

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

FEBRUARY 28, 2023

A regular meeting of the Santa Monica City Council was called to order by Mayor Davis at 5:33 p.m., on Tuesday, February 28, 2023, at City Council Chambers, 1685 Main Street, Santa Monica, CA.

Roll Call: Present: Mayor Gleam Davis
Mayor Pro Tem Lana Negrete
Councilmember Phil Brock
Councilmember Oscar de la Torre
Councilmember Christine Parra
Councilmember Caroline Torosis (*arrived at 5:41 p.m.*)
Councilmember Jesse Zwick (*arrived at 5:35 p.m.*)

Also Present: City Manager David White
City Attorney Douglas Sloan
Assistant City Clerk Nikima Newsome

CONVENE/PLEDGE

On order of the Mayor, the City Council convened at 5:33 p.m., with all members present except Councilmembers Zwick and Torosis. Assistant City Attorney Cola led the assemblage in the Pledge of Allegiance.

**GENERAL PUBLIC
INPUT:**

*Councilmember Zwick
arrived at 5:35 p.m.*

Member of the public Jerry Rubin commented on various local issues.

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

*Councilmember Torosis
arrived at 5:41 p.m.*

Member of the public Matthew Millen commented on closed session items.

No members of the public commented on special agenda items.

Members of the public Denise Barton; Jerry Rubin; Johnathan Foster commented on consent calendar items.

**AGENDA
MANAGEMENT**

Motion by Councilmember Brock , seconded by Councilmember Torosis to hear the Proclamation for Kiwanis Day 2/28/23 and Item 5.E. Authorization to Accept a Donation from Kiwanis Charities of Santa Monica to Purchase and Install Scoreboards at Los Amigos Park and Historic Belmar Park before Closed Session and to hear continued item 8.A. Housing Element before item

7.A. Solid Waste Rate Study. The motion was approved by a unanimous voice vote, with all members present.

**PROCLAMATIONS/
COMMENDATIONS**

4.B. Proclamation: Kiwanis Day 2/28/23, was presented.

PARK DONATIONS

5.E. Authorization to Accept a Donation from Kiwanis Charities of Santa Monica to Purchase and Install Scoreboards at Los Amigos Park and Historic Belmar Park, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding that the scoreboards are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15311 (Class 11 Accessory Structures) of the CEQA Guidelines;
2. Authorize the City Manager to accept a donation in the amount of \$70,000 from Kiwanis Charities of Santa Monica for the purchase and installation of one scoreboard at Los Amigos Park and one scoreboard at Historic Belmar Park; and
3. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report.

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

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

NOES: None

ABSENT: None

CLOSED SESSIONS

On order of the Mayor, the City Council recessed at 6:01 p.m., to consider closed sessions and returned at 7:13 p.m., with all members present, to report the following:

3.A. Conference with Real Estate Negotiator pursuant to Government Code Section 54956.8: Property: 3200 Airport Avenue (~8,500 sf), Santa Monica, California; City Negotiators: Stelios Makrides, Chief Operations Officer/Airport Director; Owner of Record: City of Santa Monica; Persons to be negotiated with Clover Restaurants, Inc.; Under negotiation: Restaurant Lease Terms

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

3.B. Conference with Legal Counsel – Existing Litigation –

Litigation has been initiated formally pursuant to Government Code Section 54956.9(d)(1): City of Santa Monica et al. v. 1238 10th Street, LLC, et al., Case No. 21SMCV01585

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

3.C. Conference with Legal Counsel – Existing Litigation – Litigation has been initiated formally pursuant to Government Code Section 54956.9 (d)(1): NMS 1539, LLC et al. v. City of Santa Monica, et al., Central District of California Case No. 2:20-cv-11318-FLA(JPRx)

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

3.D. Conference with Legal Counsel – Anticipated Litigation – Regarding facts and circumstances that might result in litigation against the City pertaining to California Government 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 AGENDA
ITEMS:**

**REPORT ON COUNCIL
TRAVEL**

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

There was nothing to report on Council travel.

**REPORT ON MEETING
COMPENSATION**

Pursuant to State law, Assistant City Clerk Nikima Newsome announced that Council will receive no compensation for meeting as the Redevelopment Successor Agency.

CONSENT CALENDAR:

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

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

At the request of Agency/Councilmember Brock, Items 5.B. and 5.E. were removed from the Consent Calendar.

At the request of Agency/Councilmember Parra, Item 5.F was removed

from the Consent Calendar.

