

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

FEBRUARY 6, 2007

A regular adjourned meeting of the Santa Monica City Council was called to order by Mayor Bloom at 5:52 p.m., on Tuesday, February 6, 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 (arrived at 6:45 p.m.)

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 5:52 p.m, with Councilmember Shriver absent. City Clerk Maria M. Stewart led the assemblage in the Pledge of Allegiance.

CLOSED SESSIONS

On order of the Mayor, the City Council recessed at 5:53 p.m, to consider closed sessions, and reconvened at 7:06 p.m., with all members present to report the following:

2-A: Conference with Legal Counsel - Existing Litigation: Bari Fink v. City of Santa Monica, Case No. SC 082 456.

Motion by Councilmember O'Connor, seconded by Mayor Pro Tem Katz, to approve a settlement in the amount of \$121,313.59. The motion was approved by the following vote:

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

NOES: None

ABSTAIN: Councilmember Shriver

ABSENT: None

2-B: Conference with Legal Counsel - Existing Litigation:

Santa Monica Food Not Bombs, etc., et al. v. City of Santa Monica, Case No. SC 03-0032 R (JTLx).

ACTION: Not Heard.

2-C: Conference with Legal Counsel - Existing Litigation: Bautil Hadjian Torab v. City of Santa Monica, Case No. SC 085 339

ACTION: Not Heard.

2-D: Conference with Legal Counsel - Existing Litigation: Wynonna Harris v. City of Santa Monica, Case No. BC 341 569.

ACTION: Not Heard.

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

ACTION: Heard. No reportable action taken.

2-F: Conference with Legal Counsel - Existing Litigation: Oscar Saenz v. City of Santa Monica, Case No. SC 088 218.

ACTION: Heard. No reportable action taken.

2-G: Anticipated Litigation: Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(b): three matters, including two involving disputes at real property located at 161 Ocean Park Boulevard and 939 San Vicente Boulevard, and one involving the Village Trailer Park.

ACTION: Two matters heard. No reportable action taken.

2-H: 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: Heard. No reportable action taken.

STAFF ITEMS:

On order of the Mayor, and with the consensus of Councilmembers, Items 8-A and 8-B were considered concurrently.

MID-YEAR BUDGET

8-A: Review of mid-year 2006/07 budget status - recommendation

to approve the recommended budget changes; adopt Resolution No. 10195 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA ESTABLISHING VARIOUS CLASSIFICATIONS AND SALARY RATES"; approve proposed position and classification changes; adopt Resolution No. 10196 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA SETTING THE PARKING RATES FOR THE CIVIC CENTER PARKING STRUCTURE"; and defer appropriation of available one-time funds, was presented.

5-YEAR FINANCIAL FORECAST

8-B: Five-year financial forecast, budget priorities including CDBG and HOME Programs; community priorities for FY 2007/08 budget; and supplemental report - 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, was presented.

The following members of the public spoke in support of funding for various projects including, but not limited to the arts, Main Street businesses, the Red Cross, Ocean Park Boulevard traffic improvements, parking relief, child care and education, and school funding: Joey Fullmer, Jan Williamson, Jerry Rubin, Fred Dewey, Joe Pipersky, Gary Gordon, Russell Sydney, John Pacheco, Patti Oblath, Betsy Hiteshew, Jean Sedillos, Bob Taylor, Mary Hubbell, Jeff Jarow, Oscar de la Torre, Maria Rodriguez, Laurie Crane, Mike Grunning, Shari Davis, Danny Zane, Gene Burke, Janine Dodson, and Ana Maria Jara.

Discussion ensued on the financial forecast and the City's priorities. Based on the discussion, it was the consensus of Council that the main priorities to be highlighted were homelessness, youth services/violence prevention, and the Land Use Circulation Element.

Motion by Councilmember O'Connor, seconded by Councilmember Genser, to approve recommendation and adopt Resolution Nos. 10195 and 10196 (CCS), 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 Pro Tem Katz, Mayor Bloom
NOES:	None
ABSENT:	None

**CDBG FUNDING
RATIONALE**

Approval of proposed FY 2007-10 Community Development Grant Program Funding Rationale - recommendation to approve the proposed Community Development Grant Program funding rationale, including proposed funding guidelines and selection criteria, and authorize staff to release an RFP for the next three-year grant funding cycle, was presented.

Members of the public Joey Fullmer, Beth Leder-Pack, Nicholas Vratovic and Joe Natoli spoke in support of certain programs.

Motion by Councilmember Genser, seconded by Mayor Pro Tem Katz, to approve recommendation

Motion to amend by Councilmember Shriver, seconded by Councilmember Holbrook, to amend the funding rationale by adding the publishing of an annual assessment the goals and targets met by the programs, and in the homeless services part, include the “housing first” phrase. The motion to amend was accepted as friendly by the maker of the motion.

Assistant City Attorney Joseph Lawrence advised that staff wanted to add an eligibility requirement to the funding rationale as follows: “Each applicant agrees that no city funds shall be used to teach, advocate, advance or promote any religion or religious beliefs or practice, including any irreligious beliefs or practices.” This addition was accepted as friendly to the maker of the motion.

The motion as amended was approved by the following vote:

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

CULTURAL/ART GRANT 8-D: Funding Guidelines and Selection Criteria for 2007-08 FUNDING GUIDELINES Cultural/Art Organizational Support Grants – recommendation to adopt funding guidelines and selection criteria, and authorize staff to release an application for the FY 2007-08 Cultural/Arts Organizational Support Grants, was presented.

There was no one present for public comment.

Motion by Mayor Pro Tem Katz, seconded by Councilmember Genser, to approve recommendation. The motion was amended by the following vote:

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

2ND AND 4TH STREET IMPROVEMENTS

8-E: **2nd and 4th Streets Pedestrian Streetscape Improvement Project** - recommendation to direct staff to take necessary steps to utilize \$2,308,061 in Community Development Block Grant Funds for the project, was presented.

Member of the public Jerry Rubin spoke in support of the project.

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

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

Councilmember McKeown stated, for the record, that he voted in opposition to the motion because he believes that using almost three quarters of a million dollars of public funds to cut down healthy trees is not the wisest use of public funds.

**COUNCIL ITEMS:
AGENDA MGMT.**

13-A. **Request of Mayor Bloom and Mayor Pro Tempore Katz to continue discussion related to agenda management that began at the January 6, 2007, Council Workshop, including length and frequency of meetings and effectiveness of information provided to the Council.**

On order of the Mayor, this matter was continued to February 13, 2007.

CONTINGENCY FUNDS

13-B: **Request of Mayor Bloom and Mayor Pro Tempore Katz to continue discussion related to uses of Council contingency from the January 6, 2007 Council Workshop.**

On order of the Mayor, this matter was continued to February 13, 2007.

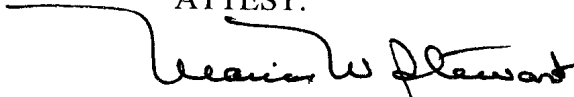
PUBLIC INPUT:

Members of the public Art Casillas and Joe Natoli discussed and commented on various subjects.

ADJOURNMENT:

On order of the Mayor, the City Council meeting was adjourned at 11:13 p.m. in memory of Dr. Don Clelland and Ed Maggiore.

ATTEST:



Maria M. Stewart
City Clerk

APPROVED:



Richard Bloom
Mayor