

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

SEPTEMBER 30, 2025

A regular meeting of the Santa Monica City Council was called to order by Mayor Negrete at 5:36 p.m., on Tuesday, September 30, 2025, at City Council Chambers, 1685 Main Street, Santa Monica, CA.

Roll Call: Present: Mayor Lana Negrete
Mayor Pro Tem Caroline Torosis (*arrived at 5:40 P.M.*)
Councilmember Jesse Zwick
Councilmember Dan Hall
Councilmember Ellis Raskin
Councilmember Barry Snell
Councilmember Natalya Zernitskaya

Also Present: City Manager Oliver Chi
Interim City Attorney Heidi von Tongeln
City Clerk Nikima S. Newsome

CONVENE/PLEDGE

On order of the Mayor, the City Council convened at 5:36 p.m., with all members present except Mayor Pro Tem Torosis. Councilmember Snell led the assemblage in the Pledge of Allegiance.

**STATEMENT OF
ACCOUNTABILITY
(LAND
ACKNOWLEDGEMENT)**

The City of Santa Monica is located on the land of Tovangaar. With great respect, the City acknowledges the Gabrieleño/Tongva as the First People of this ancestral and unceded territory of Kuruvungna, a village that we know as Santa Monica. We honor their elders, past and present, and the Gabrieleño descendants who are part of the Gabrieleño /Tongva tribes.

We recognize that these peoples are still here, and as settlers and kuyam (guests), we recognize our responsibility and obligation to care for their land in partnership with them. The City of Santa Monica commits to work in partnership with the Gabrieleño/Tongva people to uplift their voices and visibility on their ancestral land.

The City of Santa Monica Statement of Accountability (Land Acknowledgement) was read into the record by Councilmember Snell.

**LEVINE ACT
DISCLOSURE**

Pursuant to the Levine Act (Govt Code Section 84308), any party to a permit, license, contract, or other entitlement before the Council is required to disclose on the record any contribution, including aggregated contributions, of more than \$500 made by the party or the

party's agents within the preceding 12 months to any City official. Participants and agents are requested to make this disclosure as well. The disclosure must include the name of the party, participant, or agent, and any other person making the contribution; the name of the recipient, the amount of the contribution, and the date the contribution was made.

No Councilmembers recused themselves from any items on the agenda pursuant to the Levine Act.

**AGENDA
MANAGEMENT**

Motion by Councilmember Hall, seconded by Councilmember Zernitskaya to hear Item 2.A. before public input for general public comment and special agenda items, to hear the mayor's highlight with the special agenda items, and to hear Item 12.B. before Item 12.A. The motion was approved by unanimous voice vote with all members present except Mayor Pro Tem Torosis.

**PUBLIC INPUT FOR
GENERAL PUBLIC
COMMENT AND
SPECIAL AGENDA
ITEMS:**

Members of the public Denise Barton, Andrew Hoyer, Morgan Hunter Gross, Johnathan Foster, Heather Thomason, Lainie Zepeda, Gina DeBaca, Bee Barba-Padilla, and Alyssa Kluge commented on various local issues.

No members of the public commented on Special Agenda items.

(Mayor Pro Tem Torosis arrived at 5:40 P.M.)

**PROCLAMATIONS/
COMMENDATIONS/
SPECIAL AGENDA
ITEMS**

- 2.A. Proclamation: Hispanic Heritage Month**, was presented.
- 2.B. Commendation: Chris Baca (Meals on Wheels) Retirement**, was presented.
- 2.C. Proclamation: Sandwich Generation Appreciation Day**, was presented.
- 2.D. Proclamation: Fire Prevention Week**, was presented.

**PUBLIC INPUT FOR
CONSENT CALENDAR
AND CLOSED SESSION
ONLY:**

Member of the public Jim Harris commented on Consent Calendar items.

Members of the public Zina Josephs, Alan Levenson, and John Reynolds commented on Closed Session items.

(Mayor Pro Tem Torosis was excused at 6:29 p.m. and returned at 6:32 p.m.)

CONSENT CALENDAR:

All items were considered and approved in one motion unless removed by a

Councilmember for discussion.

At the request of Councilmember Hall, Item 4.B. was removed from the Consent Calendar.

At the request of staff, Item 4.H. was removed from the agenda.

