



City of Santa Monica

City Council Meeting

AGENDA

CAROLINE TOROSIS
MAYOR

ELLIS RASKIN
COUNCILMEMBER

JESSE ZWICK
MAYOR PRO TEM

DAN HALL
COUNCILMEMBER

BARRY SNELL
COUNCILMEMBER

LANA NEGRETE
COUNCILMEMBER

NATALYA ZERNITSKAYA
COUNCILMEMBER

OLIVER C. CHI
CITY MANAGER

HEIDI VON TONGELN
INTERIM CITY ATTORNEY

DENISE ANDERSON-WARREN
INTERIM CITY CLERK

STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS:

- Treat everyone courteously;
- Listen to others respectfully;
- Exercise self-control;
- Give open-minded consideration to all viewpoints;
- Focus on the issues and avoid personalizing debate;
- Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions
- Hate has no place in Santa Monica. The City opposes abusive or threatening hate speech, intolerance, or dehumanization, and supports basic civil respect and human decency.

Regular meetings are broadcast live on CityTV cable channel 16 and on the internet at santamonica.gov. Cable television re-broadcasts air on Thursday and Saturday at 11:30 AM. The agenda will air on CityTV on Saturday and Sunday at 11:00 AM and 6:00 PM, and on Monday and Tuesday at 12:30 PM and 6:00 PM.

RULES OF ORDER FOR THE CONDUCT OF CITY COUNCIL MEETINGS

(Resolution No.11663(CCS))

WAYS TO PROVIDE PUBLIC COMMENT

If you are interested in providing public comment at a City Council meeting, there are several ways to participate:

(1) Written public comment. In lieu of oral public comment, the public is strongly encouraged to submit written public comment on agenda items via email to councilmtgitems@santamonica.gov. For written public comment submitted by 12:00 pm on the day of the meeting, best efforts shall be made to have them available online for viewing. Please note the agenda item number in the subject line of your written comments.

(2) Oral public comment.

- In-person: Persons wishing to address the City Council regarding items on the agenda must be present and submit their name and address (optional) to the City Clerk **before the public comment section is opened for that item or before the public hearing is opened where one is required by law**. Register to speak at the Speaker Kiosk prior to the meeting.
- Telephone: Persons wishing to address the Council by telephone must register at santamonica.gov/public-comment no later than 5:00 p.m. the day before a meeting. Showing electronic presentation materials are not permitted when commenting by telephone.

Oral public comment from any one individual is limited to a total of 6 minutes per City Council meeting, with a maximum of 2 minutes per agenda item if speaking on multiple items. A member of the public may allocate time between items in one-minute increments up to 2 minutes and those requesting to speak on only one agenda item for the meeting may speak for up to 4 minutes on that one item. Except for noticed public hearings or quasi-judicial items, if more than 25 speakers are registered to speak during a public input section, the amount of time shall be reduced to 1 minute per speaker during that section. Except for the author of the request, public comment on 15-items are limited to 1 minute.

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. Information regarding the Levine Act can be found [here](#) or you can contact the [FPPC](#).

ORDER OF BUSINESS (may not be changed except by majority vote of the City Council.)

1. General Public Input
(Members of the public may address the City Council **only** on items not on the agenda, but within the subject matter jurisdiction of the City and on Special Agenda Items.)
2. Special Agenda Items (Commendations and Proclamations presented).
3. Public Comment for Consent Calendar and Closed Sessions Only.
4. Consent Calendar (All items considered in one motion unless removed by a City Councilmember for discussion. No public comment is permitted on second readings.)
5. Closed Sessions.
6. Public Comment on remaining Agenda Items
7. Study Session.
8. Continued Items.
9. Administrative Proceedings.
10. Ordinances:
 - 1st Reading
 - 2nd Reading (No public comment is permitted on second readings.)
11. Staff Administrative Item.
12. Public Hearings.
13. Reports of Boards and Commissions.
14. Resolutions.
15. Written Communications (Other than Reports of Commission and Officers.)
16. Councilmember Discussion Items.

