

**CITY OF SANTA MONICA**

**CITY COUNCIL MINUTES**

**JANUARY 23, 2007**

A regular meeting of the Santa Monica City Council was called to order by Mayor Bloom at 5:49 p.m., on Tuesday, January 23, 2007, at City Council Chambers, 1685 Main Street.

Roll Call: Present: Mayor Richard Bloom  
Councilmember Ken Genser  
Councilmember Robert T. Holbrook (arrived at 5:59 p.m.)  
Councilmember Kevin McKeown  
Councilmember Pam O'Connor  
Councilmember Bobby Shriver (arrived at 6:40 p.m.)

Absent: Mayor Pro Tem Herb Katz

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 5:49 p.m., with Councilmembers Holbrook, Shriver and Mayor Pro Tem Katz absent. City Manager Lamont Ewell led the assemblage in the Pledge of Allegiance.

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

Members of the public Joey Fullmer and Joe Natoli discussed various Consent Calendar items. Members of the public Jan Goodman and Jerry Manpearl requested that Council delay taking action on Item 1-I in order to clarify the motion approved by Council, as it appears on the Statement of Official Action.

At the request of the City Manager, Item 1-F was withdrawn from consideration. At the request of the Mayor, Item 1-I was removed from the Consent Calendar.

Motion by Councilmember McKeown, seconded by Councilmember

O'Connor, to approve all items on the Consent Calendar as presented except Items 1-F and 1-I, reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:

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

**MINUTES**

1-A: **The minutes** of the November 14, November 28, and December 5, 2006, City Council meetings were approved as submitted.

**BBB ENGINE OVERHAUL**

1-B: **Engine Overhaul Services on Transit Buses** – recommendation to award Bid No. 2915 to Valley Power Systems, Inc. and Service Motor Parts/Ironman Renewal, for an estimated three-year expenditure of \$1,500,000, to provide engine overhaul services on transit buses, was approved.

**BBB REPLACEMENT PARTS**

1-C: **Award of Bid for Replacement Parts for Buses** – recommendation to award Bid No. 2918 to Valley Power Systems, Inc., for an estimated three-year expenditure of \$930,000, to provide replacement parts for Detroit Diesel Allison engines and transmissions, was approved.

**IMPROVEMENTS - REED PARK**

1-D: **Design of Reed Park Improvements** – recommendation to authorize the City Manager to negotiate and execute professional services Agreement No. 8674 (CCS) with Katherine Spitz Associates, in the amount of \$85,085, for the design of the Reed Park Improvements, was approved.

**CIVIC CENTER PARKING STRUCTURE**

1-E: **Civic Center Parking Structure** – recommendation to authorize the City Manager to negotiate and execute a second amendment to Agreement No. 8436 (CCS), with Smith Emery Company, in an amount not to exceed \$50,000, for additional deputy inspection services for the Civic Center Parking Structure, was approved.

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

1-F: **1433 4<sup>th</sup> Street Lease** - recommendation to authorize the City Manager to negotiate and execute a lease from Metropolitan Pacific Capital, for use of office space for the Cultural Affairs Division; and appropriate \$60,000 as proposed.

On order of the Mayor, and at the request of the City Manager, this item was withdrawn from consideration.

**HAZMAT SERVICES**

1-G: **Hazardous Waste Management and Transportation Services** - recommendation to authorize the City Manager to execute Contract No. 8605 (CCS) with General Environmental Management, Inc., in the amount of \$47,110.19, for provision of services, was approved.

**LOBBYING SERVICES**

1-H: **Lobbying Services for Federal representative and Municipal Transit Operators Coalition** - recommendation to authorize the City Manager to negotiate and execute Contract No. 8675 (CCS) with The Ferguson Group, to represent the Big Blue Bus in Washington D.C., was approved.

**RECESS**

*Councilmember Holbrook arrived at 5:59 p.m.*

On order of the Mayor, the City Council recessed at 5:58 p.m., to consider closed sessions and returned at 7:00 p.m., to continue with Item 1-I of the Consent Calendar.

