSATION

Council will receive \$50 compensation for meeting as the Housing Authority during Closed Sessions.

CLOSED SESSIONS

On order of the Mayor, the City Council recessed at 5:56 p.m., to consider closed sessions and returned at 8:03 p.m., with all members present except Mayor Pro Tem Negrete, to report the following:

3.A. Conference with Real Estate Negotiator pursuant to Government Code Section 54956.8: Properties: Santa Monica Place Parking Structures 7 and 8, Downtown Santa Monica California; City Negotiator: Melissa Spagnuolo, Community Partnership Manager; Owner of Record: City of Santa Monica; Persons to be negotiated with: Julia Ladd, Jon Stoeckly, Macerich; Under negotiation: Price and Terms of Payment for Billboard License on Parking

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

3.B. Conferences with Legal Counsel - Existing Litigation - Gov. Code Section 54956.9(d)(1):

*Councilmember de la Torre
excused at 6:05 p.m.*

Joseph Hollins v. Santa Monica Police Activities League, et al., LASC Case No. 21STCV24491; John Doe (DC) v. Santa Monica PAL, et al., LASC Case No. 21STCV47551; John Doe (MU) v. Santa Monica PAL, et al., LASC Case No. 22STCV17022; John Doe (FM) v. Santa Monica PAL, et al., LASC Case No. 22SMCV02617; John Doe (SM) v. Santa Monica PAL, et al., LASC Case No. 22SMCV02586; John Doe (JA) v. Santa Monica PAL, et al., LASC Case No. 22SMCV02615; John Doe #1-#4 v. Does 1-50, LASC Case No. 21STCV34537; John Doe #5 and John Doe #6 v. Does 1-50, LASC Case No. 22STCV08765; John Doe #7 et al. v. City of Santa Monica, et al., LASC Case No. 22STCV35685; John Doe 142 v. Doe 1, et al., LASC Case No. 22SMCV02483; John Doe #12 v. Santa Monica Police Activities League, et al., LASC Case No. 22SMCV01804; John VMA Doe, et al. v. City of Santa Monica, et al., LASC Case No. 22STCV30598; John Doe #1 (J.M.), John Doe #2 (A.M.), and John Doe #3 (H.U.) v. City of Santa Monica, et al., LASC Case No. 22SMCV02926; Jose Villaseñor v. Doe 1, et al., LASC Case No. 22STCV17835; John Doe #1, et al. v. Roe #1, et al., LASC Case No. 22STCV03113; John Doe #4 v. Santa Monica Police Activities League, et al., LASC Case No. 22SMCV01081; John Doe #5 (R.A.), et al. v. Roe #1, et al., LASC Case No. 22SMCV02729; John Doe #8 (C.S.) v. Roe #1, et al., LASC Case No. 22SMCV02783; John Doe #9 (P.G.) v. Roe #1, et al., LASC Case No. 22SMCV02754; Melissa Campos, a successor in interest to decedent John Doe J.L., et al. v. Santa Monica Police Activities League, et al., LASC Case No. 22SMCV02976; John T.A.U. Doe, et al. v. Doe 1, et al., LASC Case No. 22STCV19401; John A.Y.U. Doe, et al. v. Doe 1, et al., LASC Case No. 22STCV38169; John FM