Motion by Vice Chair/Mayor Pro Tem Negrete, seconded by Agency/Councilmember Brock, to approve the Consent Calendar except for Items 5.B., 5.E., and 5.F., reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:

AYES: Agency/Councilmembers, de la Torre, Torosis, Brock, Parra, Zwick, Vice Chair/Mayor Pro Tem Negrete, Chair/Mayor Davis

NOES: None

ABSENT: None

CITY WIDE PLUMBING SERVICES

5.A. Award Agreement Nos. 11362 (CCS) and 11363 (CCS) for City Wide Plumbing Contractor Services, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #4433 to Plumbing by Todd R. Marsh, Inc. dba TRM Services and Verne's Plumbing, for citywide as-needed plumbing contracting services as required by the Public Works Department.
2. Authorize the City Manager to negotiate and execute an agreement with TRM Services, in an amount not to exceed \$900,000 for two years, with one additional three-year renewal option in the amount of \$1,350,000 for a total amount not to exceed \$2,250,000 over a 5-year period with future year funding contingent on Council budget approval.
3. Authorize the City Manager to negotiate and execute an agreement with Verne's Plumbing, in an amount not to exceed \$500,000 for two years, with one additional three-year renewal option in the amount of \$750,000 for a total amount not to exceed \$1,250,000 over a 5-year period with future year funding contingent on Council budget approval.
4. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities), of the California Environmental Quality Act (CEQA) Guidelines.

3200 AIRPORT AVENUE

5.C. Award Bid SP2486 to Swinerton Builders for the 3200 Airport Ave Renovation Project, was approved.

Recommended Action

Staff recommends that the City Council:

1. Award Bid #SP2486 to Swinerton Builders for the construction of the 3200 Airport Avenue building renovation for the Public Works Department;
2. Authorize the City Manager to negotiate and execute Contract

No. 11365 (CCS) with Swinerton Builders, in an amount not to exceed \$9,084,792 (including a \$1,184,973 contingency);

3. Authorize the Director of Public Works to issue any necessary change orders to complete additional work within contract authority.
4. Award Bid #SP2486 to Totum Corporation for construction management services for the Public Works Department;
5. Authorize the City Manager to negotiate and execute Agreement No. 11366 (CCS) with Totum Corporation, in an amount not to exceed \$653,793.
6. Adopt a finding of Categorical Exemption pursuant to Sections 15301 (Existing Facilities) and 15302 (Replacement/Reconstruction), of the California Environmental Quality Act (CEQA) Guidelines.

TRANSPORTATION SOFTWARE

5.D. Authorization of 6th Modification to Contract #8928 with Trapeze, Inc. for Vehicle and Operator Scheduling Systems, was approved.

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. Authorize the City Manager to negotiate and execute a sixth modification to #8928 (CCS) for \$527,781 with Trapeze Group to extend maintenance support of the Trapeze operator and vehicle scheduling systems for two additional years through June 30, 2025, to configure the operator scheduling module to accommodate a shortened workweek in an effort to improve operator work-life balance for staff retention purposes, to add up to two additional absence codes to the OPS Timekeeping module, and to train staff on the use of the Timekeeping module. This will result in a 13-year amended agreement with a new total amount not to exceed \$3,666,991 with future year funding contingent on Council budget approval.

HOUSING GRANTS

5.F. Adoption of Resolution No. 11498 (CCS) entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR AND PARTICIPATION IN THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PROHOUSING DESIGNATION PROGRAM” and Resolution No. 11499 (CCS) entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR AND ACCEPT RECEIPT OF

PROHOUSING INCENTIVE PILOT PROGRAM FUNDS”, was approved.

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 find that uses of grant funding for affordable housing are consistent with the certified 6th Cycle Housing Element Environmental Impact Report.
2. Adopt the attached resolution authorizing the City Manager to submit an application to participate in the California Department of Housing and Community Development’s Prohousing Designation Program;
3. Adopt the attached resolution authorizing the City manager to submit an application for grant funds in the amount of \$500,000 from the California Department of Housing and Community Development’s Prohousing Incentive Program (PIP) for planning and implementation activities related to housing and community development, to support implementation of the certified Housing Element;
4. Authorize the City Manager to execute all necessary documents to apply for the grant, accept the grant, if awarded, and accept all grant renewals and modifications, if awarded; and
5. Authorize budget changes as outlined in the Financial Impacts and Budget Actions section of this report, in the event the grant is awarded.