*Councilmember Shriver arrived at 6:40 p.m.*

**939 SAN VICENTE**

1-I: **Recommendation to approve the Statement of Official Action taken for the appeal of the Planning Commission's approval of a Tentative Parcel Map for a proposed three-lot subdivision at 939 San Vicente Boulevard**, was presented.

*Councilmember Genser was excused at 7:06 p.m.*

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

Staff replied to questions from Council related to the comments made by members of the public.

Motion by Councilmember McKeown, seconded by Councilmember Holbrook, to direct staff to enter into a tolling agreement that would toll the statute of limitations for the property owner’s potential lawsuit against the City and to negotiate with the property owner to explore any means of resolving the dispute amicably; and, approve the Statement of Official Action amended to add the phrase “and is therefore conceptually approved.” The motion was approved by the following vote:

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

**CLOSED SESSIONS:**

*Councilmember Genser  
returned at 7:08 p.m.*

The Mayor reported the following action taken for the closed session:

2-A: **Public Employee Evaluations.**

**Title of Employees: City Manager, City Attorney, City Clerk**

ACTION: Heard. No reportable action taken.

**STUDY SESSION:**  
**HOMELESS**  
**CONTINUUM OF CARE**

3-A: **Study session on the evaluation of Santa Monica's Continuum of Care and Strategic Five-Year Plan**, was continued from the January 9, 2007.

The public hearing on this matter was closed January 9, 2007.

Considerable discussion ensued on various aspects of the presentation, the accomplishments to date, and the proposed strategies.

Motion by Councilmember McKeown, seconded by Councilmember Shriver, to direct staff into establishing "round tables" in terms of who should participate and the subject(s) for consideration; solicit both functionality and design concepts for a better tracking system; explore permanent supportive housing options, including "sober living"; solicit ways to increase the community's homelessness support capacity, not only public support, but surrounding communities and the public sector; propose and design a public education campaign to engage residents, businesses and institutions in such areas as panhandling, inappropriate park space usage, and other issues residents feel are impacting them personally.

Motion to amend by Councilmember Shriver, to emphasize ways that we can engage the region, including suggestions for "housing first" strategies within the region, and to come up with a definition of what "housing first" means and what population it seeks to address. Also, that as to the round tables, staff return with ideas on how other groups can start round tables as an entrepreneurial activity by the private section. The motion was friendly to the maker.

Motion to amend by Mayor Bloom, to add bringing back and continuing to support the City's efforts in addressing homelessness that were undertaken last year. The motion was accepted as friendly.

Motion to amend by Councilmember Genser, to clarify that as to the discussion on the round-table, Council is not specifying what the public discussion mechanism(s) are, but is asking staff to return information,

recommendation, and/or discussion, on how the city will be a catalyst on how that happens. The motion was accepted as friendly.

The motion, as amended, was unanimously approved by all members, with Mayor Pro Tem Katz absent.

**ADMIN. ITEMS:**

**2617 3<sup>rd</sup> STREET APPEAL**

**6-A: Appeal of Certificate of Appropriateness, approving alterations to the residence located at 2617 Third Street, a contributor to the Third Street Neighborhood Historic District – recommendation to uphold the Landmarks Commission’s approval of Certificate of Appropriateness, and deny the appeal, was presented.**

Appellants Condra Doherty and Anne Troutman spoke in support of the appeal.

Member of the public Ken Kutcher, representing applicant, spoke in opposition to the appeal.

The following members of the public spoke in support of the appeal: Larry Graber, James Bianco, Lisa Langlois, Marcello Vavala, and Tony Haig.

The following members of the public spoke in opposition of the appeal: Ruthann Lehrer, Lisa Julian, and Jerry Rubin.

Applicant representative Ken Kutcher, rebutted comments made in support of the appeal.

Appellant Alex Istanbulu, rebutted comments made against the appeal.