Motion by Mayor Pro Tem Torosis, seconded by Councilmember Hall, to approve the Consent Calendar except for Items 4.B. and 4.H., reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:

AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Zwick
Mayor Pro Tem Torosis, Mayor Negrete
NOES: None
ABSENT: None

HIGHWAY BRIDGE PROGRAM

4.A. Award Bid SP2060-CT to Shimmick Construction Company, Inc. and RFP SP2060-CM to Bureau Veritas North America, Inc; Authorize the City Manager to Negotiate and Enter Into Contracts with Shimmick Construction and Bureau Veritas and a Contract Modification with Dokken Engineering, Inc.; Authorize the City Manager to Accept Grant Award from the Highway Bridge Program and All Grant Renewals, and to Execute All Necessary Associated Documents for the Pier Bridge Replacement Project, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding that the project was previously analyzed in the certified Santa Monica Pier Bridge Replacement Project Recirculated Final Environmental Impact Report/Environmental Assessment in accordance with CEQA;
2. Adopt Addendum #1 to the Santa Monica Pier Bridge Replacement Project Recirculated Final Environmental Impact Report/Environmental Assessment;
3. Award Bid #SP2060-CT to Shimmick Construction Company, Inc. for the Pier Bridge Replacement Project for the Public Works Department;
4. Authorize the City Manager to negotiate and execute Contract No. 11768 (CCS) with Shimmick Construction Company, Inc. in an amount not to exceed \$35,579,292 (including a 20% contingency), and, if necessary, authorize the City Manager to negotiate and execute a bridge equipment lease agreement with Acrow Corporation of America for lease of a temporary pedestrian bridge system;
5. Award Request for Proposals (RFP) #SP2060-CM to Bureau Veritas North America, Inc. to provide construction management and

- inspection services for the Pier Bridge Replacement Project for the Public Works Department; and
6. Authorize the City Manager to negotiate and execute Contract No. 11769 (CCS) with Bureau Veritas North America, Inc. in an amount not to exceed \$4,892,153 (including a 10% contingency);
 7. Authorize the City Manager to negotiate and execute a first modification to Agreement No. 11361 (CCS) in the amount of \$218,623 with Dokken Engineering, Inc. for additional bridge engineering construction support services for the Pier Bridge Replacement Project for the Public Works Department. This will result in an amended agreement with a new total amount not to exceed \$4,377,023;
 8. Authorize the City Manager to accept a grant awarded in the amount of \$30,201,250 from the Highway Bridge Program for the Santa Monica Pier Bridge Replacement Project in the Department of Public Works, and to accept all grant renewals;
 9. Authorize the City Manager to execute all necessary documents to accept the grant and all grant renewals; and
 10. Authorize budget amendment as outlined in the Financial Impacts & Budget Actions section of this report (requires 5 votes).

PARKING OPERATIONS SERVICES

4.C. Authorization to Extend Agreements for Parking Operations Management, Parking Access Revenue and Control Systems Services, and Credit Card Payment Services for Parking Operations, was approved.

Recommended Action

Staff recommends that the City Council

1. Adopt a finding of no significant effect pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines;
2. Authorize the City Manager to negotiate and execute a third modification to Agreement No. 10201 (CCS) in the amount of \$13,100,084 with SP Plus LLC for Parking Operations Management. This will extend the expiration date from October 31, 2025, to June 30, 2027, resulting in an 11-year and 8 month amended agreement with a new total amount not to exceed \$81,800,084, with future year funding contingent on Council budget approval;
3. Authorize the City Manager to negotiate and execute a third modification to Agreement No. 10413 (CCS) in the amount of \$2,239,240 with Skidata, Inc. for Parking Access and Revenue Control Systems (PARCS) services. This will extend the expiration date from November 30, 2025, to June 30, 2027, resulting in a 10-year and 3 month amended agreement with a new total amount not to exceed \$8,736,240, with future year funding contingent on Council budget approval; and

- 4. Authorize the City Manager to negotiate and execute a third modification to Agreement No. 10599 (CCS) in the amount of \$180,000 with Windcave, Inc. for credit card payment gateway provider services on Skidata Parking Access and Revenue Control Systems. This will extend the expiration date from December 31, 2025, to June 30, 2027, resulting in a 9-year and 10 month amended agreement with a new total amount not to exceed \$1,250,000, with future year funding contingent on Council budget approval.

HVAC REPLACEMENT PROJECT

4.D. Award Bid SP2750 and Construction Contract to AC Pros, Inc. for the Santa Monica Department of Transportation HVAC Replacement Project, was approved.

Recommended Action

Staff recommends that the City Council:

- 1. Adopt a finding of Categorical Exemptions pursuant to Sections 15301 (Existing Facilities) and 15302 (Replacement/Reconstruction) of the California Environmental Quality Act (CEQA) Guidelines;
- 2. Award Bid #2750 to AC Pros, Inc. for the Santa Monica Department of Transportation HVAC Replacement Project for the Public Works Department;
- 3. Authorize the City Manager to negotiate and execute Contract No. 11770 (CCS) with AC Pros, Inc. in an amount not to exceed \$ 2,271,522 (including a 10% contingency) for a term of three years, with future year funding contingent on Council budget approval; and
- 4. Authorize the budget amendment as outlined in the Financial Impacts & Budget Actions section of the report (requires 5 votes).

TITLE VI 2025 PROGRAM UPDATE

4.E. Adoption of Big Blue Bus Title VI 2025 Program Update, was approved.

Recommended Action

Staff recommends that the City Council adopt the Big Blue Bus 2025 Title VI Program update.