Agendas and reports are accessible on the City's webpage at smgov.net/council/agendas. They are also available at the City Clerk's Office and in alternate formats upon request. For a free email subscription to the City Council Agendas, please contact the City Clerk's Office at (310) 458-8211 or clerk@santamonica.gov.

Si desea comunicarse con alguien en español, llame a nuestra oficina al (310) 458-8211 y pida hablar con Esterlina Lugo.



AGENDAS

CITY OF SANTA MONICA

REGULAR MEETING

CITY HALL COUNCIL CHAMBERS

1685 MAIN STREET, ROOM 250,

TUESDAY, FEBRUARY 10, 2026

MEETING BEGINS AT 5:30 PM

HOW TO PROVIDE PUBLIC COMMENT BY TELEPHONE

Persons wishing to address the City Council by telephone must register at santamonica.gov/public-comment no later than 5:00 p.m. the day before a meeting. Donation of time and showing electronic presentation materials are not permitted when commenting by telephone.

CALL TO ORDER

PLEDGE OF ALLEGIANCE / LAND ACKNOWLEDGEMENT

ROLL CALL

City of Santa Monica 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.

LEVINE ACT DISCLOSURES AND ANNOUNCEMENTS / PROCEDURAL MOTIONS

1. GENERAL PUBLIC INPUT AND COMMENT ON SPECIAL AGENDA ITEMS

(For regular meetings, public comment is permitted on Special Agenda Items and items not on the agenda that are within the subject matter jurisdiction of the City. State law prohibits the City Council from taking any action on items not listed on the agenda, including issues

raised under this agenda item. For special meetings, public input is limited to scheduled Special Agenda Items only.)

2. SPECIAL AGENDA ITEMS

No items

3. PUBLIC INPUT (ITEMS UNDER CONSENT CALENDAR AND CLOSED SESSION ONLY)

4. CONSENT CALENDAR

(All items will be considered and approved in one motion unless removed by a Councilmember for discussion. In accordance with Charter section 615, the adoption of all ordinances and resolutions shall be by reading of title only unless a Councilmember present dissents. No public discussion is permitted on ordinances for second reading and adoption.)

4.A. Award Nurse Practitioner Agreements for Advanced Provider Unit Program

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 an agreement with Erin Tomlinson 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 for an amount not to exceed \$598,643, with future year funding contingent on Council budget approval; and
3. Authorize the City Manager to negotiate and execute an agreement with Alex Perez Sandi 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 for an amount not to exceed \$598,643, with future year funding contingent on Council budget approval.

4.B. Adoption of a Resolution Accepting and Approving Final Parcel Map No. 84800 to Subdivide a Property at 3222 23rd Street

Recommended Action

Staff recommends that the Council take following actions:

1. Adopt a finding of Statutory Exemption (Approval of Final Subdivision Map) pursuant to Section 15268(b)(3) of the California Environmental Quality Act (CEQA Guidelines); and
2. Adopt the attached resolution approving Final Parcel Map No. 84800 to Subdivide a Property at 3222 23rd Street.

4.C. Adoption of a Resolution Amending the 2026 Council Regular Meeting Calendar to Reschedule the March 17, 2026 Regular Meeting to March 10, 2026

Recommended Action

Staff recommends that the City Council approve the following:

1. Adopt the attached Resolution amending the established 2026 Council regular meeting calendar to reschedule the March 17, 2026 Regular Council Meeting to March 10, 2026; and
2. Adopt a finding that the resolution is not a project subject to the California Environmental Quality Act ("CEQA").

4.D. City Council - Regular Meeting - Oct 22, 2024 5:30 PM

4.E. City Council - Regular and Special Meeting - Jan 13, 2026 5:30 PM

4.F. City Council - Regular Meeting - Jan 27, 2026 5:30 PM - *New Item Received. 2/05/2026*

4.G. City Council - Special Meeting - Jan 27, 2026 5:35 PM - *New Item Received. 2/05/2026*

4.H. City Council - Special Meeting - Jan 28, 2026 5:30 PM - *New Item Received. 2/05/2026*

4.I. Adoption of Resolution Ratifying Regional Fires Emergency Proclamation and Supplements - *New Item Received. 2/05/2026*

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to Sections 15061(b)(3) (Common Sense Exemption), 15268 (Ministerial Projects), and 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines; and
2. Adopt the proposed resolution ratifying the Executive Order issued by the Director of Emergency Services declaring the existence of a local emergency in the City of Santa Monica and the Supplements to that Order.

