

**CITY OF SANTA MONICA**

**CITY COUNCIL MINUTES**

**APRIL 19, 1994**

A regular meeting of the Santa Monica City Council was called to order by Mayor Abdo at 6:47 P.M. on Tuesday, April 19, 1994, in the Council Chambers.

Roll Call: Present: Mayor Judy Abdo  
Mayor Pro Tempore Antonio Vázquez  
(arrived at 7:28 P.M.)  
Councilmember Ken Genser  
Councilmember Asha Greenberg  
Councilmember Robert T. Holbrook  
Councilmember Kelly Olsen  
Councilmember Paul Rosenstein

Also Present: City Manager John Jalili  
City Attorney Marsha Jones Moutrie  
City Clerk Clarice E. Dykhouse

Councilmember Holbrook led the assemblage in the Pledge of Allegiance to the Flag of the United States of America.

**4-A: PROCLAMATION/TAKE OUR DAUGHTERS TO WORK DAY:** Mayor Abdo presented a proclamation declaring April 28, 1994, as "Take our Daughters to Work Day" in the City of Santa Monica.

**6. CONSENT CALENDAR:** Presented was the Consent Calendar, whereby all items are considered and approved in one motion unless removed from the calendar for discussion. Members of the public Joy Fullmer and Mark Olson discussed items on the Consent Calendar. Mayor Abdo removed Item No. 6-A from the Consent Calendar.

**6-A: REGIONAL ENERGY EFFICIENCY INITIATIVES/ASPEN ACCORD:** Discussion was held. Mayor Abdo moved to adopt Resolution No. 8744(CCS) entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA SUPPORTING THE DEVELOPMENT AND IMPLEMENTATION OF REGIONAL ENERGY EFFICIENCY INITIATIVES AND APPROVING THE 'ASPEN ACCORD,'" amended to authorize the Mayor to be reimbursed for expenses, reading by title only and waiving further reading thereof. Second by Councilmember Holbrook. The motion was approved by the following vote:

Council vote: Affirmative: Councilmembers Rosenstein, Olsen, Holbrook, Greenberg, Genser, Mayor Abdo

Absent: Councilmember Vázquez

**14-B: OPPOSITION/AB1320/COSTA RENT CONTROL BILL:** Presented was the request of Councilmember Genser to discuss opposing AB1320, the Costa Rent Control Bill, and directing staff to take appropriate action to advocate its defeat. Council asked questions of Councilmember Genser. Member of the public Michael Tarbet spoke in support of the opposition to AB1320. Member of the public Joy Fullmer expressed her concerns. Councilmember Genser moved that the City Council declare its opposition to AB1320, call on the residents of the City to convey their opposition to AB1320 to the State Legislature, that Council go on record as opposing vacancy de-control and any measure which preempts local ability to have its own program of rent control, and ask the Mayor to convey this position to the State Legislature and/or Governor in the means which she deems most effective. Second by Councilmember Olsen. Council asked questions of staff. Discussion was held. The motion was approved by the following vote:

Council vote: Affirmative: Councilmembers Genser, Greenberg, Holbrook, Olsen, Rosenstein, Mayor Abdo

Absent: Councilmember Vázquez

**14-A: ENFORCEMENT OF PARK CLOSURE ORDINANCE/ESTABLISHMENT OF POLICE PATROL DETAIL:** Presented was the request of Councilmember Olsen to discuss enforcement of the Park Closure Ordinance and establishment of a Palisades Park/Ocean Avenue Police Patrol Detail for the Palisades Park/Ocean Avenue area. Member of the public Steve Brackett, representing the Police Department, spoke in support of the proposal. Member of the public Joy Fullmer expressed her concerns. Mayor Pro Tempore Vázquez reported present at 7:28 P.M. Council asked questions of Councilmember Olsen and staff. Discussion was held. Councilmember Olsen moved to direct staff to return with a plan for a uniformed presence in Palisades Park and Ocean Avenue which deals with the issues as discussed this evening and which will not draw services away from any ongoing programs nor from the City with regard to protection and services. Second by Councilmember Genser. Discussion was held. Councilmember Rosenstein moved a substitute motion to ask the Police Department to develop a plan to deal with the criminal activity in Palisades Park and Ocean Avenue and that it be done in conjunction with the other programs that are being developed in the City and the other priorities in the City and that the Department return if there is a need for additional resources and that the Police Department also return with recommendations about any ordinances that may be appropriate or necessary to effectuate such a plan. Second by Councilmember Holbrook. Discussion was held. Councilmember Rosenstein moved to call the question. The motion was duly seconded and approved, Councilmember Genser opposed. Councilmember Genser

requested that the record reflect that he voted "no" on this motion was due to the fact that he believes that this is an important enough issue that an additional five minutes could be spent discussing it. The substitute motion was approved by the following vote:

Council vote: Affirmative: Councilmembers Vázquez, Rosenstein, Holbrook, Greenberg, Mayor Abdo

Negative: Councilmembers Olsen, Genser

Councilmember Genser requested that the record reflect that he voted "no" on this motion not because he does not believe that the problem needs to be addressed, but he feels that it is important to this Council to say that this is a priority and this motion does not set this issue as a priority it sets it as equal to other issues which are facing this City and he strongly disagrees with the Council for not elevating this as one of the highest priorities for law enforcement in the City.

At 8:30 P.M., Council adjourned for a short recess. Council reconvened at 8:55 P.M. with all members present.

