

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

APRIL 7, 2009

A special meeting of the Santa Monica City Council was called to order by Mayor Genser at 5:53 p.m., on Tuesday, April 7, 2009, at City Council Chambers, 1685 Main Street.

Roll Call: Present: Mayor Ken Genser
Mayor Pro Tem Pam O'Connor
Councilmember Richard Bloom
Councilmember Glean Davis
Councilmember Robert T. Holbrook
Councilmember Bobby Shriver (arrived at 6:57 p.m.)

Absent: Councilmember Kevin McKeown

Also Present: City Manager P. Lamont Ewell
Assistant City Attorney Joseph Lawrence
City Clerk Maria M. Stewart

CONVENE/PLEDGE On order of the Mayor, the City Council convened at 5:53 p.m., with all members present. Councilmember Holbrook 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 and Jerry Rubin commented on Consent Calendar items.

At the request of Councilmember Bloom, Item 1-B was removed from the Consent Calendar. At the request of Mayor Genser, Item 1-G was removed from the Consent Calendar.

Motion by Councilmember Holbrook, seconded by Councilmember Davis, to approve all items on the Consent Calendar as presented except Items 1-B and 1-G, reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:

AYES: Councilmembers Davis, Holbrook, Bloom, Mayor Pro

Tem O'Connor, Mayor Genser

NOES: None

ABSENT: Councilmembers Shriver, McKeown

MINUTES

1-A: **The minutes** of the March 3 and March 24, 2009, City Council meetings were approved as submitted.

BRAKE RELINE KITS

1-C: **Brake Reline Kits** – recommendation to award Bid No. 2960 to American Moving Parts, in the annual estimated amount of \$160,000, to furnish and deliver Brake Reline Kits as required by the Big Blue Bus, was approved.

PARKING ENFORCEMENT VEHICLES

1-D: **Low-Emission Parking Enforcement Vehicles** – recommendation to award a purchase order to Municipal Maintenance Equipment, Inc., in the amount of \$237,762, to furnish and deliver nine new and unused low-emission single occupant three wheeled parking enforcement vehicles, was approved.

2005 19th STREET

1-E: **Resolution No. 10389 (CCS) entitled:** “A RESOLUTION OF THE CITY OF SANTA MONICA APPROVING FINAL TRACT MAP NO. 065523 FOR A FIVE-UNIT CONDOMINIUM PROJECT AT 2005 NINETEENTH STREET,” was adopted.

941 11th STREET

1-F: **Resolution No. 10390 (CCS) entitled:** “A RESOLUTION OF THE CITY OF SANTA MONICA APPROVING FINAL PARCEL MAP NO. 067057 FOR A 4-UNIT CONDOMINIUM PROJECT AT 941 ELEVENTH STREET,” was adopted.

COUNCIL LIAISONS

1-B: **Role of Council Liaisons to Boards, Commissions and Taskforces** - recommendation to review and approve proposed letter to Board, Commission and Taskforce members conveying information about the role of Council liaisons and opportunities for Board, Commission and Task Force members to provide input to Council, was presented.

Councilmember Bloom advised that he removed this item from the Consent Calendar to request that one of the most important messages in the letter be bolded for emphasis.

Discussion ensued on the merits of the request. After discussion, it was the consensus of Council to make that portion of the letter a separate request.

Motion by Councilmember Bloom, seconded by Councilmember

Holbrook, to approve recommendation amended to make the last part of the letter a separate paragraph. The motion was approved by the following vote:

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

PARKING MGMT.

1-G: **Parking management services** - recommendation to authorize the City Manager to negotiate and execute Contract No. 9050 (CCS) with Central Parking Corporation, in the proposed amounts subject to approval of one-year renewal options and appropriation of funding in future year operating budgets, was presented.

Mayor Genser advised he removed this item from the Consent Calendar to point out the salaries paid by the contractor per a union agreement, but that are still below the local minimum wage ordinance, and to note that the City Council needed to look at the whole picture of contracting out and the issues that needed to be thought about.

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

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

CLOSED SESSIONS:

On order of the Mayor, the City Council recessed at 6:05 p.m., to consider closed sessions and returned at 6:50 p.m., with Councilmembers McKeown and Shriver absent, to report the following:

2-A: **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: Not Heard.

2-B: **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: Not Heard.

2-C: Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation pursuant to Section 54956.9c (initiation of 1 case to collect transient occupancy taxes owing from on-line booking companies; retention of counsel).

ACTION: Heard. No reportable action taken.

2-D: Conference with Legal Counsel – Anticipated Litigation: Anticipate significant exposure to litigation pursuant to Government Code Section 54956.9 (b): two matters involving signage at: 1547 7th Street and 1844 Lincoln Boulevard.

ACTION: Heard. No reportable action taken.