4.J. Adoption of Resolution Ratifying Homelessness Emergency Proclamation - *New Item Received. 2/05/2026*

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. Adopt the proposed resolution ratifying the 2025 Proclamation of the City Council of the City of Santa Monica Declaring a Local Emergency on Homelessness.

4.K. Approval of Emergency Extension of Security Services Contract at Annenberg Community Beach House - *New Item Received. 2/05/2026*

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. Ratify the Procurement Manager's approval of the emergency extension of Agreement #11120 (CCS) with AG Coast Inc. dba California Panther Security to continue 24/7 unarmed security guard service at the Annenberg Community Beach House for the Recreation and Arts Department. This emergency purchase was made as an exception to the competitive bidding process per SMMC 2.24.250(i), and is for a total amount not to exceed \$215,000 through September 30, 2026.

4.L. Second Reading and Adoption, or, in the Alternative, Reintroduction and First Reading of an Ordinance to Amend Santa Monica Municipal Code Chapter 4.66 to Provide for Recall of Workers at Hotels on City-Owned Property and Hospitality Businesses on the Santa Monica Pier and Adding Chapter 4.69 to Provide for Retention of Workers at Hospitality Businesses on the Santa Monica Pier - *New Item Received. 2/05/2026*

Recommended Action

Staff recommends that the City Council:

1. Adopt the attached Ordinance; or
2. Reintroduce the attached Ordinance on first reading with changes directed by the City Council.

5. CLOSED SESSIONS

5.A. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): - *New Item Received. 2/05/2026*

John U.N.B. Doe, et al. v. City, et al.; LASC # 23STCV12746; John Doe 1, et al. v. City, et al.; LASC # 23STCV15009; Hector Orozco v. John Doe: Does 1-2; LASC # 23SMCV03120; John JPC Doe v. Doe City, et al.; LASC # 23STCV22020; John AD Doe, et al. v. City, et al.; LASC # 23STCV26548; John CW Doe, et al. v. City, et al.; LASC # 23STCV29623; John Doe (A.G.) v. Santa Monica Police Activities League, et al; LASC # 23SMCV06066; John GA DOE, et al. v. City, et al.; LASC # 24STCV06484; John U.L.W. Doe, et al. v. City, et al.; LASC # 24STCV06768; Joseph Garcia v. Santa Monica Police Activities League, et al.; LASC # 24SMCV01368; John Doe 15, et al. v. City, et al.; LASC # 24STCV07647; John Doe 18, et al. v. City, et al.; LASC #

24STCV0239; John RR Doe, et al. v. City, et al.; LASC # 24STCV09398; John Doe 33, et al. v. City, et al.; LASC # 24STCV15580; John Doe 48 v. City, et al.; LASC # 24STCV15420; John Doe 49 v. City, et al.; LASC # 24STCV19296; John DD Doe v. City, et al.; LASC # 24SMCV04421; Jane EB Doe, et al. v. City, et al.; LASC # 24STCV24146; John Doe (V.D.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05049; John Doe (D.F.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05050; John Doe (D.G.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05051; Jane Doe 13, et al. v. City, et al.; LASC # 24STCV27233; John AM Doe, et al. v. City, et al.; LASC # 24STCV28433; John Doe v. City, et al.; LASC # 24SMCV05527; John Doe 53 v. City, et al.; LASC # 24STCV31763; John Doe (Y.M.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV06355; Jane Doe 16, et al. v. a Public Entity, et al.; LASC # 25STCV02235; John Doe 62, et al. v. City, et al.; LASC # 25STCV04414; John Doe 23 v. City, et al.; LASC # 25STCV05850; John Doe (E.B.) v. Santa Monica Police Activities League, et al.; LASC # 25STCV06354; Jane PB Doe, et al. v. City, et al.; LASC # 25STCV06880; John Doe 67 v. City, et al.; LASC # 25STCV10142; John Doe 68 v. City, et al.; LASC # 25STCV12089; John Doe 69, et al. v. City, et al.; LASC # 25STCV14031; John OR Doe, et al. v. City, et al.; LASC # 25STCV16251; John RD Doe, et al. v. City, et al.; LASC # 25STCV24158

