

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

AUGUST 28, 2007

A regular meeting of the Santa Monica City Council was called to order by Mayor Bloom at 6:01 p.m., on Tuesday, August 28, 2007, at City Council Chambers, 1685 Main Street.

Roll Call: Present: Mayor Richard Bloom
Councilmember Ken Genser
Councilmember Robert T. Holbrook
Councilmember Kevin McKeown
Councilmember Pam O'Connor
Councilmember Bobby Shriver (arrived at 6:30 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 6:01 p.m., with Councilmember Shriver and Mayor Pro Tem Katz absent. Deputy City Manager Mona Miyasato 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 Jerry Rubin and Joey Fullmer commented on various Consent Calendar items.

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

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

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

BBB RACK STOCKING SERVICES

1-B: **Advertisement Posting and Schedule Rack Stocking Services** – recommendation to award Bid No. 2925 to J. Perez Associates, Inc., in the amount of \$199,704, to provide bus advertisement posting and on-board schedule rack stocking services, was approved.

TRAFFIC SAFETY GRANT FUNDS

1-C: **California Office of Traffic Safety Grant Funds** – recommendation to accept \$250,000 in grant funds from the California Office of Traffic Safety in Support of the Selective Traffic Enforcement Program; and approve proposed budgetary changes, was approved

LOBBYING SERVICES

1-D: **Washington Representative/Lobbying Services** – recommendation to authorize the City Manager to negotiate and execute Contract No. 8819 (CCS) with The Ferguson Company in an amount not to exceed \$72,557, including expenses not to exceed \$4,000 for Federal representative and lobbying services, was approved.

LEGAL NOTICES

1-E: **Publishing of Legal Notices (Bid award)** – recommendation to award a bid to the Santa Monica Daily Press to publish the city's legal notices for fiscal year 2007-08, pursuant to the requirements of Section 609 of the City Charter, was approved.

L.A. COUNTY - CITYTV PROGRAMMING

1-F: **Provision of CityTV programming services to L.A. County** – recommendation to authorize the City Manager to negotiate and execute Agreement No. 8820 (CCS) with Los Angeles County, for up to \$104,300, for CityTV to provide programming, video production services and support to activate the Countywide channel as provided for in the Time Warner franchise in Santa Monica, was approved.

MINUTES

1-A: **Approval of minutes** of the August 14, 2007, City Council meeting, was presented.

Councilmember McKeown advised he removed this item to correct his motion on Item 1-J regarding the streetscape improvements and appearing at the top of page 5 by adding the word "healthy" in front of the word "trees" to read: ". . . to approve recommendation, amended to eliminate the removal of healthy trees."

Motion by Councilmember McKeown, seconded by Councilmember Genser, to correct the motion as noted. The motion was approved by voice vote, with Councilmember Shriver and Mayor Pro Tem Katz absent.

CLOSED SESSIONS:

Councilmember Shriver arrived at 6:30 p.m.

On order of the Mayor, the City Council recessed at 6:10 p.m., to hear closed sessions and reconvened at 7:20 p.m., with Mayor Pro Tem Katz absent, to report the following:

2-A: Public Employee Evaluations.

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

ACTION: Not Heard.

2-B: 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.

STUDY SESSION:
RUNWAY SAFETY
ENHANCEMENTS

3-A: Federal Aviation Administration (FAA) response to the City's request for Runway Safety Enhancements at the Santa Monica Airport and recommendation to provide direction to staff, was presented by staff.

FAA representatives D. Kirk Shaffer, Associate Administrator for Airports and David L. Bennet, Director, Office of Airport Safety and Standards, discussed the FAA proposal and answered questions from Councilmembers.

The following members of the public spoke in general opposition to the FAA's proposal and in support of enhanced airport safety: Jerry Rubin, Russell Sydney, Diane Moss, Zina Josephs, Peter Donald, Ping Ho, Susan Hartley, Stephen Mark, Lorraine Sanchez, Brian bland, Cathy Larson, Tony Vasquez, Martin Rubin, Gwen Rinehart, Virginia Ernst, Bob Fitzpatrick, Bill Scheduling, Don Gaefen, Britt Allcroft, Allen Davis, Margaret Williamson, Irina Alimonstiann, Todd Jaquith, Ofer Grossman, Josephine Levy, Victoria Bloch, Oliver Gruetemann, Monika Bialas, Michael Brodsky, Stacy Brown, Jim Donaldson, Jean Gebman, Bill Pope, Judith Davies and Joyce Simmons.

Motion by Mayor Bloom, seconded by Councilmember Shriver, to direct staff to return with strategies to implement best runway safety recommendations focused on improving safety at the Santa Monica Airport.

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

ORDINANCES:
DEVELOPMENT IN
LMSD AND M1
DISTRICTS

Councilmember Shriver was excused at 12:11 a.m.

7-A: Introduction and adoption of Emergency Interim Ordinance No. 2238 (CCS) entitled: "AN ORDINANCE OF THE CITY OF SANTA MONICA MODIFYING THE DEVELOPMENT STANDARDS IN THE LIGHT MANUFACTURING STUDIO DISTRICT (LMSD) AND THE INDUSTRIAL CONSERVATION (M1) ZONING DISTRICTS TO ONLY AUTHORIZE DEVELOPMENT THAT DOES NOT EXCEED 7,500 SQUARE FEET OR 15 UNITS UNLESS THE DEVELOPMENT IS UNDERTAKEN PURSUANT TO A DEVELOPMENT AGREEMENT; TO REQUIRE A DEVELOPMENT AGREEMENT TO AUTHORIZE CHANGES OF USE ON PARCELS IN THE LMSD THAT EXCEED 32,000 SQUARE FEET AND ON PARCELS IN THE M1 THAT EXCEED 15,000 SQUARE FEET; AND DECLARING THE PRESENCE OF AN EMERGENCY," was presented.