DIESEL FUEL PURCHASE AND DELIVERY

4.F. Authorization for Procurement Manager to Issue Purchase Orders to AAA Oil, Inc. for Purchase and Delivery of Diesel Fuel for the Public Works and Fire Departments, was approved.

Recommended Action

Staff recommends that the City Council:

- 1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines; and
- 2. Authorize the Procurement Manager to issue purchase orders with AAA Oil, Inc. under County of Los Angeles Master Agreement MA-

IS-2240008-9 for the purchase and delivery of diesel fuel for the Public Works and Fire Departments. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.250(c), (i).

NURSE PRACTITIONER AGREEMENTS

4.G. Award Nurse Practitioner Agreements for Advanced Provider Unit, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines;
2. Authorize the City Manager to negotiate and execute Agreement No. 11771 (CCS) with Tiffany Leighanne Barajas DBA Affinity Care as a Nurse Practitioner for the Advanced Provider Unit for the Fire Department. This recommended award is made as an exception to the competitive bidding process pursuant to Santa Monica Municipal Code Section 2.24.250(i) and 2.24.240(a) and an amount not to exceed \$95,464 (including a \$18,664 contingency) over a one-year period, with four 1-year renewal options, for a total amount not to exceed \$504,667 over a five-year period, with future year funding contingent on Council budget approval;
3. Authorize the City Manager to negotiate and execute Agreement No. 11772 (CCS) with Courtney Nabors DBA Naborly Nursing Inc. as a Nurse Practitioner for the Advanced Provider Unit for the Fire Department. This recommended award is made as an exception to the competitive bidding process pursuant to Santa Monica Municipal Code Section 2.24.250(i) and 2.24.240(a) and an amount not to exceed \$95,464 (including a \$18,664 contingency) over a one-year period, with four 1-year renewal options, for a total amount not to exceed \$504,667 over a five-year period, with future year funding contingent on Council budget approval; and
4. Authorize the City Manager to negotiate and execute Agreement No. 11773 (CCS) with Patricia Martin as a Nurse Practitioner for the Advanced Provider Unit for the Fire Department. This recommended award is made as an exception to the competitive bidding process pursuant to Santa Monica Municipal Code Section 2.24.250(i) and 2.24.240(a) and an amount not to exceed \$47,731 (including a \$9,332 contingency) over a one-year period, with four 1-year renewal options, for a total amount not to exceed \$252,332 over a five-year period, with future year funding contingent on Council budget approval.

BANK OF AMERICA LEASE AGREEMENT

4.H. Authorization to Enter into Third Amendment to Amended and Restated Lease Agreement with Bank of America for City-Owned

Property Located at 1301 Fourth Street, was pulled at the request of staff.

Recommended Action

Staff recommends that the City Council authorize:

1. City Manager to negotiate and execute a Third Amendment to the Amended and Restated Lease Agreement with Bank of America for the City-owned property at 1301 Fourth Street. The Third Amendment would extend term from February 1, 2026 through December 31, 2028; and
2. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines

**PARKING METER
PAYMENT
REQUIREMENTS**

4.I. Second Reading and Adoption of Ordinance No. 2827 (CCS) Amending Santa Monica Municipal Code Section 3.16.120 to Exempt Additional Zero Emission Vehicles from Parking Meter Payment Requirements, was adopted.

Recommended Action

Staff recommends that the City Council adopt the attached Ordinance.

**CANNABIS BUSINESS
REGULATIONS**

4.J. Second Reading and Adoption of Ordinance No. 2828 (CCS) Amending Chapter 6.200 of the Santa Monica Municipal Code to Authorize and Establish Regulations for Cannabis Businesses and Delete Chapters 6.201, 6.202, and 6.203 of the Santa Monica Municipal Code, was adopted.

Recommended Action

Staff recommends that the City Council adopt the attached Ordinance.

**CANNABIS RETAILER
ZONING ORDINANCE**

4.K. Second Reading and Adoption of Ordinance No. 2829 (CCS) Amending the Text of the Zoning Ordinance to Authorize Cannabis Retailers to Sell Adult-Use and Medicinal Cannabis and Cannabis Products Within Certain Zoning Districts, was adopted.

Recommended Action

Staff recommends that the City Council adopt the attached Ordinance.

**DIGITAL DISPLAY
DISTRICT**

4.L. Award RFP #456 and Professional Services Agreement No. 11774 (CCS) to Playfly, LLC for Economic Analysis of Potential Digital Display District, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines;
2. Award RFP#456 to Playfly, LLC for economic consulting services for the Community Development Department;
3. Authorize the City Manager to negotiate and execute Agreement No. 11774 (CCS) with Playfly, LLC for an amount not to exceed \$226,750 over a 5-year period.