Doe, et al. v. Roe #1, et al., LASC Case No. 22SMCV02054; John MB Doe, et al. v. City of Santa Monica, et al., LASC Case No. 22SMCV02049; John JS Doe v. Roe #1, et al., LASC Case No. 22SMCV02279; John GG Doe v. Roe #1, et al., LASC Case No. 22SMCV02961; John R. Doe v. Roe #1, et al., LASC Case No. 22SMCV02472; John B. Doe v. Roe #1, et al., LASC Case No. 22SMCV02878; Jane J. Doe v. Roe #1, et al., LASC Case No. 22SMCV02879; John M. Doe v. Roe #1, et al., LASC Case No. 22SMCV02899; John T. Doe v. Roe #1, et al., LASC Case No. 22SMCV02923; John W. Doe v. Roe #1, et al., LASC Case No. 22SMCV02940; John D. Doe v. Roe #1, et al., LASC Case No. 22SMCV02904; John C. Doe v. Roe #1, et al., LASC Case No. 22SMCV02909; John G. Doe v. Roe #1, et al., LASC Case No. 22SMCV02928; John J. Doe v. Roe #1, et al., LASC Case No. 22SMCV02914; John W. Doe # 2 v. Roe #1, et al., LASC Case No. 22SMCV02931; John H. Doe v. Roe #1, et al., LASC Case No. 22SMCV02959; John B. Doe #2 v. Roe #1, et al., LASC Case No. 22SMCV02962; John M. Doe #2 v. Roe #1, et al., LASC Case No. 23SMCV00134; John Doe #1 v. Doe 1, et al., LASC Case No. 22SMCV02945; John Doe #2 v. Doe 1, et al., LASC Case No. 22SMCV02933; John Doe #3 v. Doe 1, et al., LASC Case No. 22SMCV02946; Eric Delance Moore v. John Doe City, et al., LASC Case No. 22SMCV02913; Jerod Hubbard v. John Doe, et al., LASC Case No. 22SMCV02906; John CL Doe, et al. v. Roe #1, et al., LASC Case No. 22SMCV02935; Joey Rene Leyba III v. City of Santa Monica, et al., LASC Case No. 22SMCV02929

Councilmember de la Torre recused himself from this item in order to avoid any potential conflict of interest.

The City Attorney reported out a proposed settlement agreement with the plaintiffs listed for a total of \$122.5 million, with the initial payment of \$70 million in 10 days, and the balance by June 30, 2023. He reported that this concludes all lawsuits with respect to the Uller matter. Empathy and patience to the plaintiffs was expressed.

Motion by Councilmember Brock, seconded by Councilmember Zwick, to approve Settlement Agreement No. 11380 (CCS) in the amount of a total of 122.5 million dollars with the initial payment of \$70 million dollars within 10 days and the balance by June 30, 2023. The motion was approved by the following vote:

AYES: Councilmembers Torosis, Brock, Parra, Zwick, Mayor Davis
NOES: None
ABSENT: Councilmember de la Torre, Mayor Pro Tem Negrete

**3.C. Conferences with Legal Counsel - Existing Litigation - Gov.
Code Section 54956.9(d)(1): City of Santa Monica v. Insurance
Company of the State of Pennsylvania, et al., Orange County Superior
Court, Case No. 30-2022-01261243.**

Councilmember de la Torre recused himself from this item in order to avoid any potential conflict of interest.

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

*Councilmember de la Torre
returned at 6:30 p.m.*

**3.D. Conferences with Legal Counsel - Existing Litigation - Gov.
Code Section 54956.9(d)(1):
City of Santa Monica, et al. v. 1238 10th Street, LLC, et al.; LASC
Case No. 21SMCV01585**

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

**3.E. Conferences with Legal Counsel - Existing Litigation - Gov.
Code Section 54956.9(d)(1):
NMS 1539, LLC, et al. v. City of Santa Monica, et al.; CD Calif. Case
No. 2:20-cv-11318-FLA(JPRx)**

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

**3.F. Conferences with Legal Counsel - Existing Litigation - Gov.
Code Section 54956.9(d)(1):
Jennifer Howard; Amanda Pawlowski v. City of Santa Monica; LASC
Case No. 20STCV34094**

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

**3.G. Conference with Legal Counsel - Anticipated Litigation - Gov.
Code section 65589.5(d): WS Communities v. City of Santa Monica**

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

**SPECIAL JOINT MEETING OF THE CITY COUNCIL AND
HOUSING AUTHORITY**

On order of the Chair, the Housing Authority convened to a joint meeting with the City Council at 5:53 p.m., with Housing Authority Board member

Cochran present.

**3.H. Conferences with Legal Counsel - Existing Litigation - Gov.
Code Section 54956.9(d)(1): 1144 12th Street, LP v. City of Santa
Monica, LASC Case No. 22STCP03496**

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

The City Attorney reported out two matters from the April 11, 2023, meeting that settled:

**Conference with Legal Counsel – Existing Litigation – Government
Code Section 54956.9(d)(1): Zachary Thomas Hoevet v. City of Santa
Monica; LASC Case No. 21STCV30547**

The City Attorney reported approval of Settlement No. 11389 (CCS) in the amount of \$122,500. The motion was approved by a 6-0 vote, with Councilmember Parra absent.

