

**CITY OF SANTA MONICA**

**CITY COUNCIL MINUTES**

**JUNE 10, 2008**

A regular meeting of the Santa Monica City Council was called to order by Mayor Katz at 5:50 p.m., on Tuesday, June 10, 2008, at City Council Chambers, 1685 Main Street.

Roll Call: Present: Mayor Herb Katz  
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 Richard Bloom

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 Councilmember Shriver and Mayor Pro Tem Bloom 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 Joey Fullmer, Roxana Janka, Debbie Lee, and Jerry Rubin commented on various Consent Calendar items.

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

Motion by Councilmember Genser, seconded by Councilmember McKeown, to approve all items on the Consent Calendar as presented except Item 1-E, 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 Katz  
NOES: None  
ABSENT: Councilmember Shriver, Mayor Pro Tem Bloom

**MINUTES**

1-A: **The minutes** of the May 13, 2008, City Council meeting were approved as submitted.

**ANNENBERG COMMUNITY BEACH HOUSE**

1-B: **Furnishings selection and installation for the Annenberg Community Beach House** – recommendation to authorize the City Manager to negotiate and execute Agreement No. 8931 (CCS) with Perkins+Will, in the amount of \$88,500, for selection and installation of interior and exterior furniture for the Annenberg Community Beach House at 415 Pacific Coast Highway, was approved.

**WEBSITE SERVICES**

1-C: **City website services** – recommendation to authorize the City Manager to negotiate and execute an amendment to Contract No. 8861 (CCS) with PMC, in the amount of \$40,000, for the redesign of the City's intranet and Human Resources website, was approved.

**217-223 BICKNELL AVE.**

1-D: **Resolution No. 10296 (CCS) entitled:** "A RESOLUTION OF THE CITY OF SANTA MONICA APPROVING FINAL TRACT MAP NO. 61863 FOR A SEVEN UNIT CONDOMINIUM PROJECT AT 217-223 BICKNELL AVENUE," was adopted.

**STORM DRAINS**

1-F: **Storm Drain Improvement Project** - recommendation to authorize the City Manager to negotiate and execute Contract No. 8933 (CCS) with Psomas, in the amount of \$250,000, for project management services for the project; and, approve the proposed budget changes, was approved.

**NO-SMOKING OUT-REACH CAMPAIGN**

1-E: **Non-smoking ordinance outreach campaign and supplemental report** - recommendation to authorize the City Manager to negotiate and execute Contract No. 8932 (CCS) with Southard Communications, in the amount of \$150,000, to design and implement a comprehensive branding and public education program for the City's non-smoking ordinances, was presented.

Councilmember McKeown advised he removed this item from the Consent Calendar to underscore his commitment to making this campaign work effectively for the City.

Motion by Councilmember O'Connor, seconded by Mayor Katz, to approve recommendation. The motion was approved by the following vote:

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

**CLOSED SESSIONS:**

On order of the Mayor, the City Council recessed at 6:09 p.m., to consider closed sessions and returned at 7:17 p.m., with Mayor Pro Tem Bloom absent, to report the following:

*Councilmember Shriver arrived at 6:30 p.m.*

**2-A: Anticipated Litigation: Anticipate significant exposure to litigation Pursuant to Government Code Section 54956.9(b): 161 Ocean Park Boulevard.**

ACTION: Heard. No reportable action taken.

**2-B: Anticipated Litigation: Anticipate significant exposure to litigation Pursuant to Government Code Section 54956.9(b): 2300 Wilshire.**

ACTION: Not Heard.

**2-C: 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.

**2-D: Conference with Legal Counsel – Existing Litigation: United States of America and Peters v. City of Santa Monica, USDC, Case No. CV08-02695 CW(Ex).**

ACTION: Heard. No reportable action taken.

**2-E: Conference with Real Property Negotiator  
Property: 1701 - 1725 Ocean Avenue, Santa Monica  
City Negotiator: Andy Agle, Director,  
Housing and Economic Development  
Under Negotiation: Price and Terms  
Owner of Record: Santa Monica Redevelopment Agency**

ACTION: Heard. No reportable action taken.

2-F: **Conference with Legal Counsel – Existing Litigation: Hermosa Beach v. Superior Court (MacPherson Oil Co.), Ct. of Appeal B206386 – request for support of petition for review.**

City Attorney Marsha Moutrie announced that the City Council authorized the City's supporting Hermosa Beach's petition for review.