- 5.B. **Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): City v. ICSOP, et al.; OCSC # 30-2022-01261243 - *New Item Received.* 2/05/2026**
- 5.C. **Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Anthony J. Stone v. City, et al.; LASC # 25SMCV00044 - *New Item Received.* 2/05/2026**
- 5.D. **Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Furley Williams v. City, et al.; LASC # 23STCV27401 - *New Item Received.* 2/05/2026**
- 5.E. **Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Lori Gentles v. City; LASC # 24STCV18968 - *New Item Received.* 2/05/2026**
- 5.F. **Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): City, et al. v. Waymo LLC, et al.; LASC # 25SMCV06581 - *New Item Received.* 2/05/2026**
- 5.G. **Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Santa Monica EV Holdings, LLC et al., v. City; LASC # 25SMCV06681 - *New Item Received.* 2/05/2026**
- 5.H. **Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Waymo LLC v. City; LASC # 25SMCV06541 - *New Item Received.* 2/05/2026**
- 5.I. **Conference with real estate negotiator - Gov. Code § 54956.8; property: 2019 and 1905 Pico Boulevard, Santa Monica, California; City negotiator: Oliver Chi, City Manager; owner of record: Dennis Wylder; persons to be negotiated with: Dennis Wylder; under negotiation: price and terms of payment of lease - *New Item Received.* 2/05/2026**

5.J. Conference with real estate negotiator - Gov. Code § 54956.8; property: 2020 14th Street, Santa Monica, California; City negotiator: Oliver Chi, City Manager; owner of record: Thea Cappicille; persons to be negotiated with: Thea Cappicille; under negotiation: price and terms of payment of lease - *New Item Received. 2/05/2026*

5.K. Conference with real estate negotiator - Gov. Code § 54956.8; property: - *New Item Received. 2/05/2026*

1333 4th/1324 5th Street (“4th/5th/Arizona”) and 1234 4th Street (“Parking Structure 1”), Santa Monica, California; City negotiators: Natalie Verlinich, Housing Manager, and Agustin Aleman, Senior Development Analyst; owner of record: City of Santa Monica; persons to be negotiated with: Mee Heh Risdon, Director of Housing, A Community of Friends; Jeff Edgren, Director of Acquisitions, Affirmed Housing; Frank Chang, Vice President of Acquisitions, Linc Housing; Gary Steinhardt, Metropolitan Pacific Real Estate Group; Jay Stark, Principal, The Pinyon Group; Bill Witte, CEO, Related California; David Grunwald, Executive Vice President, RMG Housing; Steven Spielberg, Senior Vice President, Alliant Communities; Andrew Bueno, Bueno Group; Charles Cohen, Project Manager, EAH, Inc.; Daniel Hanasab, Principal, Orum Capital; Luis de la Rosa, Pacific Urbanism; Shant Samuelian, Samuelian Group; Jason Yap, Director of Acquisitions, Sola Impact; Anup Patel, Director of Real Estate Development, West Hollywood Community Housing Corporation; Hunter Simmons, Partner, Bridge Realty Advisors; Mike Lanza, Project Manager, People Assisting the Homeless; Ian Fishburn, Managing Director, Vitruvian Development; under negotiation: disposition of property, price and terms of payment

5.L. Conference with legal counsel - significant exposure to litigation - Gov. Code § 54956.9(d)(2) - 2 cases - *New Item Received. 2/05/2026*

CITY MANAGER REPORT

TRAVEL ANNOUNCEMENT AND MAYOR'S HIGHLIGHT

6. PUBLIC INPUT ON REMAINING AGENDA ITEMS

. **Public Input for 12-Items will be heard at the time when the Public Hearing is called.**

7. STUDY SESSION

No items

8. CONTINUED ITEMS

No items

9. ADMINISTRATIVE PROCEEDINGS

No items

10. ORDINANCES

(Public comment is permitted on ordinances for introduction and first reading. No public discussion is permitted on ordinances for second reading and adoption. In accordance with Charter section 615, the adoption of all ordinances and resolutions shall be by reading of title only unless a Councilmember present dissents.)