**Conference with Legal Counsel – Existing Litigation – Government
Code Section 54956.9(d)(1): Mavis Soloway v. City of Santa Monica, et
al.; LASC Case No. 20STCV47478**

The City Attorney reported approval of Settlement No. 11390 (CCS) in the amount of \$800,000. The motion was approved by a 6-0 vote, with Councilmember Parra absent.

On order of the Chair, the special Housing Authority meeting was adjourned at 8:03 p.m.

ADJOURNMENT OF SPECIAL JOINT MEETING

**PROCLAMATIONS/
COMMENDATIONS**

4.A. 2023 City Clerk Week Proclamation, was presented.

**SPECIAL AGENDA
ITEMS:**

4.B. City Manager's Report, was presented.

**REPORT ON COUNCIL
TRAVEL**

Councilmember de la Torre reported that he participated in the Westside Cities Council of Governments, working on homelessness issues on a regional level.

CONSENT CALENDAR:

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

At the request of Councilmember de la Torre, Item 5.E was removed from the Consent Calendar.

Motion by Councilmember Brock, seconded by Councilmember Torosis, to approve the Consent Calendar except for Item 5.E, reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:

AYES: Councilmembers de la Torre, Torosis, Brock, Parra, Zwick
Mayor Davis

NOES: None

ABSENT: Mayor Pro Tem Negrete

AIRPORT COMMERCIAL REAL ESTATE SERVICES

5.A. Award RFP to Aeroplex Group Partners, LLC for Airport Commercial Real Estate Services, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award RFP #340 to Aeroplex Group Partners, LLC., a California-based corporation, to provide commercial real estate brokerage, aviation property management and related consulting services to the Santa Monica Airport;
2. Authorize the City Manager to negotiate and execute Agreement No. 11381 (CCS) with Aeroplex Group Partners, LLC. in an amount not to exceed \$1,453,183 for three years, with two additional one-year renewal options of \$483,987 for renewal option Year One and \$468,922 for renewal option Year Two, for a total amount not to exceed \$2,406,092 (including a 10% contingency), with future year funding contingent on Council budget approval; and
3. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines.

VEHICLE REPLACEMENT

5.B. Authorization of Purchase Orders with National Auto Fleet Group and Los Angeles Truck Centers for Vehicle Replacement Purchases for Various Divisions, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of Categorical Exemption pursuant to Section 15302 (Replacement or Reconstruction) of the California Environmental Quality Act (CEQA) guidelines.
2. Authorize the Procurement Manager to issue a purchase order with National Auto Fleet Group for the purchase of forty-one Ford sedans, sports utility vehicles, vans, and trucks for the Police, Fire, Public Works, and Library Departments. This recommended award

is made as an exception to the competitive bidding process pursuant to Section 2.24.250 (c) and is for a total amount not to exceed \$3,181,078.

3. Authorize the Procurement Manager to issue a purchase order with Los Angeles Truck Centers for the purchase of twelve side loader trucks, one rear loader and three front loader trucks for the Public Works Department. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.250 (c) and is for a total amount not to exceed \$7,837,992.

PUBLIC WORKS DEPARTMENT MATERIALS

5.C. Authorization of Purchase Orders with Sully Miller Contracting Company and Vulcan Construction Materials for Asphalt Paving Materials, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities), of the California Environmental Quality Act (CEQA) Guidelines.
2. Award Bid #2685-3 to Sully Miller Contracting Company (Sully Miller), a California-based company, as the primary vendor, and Vulcan Construction Materials (Vulcan), an Alabama-based company, as the secondary vendor for the purchase of asphalt paving materials for the Public Works Department.
3. Authorize the Procurement Manager to issue a purchase order with Sully Miller for asphalt paving materials in the amount not to exceed \$200,000 for one year, with four additional one-year renewal option(s) to extend at mutually agreeable price adjustment for a total amount not to exceed \$1,000,000 with future year funding contingent on Council budget approval.
4. Authorize the Procurement Manager to issue a purchase order with Vulcan for asphalt paving materials in the amount not to exceed \$50,000 for one year, with four additional one-year renewal option(s) to extend at mutually agreeable price adjustment for a total amount not to exceed \$250,000, with future year funding contingent on Council budget approval.