Motion by Councilmember O’Connor, seconded by Councilmember McKeown, to uphold the Landmarks Commission discussion and deny appeal. The motion was approved by the following vote:

AYES: Councilmembers McKeown, O’Connor, Genser, Holbrook, Mayor Bloom

NOES: None

ABSTAIN: Councilmember Shriver

ABSENT: Mayor Pro Tem Katz

**1707 CLOVERFIELD APPEAL**

**6-B: Appeal of Planning Commission’s denial of a Development Review Permit for the conversion of an existing manufacturing building into a two-level self-storage facility at 1707 Cloverfield Boulevard – recommendation to adopt Resolution No. 10192 (CCS)**

entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA APPROVING THE MITIGATED NEGATIVE DECLARATION PREPARED FOR THE PROJECT AT 1707 CLOVERFIELD BOULEVARD"; and grant appeal to overturn the decision of the Planning Commission to approve Development Review Permit, subject to certain findings and conditions, was presented.

Member of the public Tom Larmore, representing applicant/appellant, spoke in support of the appeal.

Member of the public Joey Fullmer spoke in support of appeal.

Planning Commissioner Darrell Clark spoke in opposition of the appeal.

Mr. Larmore rebutted comments made by the public in opposition of the appeal.

Motion by Councilmember Genser, seconded by Councilmember Holbrook, to adopt the resolution approving the mitigated negative declaration, reading the resolution by title only and waiving further reading thereof. The motion was approved by the following vote:

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

Motion by Councilmember Genser, seconded by Councilmember O'Connor, to grant the appeal and overturn the decision of the Planning Commission. The motion was approved by the following vote:

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

Motion by Mayor Bloom to direct staff to return with an interim ordinance that would allow discretion with respect to self-storage uses. The motion died for lack of a second.

**ORDINANCES:** 7-A: **Second reading and adoption of Ordinance No. 2217 (CCS) AFFORDABLE HOUSING (text amendment) entitled: "AN ORDINANCE OF THE CITY OF PROJECTS EXEMPTION SANTA MONICA 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.

Motion by Councilmember McKeown, seconded by Councilmember O’Connor, to adopt 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 Bloom  
NOES: Councilmembers Shriver, Holbrook  
ABSENT: Mayor Pro Tem Katz

**2.7% @ 55**

**7-B: Resolution No. 10193 (CCS) entitled: “A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN CALPERS AND THE CITY TO PROVIDE SECTION 21354.5 (2.7% @ 55) FOR ACTIVE LOCAL MISCEL-LANEOUS MEMBERS”; and introduction and first reading of an ordinance authorizing an amendment to the contract between CalPERS and the City of Santa Monica**, was presented.

Member of the public Joey Fullmer spoke in opposition to the proposal.

Motion by Councilmember McKeown, seconded by Councilmember Genser, to adopt the resolution, reading by title only and waiving further reading thereof. The motion is approved by the following vote:

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

Motion by Councilmember McKeown, seconded by Councilmember Holbrook, to introduce the ordinance, reading by title only and waiving further reading thereof.

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

**MUNICIPAL CODE  
SECTION 9.32.170**

**7-C: Introduction and first reading of an ordinance amending Code Section 9.32.170 to correct the inadvertent deletion of a recent**

**amendment to this section through the adoption of Ordinance No. 2207 (CCS), was presented.**

There was no one present for public comment.

Motion by Councilmember O'Connor, seconded by Councilmember Holbrook, to introduce the ordinance for first reading, reading by title only and waiving further reading thereof. The motion was approved by the following vote:

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

**STAFF ITEMS:**  
**415 PACIFIC COAST**  
**HIGHWAY**

On order of the Mayor, the City Council recessed to a joint meeting with the Redevelopment Agency at 10:24 p.m, with Mayor Pro Tem Katz absent.