DOG BITE INJURIES

4.M. Introduction and First Reading of an Ordinance Amending Santa Monica Municipal Code Section 4.04.155 and Adding Section 4.04.405 Relating to Obligations After a Dog Bite Causes Injury to Persons or Animals, was introduced and approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines; and
2. Introduce for first reading the attached Ordinance amending Santa Monica Municipal Code Section 4.04.155 and adding Section 4.04.405 to provide private remedies when a dog maintained in violation of the leash law bites another animal or person, and to require dog owners to share information after dog bites causing injury to persons or animals.

MINUTES

4.N. Approval of Minutes of City Council - Regular Meeting - Sep 9, 2025 5:30 PM, were approved.

MINUTES

4.O. Approval of Minutes of City Council - Special Meeting - Sep 9, 2025 5:35 PM, were approved.

HOMELAND SECURITY PROGRAM

4.B. Accept 2024 State Homeland Security Program Grant Funds, was approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines;
2. Authorize the City Manager to accept a grant awarded in the amount of \$60,875 from the federal Department of Homeland Security for the 2024 State Homeland Security Program grant on behalf of the Fire Department and to accept all future grant renewals;

3. Authorize the City Manager to execute the necessary grant agreement required to accept the grant and any subsequent grant modifications; and
4. Authorize a budget amendment as outlined in the Financial Impacts Budget Actions section of this report (requires 5 votes).

Questions asked and answered of staff included does acceptance of the grant funding come with any intelligence sharing requirements with the federal government or federal agencies that could put members of the community who are undocumented at risk or change the city's guidance regarding sharing information about immigration or gender affirming health care.

Considerable discussion ensued on topics including, but not limited to wanting the city to cease any agreement with the federal government if it required sharing data or dismantling DEI programs.

Motion by Councilmember Hall, seconded by Councilmember Snell, to adopt the staff recommendation. The motion was approved by the following vote:

AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Zwick
Mayor Pro Tem Torosis, Mayor Negrete
NOES: None
ABSENT: None

CLOSED SESSIONS

On order of the Mayor, the City Council recessed at 6:43 p.m., to consider Closed Sessions and returned at 7:55 p.m., with all members present, to report the following:

5.A. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Diane Burnett v. City; LASC # 23TRCV00943 [report out only]

The Interim City Attorney advised this matter was previously heard at the June 24, 2025 Council meeting where Council approved a settlement in a personal injury case involving a claim that Burnett was injured while a passenger on a Big Blue Bus. The city denies liability but agreed to settle for \$175,000, and Burnett agreed to release all claims against the city. The settlement was approved by a vote of 7-0.

5.B. Conference with real estate negotiator - Gov. Code § 54956.8; property: 3100 Donald Douglas Loop North, Santa Monica, California; City negotiator: Oliver Chi, City Manager; persons to be negotiated with: Delux Public Charter, LLC dba JSX Air (JSX); JSX negotiator: Alex Wilcox, CEO; under negotiation: lease price and terms of payment

The Interim City Attorney advised this matter was heard with no reportable action taken but authorized a statement to be read into the record by the City Manager.

The City Manager then made a statement regarding the JSX lease, emphasizing the city’s commitment to closing the Santa Monica Airport at the end of 2028, in compliance with the federal consent decree, and ongoing evaluation of JSX’s operational plans for compliance with all regulations and city rules.

5.C. Conference with legal counsel - potential initiation of litigation - Gov. Code § 54956.9(d)(4): 1 case

The Interim City Attorney advised that Council approved initiation of litigation as a plaintiff in the lawsuit of Santa Clara County vs. Department of Homeland Security, filed on September 30, 2025, in the federal district court in the Northern District of California. The lawsuit challenges new conditions placed on FEMA grants by the Trump administration. The initiation of litigation was approved by a vote of 7-0.

CITY MANAGER REPORT

The City Manager Report was presented.

REPORT ON COUNCIL TRAVEL

Councilmember Zernitskaya reported that she traveled to New Haven, CT for YIMBYtown.

PUBLIC INPUT ON REMAINING AGENDA ITEMS:

Member of the public Denise Neal commented on Item 10.A.

Members of the public Zennon Ulyate-Crow, Matias Fuchs-Lynch, Sam Shapiro-Klien, Dave Rand, Brad Ewing, Denny Zane, Mike Soloff, Joseph Cohen May, Denise Neal, Nikki Kolhoff, Heather Thomason, and Jacob Wasserman commented on Item 11.A.

Members of the public Andrew Hoyer, John Reynolds, John Prindle, Ryan Olson, Brad Ewing, Zina Josephs, Denise Neal, John Cyrus Smith, Nikki Kohlhoff, Heather Thomason, Jacob Wasserman, Jason Mastbaum, and Olga Zurawska commented on Item 11.B.

Member of the public Kim Koury commented on Item 16.F.

