

**CITY OF SANTA MONICA**

**CITY COUNCIL MINUTES**

**JANUARY 9, 2007**

A regular meeting of the Santa Monica City Council was called to order by Mayor Bloom at 5:55 p.m., on Tuesday, January 9, 2007, at City Council Chambers, 1685 Main Street.

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

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 5:55 p.m., with all members present. Chief of Police Jackman's sons, Andrew and Ryan Jackman led the assemblage in the Pledge of Allegiance.

**OATH - NEW CHIEF OF POLICE** A: **Introduction and administration of oath of office to new Police Chief Timothy Jackman.**

City Clerk Maria M. Stewart administered the oath of office to new Police Chief Jackman. City Councilmembers welcomed the Chief to the City of Santa Monica.

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

Members of the public Joe Natoli, Ellen Brennan, Chris Volaski and Ben Franz Knight spoke in opposition to the recommendation for Item 1-B and in support of City employees performing the required services. Member of the public Joey Fullmer expressed concerns related to various Consent Calendar items.

At the request of Mayor Bloom, Item 1- B was removed from the

Consent Calendar. At the request of Councilmember Genser, Item 1-D was removed from the Consent Calendar.

**MINUTES**

1-A: **The minutes** of September 26, October 3, October 10, and October 24, City Council meetings were approved as submitted.

**WATER PUMP  
MAINTENANCE**

1-C: **Water Pump maintenance service** - recommendation to award Bid No. 2917, for a total estimated expenditure over a three-year term of \$873,000, to PumpMan, Inc., to provide services and repairs of wastewater, non-potable water, and chemical feed pumps, was approved.

**LAND FILL GAS  
EXTRACTION**

1-E: **Landfill Gas Extraction System services** - recommendation to authorize the City Manager to negotiate two-year Contract No. 8672 (CCS) with ICF International, in the amount of \$486,510, with a third-year option, to operate, maintain, and monitor the landfill gas extraction system at the City's municipal yard, was approved.

**REAL ESTATE CONSUL-  
TING SERVICES**

1-F: **Real estate economics consulting services** - recommendation to authorize the City Manager to negotiate and execute an amendment to existing Contract No. 8556 (CCS) with Keyser Marston Associates, in the amount of \$25,000, for additional real estate economics consulting services, was approved.

**ELECTION SERVICES**

1-G: **Recommendation to authorize an amendment to existing Contract No. 8614 (CCS), with Martin & Chapman Company, in the amount of \$16,949.56, for provision of additional election services for the November 7, 2006, election,** was approved.

**HOMELESS  
COMMUNITY COURT**

1-H: **Authorization for the City Manager to accept \$35,000 from the California Endowment for a Statewide Homeless Community Court Conference,** was approved.

**1433 4<sup>TH</sup> STREET LEASE**

1-I: **1433 4th Street Tenant Improvements** - recommendation to authorize the City Manager to negotiate and execute an amendment to Agreement No. 8638 (CCS) with Metropolitan Pacific Capital, to reflect payments in the amount of \$170,000, for the completion of tenant improvements, was approved.

**PIER JANITORIAL  
SERVICES**

1-B: **Award of bid for janitorial services for City Pier** - recommendation to award Bid No. 2904 to The Resource Collection, to provide janitorial services for the Pier, for a total estimated expenditure over a three-year term of \$1,093,570, was presented.

Mayor Bloom advised he removed this item from the Consent Calendar to ask for a response from staff to the concerns expressed by members of the public.

City Manager Ewell responded to the public concerns expressed and to questions from Councilmembers.

Discussion ensued on the question of maintaining the current contractor versus bringing a new contractor on board pending future Council discussion on a more permanent city-wide policy of outsourcing City services or maintaining services in-house, while considering the cost and the benefits of each option.

Motion by Councilmember Genser, seconded by Councilmember McKeown, to not approve as a three-year contract, and to provide staff the greatest flexibility to maintain interim services, and investigate and return as soon as possible to bring the services in-house, if practical.

Mayor Bloom proposed that there be the flexibility to accept a recommendation from the Pier Restoration Corporation to maintain a contractor if the contractor is performing satisfactorily, subject to the Council's policy decision on contracting out. Proposal was friendly to the maker of the motion.

Substitute motion by Councilmember Shriver, seconded by Mayor Pro Tem Katz, to give the City Manager two weeks or a month as an opportunity to assess the comments made by the public, and to return with recommendations on how to proceed on the required janitorial services for the Pier.

Discussion ensued on the merits of the main motion and the substitute motion. Following discussion, Councilmember Genser withdrew his main motion.

The substitute motion was unanimously approved by voice vote, with all members present.

