

**CITY OF SANTA MONICA**

**CITY COUNCIL MINUTES**

**SEPTEMBER 25, 2007**

A special meeting of the Santa Monica City Council was called to order by Mayor Bloom at 5:03 p.m., on Tuesday, September 25, 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 5:03 p.m., with all members present. Assistant City Manager Gordon Anderson led the assemblage in the Pledge of Allegiance.

**CLOSED SESSIONS:**

Members of the public Martin Rubin, Gwen Rinehart, Bob Fitzpatrick and Diane Moss expressed concerns regarding the item relating to 2-D, and spoke in support of airport safety.

*Mayor Pro Tem Katz was excused at 7:30 p.m.*

On order of the Mayor, the City Council recessed at 5:15 p.m., to consider closed sessions and returned at 7:30 p.m., to report the following with Mayor Pro Tem Katz absent.

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

ACTION: Not Heard.

2-B: **Conference with Legal Council - Anticipated Litigation:**

**Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9(b): one dispute involving real property at 2219 Ocean Avenue.**

ACTION: Not Heard.

**2-C: 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-D: Conference with Legal Counsel - Existing Litigation: In the Matter of Compliance with Federal Obligations by the City of Santa Monica, California, FAA Docket No. 16-02-08**

ACTION: Heard. No reportable action taken.

**CONSENT CALENDAR:** Member of the public Joy Fullmer discussed various subjects.  
Member of the public Mark Olson spoke in support of Item 1-E.

Motion by Councilmember Holbrook, seconded by Councilmember O'Connor, to approve the Consent Calendar, reading resolutions 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 Bloom

NOES: None

ABSENT: Mayor Pro Tem Katz

## **MINUTES**

1-A: **The minutes** of the August 28, 2007, City Council meeting were approved as submitted.

## **SENIOR NUTRITION PROGRAM**

1-B: **Senior Nutrition Program** – recommendation to adopt Resolution No. 10247 (CCS) entitled: “A RESOLUTION OF THE CITY OF SANTA MONICA AUTHORIZING THE SUBMITTAL OF AMENDMENT DOCUMENTS AND THE SIGNING OF CONTRACT AMENDMENTS TO PROVIDE MEAL AND TELEPHONE REASSURANCE SERVICES FOR ELDERLY PERSONS”; and, authorize the City Manager to negotiate and execute an amendment to existing Contract No. 8608 (CCS) with Los Angeles County for provisions of services, was approved.

1-C: **Annenberg Community Beach Club Identity and Graphic**

**ANNENBERG COMMUNITY BEACH CLUB**

**Design Services** – recommendation to authorize the City Manager to negotiate and execute Agreement No. 8824 (CCS) with Adams Morioka, Inc., in the amount of \$150,000, for graphic design services related to the Annenberg Community Beach Club, with an option to extend scope of services in FY 08/09 in an amount not to exceed an additional \$100,000, was approved.

**HOMELESS MANAGEMENT INFORMATION SYSTEM**

1-D: **Homeless Management Information System** – recommendation to authorize the City Manager to negotiate and execute Agreement No. 8825 (CCS) with Canavan Associates, in the amount of \$81,402.00, for consulting services for the selection and implementation of a Homeless Management Information System, was approved.

**STREET AND PARK LIGHTING PROJECT**

1-E: **Annual Street and Park Lighting Project** – recommendation to authorize the City Manager to negotiate and execute Contract No. 8826 (CCS) with KDC, Inc., dba Dynalectric, in the amount of \$3,894,900; and, authorize the City Manager to negotiate and execute Agreement No. 8827 (CCS) with TCM Group, in the amount of \$266,420, for construction inspection services, was approved.

**GRANT FUNDS**

1-F: **2007 Edward Byrne Memorial Justice Assistance Grant** – recommendation for Council to appropriate \$58,993 in grant funds; designate their use for the DNA/Advanced Forensic Evidence project; and, approve the proposed budget changes, was approved.