**ORDINANCES:
2025 CALIFORNIA BUILDING STANDARDS CODE**

10.A. Introduction and First Reading of an Ordinance Adopting the 2025 California Building Standards Code and Adoption of Resolution No. 11701 (CCS) making Findings of Climatic, Geological and Topographical Conditions, was introduced and approved.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines;
2. Introduce for first reading the attached ordinance to adopt the 2025 California Building, Residential, Electrical, Energy, Mechanical, Plumbing, Fire, Green Building, Wildland-Urban Interface, Historical and Existing Building Standards Codes and local amendments to the 2025 California Building Standards Code;
3. Adopt attached Resolution No. 11701 (CCS) making findings of local climatic, geological and topographical conditions, as required; and
4. Instruct staff to file the adopted resolution and ordinance with the California Building Standards Commission following the second reading of the ordinance, but at least 30 days before the effective date of the Codes.

Motion by Councilmember Hall, seconded by Councilmember Zernitskaya, to introduce and hold first reading of the ordinance reading by title only and waiving further reading thereof. The motion was approved by the following vote:

AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Zwick
Mayor Pro Tem Torosis, Mayor Negrete

NOES: None

ABSENT: None

STAFF
ADMINISTRATIVE
ITEMS:

**OFF-SITE AFFORDABLE
HOUSING PILOT
INCENTIVE PROGRAM**

*(Councilmember Snell was
excused from the meeting at
9:09 P.M.)*

11.A. Off-site Affordable Housing Pilot Incentive Program Status Update, was presented.

Recommended Action

Staff recommends that the City Council:

1. Receive an update on the Emergency Ordinance establishing the Pilot Program for the City’s Affordable Housing Production Program (AHPP)
2. Provide direction to Staff on whether to terminate, extend, and/or amend the Emergency Ordinance.

Councilmember Snell stated that he would be recusing himself from the item because he is president of the Santa Monica Black Empowerment Association and his wife is the executive director and they have a lease with one of the applicants for this item.

Questions asked and answered of staff included is there any flexibility with the December 31 deadline for entitled projects if a project is in the middle of entitling and what stage they would have to reach to qualify; does raising the

gap financing to \$160,000 per unit strike the right balance, and would adding binding milestones give the city greater certainty that affordable units will be delivered on time; is it legal to require participants in the program to pay the GS fee or an equivalent, regardless of future changes in law; has any developer used the off-site option outside of development agreements before this pilot; would developers be willing to negotiate development agreements to unstick projects; is there evidence that developers or investors would assume responsibility for unknown higher construction costs; would developers accept a higher gap financing amount or higher in-lieu fee; would a foreclosed property remain deed-restricted affordable under Option #1; what is the annual percentage increase in the gap financing amount, specifically if the construction cost index has ever gone above 5% and what the average annual increase has been; and how many affordable units would be produced from the current applications under the pilot program.

Considerable discussion ensued on topics including, but not limited to the need for bold and creative solutions to unlock both market-rate and affordable housing units; that without action, no units will be built; support for safeguards and accountability but prioritizing getting housing built, both market-rate and affordable; the importance of the program for the city's future; the urgency due to low housing production; the proposal of amendments including: raising the gap financing to \$160,000 per unit for new applications, adding enforceable delivery milestones, requiring GS tax payment commitments, and expanding the in-lieu fee option; the need for compromise, accountability, and restoring the program's original promise; the importance of actually building affordable housing, protecting Measure GS, and replenishing the Housing Trust Fund; the reasons for the failure of the previous off-site program due to financial infeasibility; the need for a regulatory environment that makes building affordable homes financially viable; reservations about the off-site program and a preference to pause option three until a new nexus study is complete; the importance of collaboration and trade-offs to achieve affordable housing goals; the need to protect residents from displacement, the city's insufficient housing production, and the importance of preparing for future demand due to climate change and affordability challenges; concern that this will allow developers to "buy their way out" of providing inclusive housing; measuring success by whether people who move to Santa Monica can afford to stay, not just by the number of units built; and the concern about policies that could lead to further segregation.

Motion by Mayor Pro Tem Torosis, seconded by Councilmember Zwick, to adopt the following motion:

- **Confirm Existing Applications:**
 - All projects already submitted under the original pilot program approved on August 12, 2025, shall proceed under the terms

previously adopted.

- **Increase Gap Financing Requirement:**
 - For new applications, raise the required gap financing deposit from \$150,000 to **\$160,000 per unit**, based on updated staff analysis and discussions with CMO.
 - Direct staff to return annually with a Council resolution to review and update the gap financing amount based on construction cost index data, ensuring predictability for investors as well as alignment with actual costs.

- **Strengthen Affordable Housing Delivery Milestones and City Option Rights:**
 - Require binding milestones for off-site affordable projects, including:
 - Submission of a complete entitlement application before issuance of a building permit for the market-rate project.
 - Submission of a complete permit application before issuance of a certificate of occupancy (COO) for the market-rate project.
 - Provide for expedited processing of off-site affordable projects to prevent City-related delays.
 - Authorize the City to exercise its option early, including receiving the off-site property, gap financing, entitlements and construction and architectural plans if milestones are not met.

