

**CITY OF SANTA MONICA**

**CITY COUNCIL MINUTES**

**JUNE 20, 2006**

A regular meeting of the Santa Monica City Council was called to order by Mayor Holbrook at 5:46 p.m., on Tuesday, June 20, 2006, at City Council Chambers, 1685 Main Street.

Roll Call: Present: Mayor Robert T. Holbrook  
Mayor Pro Tem Bobby Shriver  
Councilmember Ken Genser  
Councilmember Herb Katz  
Councilmember Kevin McKeown  
Councilmember Pam O'Connor

Absent: Councilmember Richard Bloom

Also Present: City Manager P. Lamont Ewell  
City Attorney Marsha Jones Moutrie  
City Clerk Maria M. Stewart

**CONVENE/PLEDGE**

On order of the Mayor, the City Council convened at 5:46 p.m., with Councilmember Bloom absent. Assistant City Manager Gordon Anderson led the assemblage in the Pledge of Allegiance.

On order of the Mayor, the City Council recessed at 5:47 p.m., to discuss closed sessions and returned at 7:11 p.m., with Councilmembers Bloom, Genser, and Mayor Pro Tem Shriver absent, to report the following:

**CLOSED SESSIONS:**

2-A: **Conference with Legal Counsel - Existing Litigation: Margarita Gomez v. City of Santa Monica, Case No. SC 082 581.**

Motion by Councilmember Katz, seconded by Councilmember McKeown, to approve bus-accident related settlement in the amount of \$125,000. The motion was approved by the following vote:

AYES: Councilmembers Katz, McKeown, O'Connor,

Mayor Holbrook  
NOES: None  
ABSENT: Councilmembers Genser, Bloom, Mayor Pro Tem  
Shriver

**2-B: Conference with Legal Counsel - Existing Litigation:  
City of Santa Monica v. Baron & Budd, Case No. BC 315 188.**

ACTION: Heard. No reportable action taken.

**2-C: Conference with Legal Counsel - Existing Litigation:  
City of Santa Monica adv. Shell Oil Company (arbitration  
regarding compliance with settlement agreement in City of  
Santa Monica v. Shell Oil Co., Case No. 01CC4331).**

ACTION: Heard. No reportable action taken.

**2-D: Conference with Legal Counsel - Existing Litigation:  
Abraham Supino v. City of Santa Monica, Case No. SC 080  
283, and related cases (Farmer's Market Litigation).**

ACTION: Not Heard.

**2-E: Anticipated Litigation: Anticipate significant exposure  
to litigation pursuant to Government Code Section  
54956.9(b): an estoppel and related claim(s) involving real  
property located at 923 20<sup>th</sup> St.**

ACTION: Not Heard.

**2-F: Anticipated Litigation: Anticipate significant exposure  
to litigation pursuant to Government Code Section  
54956.9(b): an estoppel and related claim(s) involving real  
property located at 923 20<sup>th</sup> St. and claim of Palisades Beach  
Road Property Owners' Association that proposed renovation  
of 415 PCH conflicts with Proposition S and CEQA.**

ACTION: One anticipated litigation case heard. No  
reportable action taken.

**STUDY SESSION:**

*Councilmember Genser and*

**3-A: A Review and Discussion of City Practices in  
Contracting for Operational Services, was presented.**

*Mayor Pro Tem Shriver returned at 7:14 p.m.*

Members of the public Joey Fullmer, Patricia Hoffman and Joe Natoli commented on various aspects of the related services.

Discussion ensued on the matter. On order of the Mayor, the information was received and filed. No formal action was taken.

**STAFF ITEMS:**  
**CONVENE SPECIAL**  
**JOINT MEETING**

**SPECIAL JOINT MEETING OF THE CITY COUNCIL,**  
**HOUSING AUTHORITY, PARKING AUTHORITY AND**  
**REDEVELOPMENT AGENCY:**

On order of the Mayor, the regular City Council meeting recessed at 7:41 p.m., and reconvened to a joint meeting with the Housing Authority, Parking Authority and Redevelopment Agency with Councilmember Bloom absent.