No items

11. STAFF ADMINISTRATIVE ITEMS

No items

12. PUBLIC HEARINGS

12.A. Introduction and First Reading of an Interim Zoning Ordinance to Extend Interim Zoning Regulations Related to Outdoor Dining and Seating on Sidewalks, to Promote Economic Recovery by Simplifying the City's Outdoor Dining Program

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant environmental effects pursuant to Section 15061(b)(3) (Common Sense Exemption) and findings of categorical exemptions pursuant to Sections 15301 and 15305 of the California Environmental Quality Act (CEQA) Guidelines; and
2. Introduce for First Reading an Interim Zoning Ordinance (IZO) Extending IZO Number 2837 Amending Santa Monica Municipal Code Section 9.31.200, Outdoor Dining and Seating on Sidewalks, to Promote Economic Recovery by Simplifying the City's Outdoor Dining Program.

13. REPORTS OF BOARDS AND COMMISSIONS

No items

14. RESOLUTIONS

No items

15. WRITTEN COMMUNICATIONS OTHER THAN REPORTS OF COMMISSION AND OFFICERS

No items

16. COUNCILMEMBER DISCUSSION ITEMS

16.A. Recommendation to appoint new Housing Authority Board member due to Belinda L. Phillips ineligibility from the City's voucher program, and authorize the City Clerk to publish the vacancy - *New Item Received. 2/05/2026*

16.B. Request of Councilmember Raskin, Mayor Torosis, and Councilmember Hall to direct that the City Manager Deprioritize and Pause Analysis on Mills Act and Structure of Merit Revision Considerations, and to align Landmarks work plans with the implementation of the Landmarks Commission’s recommendations in “A Place for Everyone in Santa Monica’s History.” - *New Item Received. 2/05/2026*

16.C. Request of Mayor Torosis, Mayor Pro Tempore Zwick, and Councilmember Hall, in light of the city’s failure to reduce traffic injuries and fatalities in the ten years following its “Vision Zero” commitment in 2016, that the City Council direct the City Manager to work with staff on a reimagined plan that prioritizes human life over vehicle throughput in design and engineering decisions regarding the city right-of-way. - *New Item Received. 2/05/2026*

ADJOURNMENT

Agendas and reports are accessible on the City's webpage at www.smgov.net/council/agendas. They are also available at the City Clerk's Office and in alternate formats upon request. For a free email subscription to the City Council Agendas, please contact the City Clerk’s Office at (310) 458-8211 or clerk@santamonica.gov.

Members of the public unable to attend a meeting but wishing to comment on an item(s) listed on the agenda may submit written comments prior to the meeting by meeting by mailing them to: City Clerk, 1685 Main Street, Santa Monica, CA 90401 or to councilmtgitems@santamonica.gov. Written comments received from the public by 12 PM on the day of the City Council meeting will be distributed to the City Council prior to the meeting and **posted online**. Members of the public who submit written public comment on an agenda item may be subject to the Levine Act which requires disclosure of campaign contributions of more than \$500 to an officer of the City within the preceding 12 months.

City Hall and the Council Chambers are wheelchair accessible. If you require any special disability related accommodations to either attend or provide public testimony at a Council meeting (i.e. sign language interpreting, access to an amplified sound system, remote option, etc.), please contact the City Clerk’s Office at (310) 458-8211 or TDD: (310) 917-6626 or via email at clerk.mailbox@santamonica.gov at least 72 hours prior to the scheduled meeting. Best efforts shall be made to accommodate requests received after the 72-hour deadline. In the case of special meetings, requests should be submitted as early as possible, but no later than noon the day of the special Council meeting.

Si desea comunicarse con alguien en español, llame a nuestra oficina al (310) 458-8211 y pida hablar con Esterlina Lugo.