- **GS Tax Commitment:**
 - Direct staff to return with options that will allow for a provision requiring developers electing to participate in the pilot to commit to payment of the GS tax, or its equivalent amount should the law change upon sale of the project.

- **Program Expansion with Safeguards:**
 - Expand the program by up to all additional units as originally proposed for the pilot program, beyond the current 1,000-unit cap.
 - Direct staff to return with a financing competitiveness analysis to ensure expanded participation will not inadvertently undermine affordable housing production on City-owned land (i.e. projects pursuing tax credits).

- **Long-Term Affordability Protections:**
 - Direct staff to explore adding a city right of first refusal or negotiated purchase agreements at the expiration of 75-year affordability covenants to safeguard long-term affordability so long as they are constitutional and would not impede private

refinancing or resale over the 75-year period.

• **In-Lieu Fee Option (Option 3):**

- Allow the in-lieu fee option to expand to all additional units as originally proposed for the pilot program.
- Maintain the interim construction cost index escalator on in-lieu fees.
- Direct staff to initiate a nexus study and feasibility analysis that’s compliant with the *Sheetz* decision in order to update the in-lieu fee so it balances the cost of producing new affordable units with project viability.

The motion was approved by the following vote:

AYES: Councilmembers Zernitskaya, Raskin, Hall, Zwick
Mayor Pro Tem Torosis

NOES: Mayor Negrete

ABSENT: Councilmember Snell

NEIGHBORHOOD ORGANIZATION GRANT PROGRAM

(Councilmember Snell returned to the meeting at 10:12 P.M.)

11.B. Considerations for Reforming the Neighborhood Organization Grant Program, was presented.

Recommended Action

Staff recommends that the City Council:

1. Review and comment on the Neighborhood Organization Grant program policy options and direct staff on how to proceed with program; and
2. Council adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines

Questions asked and answered of staff included if option two in the staff report explicitly prohibits political endorsements, establishes a five-year ineligibility for violations, and if so, how would enforcement be; what are some best practices from other jurisdictions, specifically what does West Hollywood and Mountain View do regarding neighborhood group funding and political endorsements; has there been any discussion with staff about the expansion of neighborhood groups, especially in areas like downtown or other developing parts of the city, and what the process would be for new groups to be recognized; is it appropriate for the city to subsidize groups that engage in political or lobbying activity, and whether it would be appropriate to require groups seeking city funding or recognition to register as 501(c)(3) organizations and abide by related tax laws; what is the ability for organizations to collect and publish demographic information on membership and board representation; and what are alternative engagement plans if groups are not representative of their neighborhoods.

Considerable discussion ensued on topics including, but not limited to the appropriateness for the city to subsidize groups that engage primarily or substantially in political or lobbying activity, unless the city is also funding other advocacy groups; proposals to require groups to register as 501(c)(3) organizations and abide by related tax laws, and to collect and publish demographic information to ensure groups are representative of their neighborhoods; emphasis that the issue is not with groups existing as 501(c)(4)s or endorsing candidates, but with accepting taxpayer dollars to build membership lists that are then used for partisan politics; permitting neighborhood associations to be able to lobby on issues but not endorse candidates; the importance of neighborhood organizations for civic life and the need for clear boundaries when public dollars are involved; ensuring neighborhood groups remain accessible civic spaces but not partisan platforms; the ability to obtain information on how neighborhood organizations take policy positions and ensuring that the program will still allow for the formation of new groups; the importance of neighborhood groups pushing back on City Hall; the need for transparency and inclusivity; and that neighborhood groups should not be echo chambers and encouraging residents to join and make their voices heard.

Motion by Councilmember Hall, seconded by Councilmember Raskin, to approve the following motion:

- Direct staff to bring back Seascope on at least an annual basis as soon as possible.
- As a condition of participation in the Neighborhood Organization Grant Program, if an organization endorses or opposes political candidates after receiving taxpayer dollars, they are ineligible for participation for at least 5 years (covering the next two election cycles, inclusive of the reelection cycle of any winning candidates they endorsed) and they will not be listed on the City's website because political organizations are not officially recognized on the city's website.
- Permission and encouragement to promote non-political neighborhood association, business improvement district, SMTT, and Pier Corporation events in Seascope.
- Approval of the equity in funding model based on number of households as outlined in the staff report; funding is to be used only for community building events.
- Direct that when staff returns later this fall with a new standardized fee waiver program that they consider the neighborhood associations - appropriate to their status as 501c3s or 501c4s - so that neighborhoods

can more easily execute closed street events or use public spaces like parks and the Pier for example.

- Direct staff to bring back the City-sponsored election forum, and explore co-sponsorship with the trusted apolitical organization, the League of Women Voters of Santa Monica.

The motion was approved by the following vote:

AYES: Councilmember Zwick, Hall, Raskin , Snell, Zernitskaya
Mayor Pro Tem Torosis, Mayor Negrete

NOES: None

ABSENT: None

Additional direction to collect demographic data on membership and board members as legal and to examine bylaws of the neighborhood groups and return with an information item reporting how policy making decisions are made.