**ADOPTION OF**  
**BUDGET**

**8-B: Adoption of the Fiscal Year 2006-07 Budget –** recommendation to adopt Resolution No. 10138 (CCS) entitled: “A RESOLUTION OF THE CITY OF SANTA MONICA ESTABLISHING NEW CLASSIFICATIONS AND ADOPTING SALARY RATES”; Resolution No. 10139 (CCS): entitled: “A RESOLUTION OF THE CITY OF SANTA MONICA REVISING AND CREATING VARIOUS PERMIT AND USER FEES IN VARIOUS DEPARTMENTS”; Resolution No. 10140 (CCS) entitled: “A RESOLUTION OF THE CITY OF SANTA MONICA SETTING FEES FOR USE OF COMMUNITY AND RECREATIONAL FACILITIES , RENTAL OF THE CIVIC AUDITORIUM, AND USE OF BEACH PARKING LOT: Resolution No. 10141 (CCS) entitled: “A RESOLUTION OF THE CITY OF SANTA MONICA SETTING FEES FOR SOCIAL SERVICE, RECREATION AND COMMUNITY PROGRAMS AND CLASSES AND SERVICES”; Resolution No. 10142 (CCS) entitled: “A RESOLUTION OF THE CITY OF SANTA MONICA SETTING SOLID WASTE RATES AND FEES”; Resolution No. 10143 (CCS) entitled: “A RESOLUTION OF THE CITY OF SANTA MONICA ESTABLISHING THE GANN APPROPRIATIONS”; adopt proposed guiding financial policies; and authorize the City Manager to negotiate and execute proposed modifications to grant contracts. Recommendation that the City Council, the Housing Authority, the Parking Authority, and Redevelopment Agency adopt respective Resolution Nos. 10144 (CCS), 81 (HAS), 496 (RAS), and 245 (PAS) adopting the budget, was presented.

The following members of the public spoke in support of various

services including social services, public library security, public gardens, homeless violations enforcement and funding, sustainable city efforts, child care, the Red Cross, and the arts: Celia Carrol, Larry Carrol, Joey Fullmer, John Pacheco, Jerry Rubin, Hugh Browning, Whitney Scott Bains, Ken Ward, Ann Bowman, Gary Downie, Brian Linne Kens, Jenna Linne Kens, Jim Ries, Rebecca Brod, Felicia Matz, Shari Davis, Betsy Hiteshew, Patti Oblath, Virginia Kavner, Patricia Gordon, Judy Abdo, and Myrna Bueno.

Motion by Mayor Pro Tem Shriver, seconded by Councilmember Genser, that City Council adopt the resolution approving the proposed budget.

Motion to amend by Councilmember McKeown, seconded by Councilmember Genser, to increase the Environmental Programs Division's budget in the amount of \$150,000 from the various enterprise funds as described by the Director of Environmental Programs and Public Works. The motion was approved by the following vote:

AYES: Councilmembers Genser, O'Connor, McKeown,  
Katz, Mayor Pro Tem Shriver  
NOES: Mayor Holbrook  
ABSENT: Councilmember Bloom

Motion to amend by Councilmember Genser, seconded by Councilmember McKeown, to approve funding for \$5,000 for a flagpole at the Veterans Memorial; a set-aside of \$5,000 for non-smoking signs at bus stops from BBB budget; and set-aside of \$6,000 for live close-captioning from the CityTV signal in Council Chambers for a total of \$16,000. The motion failed by the following vote:

AYES: Councilmembers McKeown, Genser  
NOES: Councilmembers Katz, O'Connor, Mayor Pro Tem  
Shriver, Mayor Holbrook  
ABSENT: Councilmember Bloom

Discussion ensued on needed funding for various programs and services. Needed funding projects were identified as: \$120,000 re-forestation; \$5,000 flagpole; \$6,000 close captioning; \$50,000 bridge funding for infant care program; \$30,000 for library security

officer; \$10,500 Conservancy walking tour; and \$4,500 for Red Cross.

*Councilmember McKeown was excused at 10:49 and returned at 11:04 p.m.*

Councilmember McKeown requested to be excused at 10:49 p.m., advising he had a conflict of interest with the proposed funding for the School District due to his employment status by the District. Councilmember McKeown returned at 11:04, after discussion on the subject concluded.

City Manager P. Lamont Ewell advised Council that he recommended that in order to bring the budget to a close, Council allow staff spend the next six months looking at the street light traffic synchronization matter and then return with a different proposal; to make the \$120,000 for trees and \$30,000 for library services officer one-time expenses knowing both will be up for

consideration at the next budget, the amount left is within the \$337,000 reflected as salary savings and may be covered within the proposed budget.

Motion by Mayor Pro Tem Shriver, seconded by Councilmember Katz, to approve the City Manager's proposal.

*Councilmember McKeown was excused at 11:12 p.m.*

Councilmember McKeown requested to be excused during the vote for the motion involving the School District.