**PATIENT TRACKING & REPORTING SYSTEM**

1-G: **Patient Care Tracking and Reporting System** - recommendation to authorize the City Manager to negotiate and execute software license Agreement No. 8828 (CCS), and maintenance Contract No. 8829 (CCS), in the total amount of \$142,907, with Proper LLC to purchase a patient care tracking and reporting system for the Fire Department; and, approve the proposed appropriation of funds, was approved.

**WESTSIDE CITIES COG JPA**

1-H: **Westside Cities Council of Governments Joint Powers Authority** - recommendation to authorize the Mayor to execute the amended Joint Powers Authority Exercise of Joint Powers Agreement No. 8276 (CCS) as proposed; and approve proposed procedure for "stand-in" voting representation, was approved.

**STUDY SESSION:**

3-A: **Homeless Update.**

ACTION: Information received and filed.

**ADMIN. ITEMS:**

6-A: **Two-Lot Subdivision at 939 San Vicente Blvd.** – recommendation to approve Tentative Parcel Map 06TM-013 (Map No. 63173) for a two-lot subdivision, in lieu of a three-lot subdivision, at 939 San Vicente Boulevard, subject to proposed findings and conditions and resolution of appeal, was presented.

There was no one present for public comment.

Motion by Councilmember McKeown, seconded by Councilmember Holbrook, to approve recommendation. 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:**

**TENANT HARASSMENT**

7-A: **Introduction and first reading of an ordinance amending Municipal Code Section 4.56.020 relating to tenant harassment to confirm to a recent decision of the California Supreme Court**, was presented.

Member of the public Joy Fullmer commented on various aspects of the ordinance.

Motion by Councilmember McKeown, seconded by Councilmember O'Connor, 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 McKeown, O'Connor, Genser,  
Shriver, Holbrook, Mayor Bloom  
NOES: None  
ABSENT: Mayor Pro Tem Katz

**RELOCATION BENEFITS**

7-B: **Introduction and first reading of an ordinance amending Municipal Code Sections 4.36.040 and 4.36.110 to clarify the Council's intent with respect to the timing of permanent relocation benefits increases**, was presented.

*Councilmember Genser was excused at 8:16 p.m.*

Councilmember Genser requested to be excused from this matter due to a conflict of interest.

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

**GAS SHUT OFF DEVICES 7-C: Second reading and adoption of an ordinance to require the installation of approved gas shutoff devices in buildings, structures and mobile home parks prior to sale or exchange, when newly constructed or when the cost of additions or alterations exceed \$10,000, was presented.**

*Councilmember Genser  
returned at 8:19 p.m.*

Discussion ensued on the information presented by staff related to the effect of ordinance on condominiums and other structures and on the impact to revenue if ordinance is implemented as presented. At the request of staff, second reading of this ordinance was tabled, and staff is to return with a revised ordinance addressing the issues discussed.

**STAFF ITEMS:**

**8-A Conceptual Approval of Automated Red Light Enforcement Pilot Project** – recommendation to proceed with a one year three intersection red light automated enforcement pilot project, was presented.

Member of the public Joy Fullmer discussed various aspects of the proposal.

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

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

**TROLLEY DESIGN  
TRANSIT COACHES**

**8-B: Trolley Design Transit Coaches** – recommendation to award Bid No. 2924 to North American Bus Industries, for \$2,354,596, to purchase 5 CNG trolley transit coaches and miscellaneous spare parts, with option to purchase up to 25 additional coaches, was presented.

Member of the public Kathleen Rawson spoke in support of the concept.

Discussion ensued on the proposed design of the trolley and the need to have a design that is unique and identifiable with the City of Santa Monica. After considerable discussion, staff was directed to consult with the supplier regarding revising the design to address the ideas, suggestions and comments made during the discussion and return to Council at the next regular meeting with options.