The following members of the public spoke generally in opposition to the proposed ordinance: Diana Gordon, Mike Sullivan, Chris Harding and Ken Kutcher.

The following members of the public spoke generally in support of the ordinance: Lawrence Shapiro, Jack Walter and Gwynne Pugh.

The following members of the public spoke in opposition to more development: Bill Scheduling, David Engelburg and Arthur Harris.

Motion by Councilmember Genser, seconded by Councilmember McKeown, to introduce and adopt the ordinance, amended by adding the following language: "However, no development agreement shall be required for a change of use within an existing multi-tenant property unless the Director of Planning and Community Development makes a written determination that the change of use will constitute a substantial change in the mode or character of operation of the property as a whole. Factors to be considered by the Director include, but are not limited to occupancy, hours of operations, intensity of use, traffic, noise, odor or other impacts." Also including; language that exempts the auto dealers; and language exempting 100% deed restricted affordable housing (using the standard phraseology).

Discussion ensued on the merits of the proposed ordinance as related to the affordable housing exemption, the merits of the other proposed amendments and the comments received from comments of the public

Motion to amend motion by Councilmember Genser, seconded by Councilmember Holbrook, by removing the exemption to the 100% deed restricted affordable housing, and directing staff that when the next iteration of this ordinance returns to Council, there be language that automatically includes the exception after a defined short period of time. The motion to amend was approved by the following vote:

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

Councilmember McKeown stated, for the record, that his "no" vote reflects a continuing belief that poor people deserve to live in Santa Monica.

Based on the motion to amend being approved, Councilmember McKeown withdrew his second on the main motion. Councilmember O'Connor seconded the main motion.

Senior Land Use Attorney Barry Rosenbaum made the following clarifications to the ordinance, for the record:

- In Sections 1 and 2 language will clarify that staff's intent is that the 7500 square foot threshold will apply to an entirely new development as well as to the expansion of an existing development if the expansion exceeds 7500 square feet.
- A provision will be added stating that auto dealerships shall not be subject to the interim zoning standards but remain subject to the development standards set forth in the existing auto dealership interim ordinance.
- Language will also be added reducing the threshold for the number of units in M1 from 15 to 5, not including density bonus units; density bonus unit exemptions shall also apply to the LMSD.
- The ordinance is to be effective August 28, 2007.

The original motion, as amended and clarified above, was approved by the following vote:

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

COUNCIL ITEMS:
ANNUAL
APPOINTMENTS

13-A: Annual Appointments to Boards and Commissions for terms ending June 30, 2007.

Board/Commission	No. of Appts.	Term Ending
Airport Commission	2	6/30/2011

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

Councilmember Holbrook nominated Jean Gebman to one vacancy. There being no other nominations Mr. Gebman was appointed by acclamation, with Councilmember Shriver and Mayor Pro Tem Katz absent.

Councilmember Genser nominated incumbent Mark Young for reappointment. There being no other nominations Mr. Young was reappointed by acclamation, with Councilmember Shriver and Mayor Pro Tem Katz absent.

Sr. Community Commission	2	6/30/2011
---------------------------------	---	-----------

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

Library Board	1	6/30/2011
----------------------	---	-----------

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

Councilmember McKeown, nominated incumbent Edward Edwards. There being no other nominations Mr. Edwards was reappointed by acclamation, with Councilmember Shriver and Mayor Pro Tem Katz absent.

Personnel Board	1	June 30, 2011
------------------------	---	---------------

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

Social Services Commission 1 6/30/2011

On order of the Mayor, the floor was opened for nominations to the Social Services Commission.

Mayor Bloom nominated Gail Myers. There being no other nominations Ms. Myers was appointed by acclamation, with Councilmember Shriver and Mayor Pro Tem Katz absent.

**UNSCHEDULED
VACANCY APPTS.**

13-B: Appointment to unscheduled vacancies to the following Boards and Commissions:

Board/Commission	Seats	Term Ending Date
Arts Commission	1	06/30/2008

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

Councilmember McKeown nominated Asuka Hisa. There being no other nominations Asuka Hisa was appointed by acclamation, with Councilmember Shriver and Mayor Pro Tem Katz absent.

Library Board	1	06/30/2008
----------------------	---	------------

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

RESIGNATION

13-C: Recommendation to accept Brian Strasburger's resignation from the Bayside District Corporation and authorize the City Clerk to publish the vacancy, was presented.

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

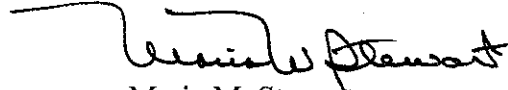
PUBLIC INPUT:

Member of the public Marie Stone discussed matters of concern.

ADJOURNMENT:

On order of the Mayor, the City Council meeting was adjourned at 1:30 a.m., in memory of Paul Angel, Jr., son of City employee Normal Angel.

ATTEST:



Maria M. Stewart
City Clerk

APPROVED:



Richard Bloom
Mayor