Motion by Councilmember O'Connor, seconded by Mayor Pro Tem Shriver, to approve \$50,000 in bridge funding for infant care program. The motion was approved by the following vote:

AYES: Councilmembers Katz, O'Connor, Genser, Mayor Pro Tem Shriver, Mayor Holbrook

NOES: None

ABSENT: Councilmembers McKeown, Bloom

*Councilmember McKeown returned at 11:13 p.m.*

On order of the Mayor, and with the consensus of Councilmembers, the original main motion was withdrawn.

Motion by Mayor Pro Tem Shriver, seconded by Councilmember Genser, to adopt the resolution adopting the budget as amended to include \$120,000 for re-forestation; \$5,000 for flagpole; \$6,000 for close captioning; \$30,000 for the library security officer; \$10,500 for the Conservancy walking tour; and \$4,500 for Red Cross, with

the funding as recommended by the City Manager; and, reading the resolution by title only and waiving further reading thereof. The motion was approved by the following vote:

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

Motion by Councilmember McKeown, seconded by Councilmember Katz, to approve \$30,000 from funds rolled over into FY 2006-07 Council's contingency fund for the 18<sup>th</sup> Street Arts Complex. The motion was approved by the following vote:

AYES: Councilmembers Katz, McKeown, O'Connor,  
Genser, Mayor Pro Tem Shriver  
NOES: Mayor Holbrook  
ABSENT: Councilmember Bloom

Motion by Councilmember Genser, seconded by Councilmember McKeown, to allocate \$5,000 out of the BBB funds for ways of notifying patrons that there is no smoking permitted at bus stops in Santa Monica. The motion was approved by the following vote:

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

Motion by Councilmember McKeown, seconded by Councilmember Katz, to adopt the resolution establishing new classifications and adopting salary rates, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

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

Motion by Councilmember O'Connor, seconded by Councilmember Katz, to adopt the resolution revising and creating various permit and user fees in various departments, reading by title only and

waiving further reading thereof. The motion was approved by the following vote:

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

Motion by Councilmember O'Connor, seconded by Councilmember Katz, to adopt the resolution setting fees for use of community and recreational facilities, rental of the Civic Auditorium and use of beach parking lot, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

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

Motion by Councilmember O'Connor, seconded by Mayor Holbrook, to adopt a resolution setting fees for social service, recreation and community programs, classes and services, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

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

Motion by Councilmember O'Connor, seconded by Mayor Holbrook, to adopt the resolution setting solid waste rates and fees, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

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

Motion by Councilmember O'Connor, seconded by Councilmember

McKeown, to adopt the resolution establishing the Gann appropriations, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

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

Motion by Councilmember O'Connor, seconded by Councilmember Katz, to adopt the proposed guiding financial policies. The motion was approved by the following vote:

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

Motion by Councilmember O'Connor, seconded by Councilmember Katz, to authorize the City Manager to negotiate and execute proposed modifications to grant contracts. The motion was approved by the following vote:

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

**ADJOURNMENT OF JOINT MEETING**

On order of the Mayor, the special joint meeting was adjourned at 11:25 p.m., and the regular City Council meeting was reconvened, with Councilmember Bloom absent.

**COUNCIL ITEMS:**

**13-A: Request of Mayor Holbrook that Council re-affirm Council member Richard Bloom as the Governing Board Representative to the Westside Cities Council of Government (COG) and designate an Alternate Governing Board Representative. On May 25, 2006, Council member Bloom was elected to be the first Chair of the COG. The Joint Powers Authority and By-laws require each City Council to annually designate one of its Councilmembers as a Governing Board Representative and one Councilmember as an Alternate Governing Board Representative.**

On order of the Mayor, this matter was continued to June 27, 2006.

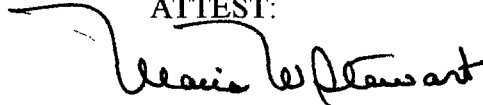
**PUBLIC INPUT:**

Member of the public Art Casillas and Reinhard Kaigl discussed various topics.

**ADJOURNMENT:**

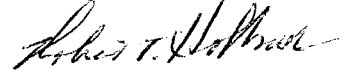
On order of the Mayor, the City Council meeting was adjourned at 11:32 p.m., in memory of Betty Black, Councilmember Richard Bloom's mother-in-law, and Deputy Chief Phil Sanchez's Father, Prez Sanchez.

ATTEST:



Maria M. Stewart  
City Clerk

APPROVED:



Robert T. Holbrook  
Mayor