LEASE APPROVAL

5.D. Approval of Airport Lease No. 11382 (CCS) with Ruskin Group Theatre Company, was approved.

Recommended Action

Staff recommends that Council:

1. Authorize the City Manager to negotiate and execute a Lease with Ruskin Group Theatre Company (Ruskin) for live theater and educational uses located at 2800 Airport Avenue, reflecting the general terms and conditions below: and

2. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities), of the California Environmental Quality Act (CEQA) Guidelines.

AIRPORT LEASES

5.F. Approval of Airport Restaurant Lease No. 11383 (CCS) with Clover Restaurants, Inc. and First Modification to Agreement CCS# 10713 with Corporate Realty Group, was approved.

Recommended Action

Staff recommends that Council:

1. Authorize the City Manager to negotiate and execute a Lease with Clover Restaurants, Inc. (Clover) for restaurant, outdoor patio and parking space, located at 3200 Airport Avenue, and reflecting the general terms and conditions below;
2. Authorize the City Manager to negotiate and execute the first modification to professional services agreement No. 10713 (CCS) in the amount of \$107,377 with Corporate Realty Group (“CRG”), a California-based corporation, to provide additional commercial real estate broker and consulting services for the Santa Monica Airport and extend the term of the agreement. This will result in an amended agreement expiring on December 31, 2024, for a total agreement term of 6 years and 4 months, with a new total amount not to exceed \$1,252,416 with future year funding contingent on Council budget approval; and
3. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities), of the California Environmental Quality Act (CEQA) Guidelines.

PUBLIC WORKS SOFTWARE

5.G. Approval of First Modification to Contract No. 11384 (CCS) with Nobel Systems, Inc. for Software Licensing and Maintenance of GeoViewer, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effects pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines.
2. Authorize the City Manager to negotiate and execute a first modification to Software License and Maintenance Agreement #2810 in the amount of \$120,000 with Nobel Systems, Inc. for software licensing and maintenance of GeoViewer, a turn-key mobile GIS-based electronic underground service alert ticket tracking system for the Public Works Department. This will result in a fourteen-year amended agreement with a new total amount not to exceed \$314,000 with future year funding contingent on Council budget approval.

PURCHASE ORDER

5.H. Award Purchase Order to Xylem Water Solutions USA, Inc for Purchase of Two (2) Flygt Pumps, was approved.

Recommended Action

Staff recommends that City Council:

1. Adopt a finding of categorical exemption pursuant to Section 15302 (Replacement or Reconstruction) of the California Environmental Quality Act (CEQA) Guidelines.
2. Authorize the Procurement Manager to issue a purchase order with Xylem Water Solutions USA, Inc for the purchase of two (2) Flygt pumps for the Public Works Department. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.250(b) and is for a total amount not to exceed \$300,000 with future year funding contingent on Council budget approval.

BIG BLUE BUS

5.I. Award Bid to CG, Inc. for Detail Repairs of Transit Bus Body Components, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of Categorical Exemption (Class 1 Existing Facilities) pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines;
2. Award Bid #4447 to CG Inc. for detail repairs of transit bus body components for the Santa Monica Department of Transportation; and,
3. Authorize the City Manager to negotiate and execute Agreement No. 11385 (CCS) with CG Inc., in an amount not to exceed \$4,003,938, including a 10% contingency and a 3% cost escalator, over a five-year period with future year funding contingent on Council budget approval.

BUS STOP SHELTERS

5.J. Award Bid to Ultimate Maintenance Services Corporation for Cleaning of Bus Stop Shelters for the Santa Monica Department of Transportation, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of Categorical Exemption (Class 1 Existing Facilities) pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines.
2. Award Bid #4441 to Ultimate Maintenance Services Corporation for cleaning of bus stop shelters for the Santa Monica Department of Transportation; and,

3. Authorize the City Manager to negotiate and execute Agreement No. 11386 (CCS) with Ultimate Maintenance Services Corporation, in an amount not to exceed \$1,318,450 including a \$119,859 contingency, over a five-year period with future year funding contingent on Council budget approval.

