

**CITY OF SANTA MONICA**  
**CITY COUNCIL MINUTES**

**MARCH 13, 2007**

A regular meeting of the Santa Monica City Council was called to order by Mayor Bloom at 5:50 p.m., on Tuesday, March 13, 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 Bobby Shriver (arrived at 6:59 p.m.)

Absent:           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 5:50 p.m., with Councilmembers O'Connor and Shriver absent. City Attorney Marsha Moutrie led the assemblage in the Pledge of Allegiance.

**CONSENT CALENDAR:**

On order of the Mayor and at the request of Mayor Pro Tem Katz, the Consent Calendar items were considered individually.

Members of the public Joey Fullmer and Joe Natoli expressed concerns related to the Consent Calendar items.

**MINUTES**

1-A:   **Approval of minutes** of February 13, 2007, City Council meeting, were presented.

Motion by Councilmember Genser, seconded by Mayor Pro Tem Katz, to approve the minutes as submitted. The motion was approved by voice vote, with Mayor Pro Tem Katz abstaining, and Councilmembers O'Connor and Shriver absent.

**RESPONSE TO CITY'S  
RFP FOR RECYCLING  
AND DISPOSAL SVCS.**

**1-B: Services for response to City's Request for Proposals for Commercial Collection and Recycling and Transfer/Disposal Services** - recommendation to authorize the City Manager to negotiate and execute Agreement No. 8694 (CCS) with HDR, Inc., in the amount of \$145,000, to assist in responding to the City's request for proposals for commercial collection and recycling and transfer/disposal services, was presented.

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

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

**CLOSED SESSIONS:**

*Councilmember Shriver  
arrived at 6:59 p.m.*

On order of the Mayor, the City Council recessed at 5:59 p.m., to consider closed sessions and returned at 7:26 p.m., with Councilmember O'Connor absent, to report the following:

**2-A: 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-B: Conference with Legal Counsel - Existing Litigation: Richard Schneider v. City of Santa Monica, Case No. SC 088 456.**

ACTION: Not Heard.

**2-C: Conference with Legal Counsel - Existing Litigation: Freddie Milton v. City of Santa Monica, Case No. YC 052 928.**

Motion by Councilmember McKeown, seconded by Councilmember Holbrook, to approve Settlement Agreement No. 8695 (CCS) for a bus accident, in the amount of \$131,875. The motion was approved by the following vote:

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

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Katz, to approve appropriation to account number 57.233.52210. The motion was approved by the following vote:

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

**2-D: Anticipated Litigation: Consideration of whether to initiate litigation pursuant to Government Code Section 54956.9(c): one matter.**

ACTION: Not Heard.

**CONTINUED ITEMS:**  
**CUSTODIAL SERVICES**

**5-A: Custodial Services for the Santa Monica Pier –** recommendation to award Bid No. 2904 to The Resource Collection for custodial services at the Pier for an amount not to exceed \$343,500 for a one year period with two, one-year renewal options; direct staff to conduct monthly performance and contract compliance reviews and report monthly to the Pier Restoration Corporation; and direct staff to provide Council with bi-annual status reports, was presented.

Members of the public Joe Natoli and Jerry Rubin spoke in support of City employees providing the necessary services.

Motion by Councilmember McKeown, seconded by Councilmember Genser, to approve the recommendation on 30-day renewable basis and direct staff to concurrently prepare to hire permanent custodial staff for the Pier.

Substitute motion by Mayor Pro Tem Katz, seconded by Councilmember Shriver, to approve staff recommendation. The substitute motion was approved by the following vote:

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

**ORDINANCES:  
PRODUCT SAMPLING**

**7-A: Second reading and adoption of Ordinance No. 2221 (CCS) entitled: "AN ORDINANCE OF THE CITY OF SANTA MONICA ADDING SECTION 6.36.110 TO THE MUNICIPAL CODE RELATING TO SAMPLING ON THE PIER AND THE THIRD STREET PROMENADE,"** was presented.