PUBLIC HEARINGS:
GENERAL PLAN LAND USE MAP & DISTRICTING MAP

(Mayor Pro Tem Torosis was excused at 12:01 a.m. and returned at 12:02 a.m.)

12.A. Adoption of Resolution No. 11702 (CCS) to Amend the Santa Monica General Plan Land Use Map and the Introduction and First Reading of an Ordinance to Amend the Official Districting Map for a Portion of the Parcel Located at 2644 30th Street, was presented.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding that the proposed amendments to the General Plan Land Use Map and Official Districting Map are categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) (Common Sense Exemption) of the CEQA Guidelines, consistent with the findings set forth in the “Environmental Review” section of this Report;
2. Adopt Resolution No. 11702 (CCS) Amending the Santa Monica General Plan Land Use Map for a Portion of the Parcel Located at 2644 30th Street; and
3. Introduce for First Reading an Ordinance Amending the Official Districting Map for a Portion of the Parcel Located at 2644 30th Street.

Motion by Councilmember Zwick, seconded by Councilmember Zernitskaya, to take the item from the table. The motion was approved by unanimous voice vote with all members present.

Members of the public Jimmy Patton, Jennifer Polhemus, Harlow Sharp II, Michael Drandell, Christopher Kanjo, Zina Josephs, Leanna Einbinder, Roni Crichton, Teri Davis Bernstein, Tracey Hom, Daniel Kolhoff, Nikki Kolhoff,

Heather Thomason, Mindi Shank, Loren Bloch, Jeffrey Palmer, Gabrielle Ipale, and Paula Larmore spoke to the recommended action.

Questions asked and answered of staff included how did the zoning error occur during the LUCE process; was it an oversight; would the 10-year covenant offered by the property owner allow the city to revisit the parcel during the next LUCE update; when did the current leases start, and was it possible to lease the building under the current zoning; is it plausible that the building could remain vacant for more than a year, and what would be required if that happened; if the building remains a legal non-conforming use, must it be limited to a production office, or could it be another type of office use; when other commercial buildings in the city were re-zoned back to commercial, what was the logic, and does the same logic apply to this property; is the action intending to re-zone the parking lot or just the office building; would the covenant prohibit all redevelopment or just housing redevelopment, and could other types of redevelopment occur; was there any record of a deliberate policy decision by council to downzone this property during the 2010 LUCE or 2015 zoning updates; is it feasible to lease, make repairs, and release the property under current zoning; what are the limitations on remodeling the building; what types of businesses could lease the property under the current zoning; why is re-zoning needed if there is already flexibility to lease and remodel; was the LUCE's intent to protect the neighborhood, and was the zoning a mistake or intentional; and what is the timing and feasibility of a citywide review of similar properties.

Considerable discussion ensued on topics including, but not limited to acknowledgment of the property owner's efforts to address concerns (including offering a 10-year covenant) regarding potential redevelopment of the building for housing in the future, and reiteration of preference for addressing such zoning issues through a citywide, programmatic approach rather than on a case-by-case basis; the challenges in communication and transparency surrounding the item; confusion and lack of trust in the process; recognition of both the concerns of the business owner (regarding leasing and viability) and the community (regarding potential future development); and why is this rezoning needed given the flexibility already available under current rules.

Motion by Councilmember Zwick, seconded by Councilmember Hall, to adopt the staff recommendation. The motion was approved by the following vote:

AYES: Councilmembers Zwick, Hall, Snell, Zernitskaya
Mayor Pro Tem Torosis
NOES: Councilmember Raskin, Mayor Negrete
ABSENT: None

**GENERAL PLAN LAND
USE MAP &
DISTRICTING MAP**

12.B. Adoption of Resolution No. 11703 (CCS) to Amend the Santa Monica General Plan Land Use Map and the Introduction and First Reading of an Ordinance to Amend the Official Districting Map for the Parcel Located at 1331 Wilshire Boulevard, was presented.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding that the proposed amendments to the General Plan Land Use Map and Official Districting Map are exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) (Common Sense Exemption) of the CEQA Guidelines, consistent with the findings set forth in the “Environmental Review” section of this Report;
2. Adopt Resolution No. 11703 (CCS) Amending the Santa Monica General Plan Land Use Map for the Parcel Located at 1331 Wilshire Boulevard; and
3. Introduce for First Reading an Ordinance Amending the Official Districting Map for the Parcel Located at 1331 Wilshire Boulevard.

Motion by Mayor Pro Tem Torosis, seconded by Councilmember Snell, to take the item from the table. The motion was approved by unanimous voice vote with all members present.

Members of the public Lauren Chang and Josh, spoke to the recommended action.