MINUTES

5.K. Minutes of City Council - Special Meeting - March 11, 2023, were approved.

WATER MONITORING PLANS

5.E. Authorization to enter into Cost-Sharing Agreement Nos. 11387 (CCS) and 11388 (CCS) with the City of Los Angeles for Santa Monica Bay and Ballona Creek, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of Categorical Exemption pursuant to Section 15307 and Section 15308 of the California Environmental Quality Act (CEQA) Guidelines
2. Authorize the City Manager to negotiate and execute two Memoranda of Agreements (MOA) with the City of Los Angeles to implement cost-sharing Coordinated Integrated Monitoring Plans (CIMPs) to comply with the Los Angeles Regional Water Quality Control Board's National Pollution Discharge Elimination Systems (NPDES) permit requirements. One MOA is for the Santa Monica Bay and the second MOA is for Ballona Creek.

This item was pulled by Councilmember de la Torre to ask questions of staff.

Questions asked and answered of staff included: is this mostly dealing with monitoring, and are we just paying our fair share and the City of Los Angeles is in total control of how the money goes towards the monitoring; what type of authority does Santa Monica have in terms of the Ballona wetlands; is there an oversight board, and how can Santa Monica weigh in on the management of the Ballona wetlands; and, is there a way Santa Monica can be advocates to keep the fresh water there and keep the salt water beyond the salt marsh separate from the fresh water area as it has been for years.

Motion by Councilmember de la Torre, seconded by Councilmember Brock, to approve the staff recommendation.

The motion was approved by the following vote:

AYES: Councilmembers Zwick, Parra, Brock, Torosis, de la Torre,
Mayor Davis
NOES: None
ABSENT: Mayor Pro Tem Negrete

**PUBLIC INPUT ON
REMAINING AGENDA
ITEMS:**

Members of the public Michael Soloff, Hannah Wenger, Denise Barton, Denise Neil, Dan Hall (time donated by Ericka Lesley), Jason Brown, Kevin Shenkman, Sam Shenkman, Susan Sheu, Sue Himmelrich, Zac Gaidzik, Tim Defuria, Ellis Raskin, Jason Mastbaum, Billet Wolf (time donated by Ang D) commented on Item 10.A.

Member of the public Denise Neil commented on Item 10.C.

**ORDINANCES:
GENDER NEUTRAL
PUBLIC RESTROOM**

10.A. Introduction and First Reading of an Ordinance amending SMMC Chapter 8.110 adding Gender Neutral Public Restroom Access, was presented.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines.
2. Introduce for first reading the attached proposed ordinance to add Chapter 8.110 (Gender Neutral Public Restroom Access) to the Santa Monica Municipal Code.

Questions asked and answered of staff included: what type of occupancy would be required using the design examples included; how can it be more equitable by allowing the replacement of urinals for toilets, and how are those numbers determined; are we defeating our water goals by requiring more toilets than urinals, since toilets use more water; what's it going to cost to have water closet toilets and would each water closet require it's own fire sprinkler and drain; how would AB 521 (women's privacy bill) impact these changes; why would Santa Monica jump the gun to approve these changes, if the state building codes haven't been updated yet; have there been any reported issues from businesses who have already converted the restrooms to non-gender; is there a way to require family restrooms to be included in any new build; is it correct that these new regulations would only be required for new construction; would it be left up to the developers designers to come up with the appropriate design; would there be a requirement to have doors go all the way to the ceiling; was there any conversation with the City of West Hollywood who have already incorporated these standards to see if there have been any issues; since there are already gender neutral restrooms in restaurants and business throughout the city, is it true that this only creates regulations to make sure that the guidelines are enforced; and, has there been any thought or

consideration about how technology or maintenance could keep the restrooms cleaned just for city facilities.