**INSPIRATION:**

**Members of the Santa Monica High School Symphony Orchestra played various pieces for the audience and conveyed their appreciation for Council's continued support of their endeavors.**

**SPECIAL ITEMS:**

4-A: **The Mayor issued a proclamation celebrating the Civic Center's 50<sup>th</sup> Anniversary.**

**ORDINANCES:**

7-A: **Second reading and adoption of Ordinance No. 2266 (CCS) entitled: "AN ORDINANCE AMENDING SECTIONS OF CHAPTER 7.16 OF THE MUNICIPAL CODE RELATED TO WATER CONSERVATION,"** was presented.

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

AYES: Councilmembers McKeown, O'Connor, Genser, Shriver, Holbrook, Mayor Katz

NOES: None

ABSENT: Mayor Pro Tem Bloom

**STAFF ITEMS:**  
**CIVIC CENTER VILLAGE - DDA**

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

On order of the Mayor, the City Council convened to a joint meeting with the Redevelopment Agency, with Mayor Pro Tem Bloom absent.

8-A: **Disposition and Development Agreement for the Civic Center Village** – recommendation that the Redevelopment Agency and the City Council adopt respective Resolution Nos. 10297 (CCS) and 507 (RAS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA MAKING SPECIFIC FINDINGS AND APPROVING THE DEVELOPMENT AND DISPOSITION AGREEMENT AND LEASE AGREEMENTS BETWEEN THE CITY AND RELATED/SANTA MONICA VILLAGE, LLC FOR THE CIVIC CENTER VILLAGE," and

respective Resolution Nos. 508 (RAS) and 10298 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA STATING THAT THE CITY COUNCIL/REDEVELOPMENT AGENCY HAVE REVIEWED THE FINAL EIR, AS AMENDED." Recommendation that the Redevelopment Agency authorize the Executive Director to execute all documents, and take all necessary actions, to complete the Development and Disposition Agreement and Lease Agreements for the Civic Center Village. Recommendation that Council approve an amendment to Contract No. 8556 (CCS) with Keyser Marston Associates, Inc., in the amount of \$40,000, for real estate economics services associated with the project, was presented.

Members of the public Joey Fullmer, Jerry Rubin, Paul DeSantis, Joan Ling, James Mount and Patricia Hoffman spoke generally in support of the project.

Member of the public Sam Epstein expressed concern regarding the financial status of the Related companies.

Motion by Agency/Councilmember Genser, seconded by Agency/Councilmember O'Connor, to adopt resolutions affirming review of the certified final EIR. The motion was approved by the following vote:

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

Motion by Councilmember McKeown, seconded by Councilmember O'Connor, to adopt resolution approving the DDA and making findings. The motion was approved by the following vote:

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

Motion by Agency Member O'Connor, seconded by Agency Member McKeown, to adopt resolution recommending approval of the DDA, and authorizing the Executive Director to execute the DDA and related documents. The motion was approved by the following vote:

AYES: Agency Members McKeown, O'Connor, Genser, Chair  
Katz  
NOES: Agency Members Shriver, Holbrook  
ABSENT: Chair Pro Tem Bloom

Motion by Councilmember Genser, seconded by Councilmember O'Connor to authorize the City Manager to negotiate and execute an amendment to Contract No. 8556 (CCS). The motion was approved by the following vote:

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

Councilmember Shriver stated, for the record, that he voted "no" because it is going to be a much bigger, taller development than expected. He added that he is in support of building affordable housing and likes the purchase rehab ideas, which are a better use of money.

Councilmember Holbrook stated, for the record, that he voted "no" because it was never his vision to have this large a housing project in the Civic Center, and is chagrined that over 50% of people using housing will be people that work in Santa Monica already and who need this kind of housing, and the City is providing housing for people who don't live in the City.

**ADJOURNMENT OF  
SPECIAL JOINT  
MEETING**

On order of the Mayor, the Special Joint Meeting was adjourned at 8:21 p.m., and the regular Council meeting was reconvened, with Mayor Pro Tem Bloom absent.

**NOVEMBER 4, 2008  
GENERAL MUNICIPAL  
ELECTION**

**8-B: Adoption of Resolutions related to the General Municipal Election to be held on November 4, 2008**— recommendation that the City Council adopt Resolution No. 10299 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2008"; Resolution No. 10300 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA REQUESTING CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION"; Resolution No. 10301 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA REQUESTING SERVICES FROM THE L.A. COUNTY REGISTRAR-RECORDER FOR THE GENERAL MUNICIPAL ELECTION ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE

STATEMENTS”; and Resolution No. 10302 (CCS) entitled: “A RESOLUTION OF THE CITY OF SANTA MONICA AUTHORIZING THE CITY CLERK TO OBTAIN CONSULTANT SERVICES AND SUPPLIES REQUIRED FOR THE CONDUCT OF THE ELECTION”; was presented.