Santa Monica Blue Bus Lines #1, #2, #3, #5, #9 and the EXPO Line serve City Hall. Parking is available on Main Street, on Olympic Drive, and in the Civic Center Parking Structure (validation free).



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 4.A

To: Mayor and City Council
From: Matthew Hallock, Fire Chief, Fire Department
Subject: Award Nurse Practitioner Agreements for Advanced Provider Unit Program

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 an agreement with Erin Tomlinson 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 for an amount not to exceed \$598,643, with future year funding contingent on Council budget approval; and
3. Authorize the City Manager to negotiate and execute an agreement with Alex Perez Sandi 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 for an amount not to exceed \$598,643, with future year funding contingent on Council budget approval.

Summary

The Santa Monica Fire Department's Advanced Provider Unit ("APU") is one of the City's newest programs to focus on the City's most vulnerable populations and provide them with resources and better access to the help they need. The APU is staffed with a Firefighter Paramedic and Nurse Practitioner, and the Fire Department has spent the past few months creating protocols, stocking the APU vehicle, and interviewing Nurse Practitioners. While the City has already contracted with three Nurse Practitioners for the first APU, a second APU was recently authorized and more Nurse Practitioners are

needed to ensure maximum coverage and no operational downtime. Staff recommends awarding agreements to Erin Tomlinson and Alex Perez Sandi as Nurse Practitioners for the APU.

Discussion

On October 28, 2025, Council adopted the Santa Monica Realignment Plan which authorized the creation of a second APU within the Fire Department. This supplements the first APU authorized by Council on June 24, 2025, as part of the FY 2025-27 Biennial Budget. The combined APUs supplement the City's first response capability by having dedicated units to better address the needs of persons experiencing homelessness and other vulnerable populations.

Each APU is staffed by a Firefighter Paramedic and Nurse Practitioner on a 40 hour per week schedule. Each APU provides the following:

1. **Comprehensive Care.** The APU can perform comprehensive assessments, treat, and release patients. Unlike paramedics and emergency medical technicians, a Nurse Practitioner can medically clear patients, which keeps low acuity patients out of the hospital. This not only frees up hospital beds for those in need but keeps Fire Department units available as they no longer have to wait for a bed.
2. **Homelessness Intervention.** The APU can function as mobile urgent care for the unhoused population. In addition to medically clearing individuals, the unit can provide point-of-care testing for conditions such as flu, strep, and blood abnormalities. If issues are detected, the APU can prescribe necessary medications, such as antibiotics, enhancing the speed and efficacy of treatment.
3. **Community Paramedicine.** The APU can make house calls to Santa Monica residents, providing post-discharge care, testing, and follow-up after hospital release, thus reducing the potential for future 9-1-1 calls.
4. **Versatility and Advanced Treatment.** The APU can deliver a high level of medical care and intervention. This benefit extends to our partners in the Santa Monica Police Department, as they can rely less on external medical partners to medically clear detainees for booking. Since the APU is a City resource, the City will not incur charges for these services, resulting in cost savings.

The Fire Department opted to contract with Nurse Practitioners rather than create a city position to maximize operational uptime and scheduling flexibility. Over the past few months, staff has drafted job responsibilities and requirements, held an informational session that was attended by over 40 potential Nurse Practitioners, and conducted two rounds of interviews. On September 30, 2025, Council approved three Nurse Practitioner agreements for the first APU which went live shortly thereafter. With the second APU approved on October 28, 2025, the department requires additional Nurse Practitioners to ensure adequate and consistent staffing.

Given that the APU was funded largely to address persons experiencing homelessness and other vulnerable populations, staff is utilizing the Local Emergency on Homelessness to expedite the process to hire Nurse Practitioners.

Exception to the Competitive Bidding Process

Consistent with the initial Proclamation of the City Council Declaring a Local Emergency on Homelessness adopted by Council on February 14, 2023, and most recently extended on December 16, 2025, the contract awards qualify as an emergency award pursuant to SMMC 2.24.240(a) and subsequently is recommended as an exception to the competitive bidding process pursuant to SMMC 2.24.250(i).