**SPECIAL JOINT MEETING OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY:**

**ROLL CALL OF THE REDEVELOPMENT AGENCY**

**8-A: Activation of phase two of Design-Build contract for adaptive reuse of 415 Pacific Coast Highway** - recommendation that City Council activate Phase II of the design-build Contract No. 8491 (CCS) with Pankow Special Projects; approve a guaranteed maximum price in the amount of \$25,457,720; appropriate grant funds as proposed; authorize the City Manager to negotiate and execute an amendment to existing Contract No. 8432 (CCS) with the Annenberg Foundation to accept \$6,488,000, in additional grant funds and incorporate specific project conditions of approval; approve site nomenclature; adopt Resolution No. 10194 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA FINDING THE USE OF FUNDS TO BE OF BENEFIT TO THE EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA"; and authorize the City Manager to execute Cooperation Agreement No. 8676 (CCS) for the purpose of rehabilitation of 415 PCH for an adaptive reuse. Recommendation that the Redevelopment Agency adopt Resolution No. 498 (RAS) finding the use of funds to be of benefit to the Earthquake Recovery Redevelopment Project Area; and authorize the Executive Director to negotiate and execute Agreement No. 8676 (RAS) between the City and the Agency to grant funds for the rehabilitation and adaptive reuse of 415 PCH, was presented.

There was no one present for public comment.

Motion by Councilmember McKeown, seconded by Councilmember Shriver, to approve the activation of Phase II, approve a guaranteed maximum price, and to appropriate funds as proposed. The motion was approved by the following vote:

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

Motion by Councilmember O'Connor, seconded by Councilmember McKeown, to authorize the City Manager to execute an amendment to the existing contract with the Annenberg Foundation, accept the additional grant funds, incorporate conditions of approval, and approve nomenclature. The motion was approved by the following vote:

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

Motion by Councilmember O'Connor, seconded by Councilmember Genser, to adopt the resolution finding the use of funds to be of benefit to the Redevelopment Project Area. The motion was approved by the following vote:

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

Motion by Councilmember McKeown, seconded by Councilmember O'Connor, to authorize the City Manager to negotiate a cooperation agreement with the Redevelopment Agency. The motion was approved by the following vote:

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

**ADJOURNMENT OF  
JOINT MEETING**

On order of the Mayor, the City Council adjourned the special joint meeting with the Redevelopment Agency at 10:36 p.m., and reconvened its regular Council meeting, with Mayor Pro Tem Katz absent.

**COUNCIL ITEMS:  
RESIGNATION**

**13-A: Recommendation to accept Amanda Rowan's letter of resignation from the Commission on the Status of Women, and authorize the City Clerk to publish the vacancy,** was presented.

There was no one present for public comment.

Motion by Councilmember O'Connor, seconded by Councilmember Holbrook, to approve recommendation, with regrets. The motion was unanimously approved by voice vote, with Mayor Pro Tem Katz absent.

**PEDESTRIAN-  
ORIENTED GROUND  
FLOOR RETAIL**

**13-B: Request of Councilmember Holbrook and Mayor Pro Tem Katz to direct staff to analyze the current impact of exempting and/or not requiring pedestrian oriented ground floor retail on major Boulevards for multifamily housing projects and return to Council with options and recommendations,** was presented.

There was no one present for public comment.

Motion by Councilmember Holbrook, seconded by Councilmember Genser, to approve the request, amended so that it is considered within the context of the Land Use and Circulation Element process. The motion was unanimously approved by voice vote, with Mayor Pro Tem Katz absent.

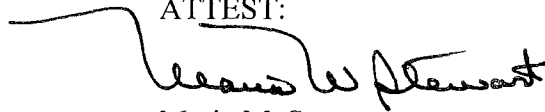
**PUBLIC INPUT:**

Member of the public Art Casillas expressed concerns related to activities of the Police Department.


**ADJOURNMENT:**

On order of the Mayor, the City Council meeting was adjourned at 10:46 p.m., to February 6, 2007, in memory of Dan Kanan and Bong Soo Han.

ATTEST:

  
Maria M. Stewart  
City Clerk

APPROVED:

  
Richard Bloom  
Mayor