There was no one present for public comment.

Motion by Councilmember McKeown, seconded by Councilmember O’Connor, to adopt the four resolutions 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 Katz  
NOES: None  
ABSENT: Mayor Pro Tem Bloom

**LAND USE AND CIRCULATION ELEMENT**

**8-C: Land Use and Circulation Element (LUCE) Strategy Framework** - recommendation that Council review the LUCE Strategy Framework, and based upon the review and Planning commission and community input, endorse the Framework with appropriate comments and direct the staff to proceed with economic, transportation and environmental analysis and evaluation, was presented.

The following members of the public spoke generally in support of the plan and expressed concerns, suggestions and ideas related to various aspects of the project: Russell Sydney, Joey Fullmer, Michael Hill, Mike Matthews, Gregory Runyon, Ken Ward, Jerry Rubin, Susan McCarthy, Tom Cleys, Jean McNeil Wyner, Louisa Fish, Jeanine Harrington, Kent Strumpell, Darrell Clarke, Nina Fresco, Asuka Hisa, Greg Ames, Mark Harding, Iao Katagiri, Tish Starbuck, Alex Thomson, Mihai Petell, and Tom Larmore.

Discussion ensued on the merits of the Framework presented by staff, on the public participation and on the remaining points of discussion.

On order of the Mayor, the information was received and filed and the matter was continued to July 17, 2008.

**AGENDA MANAGEMENT**

On order of the Mayor, given the lateness of the hour and following Council Rules, discussion ensued on management of the remainder of the agenda.

Motion by Councilmember Genser, seconded by Councilmember O'Connor, to hear 13-items. The motion failed by the following vote:

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

After some discussion on the merits of the motion, Councilmember Genser requested to change his vote to "No" in order to make the following motion:

Motion by Councilmember Genser, seconded by Councilmembers O'Connor, to reconsider the motion. The motion was approved by the following vote:

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

Motion by Councilmember Genser, seconded by Councilmember O'Connor, to hear the remaining items and end by 11:30 p.m. The motion was approved by voice vote, with Councilmembers Shriver and Holbrook voting in opposition, and Mayor Pro Tem Bloom absent.

**COUNCIL ITEMS:**  
**PIER RESTORATION CORPORATION**

**13-A: Appointment to one unscheduled vacancy on the Pier Restoration Corporation Board of Directors for a term ending November 10, 2009.**

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

Councilmember Genser, nominated Eric Faber. There being no other nominations, Mr. Faber was appointed by acclamation, with Mayor Pro Tem Bloom absent.

**PERSONNEL BOARD**

**13-B: Appointment to one annual vacancy on the Personnel Board for a term ending June 30, 2011.**

On order of the Mayor, this matter was continued to June 24, 2008.

**PREVENTION OF FARM ANIMAL CRUELTY ACT**

**13-C: Request of Councilmember McKeown that the Council, in acknowledgment of the distaste many Santa Monica food consumers have for the sometimes inhumane practices employed by factory farms, endorse the "California Prevention of Farm Animal Cruelty**

**Act," an initiative measure sponsored by the Humane Society of the United States and others, and scheduled for the November 4, 2008 ballot, was presented.**

Members of the public Valerie Belt, Armati May, and Brian Hutchings spoke in support of the request.

Motion by Councilmember McKeown, seconded by Councilmember Holbrook, to approve request. The motion was unanimously approved by voice vote, with Mayor Pro Tem Bloom absent.

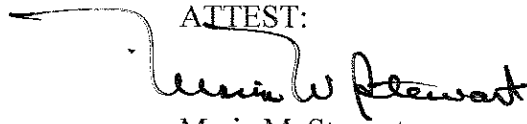
**PUBLIC INPUT:**

Members of the public Pro Se, Louisa Fish and Brian Hutchings commented on various issues.

**ADJOURNMENT:**

On order of the Mayor, the City Council meeting was adjourned at 11:23 p.m.

ATTEST:



Maria M. Stewart  
City Clerk

APPROVED:



Herb Katz  
Mayor