**MEASURE V PROJECTS 8-C: Stormwater Management Projects funded by Measure V** – recommendation to review and conceptually approve the proposed phase I plan for use of Measure V funds; approve Measure V low income waiver provisions and adopt Resolution No. 10248 (CCS) entitled: “A RESOLUTION OF THE CITY OF SANTA MONICA SETTING INCOME LIMITS FOR CLEAN BEACHES AND OCEAN PARCEL TAX EXEMPTION ELIGIBILITY”; approve proposed membership, scope and responsibilities for Measure V Citizens Oversight Committee; and direct staff to proceed with preparation of analysis and recommended actions to borrow capital funds for proposed Measure V capital projects through issuance of revenue bonds supported by Measure V revenues, was presented.

There was no one present for public comment.

Motion by Councilmember Holbrook, seconded by Councilmember Genser, to conceptually approve the proposed phase I plan for use of Measure V funds, subject to review by the Oversight Committee. The motion was unanimously approved by voice vote, with Mayor Pro Tem Katz absent.

Motion by Councilmember Holbrook, Seconded by Councilmember O’Connor, to direct staff to return with a resolution setting the charge and responsibilities and the number of members for the Oversight Committee. The motion was unanimously approved by voice vote, with Mayor Pro Tem Katz absent.

Motion by Councilmember O’Connor, seconded by Councilmember Shriver, to approve the low income waiver provisions and adopt Resolution No. 10248 (CCS), 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 Bloom  
NOES: None  
ABSENT: Mayor Pro Tem Katz

Motion by Councilmember O'Connor, seconded by Councilmember Holbrook, to direct staff to proceed with preparation of analysis and recommended actions to borrow capital funds for proposed Measure V capital projects through issuance of revenue bonds supported by Measure V revenues. The motion was unanimously approved by voice vote, with Mayor Pro Tem Katz absent.

**PUBLIC HEARINGS:**  
**YALE STREET  
IMPROVEMENT  
PROJECT**

*Councilmember O'Connor  
was excused at 9:30 p.m.*

9-A: **Public Hearing and Resolution to Confirm Assessment Costs for the Yale Street Improvement Project** – recommendation to hold public hearing, consider public input, and adopt Resolution No. 10249 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA APPROVING ASSESSMENT DIAGRAM DEPICTED IN CITY ENGINEER'S DRAWING SERIES NO. 6518-A AND CONFIRMING ASSESSMENT COSTS FOR THE STREET AND PARKWAY IMPROVEMENTS ON YALE STREET," was presented.

There was no one present for public comment.

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

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

**COUNCIL ITEMS:**  
**APPOINTMENTS**

*Councilmember O'Connor  
returned at 9:32 p.m.*

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

<b>Board/Commission</b>	<b>No. of Appts</b>	<b>Term Ending</b>
Comm. Senior Community	2	6/30/2011

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

Mayor Bloom nominated Bruce Kragen. There being no other nominations Mr. Kragen was appointed by acclamation with Mayor Pro Tem Katz absent.

On order of the Mayor, the second vacancy being an Emeritus position, and there being no nomination recommendations from the Commission, the vacancy was continued until such a time that the Commission has a recommendation for the vacancy.

**UNSCHEDULED  
VACANCY**

**13-B: Appointment to one unscheduled vacancy on the Pier Restoration Corporation Board of Directors for a term ending November 13, 2010.**

On order of the Mayor, and with the consensus of Councilmembers, this matter was continued to October 9, 2007.

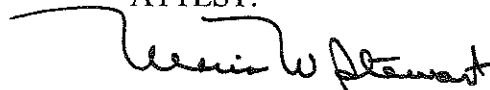
**PUBLIC INPUT:**

Members of the public M. Ross, Brian Hutchings and Catherine Eldridge discussed various issues and concerns.

**ADJOURNMENT:**

On order of the Mayor, the City Council meeting was adjourned at 9:43 p.m. to October 9, 2007, in memory of Walter Marcyan, Ysidro Eugene Reyes, Jonathan Moore, and Sharon Carter.

ATTEST:



Maria M. Stewart  
City Clerk

APPROVED:



Richard Bloom  
Mayor