JOB CLASSIFICATIONS

5.G. Adoption of Salary Resolution No. 11500 (CCS) entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ESTABLISHING A NEW CLASSIFICATION FOR EXECUTIVE ADMINISTRATIVE ASSISTANT-CAO AND ADOPTING SALARY RATE FOR SUCH CLASSIFICATION”, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no project and/or categorical exemption pursuant to Section 15324 (Class 24 Regulations of Working Conditions) of the California Environmental Quality Act (CEQA) Guidelines; and
2. Adopt a resolution establishing a new classification and salary rate for the new classification of Executive Administrative Assistant-CAO (Attachment A); and
3. Approve the cost neutral budget and position changes described in the Financial Impacts and Budget Action section of this report.

MINUTES

JOINT MEETING WITH THE REDEVELOPMENT SUCCESSOR AGENCY ANNUAL INVESTMENT POLICY

5.H. Minutes of City Council - Regular Meeting - February 14, 2023, were approved.

5.I. Annual Investment Policy Update, was approved.
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. Review and approve the City's revised Investment Policy.
3. Extend the delegation of investment authority to the Director of Finance, as City Treasurer, from March 1, 2023 through February 28, 2024.

Staff also recommends that the Successor Agency Governing Board:

1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) (Common Sense Exception) of the California Environmental Quality Act (CEQA) Guidelines.
2. Review and approve the City Investment Policy for Successor Agency Investments.
3. Extend investment authority to the Treasurer of the Successor Agency, from March 1, 2023 through February 28, 2024.

MINUTES

5.J. Minutes for the December 13, 2022 Redevelopment Successor Agency meeting, were approved.

Recommended Action

Staff recommends that the Redevelopment Successor Agency approve the minutes of the December 13, 2022 meeting.

TRANSIENT OCCUPANCY TAX ADVISORY COMMITTEE

5.K. Adoption of Resolution No. 11501 (CCS) entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ESTABLISHING A TRANSIENT OCCUPANCY TAX ADVISORY COMMITTEE", was approved.

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. Adopt the attached resolution establishing an advisory committee to make recommendations regarding the expenditure of additional funds raised by increasing the City's transient occupancy tax rate by 1% for hotel stays and 3% for home-share stays pursuant to Measure CS.

VEHICLE PURCHASE

5.B. Approval of Agreement No. 11364 (CCS) with Gillig LLC to Purchase Fifteen 35-foot Battery Electric Buses, was approved.

Recommended Action

Staff recommends that the City Council:

1. Authorize the City Manager to negotiate and execute an agreement with Gillig LLC to furnish and deliver up to fifteen 35-foot battery electric buses to the Santa Monica Department of Transportation. 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 \$18,147,670 with future year funding contingent on Council budget approval;
2. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report;
3. Adopt a finding of Categorical Exemption pursuant to Section 15302 (Replacement or Reconstruction) of the California Environmental Quality Act (CEQA) Guidelines.

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

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

NOES: None

ABSENT: None

HOUSING GRANTS

5.F. Adoption of Resolution No. 11498 (CCS) entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR AND PARTICIPATION IN THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PROHOUSING DESIGNATION PROGRAM” and Resolution No. 11499 (CCS) entitled “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR AND ACCEPT RECEIPT OF PROHOUSING INCENTIVE PILOT PROGRAM FUNDS”, was approved.

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 find that uses of grant funding for affordable housing are consistent with the certified 6th Cycle Housing Element Environmental Impact Report.

2. Adopt the attached resolution authorizing the City Manager to submit an application to participate in the California Department of Housing and Community Development's Prohousing Designation Program;
3. Adopt the attached resolution authorizing the City manager to submit an application for grant funds in the amount of \$500,000 from the California Department of Housing and Community Development's Prohousing Incentive Program (PIP) for planning and implementation activities related to housing and community development, to support implementation of the certified Housing Element;
4. Authorize the City Manager to execute all necessary documents to apply for the grant, accept the grant, if awarded, and accept all grant renewals and modifications, if awarded; and
5. Authorize budget changes as outlined in the Financial Impacts and Budget Actions section of this report, in the event the grant is awarded.

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

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

STUDY SESSION:
SOLID WASTE

7.A. Solid Waste Rate Study, was presented.

Recommended Action

Staff recommends that the City Council:

1. Receive staff analysis of the Resource Recovery and Recycling solid waste rate study.
2. Review rate adjustment options and provide direction.
3. Consider the creation of a solid waste rate discount program and provide direction.

Questions asked and answered of staff including where does bulky pickup begin and end; what areas does the alley sweeping cover; what is considered a bulky item; what is the breakdown of the 33% revenue that funds labor; can property owners pass through the charges to their tenants; do single family and multi-family homes have an option in size and number of containers as well as collection frequency; how are the garbage cans on the private right-of-ways serviced; and how does the 15.12 FTE number compare to pre-COVID FTE numbers.