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

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

**VETERAN AND ZEV  
EXEMPTION - PARKING  
METERS**

**7-B: Introduction and first reading of an ordinance of the City of Santa Monica amending Section 3.16.120 of the Municipal Code to exempt from parking meter fees vehicles with specified Veterans license plates and ZEV parking decals,** was presented.

Members of the public Russell Sydney and Armand Assayag spoke in support of the proposed ordinance.

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

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

**GENERAL OFFICE  
SPACE PERMITTED ON  
GROUND FLOOR**

**7-C: Introduction and first reading of an ordinance (text amendment) of the City of Santa Monica amending Code Section 9.04.08.16.020 to permit general office on the ground floor within 150 feet of Montana Avenue, Ocean Park Boulevard, and Pico Boulevard in the C2 Zoning District subject to specified criteria,** was presented.

Members of the public Joey Fullmer, Neil Porthow, Ralph Mechur, Mitch Dorf and Jim Lynch spoke in support of the proposal.

Motion by Mayor Pro Tem Katz, seconded by Councilmember McKeown, to introduce the ordinance, reading by title only and waiving

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

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

**STAFF ITEMS:**  
**PUBLIC FINANCING OF**  
**ELECTION CAMPAIGNS**

8-A: **Proposed Public Financing of Electoral Campaigns -** recommendation that Council review the information contained in the report, receive public comment, and provide direction to staff on Public Financing of Electoral Campaigns, was presented.

The following members of the public spoke generally in support of the proposal and in favor of election and campaign reform:

Joey Fullmer, Jacob Samuel, Willow Evans, Russell Sydney, Mary Kay Gordon, Daisy Furlong, Moira Brennan, Jennifer Sandowsky, John Petz, Jerry Manpearl, Jan Grodmen, Jonathan Friedman, Amy Bishop-Dunbar, Carmen Balber, Steve Levin, Linda Piera-Avila, Christen Chapman, Lynn Serpe, Bruce Cameron, Danny Zane, Marcy Kookhab, Genise Schnitman, Paul Herzog, Zina Josephs, Brandon Marlowe, Todd Flora, Paul De Santis, Joe Natoli, Tia Skulski, Jerry Rubin, Peter Donald, Jeanne Dodson and Michael Feinstein.

Considerable discussion ensued on the proposal and its merits and its cost, and on other ways of improving the electoral process in the City including but not limited to independent expenditures, negative campaign literature, and modification of the local contributions limit.

Motion by Councilmember McKeown, seconded by Mayor Pro Tem Katz, to direct the City Attorney to return with advice on how the intent of the existing laws can be better implemented and enforced; and direct the City Clerk to convene public workshops with this proposal as a starting point, return to report on public comment received and any changes made to the program structure.

Discussion ensued on the motion. After considerable discussion, Mayor Pro Tem Katz withdrew his second.

Motion by Mayor Pro Tem Katz, seconded by Councilmember Genser, to direct the City Attorney to return with advice on how the intent of the existing laws can be better implemented and enforced, and direct the City Clerk to hold community workshops to receive public comment on means to improve the electoral process, and then return to Council. The

motion was approved by the following vote:

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

**TEMPORARY OFFICE  
BUILDING**

**8-B: Preliminary design services for temporary office building east of City Hall** - recommendation to authorize the City Manager to negotiate and execute an agreement with Natoma Architects, Inc., in the amount of \$75,000, for preliminary design services for a temporary office building, was presented.

There was no one present for public comment.

Motion by Mayor Pro Tem Katz, seconded by Councilmember McKeown, to not approve the recommendation, but direct staff to go to the Landmarks Commission with the concept, return with the Commission's input, and then select the architect and set a fee. The motion was approved by the following vote:

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

**OFFICE SPACE - OLD  
CITY JAIL**

**8-C: Design of office space in the Old City Jail** - recommendation to authorize the City Manager to negotiate and execute Contract No. 8696 (CCS) with Natoma Architects, Inc., in the amount of \$85,000, for design services for the project, was presented.

There was no one present for public comment.

