

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

NOVEMBER 14, 2006

A regular meeting of the Santa Monica City Council was called to order by Mayor Holbrook at 6:05 p.m., on Tuesday, November 14, 2006, at City Council Chambers, 1685 Main Street.

Roll Call: Present: Mayor Robert T. Holbrook
Mayor Pro Tem Bobby Shriver (arrived at 6:20 p.m.)
Councilmember Richard Bloom (arrived at 6:25 p.m.)
Councilmember Ken Genser
Councilmember Herb Katz
Councilmember Kevin McKeown
Councilmember Pam O'Connor

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 6:05 p.m., with Councilmember Bloom and Mayor Pro Tem Shriver absent. Councilmember Katz led the assemblage in the Pledge of Allegiance.

CONSENT CALENDAR: The Consent Calendar was presented..

Member of the public Joy Fullmer expressed various concerns.

At the request of Councilmember McKeown, Item 1-G was removed from the Consent Calendar.

Motion by Councilmember Genser, seconded by Councilmember O'Connor, to approve all items on the Consent Calendar as presented except Item 1-G, reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:

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

1814 12TH STREET

1-A: Recommendation to adopt Resolution No. 10182 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA APPROVING FINAL TRACT MAP NO. 062830 FOR A 4-UNIT CONDOMINIUM PROJECT AT 1814 12TH STREET," was approved.

PIER STORM DRAIN DIVERSION

1-B: Analysis of mitigation measures for ponding at Pier Storm Drain Diversion site - recommendation to authorize the City Manager to negotiate and execute an amendment to Contract No. 8653 (CCS) (previously Contract No.1270) with Psomas, in the amount of \$20,000, to add Pier Storm Drain analysis to the contract's scope of work, was approved.

HOMELESSNESS CONTINUUM OF CARE

1-C: Coordinated case management for homeless continuum of care services - recommendation to accept Federal Supportive Housing Program Renewal Grant funds from the L.A. Homeless Services Authority, in the amount of \$381,941, for coordinated case management; authorization for the City Manager to execute related Agreement No. 8651 (CCS); and authorize an amendment to Contract No. 8407(CCS) with Chris Fonner to administer the ClientTrack data management system for the City, was approved.

415 PCH

1-D: 415 Pacific Coast Highway Rehabilitation Project - recommendation to authorize the City Manager to negotiate and execute Contract No. 8652 (CCS) with Midwest Environmental Control, Inc., in the amount of \$679,133, for abatement of asbestos and lead containing materials and selective demolition, was approved.

2909 EXPOSITION

1-E: Recommendation to adopt Resolution No. 10183 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA APPROVING FINAL PARCEL MAP NO. 65149 TO SUBDIVIDE A PROPERTY AT 2909 EXPOSITION BOULEVARD," was approved.

REPORT WITHDRAWN

1-F: Staff report withdrawn.

STREETLIGHT ASSESSMENT DISTRICT

1-G: Streetlight Assessment District on Georgina from 4th to 7th Streets - recommendation to accept the attached certified results of the streetlight assessment district election as tabulated by the City Clerk; approve the formation of an assessment district on Georgina Avenue from 4th Street to 7th Street; and adopt Resolution 10184 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA CONFIRMING THE VOTES IN FAVOR OF FORMATION OF ONE STREET LIGHT ASSESSMENT DISTRICT AND AGAINST FORMATION OF THE OTHER DISTRICT; FINDING THAT THE PUBLIC CONVENIENCE

AND NECESSITY REQUIRES THE INSTALLATION OF STREET LIGHTING,” was presented.

Councilmember McKeown advised he removed the item from the Consent Calendar because he had questions related to the choice of lamp and the “dark sky” effect. Staff responded to questions and provided information related to the streaming of the lamplight sideways and downwards, not up into the sky.

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

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

CLOSED SESSIONS:

Mayor Pro Tem Shriver arrived at 6:20 p.m.

Councilmember Bloom arrived at 6:25 p.m.

Member of the public Brian Hutchings commented on various closed session matters.

On order of the Mayor, the City Council recessed at 6:00 p.m, to consider closed sessions and returned at 7:38 p.m., with all members present, to report the following:

2-A: Conference with Legal Counsel - Existing Litigation: June Shaw v. City of Santa Monica, Case No. SC 089111.

ACTION: Not heard.

2-B: Conference with Legal Counsel - Existing Litigation: Oscar and Eros Saenz v. City of Santa Monica, Case No. SC 088218.

ACTION: Not Heard.

2-C: Conference with Legal Counsel - Existing Litigation: Peter Withers v. City of Santa Monica, Case No. SC 087 283.

ACTION: Not Heard.

2-D: Conference with Legal Counsel - Existing Litigation: Jessie Dixon v. City of Santa Monica, Case No. BC 308831.

ACTION: Heard. No reportable action taken.

2-E: Conference with Legal Counsel - Existing Litigation: Or Khaim Hashalom v. City of Santa Monica, et al., Case No. CV 06-06932 ABC (FFMx).

ACTION: Not Heard.

2-F: Conference with Legal Counsel - Existing Litigation: City of Santa Monica v. Baron & Budd, P.C., Case No. BC 315 186.