Considerable discussion ensued on topics including but not limited to illegal dumping; rules related to pass through fees from property owners to tenants; the discount program; the option of providing a fee waiver vs. discount; and ensurance that the Rent Control Board has been engaged in this matter.

Motion by Mayor Pro Tem Negrete, seconded by Councilmember de la Torre to approve the staff recommendation and to direct staff to proceed with rate adjustment option 1 and to create an ad hoc committee of the City Council consisting of Councilmembers de la Torre, Parra, and Mayor Pro Tem Negrete to work on the community cleanup aspect as discussed by staff. The motion was unanimously approved by voice vote with all members present.

CONTINUED ITEMS: **HOUSING ELEMENT**

8.A. Study Session on Implementation of 6th Cycle (2021-2029) Housing Element Programs, was presented.

Recommended Action

To ensure that the City of Santa Monica remains in compliance and consistent with its approved 6th Cycle Housing Element of the City's General Plan, staff recommends that the City Council discuss and provide direction on the policy questions presented in this report regarding the Planning Commission's recommended amendments to the following:

- Land Use and Circulation Element of the General Plan;
- Bergamot Area Plan;
- Downtown Community Plan, and
- The City of Santa Monica Comprehensive Zoning Ordinance, Santa Monica Municipal Code Chapters 9.01 to 9.52,

City Council is also being asked to discuss and provide direction on the following:

- Amendments to the General Plan Land Use Designation Map and the Official Zoning Map for Consistent Designation of Parcels;
- Amendments to the Zoning Ordinance for Consistency with State Law Updates related to Housing Production and Minimum Parking Requirements; and
- Minor Clarifying Amendments to the Zoning Ordinance.

Questions asked and answered of staff including what is the point of moving projects from the discretionary to the administrative process; will this process be faster and more certain for applicants; what is the development timeline; does the timeline need to be part of the rezoning process; how often does staff get projects of over 150 units; what is the average size project; what is the longest approval process timeframe we have had on a project of 60 units; what is the average approval timeframe; how does this approval process affect other smaller projects and how is a

balance struck; is there an internal monitoring mechanism for the project approval process; have any builders weighed in on the new idea to incorporate ARB approval into the initial entitlement approval process; why are residentially zoned surface parking lots being considered as a special incentive to encourage housing projects; are these parking lots what was formerly referred to as “A” lots; how does it get discerned as to what is considered a residential surface lot vs. what is a commercial surface lot; is there any legal limitation for a resident to receive a preferential parking permit for a housing project in an area with no available parking; would it be legal under California state law for one jurisdiction to transfer its state mandated housing production obligation to another jurisdiction in exchange for any financial consideration or otherwise; did City of Santa Monica staff initiate any discussions with the City of Palmdale staff or elected officials about this concept; how did the issue with the City of Palmdale come to our attention and why was it reported on by the media; was any commitment made regarding transferring the City of Santa Monica’s housing obligation to the City of Palmdale; have any Councilmembers asked any staff to engage in conversation regarding this topic with the City of Palmdale; would it be illegal for the City Manager to engage with another City Manager without direction from Council; and would it be illegal for any Councilmember to engage or meet with a member of the state legislature on a particular issue.

Considerable discussion ensued on topics including, but not limited to whether changing the process would truly expedite the process for approval; adopting a timeline deadline for projects that require administrative approval; based on extent of the project including tracking time of planned deadline vs. actual deadline; monitoring of project approval process; legalities around discussions pertaining to engagement with the City of Palmdale regarding housing numbers.

Motion by Councilmember Zwick, seconded by Mayor Davis, to direct staff to draft a proposed timeline for projects that qualify under the administrative approval process.

The motion was approved by a unanimous voice vote, with all members present.

Motion by Mayor Davis, seconded by Councilmember Zwick, to direct staff to bring back, when they return with the zoning code, that for commercial surface parking lots behind commercial businesses that staff bring back proposed alternate zoning to the level of the housing projects abutting the commercial property.

The motion failed by a voice vote of 3 to 4 with Councilmembers Torosis, Zwick, and Mayor Davis voting in the affirmative and Councilmembers

Brock, de la Torre, Parra, and Mayor Pro Tem Negrete voting against the motion.