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

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

**PUBLIC SAFETY  
STORAGE FACILITY**

**8-D: Direction to Proceed with a Public Safety Storage Facility Building** – recommendation to approve the project location for the

facility south of Fire Station #5 on the Santa Monica Municipal Airport property; approve recommended proposed schematic design; and direct staff to proceed with a Request for Bid process and return with recommendation for Design/Build contract.

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

**ACCESS TO AIRPORT  
BY CITY COLLEGE**

**8-E: Access to Airport Property from Santa Monica College Bundy Campus** - recommendation to authorize the City Manager to negotiate and execute an amendment extending the Motor Vehicle Egress and Pedestrian License Agreement No. 8636 (CCS) with Santa Monica College to July 31, 2007, was presented.

Don Girard, representing Santa Monica College, spoke in support of the recommendation.

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

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

**DC-3 MONUMENT  
PLAZA**

**8-F: Douglas Aircraft Company DC-3 Monument Plaza** - recommendation to conceptually approve the development of a Monument Plaza at the southwest corner of the intersection of Airport Avenue and Donald Douglas Loop South at Santa Monica Airport, was presented.

Members of the public Kristina Andresen and Jerry Rubin spoke in support of the recommendation.

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

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

**COUNCIL ITEMS:**

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

There was no one present for public comment.

On order of the Mayor, and at Councilmember McKeown's request, Councilmember McKeown was appointed to the Arts Commission, the Housing Commission, the Landmarks Commission, the Planning Commission, and the Environmental Task Force.

**AGENDA MANAGEMENT DISCUSSION**

**13-B. 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, was presented.**

Motion by Mayor Pro Tem Katz, seconded by Mayor Bloom, to direct staff to return with an amendment to the Council Rules resolution to change the number of speakers that trigger a reduction of speakers time from three to two minutes, from the current 40 total for the meeting, and 15 on one item to 30 total and 10 on one item. The motion was approved by voice vote, with Councilmember McKeown voting in opposition, and Councilmember O'Connor absent.

Councilmember McKeown stated, for the record, that his vote in opposition reflects a desire to balance the time spent by the public and the time spent by the Council to retain a democratic dialogue in the City.

Motion by Councilmember Shriver, seconded by Councilmember McKeown, to direct staff to return with specific suggestions on how to curtail Councilmembers' speaking time. The motion was approved by voice vote, with Councilmember Genser voting in opposition, and Councilmember O'Connor absent.

**CONTINGENCY FUNDS**

**13-C: 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.

**RED LIGHT CAMERAS**

**13-D: Request of Councilmember Holbrook for Council to reconsider the installation of red light cameras on a pilot basis.**

On order of the Mayor, this matter was continued.

**APPOINTMENTS**

**13-E: Appointment to one unscheduled vacancy on the Commission on the Status of Women for a term ending June 30, 2008.**

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

Councilmember McKeown nominated Amy Bishop Dunbar. There being no other nominations, Ms. Bishop Dunbar was appointed by acclamation, with Councilmember O'Connor absent.

**BUS PRIORITY LANES**

**13-F: Request of Councilmember Genser that prior to the implementation of the proposed bus priority lanes on Lincoln Boulevard between Pico Boulevard and the south city limits, the staff return to the council for clarification or modification of the types of vehicles that will be able to use the lanes, was presented.**

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

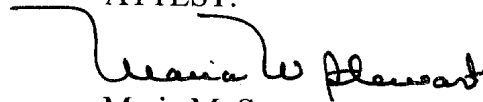
**PUBLIC INPUT:**

There was no one present for public input.

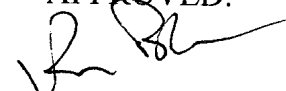
**ADJOURNMENT:**

On order of the Mayor, the City Council meeting was adjourned at 12:53 a.m., to March 20, 2007, at 5:45 p.m., in memory of Dimitrios Stathakis and Bob Hattoy.

ATTEST:

  
Maria M. Stewart  
City Clerk

APPROVED:

  
Richard Bloom  
Mayor