Considerable discussion ensued on topics including, but not limited to: concerned and bothered by some of the homophobic comments received from members of the public; there are a lot of reasons to approve this ordinance as bathroom access is important to more than the trans community; gender neutral restrooms are more safe than same sex restrooms; appreciate community members who reached out to have a discussion to educate about this matter; there needs to be more discussion amongst the community as this work progresses; this is a teachable moment for the community as change is difficult to adjust; it's a good thing to move forward with more accessible bathrooms for everyone; this is a civil rights issue about allowing access to everyone; words have meaning, and we need to listen before we speak words that hurt; Santa Monica has priorities, but the words aren't the only thing that count, it's the actions that count; and, all small businesses in Santa Monica should eliminate the male and female signage and just create all-gender restrooms instead.

Motion by Councilmember Brock, seconded by Councilmember de la Torre, 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 Zwick, Parra, Brock, Torosis, de la Torre,
Mayor Davis

NOES: None

ABSENT: Mayor Pro Tem Negrete

THIRD STREET PROMENADE

10.B. Introduction and First Reading of an Interim Zoning Ordinance Extending Interim Zoning Regulations Adopted by Interim Zoning Ordinance 2738 (CCS) to Eliminate the Prohibition of Certain Restaurants with Frontage on the Third Street Promenade, was presented.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines; and
2. Introduce for first reading an Interim Zoning Ordinance extending interim zoning regulations adopted by Interim Zoning Ordinance 2738 (CCS) eliminating the prohibition of certain restaurants with frontage on the Third Street Promenade.

Motion by Councilmember Brock, seconded by Mayor 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 de la Torre, Torosis, Brock, Parra, Zwick,
Mayor Davis

NOES: None

ABSENT: Mayor Pro Tem Negrete

OPEN STREET COMMUNITY EVENTS

10.C. Introduction and Adoption of Urgency Ordinance No. 2744 (CCS) entitled “AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING SANTA MONICA MUNICIPAL CODE CHAPTER 4.68 TO ALLOW FOR “OPEN STREET” COMMUNITY EVENTS TO PROMOTE PUBLIC SAFETY AND WELFARE”, was presented.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines Section 15304 (minor alterations to land)
2. Introduce and adopt the urgency ordinance amending Chapter 4.68 to allow for “Open Street” Community Events to promote public safety and welfare, and associated changes.

Questions asked and answered of staff included: how are block parties different from the larger events and what are the different requirements between the two types of events; how many block parties are there in the city per year; did staff look at other cities to see how they conduct block party application processes; what is entailed in the traffic control plan, and is it easy for a resident to complete; is there a mechanism that would allow raising the number of events allowed without having to amend the ordinance; what does it mean regarding the fees depends on the amount of services city has to provide related to the event; how can we make sure that we aren’t detouring events from coming to the city with an enormous amount of fees; would granting a waiver be left to the consideration of the department head; does this only apply to multi-family block parties, or does it also apply to single-family block parties; can there be a clean-up on the applications, because it is confusing with the timelines and the various fees; has there always been a charge for the barricades; do you have to use barricades or can residents use cars instead; is there some way that the 51% requirement is good for a multi-year, instead of requiring the signatures every year; how specific does the mapping of events need to be or is it general; if changes are made, can this ordinance still be passed; for the fee waivers, does that also apply to the block parties or is that just for the events; and, if the number is being reduced for multi-family, shouldn’t it also apply to the R1 district.

Considerable discussion ensued on topics including, but not limited to: stakeholder engagement, difficulty in obtaining 51% of the affected

residents' signatures for Open Streets; increasing foot traffic and economic recovery; and, lowering the threshold for block parties in multi-family neighborhoods.

Motion by Councilmember Torosis, seconded by Councilmember Brock, to introduce and adopt at first reading of the ordinance reading by title only and waiving further reading thereof.

Councilmember Zwick proposed a friendly amendment to require block party organizers to obtain either 51% approval from the block residents or written approval. The amendment was considered friendly by the maker and seconder.

Councilmember Zwick proposed a friendly amendment to lower the threshold for block parties from 51% to 25% in multi-family neighborhoods. The amendment was considered friendly by the maker but not considered friendly by the seconder.