## **BBB SCHEDULES**

1-D: **Printing of BBB bus schedules** - recommendation to award Bid No. 2912, for an estimated annual amount of \$125,000, to Positive Existence, for printing bus schedules, was presented.

Councilmember Genser advised he removed this item from the

Consent Calendar to comment that the guidelines for the use of the graphic identity of the City are not being followed by the Big Blue Bus staff.

Motion by Councilmember Genser, seconded by Mayor Pro Tem Katz, to approve recommendation, amended to include that before printing staff will confirm that the proposed bus schedules will conform with the written guidelines of the graphic identity program. The motion was approved by the following vote:

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

**CLOSED SESSIONS:**

Members of the public Leslie Barnett and Jeffrey Siegal commented on the status of the anticipated litigation listed as 2-B. Member of the public Pro Se commented generally on Item 2-A.

On order of the Mayor, the City Council recessed at 7:12 p.m., to consider closed sessions and returned at 7:40 p.m., with all members present to report the following:

**2-A: Public Employee Evaluations.**  
**Title of Employees: City Manager, City Attorney,**  
**City Clerk**

ACTION: Matter not heard.

**2-B: Anticipated Litigation: Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(b): Claim of Rose Demetriou.**

ACTION: Matter heard, no reportable action was taken.

**STUDY SESSION:**  
**HOMELESS UPDATE**

On order of the Mayor, Items 3-A and 3-B to be considered concurrently.

**3A:Homeless Update** , was presented.

**3-B: Study session on the evaluation of Santa Monica's Continuum of Care and Strategic Five-Year Plan,** was presented.

Members of the public John Maceri, Melissa Dagodog, Joe Natoli, Don Grey, Rhonda Merts, Jennifer Kennedy, Zelia Mollica and Melvin Ross voiced general comments related to the subject.

Consultant and former Supervisor Ed Edelman provided a status report on efforts taken to date, on goals accomplished, and on continued regional efforts to address the homeless situation.

Discussion ensued. It was the consensus of Council that this matter is to be agendized on a future agenda in order to provide adequate time to consider the information received.

On order of the Mayor, the information was received and filed.

**ADMINISTRATIVE**  
**ITEMS:**  
**939 SAN VICENTE**  
**APPEAL**

6-A: **Appeal of the Planning Commission's approval of Tentative Parcel Map No. 63173 for a proposed three-lot subdivision at 939 San Vicente** - recommendation to deny appeal and uphold the Planning Commission's approval of Tentative Parcel Map 63173 subject to findings and conditions, was presented.

*Councilmember Genser was excused at 9:09 p.m.*

Councilmember Genser advised that he had a conflict of interest in this matter, and requested to be excused.

Appellants Nicole Massarat and Ivo Stoka, and Stephen Jones and Eileen Hecht representing appellants, spoke in support of the appeal.

Applicants Jan Goodman and Jerry Manpearl spoke in opposition of the appeal and in support of the project.

The following members of the public spoke in support of the appeal: Esther Kissling, Mark Kissling, Tony Torab, A. Perlmutter, Faith Pearlman, Monique Parmieri and Helga Havelin.

Member of the public Jennifer Kennedy spoke in opposition of the appeal.

Applicants and Appellants presented rebuttal arguments to the public comments received.

Motion by Councilmember Katz, seconded by Councilmember Holbrook, to uphold the appeal and reverse the Planning Commission approval, with a conceptual approval for a subdivision of two lots. The motion was approved by the following vote:

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

Councilmember McKeown stated, for the record, that he voted in opposition because of a belief that Council is not fulfilling an obligation to make findings that comply with State laws cited by the City Attorney.

**ORDINANCES:**  
**NON-RECYCLABLE**  
**PLASTIC**

*Councilmember Genser  
returned at 10:22 p.m.*

**7-A: Second reading and adoption of Ordinance No. 2216 (CCS) entitled: "AN ORDINANCE OF THE CITY OF SANTA MONICA BANNING NON-RECYCLABLE PLASTIC DISPOSABLE FOOD SERVICE CONTAINERS,"** was presented.

Motion by Councilmember O'Connor, seconded by Mayor Pro Tem Katz, to adopt the ordinance, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

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

**AFFORDABLE HOUSING**  
**PROJECT EXEMPTIONS**

**7-B: First reading and introduction of an ordinance (text amendment) amending various sections of the Municipal Code to exempt certain affordable rental housing projects from the development review requirement in all multi-family districts, and CUP requirements in the CM, C5, and M1 Districts,** was presented.

The following members of the public spoke in opposition to the proposed ordinance: Walt Zambas, Wendie Olshan, Joe Natoli, Fredrick Weinstock, Zina Josephs, Mario Fonda Bonardi, Duke Kelso, Art Casillas, Matt Millen, Ellen Brennan, Diana Gordon, Elena Levinson, Peter Tigler, Scott Kelso, and Don Grey.