Staff recommends awarding the following agreements for Nurse Practitioners to:

- 1) Erin Tomlinson: initial 1-year term with a not to exceed amount of \$79,553 (including a \$12,353 contingency), with four 1-year renewal options, for a total not to exceed amount of \$598,643
- 2) Alex Perez Sandi: initial 1-year term with a not to exceed amount of \$79,553 (including a \$12,353 contingency), with four 1-year renewal options, for a total not to exceed amount of \$598,643

Environmental Review

The agreements for Nurse Practitioners would have no possibility of significant effect on the environment and therefore is exempt pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines. The medical services provided by the Nurse Practitioners have no environmental impacts and thus would be exempt under the Common Sense Exemption.

Past Council Actions

Meeting Date	Description
12/16/2025	Adoption of Resolution Ratifying Homelessness Emergency Proclamation
10/28/2025	Santa Monica Realignment Plan
09/30/2025	Award Nurse Practitioner Agreements for Advanced Provider Unit

Financial Impacts and Budget Actions

Staff seeks authority to approve available funding from the General Fund to award agreements with Erin Tomlinson and Alex Perez Sandi to operate as Nurse Practitioners for the Advanced Provider Unit for the Fire Department.

Agreement Request				
Contract	FY 2025-26 Request Amount	Future Years Amount	Department Account #	Total Contract Amount
Erin Tomlinson	\$79,553	\$519,090	01190005.550010	\$598,643
Alex Perez Sandi	\$79,553	\$519,090	01190005.550010	\$598,643
Total				\$1,197,286


Future year funding is contingent on Council budget approval.

Prepared By: Jonathan Tang, Principal Administrative Analyst

Approved

Forwarded to Council


 Matthew Hallock, Fire Chief 2/2/2026


 Oliver Chi, City Manager 2/3/2026

Attachments:

- A. E Tomlinson - Oaks
- B. E Tomlinson - Levine Act
- C. A Perez Sandi - Levine Act
- D. A Perez Sandi - Oaks



CITY OF SANTA MONICA OAKS INITIATIVE NOTICE

NOTICE TO APPLICANTS, BIDDERS, PROPOSERS AND OTHERS SEEKING DISCRETIONARY PERMITS, CONTRACTS, OR OTHER BENEFITS FROM THE CITY OF SANTA MONICA

Santa Monica's voters adopted a City Charter amendment commonly known as the Oaks Initiative. The Oaks Initiative requires the City to provide this notice and information about the Initiative's requirements. You may obtain a full copy of the Initiative's text from the City Clerk.

This information is required by City Charter Article XXII—Taxpayer Protection. It prohibits a public official from receiving, and a person or entity from conferring, specified personal benefits or campaign advantages from a person or entity after the official votes, or otherwise takes official action, to award a "public benefit" to that person or entity. The prohibition applies within and outside of the geographical boundaries of Santa Monica.

All persons or entities applying or receiving public benefits from the City of Santa Monica shall provide the names of trustees, directors, partners, and officers, and names of persons with more than a 10% equity, participation or revenue interest. An exception exists for persons serving in those capacities as volunteers, without compensation, for organizations exempt from income taxes under Section 501(c)(3), (4), or (6), of the Internal Revenue Code. However, this exception does not apply if the organization is a political committee or controls political committees. Examples of a "public benefit" include public contracts to provide goods or services worth more than \$25,000 or a land use approval worth more than \$25,000 over a 12-month period.

In order to facilitate compliance with the requirements of the Oaks Initiative, the City compiles and maintains certain information. That information includes the name of any person or persons who is seeking a "public benefit." If the "public benefit" is sought by an entity, rather than an individual person, the information includes the name of every person who is: (a) trustee, (b) director, (c) partner, (d) officer, or has (e) more than a ten percent interest in the entity. Therefore, if you are seeking a "public benefit" covered by the Oaks Initiative, you must supply that information on the Oaks Initiative Disclosure Form. This information must be updated and supplied every 12 months.



CITY OF SANTA MONICA OAKS INITIATIVE DISCLOSURE FORM

In order to facilitate compliance with the requirements of the Oaks Initiative, the City compiles and maintains certain information. That information includes the name of any person or persons who is seeking a "public benefit." If the "public benefit" is sought by an entity, rather than an individual person, the information includes the name of every person who is: (a) trustee, (b) director, (c) partner, (d) officer, or has (e) more than a ten percent interest in the entity.