Substitute motion by Councilmember Zwick, seconded by Councilmember Torosis to introduce and adopt at first reading of the ordinance with the following amendments: allowing an Open Streets event with 51% of the affected businesses and/or residents or with the permission of the affected BID; in zones other than R1, lower the required signature threshold to 25% for block parties; and, increasing the street closure notice from 3 days to 5 days to all affected residents and businesses.

The motion was approved by the following vote:

AYES: Councilmembers de la Torre Torosis, Parra, Zwick,
Mayor Davis
NOES: Councilmember Brock
ABSENT: Mayor Pro Tem Negrete

CONTINUE MEETING

Motion by Councilmember Brock, seconded by Councilmember Torosis to continue past 11 p.m. The motion was unanimously approved by voice vote, with Mayor Pro Tem Negrete absent.

RESOLUTIONS: **SURPLUS PROPERTIES**

14.A. Adoption of Resolution No. 11522 (CCS) entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA, CALIFORNIA, DECLARING PURSUANT TO THE SURPLUS LAND ACT THAT CERTAIN REAL PROPERTY OWNED BY THE CITY LOCATED AT 1444 7TH STREET, 1654 19TH STREET AND EXPO KISS & RIDE LOT PARCELS (4290-011-901 and 4290-011-902) IS SURPLUS LAND NOT NECESSARY FOR THE CITY'S USE; FINDING THAT SUCH DECLARATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE

CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND TAKING RELATED ACTIONS”, was presented.

Recommended Action

Staff recommends that the City Council:

1. Declare the City-owned properties located at 1444 7th Street (“Former Fire Station 1” - APN 4291-020-900), 1654 19th Street (“City TV” - APN 4290-026-009) and two remnant parcels associated with the Expo Lot (APNs 4290-011-901 and 4290-011-902) as “surplus land” in accordance with the State of California’s Surplus Land Act (“SLA”);
2. Adopt a Resolution declaring the City-owned properties at 1444 7th Street (APN 4291-020-900), 1654 19th Street (APN 4290-026-009) and Expo Lot Parcels (4290-011-901 and 4290-011-902) as surplus lands, and authorize the City Manager or designee to take implementing actions necessary to comply with the SLA; and,
3. Adopt a finding of no possibility of significant effect on the environment pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines.

Questions asked and answered of staff included: is there any status on interest for any of the other surplus properties previously approved and, how was it determined that the CityTV property should be added to this list, considering how much time and effort was put into redoing that property.

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

AYES: Councilmembers Zwick, Parra, Brock, Torosis, de la Torre, Mayor Davis

NOES: None

ABSENT: Mayor Pro Tem Negrete

**COUNCILMEMBER
DISCUSSION ITEMS:
DISABILITIES
COMMISSION**

16.A. Appointment to one unscheduled vacancy on the Disabilities Commission for a term ending on June 30, 2025, was continued to May 9th meeting.

LIBRARY BOARD

16.B. Recommendation to accept Abby Arnold's resignation from the Library Board and authorize the City Clerk to publish the vacancy, was presented.

Motion by Mayor Davis, seconded by Councilmember Torosis, to accept the resignation with regret.

The motion was approved unanimously by voice vote, with all members present except Mayor Pro Tem Negrete.

**ANNUAL 4TH OF JULY
PARADE**

16.C. Request of Mayor Davis and Mayor Pro Tem Negrete that the Council allocate \$15,000 of Council Discretionary Funds to the Ocean Park Association to help defray the costs of the Annual 4th of July Parade, was presented.

Motion by Mayor Davis, seconded by Councilmember Brock, to adopt the recommendation. The motion was approved by the following vote:

AYES: Councilmembers de la Torre, Torosis, Brock, Parra, Zwick,
Mayor Davis

NOES: None

ABSENT: Mayor Pro Tem Negrete

ADJOURNMENT

On order of the Mayor, the City Council meeting adjourned at 11:11 p.m. in memory of Rosemary Martinez.

ATTEST:

DocuSigned by:

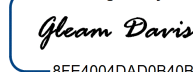


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Denise Anderson-Warren
City Clerk

APPROVED:

DocuSigned by:



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Glean Davis
Mayor