ORDINANCES:
OUTDOORS PARKLET PROGRAM

10.A. Second Reading and Adoption of Ordinance No. 2737 (CCS) entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA AMENDING CHAPTER 6.42 OF THE SANTA MONICA MUNICIPAL CODE THAT ESTABLISHED THE OUTDOORS PARKLET PROGRAM”, was presented.

Recommended Action

Staff recommends that the City Council adopt the attached Ordinance.

Motion by Mayor Pro Tem Negrete, seconded by Councilmember Parra, to adopt 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 Pro Tem Negrete, Mayor Davis
NOES: None
ABSENT: None

**THIRD STREET
PROMENADE
RESTAURANTS**

10.B. Introduction and First Reading of an Interim Zoning Ordinance Eliminating Prohibition of Certain Restaurants in Establishments 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 eliminating the prohibition of certain restaurants with frontage on the Third Street Promenade.

Questions asked and answered of staff included having the ability to revisit the effects of this policy at a later time; what establishments would be affected by this; if this is to monitor, what should be monitored; is there a plan for staff to do any outreach to the types of food establishments that would be affected by this ordinance; and what problem is the City trying to solve with this ordinance.

Considerable discussion ensued on topics including, but not limited to the the need for revitalization in the Promenade; the timeframe it will take to implement this ordinance; concerns with the footprint of the available spaces and their conduciveness to a fast food establishment; the concern of

businesses currently on the Promenade that could leave and would not be able to come back if desired i.e. Starbucks; access for lower income families to purchase more affordable food options in the downtown; franchises providing the ability to start a business with less money; fast food only being prohibited in the Promenade and nowhere else in the City; the risk of attracting homeless people to the Promenande and loitering in certain locations; corporate owned outlets; how this will affect the health of the young members of the community; watering down the uniqueness of the Promenade; and rental rates on the Promenade.

Motion by Mayor Davis seconded by Mayor Pro Tem Negrete, 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 Pro Tem Negrete, Mayor Davis
NOES: None
ABSENT: None

AGENDA MANAGEMENT

Mayor Pro Tem Negrete, seconded by Councilmember Torosis, to continue past 11:00 p.m. and hear all items remaining on the agenda. The motion was unanimously approved by voice vote, with all members present.

COUNCILMEMBER DISCUSSION ITEMS: COMMISSION ON SUSTAINABILITY, ENVIRONMENTAL JUSTICE AND THE ENVIRONMENT

16.A. Recommendation to accept Garen Baghdasarian's resignation from the Commission on Sustainability, Environmental Justice and the Environment 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 by a unanimous voice vote, with all members present.

COMMEMORATION OF NICK GABALDON

16.B. Request of Councilmember de la Torre, Mayor Pro Tem Negrete, and Councilmember Para that in the spirit of acknowledging Nick Gabaldon's mixed heritage and to build intercultural solidarity, upon completion of Reframe: City Hall Murals, initiate a public art and community engagement Reframe project to commemorate the Historic Bay Street Beach site and its rich history of Black surfers, including Nick Gabaldon. In commemorating Nick Gabaldon, consideration will be given to creating a statue of Nick Gabaldon with his surfboard looking out towards Malibu where he passed while surfing. The process will include engaging an artist to commemorate the Historic Bay Street Beach site's history and people while creating a powerful acknowledgement of people of color who were pioneers in the sport of surfing.

Motion by Councilmember de la Torre, seconded by Mayor Davis, was approved by a unanimous voice vote, with all members present.

SUPPORT FOR IRAN

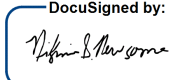
16.C. Request of Mayor Davis and Councilmember Zwick that the City Council adopt the attached Resolution No. 11502 (CCS) titled, "A Resolution of the City of Santa Monica, declaring support for the Iranian American community and the people of Iran, particularly the women of Iran, and a call to action for technology companies to support internet freedom, was presented.

Motion by Councilmember Brock, seconded by Mayor Pro Tem Negrete, to adopt the resolution with an amendment to include *Support of the Mahsa Amini Human Rights and Security Accountability Act (HR 9203)* and that the resolution be forwarded to the office of Congressman Ted Lieu. The motion was approved by a unanimous voice vote, with all members present.

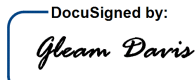
ADJOURNMENT

On order of the Mayor, the City Council meeting adjourned at 11:49 p.m. in memory of Michael J.B. Allen, father of Senator Ben Allen.

ATTEST:

DocuSigned by:

7032651F371E430...
Nikima S. Newsome
Assistant City Clerk

APPROVED:

DocuSigned by:

8FE4004DAD0B40B...
Gleam Davis
Mayor