ACTION: Not Heard.

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

ACTION: Heard. No reportable action taken.

2-H: Anticipated Litigation: Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(b): two matters involving real property disputes at 1047 11th Street and 161 Ocean Park Boulevard.

ACTION: Not Heard.

2-I: Conference with Legal Counsel - Existing Litigation: Alfred Reyes v. City of Santa Monica, Case No. SC 088032.

ACTION: Not Heard.

2-J: Initiate Litigation: Initiate litigation pursuant to Government Code Section 54956.9(c): one matter involving a collection action.

ACTION: Heard. No reportable action taken.

ORDINANCES: BAN - NON-RECYCLABLE PLASTIC DISPOSABLE FOOD CONTAINERS

7-A: Introduction and first reading of an ordinance banning non-recyclable plastic disposable food service containers.

On order of the Mayor and at the request of staff, this matter was withdrawn from consideration.

STAFF ITEMS:
LAND USE AND
CIRCULATION

8-A: **Land Use and Circulation Element Goals** - recommendation to endorse the draft goals as recommended by the Planning Commission and direct staff to proceed with the next stage of the Land Use and Circulation Element process, was presented.

Member of the public Joy Fullmer expressed various concerns. Members of the public Russell Sidney, Jacob Samuel, Tom Larmore, Gary Gordon, Jerry Rubin, Gwynne Pugh, Zina Josephs and Genise Schnitman discussed various issues including but not limited to development, housing, parking, effects of recommendations on businesses, and on the environment.

Motion by Councilmember Bloom, seconded by Councilmember Katz, to approve staff recommendation. The motion was approved by the following vote:

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

CIVIC CENTER
PROPERTY LEASING

8-B: **Short-term leasing of property in the Civic Center** - recommendation to adopt a policy permitting the short-term leasing of property in the Civic Center for cultural events; authorize staff to issue a "Request for Proposals" to private event producers for use of said property, returning to Council with short-term leasing recommendations; and approve the selection criteria to be used for evaluating lease proposals, was presented.

Member of the public Jerry Rubin spoke in support of the proposal and made suggestions.

Motion by Councilmember Katz, seconded by Councilmember Bloom, to approve recommendation, amended to include language on page 7 to involve participation by local schools, residents, and community programs. The motion was approved by the following vote:

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

**SENIOR HOMELESS
PREVENTION**

8-C: Senior Homeless Prevention and Rental Assistance Program Eligibility Criteria - recommendation to approve the eligibility criteria and program services outlined in the report for the Senior Homeless Prevention and Rental Assistance Program, was presented.

Member of the public Joey Fullmer expressed various concerns.

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

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

**PREFERENTIAL
PARKING**

8-D: Preferential parking on Alta Avenue adjacent to the Montana Business District - recommendation to deny the petition from the 1100 block of Alta Avenue and affirm that no preferential parking should be implemented on Alta Avenue between Lincoln and 17th Street; and, that a two-space exception for homes with primary entrances on Alta should not be created, was presented.

Member of the public Jane Walker spoke in support of the recommendation and made suggestions. Members of the public Greg Coote and Shannon Daley spoke in opposition of the recommendation.

Motion by Councilmember Genser, seconded by Councilmember McKeown, to extend existing preferential parking zone, with existing rules, on one southside block of Alta, between 11th and 12th Street.

Substitute motion by Councilmember O'Connor, seconded by Councilmember Katz, to approve staff recommendation. The substitute motion failed by the following vote:

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

The main motion was approved by the following vote:

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

COUNCIL ITEMS:
PRC

**13-A: Appointment to three annual vacancies on the Pier
Restoration Corporation with terms ending November 14, 2010.**

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

Councilmember Katz nominated the three incumbents for reappointment.

There being no other nominations incumbents Kent Smith, Josefina Santiago, and Allan G. Lipsky were reappointed by acclamation, with all members present.

**INCIDENTAL FOOD
USE - MONTANA AVE.**

**13-B: Request of Councilmember McKeown to direct staff to clarify
the status of incidental food use zoning on Montana Avenue.**

On order of the Mayor, and at the request of Councilmember McKeown, this item was withdrawn.

**DECEMBER 5TH -
COUNCIL MEETING**

**13-C: Request of Mayor Holbrook to schedule a special meeting on
December 5, 2006, to adopt the results of the November 7, 2006,
Municipal Elections; installation of new officers; and convening of
new City Council,** was presented.

Member of the public Jerry Rubin commented on the results of the election and the upcoming selection of the Mayor and Mayor Pro Tem.

Discussion ensued. On order of the Mayor, and with the consensus of Council, the meetings of December 12 and December 26, were cancelled, and a regular adjourned meeting was scheduled for December 5, 2006.


PUBLIC INPUT:

Members of the public Steve Corchado, Art Casillas and Richard Eastman commented on various issues.

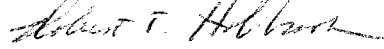
ADJOURNMENT:

On order of the Mayor, the City Council meeting was adjourned at 11:01 p.m., in memory of Bertha Mae Stewart.

ATTEST:


Maria M. Stewart
City Clerk

APPROVED:


Robert T. Holbrook
Mayor