The following members of the public spoke in support of the proposed ordinance: Karin Pally, Margaret Mills, Kelly Olsen, Franceye Smith, Betty Smith Mueller, Angie Brooks, Tod Lipka, Hank Koning, Sandy Berlin, Chris Harding, Denny Zane, Jamie Zazou, Susan Longhmillier, Joan Ling, Judy Abdo, James Mount, Jim Conn, Michael Tarber, Patricia Hoffman, Jerry Rubin, Gwynne Pugh, Beth Lederpack, and Sue Kinds.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem

Katz, to introduce the ordinance, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

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

**STAFF ITEMS:**  
**BUDGET FORECAST  
AND PRIORITIES**

**8-A: Five-year financial forecast, budget priorities including CDBG and HOME Programs, and community priorities for FY 2007/08 budget** - recommendation to receive the five-year financial forecast as background for development of FY 2007-08 budget, receive public comment on budget priorities, including Community Development Block Grant and Home Investment Partnership Act program funds.

On order of the Mayor, this matter was continued to a future Council meeting.

**TEMPORARY OFFICE  
BUILDING**

**8-B: Temporary Office Building east of City Hall** - recommendation to direct staff to proceed with steps necessary to develop a temporary office building east of City Hall and provide any initial design direction; and authorize the City Manager to negotiate and execute an agreement with Natoma Architects, in the amount of \$885,500, for design services for the building and tenant improvements.

On order of the Mayor, this matter was continued to a future Council meeting.

**PUBLIC SAFETY  
STORAGE FACILITY**

**8-C: Public Safety Storage Facility Building** - recommendation to approve the project location for a Public Safety Storage Facility south of Fire Station No. 5, on the Municipal Airport property; approve recommended proposed schematic design; and direct staff to proceed with a request for bid process and return with a recommendation for a design/build contract.

On order of the Mayor, this matter was continued to a future Council meeting.

**COUNCIL ITEMS:  
RESIGNATIONS**

On order of the Mayor, Items 13-A through 13-D, to be considered concurrently.

13-A: **Recommendation to accept Deborah Levin's resignation from the Landmarks Commission and authorize the City Clerk to publish the vacancy**, was presented.

13-B: **Recommendation to accept Geraldine Starr's resignation from the Commission on the Status of Women and authorize the Clerk to publish the vacancy**, was presented.

13-C: **Recommendation to accept Angie Kim's letter of resignation from the Arts Commission and authorize the City Clerk to publish the vacancy**, was presented.

13-D: **Recommendation to accept Victor Ludwig's letter of resignation from the Housing Commission, and authorize the City Clerk to publish the vacancy**, was presented.

Motion by Mayor Pro Tem Katz, seconded by Mayor Bloom, to approve recommendation for Items 13-A through 13-D. The motion was unanimously approved by voice vote, with all members present.

#### **COUNCIL LIAISON APPOINTMENTS**

13-E: **Appointment of Councilmember Liaisons to Boards and Commissions.**

On order of the Mayor, Council Liaison appointments were made as follows:

<u>Board/Commission</u>	<u>Appointees</u>
<b>Airport Commission</b>	Councilmember Genser
<b>Architectural Review Board</b>	Mayor Pro Tem Katz
<b>Bayside District Corporation</b>	Councilmembers Genser, Holbrook
<b>Convention &amp; Visitors Bureau</b>	Councilmembers Holbrook O'Connor
<b>Landmarks Commission</b>	Councilmember McKeown
<b>Pier Restoration Corporation</b>	Councilmember Genser
<b>Planning Commission</b>	Councilmembers O'Connor, McKeown
<b>Recreation &amp; Parks Commission</b>	Councilmember Holbrook

#### **SENIOR COMMISSION APPOINTMENT**

13-F: **Appointment to one special vacancy on the Commission for the Senior Community for a term ending June 30, 2010.**

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

Councilmember McKeown nominated Louisa Fish. There being no other nominations, Ms. Fish was appointed by acclamation with all members present.

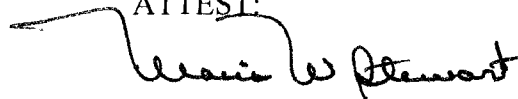
**PUBLIC INPUT:**

Members of the public Melvin Ross, Art Casillas, Larry Oelzse and Pro Se made general comments on various subjects.

**ADJOURNMENT:**

On order of the Mayor, the City Council meeting was adjourned at 12:57 a.m., in memory of Herman Gerard Loaiza, Jr., and Miguel Martin.

ATTEST:



Maria M. Stewart  
City Clerk

APPROVED:



Richard Bloom  
Mayor