Questions asked and answered of staff included what is the relationship between the proposed map amendment and the future implementation of development standards for the parking lot to the north, specifically whether the direction previously given by Council would apply to that parking lot regardless of the outcome of the current item; and, given Santa Monica’s commercial vacancy rate at or above 30%, what risks will the city face if the property remains legally nonconforming and becomes difficult to lease or finance.

Considerable discussion ensued on topics including, but not limited to the amendments being consistent with the Council’s economic recovery priorities; desire to retain the building; the desire for a programmatic, citywide approach to these issues and concerns about “spot zoning”; amending the motion to remove the recommendation to “*consider excluding the surface parking lot at 1122 14th Street from being eligible to use future development standard amendments for housing projects*”, emphasizing the importance of Wilshire Boulevard as a prime target for housing development; the issue at hand being a technical correction rather than spot zoning, and that council had already given direction to address such issues citywide; that the amendment is a technical correction to restore the previous

zoning; and about the feasibility and potential impacts of reviewing legal non-conforming definitions citywide, and the time and effort such a review would require.

Motion by Mayor Pro Tem Torosis, seconded by Councilmember Snell, to adopt the staff recommendation, excluding the recommendation to “consider excluding the surface parking lot at 1122 14th Street from being eligible to use future development standard amendments for housing projects”. The motion was approved by the following vote:

- AYES: Councilmembers Zernitskaya, Snell, Hall, Zwick
Mayor Pro Tem Torosis
- NOES: Councilmember Raskin and Mayor Negrete
- ABSENT: None

**COUNCILMEMBER
DISCUSSION ITEMS:**

In accordance with Council Rule 6(y), all Councilmember Discussion items were considered and approved in one motion unless removed by a Councilmember for discussion.

Items 16. A. and 16.F. were removed and considered separately in accordance with Council Rule 6(y).

Motion by Mayor Pro Tem Torosis, seconded by Councilmember Hall, to approve the Councilmember Discussion Items except for Items 16.A. and 16.F. The motion was approved by unanimous voice vote with all members present.

**BUILDING & FIRE-LIFE
SAFETY COMMISSION**

16.A. Appointments to one unscheduled vacancy and one scheduled vacancy on the Building & Fire-Life Safety Commission for terms ending on June 30, 2028, were continued until more applications are received.

**TRANSIENT
OCCUPANCY TAX
ADVISORY COMMITTEE**

16.B. Recommendation to accept Albin Gielicz's resignation from the Transient Occupancy Tax Advisory Committee and authorize the City Clerk to publish the vacancy, was accepted.

**ON-SITE PUBLIC
NOTICE
REQUIREMENTS**

16.C. Request of Mayor Negrete that the City Council consider directing the City Manager to assess options for enhanced On-Site Public Notice Requirements for Development Projects that will provide greater transparency and accessibility that will provide community members with additional project information and engagement opportunities, was approved.

**SANTA MONICA
CITIZEN’S ACADEMY**

16.D. Request of Mayor Negrete that the City Council consider directing the City Manager to assess the viability of establishing a Santa Monica Citizen’s Academy, inclusive of a Youth-in-Government

program component and return to the City Council with options before the end of the year with an overview of how we might implement such a program locally, was approved.

**COMMUNITY CRASH
CLEAN-UP PROGRAM**

16.E. Request of Mayor Negrete that the City Council consider directing the City Manager to create a Community Trash Clean-Up Program, including the CalTrans Right-of-Way within Santa Monica and return with a program framework for a community trash clean-up initiative, was approved.

**OFF THE HOOK SANTA
MONICA SEAFOOD
FESTIVAL**

16.F. Request of Councilmember Zwick that the City Council, as part of National Seafood Month, consider approval of City sponsorship of the OFF THE HOOK Santa Monica Seafood Festival taking place on Sunday, October, 19, 2025 on the Santa Monica Pier by directing the City Manager to waive the City’s portion of fees for use of the Pier for Spin PR Group, the Santa Monica-based PR, Marketing and Events agency producing the event. City fees related to the OFF THE HOOK Santa Monica Seafood Festival include the application, administrative, neighborhood notification, business license, parking, and zero waste plan fees associated with the use of the Pier in an amount up to \$16,000 in waived fees, was heard.

Motion by Councilmember Hall, seconded by Councilmember Zwick, to approve the item. The motion was approved by the following vote:


- AYES: Councilmembers Zernitskaya, Snell, Raskin, Zwick
Mayor Pro Tem Torosis, Mayor Negrete
- NOES: Councilmember Hall
- ABSENT: None

Councilmember Hall stated that he voted no on the item not because he doesn’t support the event but because a framework has not yet been brought forth to Council to provide guidance on these fee waiver requests.

ADJOURNMENT


On order of the Mayor, the City Council meeting adjourned at 12:50 a.m. in memory of Chief Warrant Officer 3 William Warren, U.S. Army and Robert Redford.

ATTEST:

DocuSigned by:

7032651F371E430...

Nikima S. Newsome
City Clerk

APPROVED:

DocuSigned by:

A2023AA46AA4497...

Lana Negrete
Mayor