**ORDINANCES:
ENFORCEMENT
RIGHTS**

7-A: Second reading and adoption of Ordinance No. 2286 (CCS) entitled “AN ORDINANCE OF THE CITY OF SANTA MONICA UPDATING CHAPTER 1.10 OF THE MUNICIPAL CODE TO CLARIFY CODE ENFORCEMENT RIGHTS AND EFFORTS BY THE CITY,” was presented.

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

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

**STAFF ITEMS:
URBAN FOREST TASK
FORCE**

*Councilmember Shriver
arrived at 6:57 p.m.*

8-A: Recommendation to Establish an Urban Forest Master Plan Task Force – recommendation to establish an urban forest master plan task force to advise staff on the development of a long-range urban forest master plan, review specific urban forest issues related to the master plan, and serve in an advisory capacity to City Council, was presented.

The following members of the public spoke in support of the recommendation: Joey Fullmer, Jerry Rubin, Louise Steiner, Marissa Rubin, Kathy Knight and Linda Piera-Avila.

Motion by Councilmember Bloom, seconded by Mayor Genser, to approve recommendation amended to have seven members to be selected from members of the community; that the invitation to apply will indicate that any related experience outlined in the staff report is desirable for some of the applicants, but not required; and that current members of Santa Monica boards and commissions are welcome to apply. The motion was approved by the following vote:

AYES: Councilmembers Bloom, Holbrook, Shriver, Davis,
Mayor Pro Tem O'Connor, Mayor Genser

NOES: None

ABSENT: Councilmember McKeown

**SM-MUSD MASTER
FACILITIES AGMT.**

8-B: School District Master Facilities Use Agreement - recommendation to approve recommendations of the Adjustment Conference Committee and extend Master Agreement No. 8462 (CCS) and supplemental agreements with the Santa Monica-Malibu Unified School District for an additional 3 years and increase the City's base payment as proposed, was presented.

The following members of the public spoke generally in support of the recommendation and provided ideas and suggestions: Joey Fullmer, Lee Jones, Tricia Crane, Rebecca Kennerly, Mike Grunning, Dennis Zane, Ken Haker, Clautia Landis, and Debbie Mulvaney.

Motion by Councilmember Bloom, seconded by Councilmember Shriver, to approve staff recommendation, amended to include in the agreement that the School District will notify the City of any changes to the Special Education District Advisory Committee. The motion was approved by the following vote:

AYES: Councilmembers Bloom, Holbrook, Davis, Shriver,
Mayor Pro Tem O'Connor, Mayor Genser

NOES: None

ABSENT: Councilmember McKeown

4TH & ADELAIDE

8-C: Neighborhood Impacts of Group Exercise on 4th Street Median at Adelaide Drive – recommendation to provide direction to staff as follows: 1) explore restricting commercial and/or group use; 2) consolidate and update signage to also direct people to available public restrooms and parking; 3) schedule regular trash pickup; 4) explore restricting access to the stairs during nighttime hours; 5) explore further parking restrictions; 6) encourage residents and users to form a Good Neighbor Work Group; and 7) look into grant opportunities to explore

feasibility of alternative recreational stairs at Palisades Park with possible access to the Annenberg Community Beach House, was presented.

Members of the public Elaine Culotti, John Ketcham, Jerry Sanders and Freida Mock spoke generally in support of the recommendation and commented on the problems at the intersection.

Motion by Mayor Genser, seconded by Councilmember Bloom, to approve recommendation, directing staff to consider the comments made by Councilmembers during deliberation. The motion was approved by the following vote:

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

COUNCIL ITEMS:
APPOINTMENTS

13-A: Appointment to one annual vacancy on the Pier Restoration Corporation for a term ending November 11, 2012.

On order of the Mayor, this item was continued to April 28, 2009.

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

Board/Commission	No. of Appts.	Term Ending
Airport Commission	1	6/30/2009
Pier Restoration Corporation	1	11/10/2009

On order of the Mayor, this item was continued to April 28, 2009.

HOMELESS UPDATE

13-C: Request of Councilmember Shriver that the homeless update scheduled for the City Council meeting of April 14, 2009, be scheduled so it will be heard as close to 8:00 p.m., as possible, was presented.

There was no one present for public comment.

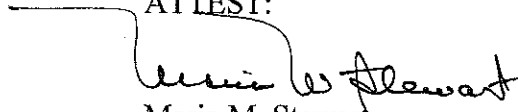
Motion by Councilmember Shriver, seconded by Councilmember Holbrook, to approve request. The motion was approved by the following vote:

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

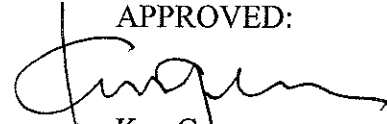
ADJOURNMENT:

On order of the Mayor, the City Council meeting was adjourned at 9:06 p.m., to April 14, 2009, in memory of Ernest Anthony Ryavec.

ATTEST:


Maria M. Stewart
City Clerk

APPROVED:


Ken Genser
Mayor