**8-A: THE EARTHQUAKE RECOVERY ACT:** Presented was an emergency ordinance for introduction and adoption entitled "The Earthquake Recovery Act," establishing procedures and standards for repair and reconstruction of earthquake damaged structures and declaring the presence of an emergency. Council asked questions of staff. At 9:25 P.M., Mayor Abdo declared the public hearing open. Members of the public Chris Harding and Ken Kutcher urged Council to adopt the ordinance as is and then make amendments. Member of the public Joy Fullmer expressed her concerns. Member of the public Mitchell Clarfield spoke in support of the proposed ordinance. Member of the public Rosario Perry expressed doubt with the accuracy of the feasibility study and expressed concern with the affordable housing requirements. Member of the public Eileen Hecht expressed concern with the parking and made suggestions with regard to development on substandard lots. Member of the public Michael Chait spoke in support of the proposed ordinance and urged flexibility in allowing enlargement of a single family residence for practical reasons and made suggestions. Member of the public Chuck Levy spoke in opposition to the proposed ordinance. Member of the public Pam O'Connor spoke in support of the proposed ordinance and made suggestions. Mayor Abdo closed the public hearing at 10:04 P.M. Council asked questions of staff. Councilmember Genser moved to adopt the emergency ordinance with the following changes: 1) SECTION 5(c), the smaller of either those numbers of the typical unit which existed prior to the earthquake; 2) covered parking will not count toward the 15% floor area bonus, provided it complies with all other Codes; 3) for single family homes, fees be waived; 4) strike the word "unduly" on page 16, SECTION 8(c)(2); 5) SECTION 2(h)(4) changed to read: "Identified in the City of Santa Monica Historic Resources Inventory Volumes 1, 2, and 3..."; and 6) allow the 15% floor area bonus to exceed lot coverage requirements by up to 500 square feet of the footprint area. Second by Mayor Abdo. Discussion was held. Councilmember Genser moved to amend the motion to ask staff to return next week with an emergency ordinance to accomplish modification to the applicability section

to enable new construction of a single family home damaged as a result of the earthquake to be processed under the expedited process and waive fees. The motion was accepted as friendly. Discussion was held. Councilmember Genser moved to amend his motion to allow construction to begin at 7:30 A.M., Monday through Friday. The motion was accepted as friendly. Discussion was held. Councilmember Rosenstein moved to amend the motion to ask staff to study the issue of allowing an expedited process for re-construction to present standards. The motion was accepted as friendly. Discussion was held. The motion was approved by the following vote:

Council vote: Affirmative: Councilmembers Genser, Greenberg, Holbrook, Rosenstein, Vázquez, Mayor Abdo

Negative: Councilmember Olsen

By virtue of the above action, Ordinance No. 1736(CCS) entitled: "AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ENTITLED "THE EARTHQUAKE RECOVERY ACT," ESTABLISHING PROCEDURES AND STANDARDS FOR REPAIR AND RECONSTRUCTION OF EARTHQUAKE DAMAGED STRUCTURES AND DECLARING THE PRESENCE OF AN EMERGENCY," was adopted as amended.

Councilmember Olsen was excused from the dias at 10:31 P.M.

**8-B: REPAIR AND RETROFITTING STANDARDS/CRITICAL FACILITIES:** Presented was an emergency ordinance for introduction and adoption establishing repair and retrofitting standards for critical facilities and adding Section 8.04.230 to the Santa Monica Municipal Code. Council asked questions of staff. At 10:47 P.M., Mayor Abdo opened the public hearing. Member of the public Joy Fullmer expressed her concerns. Mayor Abdo closed the public hearing at 10:48 P.M. Councilmember Olsen returned to the dias at 10:55 P.M. Councilmember Greenberg moved to adopt Ordinance No. 1737(CCS) entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA ESTABLISHING REPAIR CRITERIA AND RETROFITTING STANDARDS FOR CRITICAL FACILITIES AND ADDING SECTION 8.04.230 TO THE SANTA MONICA MUNICIPAL CODE," reading by title only and waiving further reading thereof. Second by Councilmember Holbrook. Discussion was held. The motion was approved by the following vote:

Council vote: Affirmative: Councilmembers Vázquez, Rosenstein, Olsen, Holbrook, Greenberg, Genser, Mayor Abdo

**9-A: CLOSED SESSION:** Held at end of meeting.

**15: PUBLIC INPUT:** Member of the public Joy Fullmer discussed problems with drug tests. Member of the public Art Casillas reported on crime. Member of the public Merritt Coleman invited Council and the public to a debate on Propositions D and E which will take place on

Thursday, April 28th, at 8:00 P.M., at 1318 10th Street. Mr. Coleman also challenged the Mayor to a debate on the same issues.

Councilmember Greenberg moved to extend the meeting to 11:15 P.M. The motion was duly seconded and unanimously approved.

**9-A: CLOSED SESSION:** At 11:03 P.M., Council adjourned to Closed Session to discuss the case of Paul Ventrice v. City of Santa Monica, Superior Court Case No. SC 021132.

At 11:07 P.M., Council reconvened with all members present. Mayor Abdo announced that no action was taken.

**ADJOURNMENT:** At 11:08 P.M., the meeting was adjourned.

ATTEST:

APPROVED:

Clarice E. Dykhouse  
City Clerk

Judy Abdo  
Mayor