Public benefits include:

1. Personal services contracts in excess of \$25,000 over any 12-month period;
2. Sale of material, equipment or supplies to the City in excess of \$25,000 over a 12-month period;
3. Purchase, sale or lease of real property to or from the City in excess of \$25,000 over a 12-month period;
4. Non-competitive franchise awards with gross revenue of \$50,000 or more in any 12-month period;
5. Land use variance, special use permit, or other exception to an established land use plan, where the decision has a value in excess of \$25,000;
6. Tax "abatement, exception, or benefit" of a value in excess of \$5,000 in any 12-month period; or
7. Payment of "cash or specie" of a net value to the recipient of \$10,000 in any 12-month period.

Name(s) of persons or entities receiving public benefit:

Name(s) of trustees, directors, partners, and officers:

Name(s) of persons with more than a 10% equity, participation, or revenue interest:

Prepared by: _____ Title: _____

Signature: Erin Tomlinson Date: 12 / 01 / 2025

Email: lotzer22@gmail.com Phone: 818-738-3444

FOR CITY USE ONLY:

Bid/PO/Contract # _____

Permit # _____

Attachment: E Tomlinson - Oaks (7305 : Additional Nurse Practitioners for Fire Department)



**CITY OF SANTA MONICA
CALIFORNIA LEVINE ACT DISCLOSURE**

The Levine Act prohibits City Officers from participating in any action related to a contract, license, permit, or entitlement if such Officer received campaign contributions totaling more than \$500 within the previous twelve months, and for twelve months following the date of a final decision, from a party or participant to the proceeding, or their agent.

Section 84308(a)(4) of the Levine Act defines an "Officer" as follows: "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency. The term "Officer" is further defined 2 Cal. Code Regs. Section 18438.1, which states:

An officer of an agency includes only those persons who make, participate in making, or in any way attempt to use their official position to influence a decision in the license, permit, or entitlement for use proceeding, or who exercise authority or budgetary control over the agency or officers who may do so, and:

- (1) Serve in an elected position, including an official appointed to an elected position due to an interim vacancy or an election otherwise canceled because the official was the sole candidate for the position;
- (2) Serve as a member of a board or commission;
- (3) Serve as the chief executive of a state agency, or county, city or district of any kind; or
- (4) Have decision making authority with respect to the proceeding involving a license, permit, or other entitlement for use and is also a candidate for elected office or has been a candidate for elective office in the 12 months prior to the proceeding.

A list of Santa Monica Elected Officials and members of boards and commissions can be found at the following links. The party making this certification is responsible for determining whether a recipient of a political contribution is a City Officer prior to completing this form.

- <https://www.smgov.net/departments/council/>
- <https://www.santamonica.gov/departments/rent-control>
- <https://www.smgov.net/boards/>

Have you, your company, or any agent on behalf of you or your company, made any political contributions of more than \$500 to any City Officer in the twelve months preceding the date of the submission of your application or proposal?

YES NO

Name of Councilmember or City Officer: N/A

Name of Contributor: N/A

Date(s) of Contribution(s): N/A

Amount(s) N/A

Please specify below and/or add additional sheet(s) to identify additional Councilmembers or City Officers to whom you and/or your agents made campaign contributions.

Attachment: E Tomlinson - Levine Act [Revision 1] (7305 : Additional Nurse Practitioners for Fire Department)



Answering YES does not preclude the City of Santa Monica from awarding a contract, license, permit, or entitlement or taking any subsequent action related to the item. It does, however, preclude the identified City Officer from participating in any actions related to such item.

By signing below, you certify you also agree to disclose to the City any future contributions made to Councilmembers or other City Officers by you or your agent(s) after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested contract, license, permit, or entitlement.

I HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

Signed: Erin Tomlinson Date: 12 / 01 / 2025

Print Name: Erin Tomlinson Title: Nurse Practitioner

Company: Self

Additional Disclosures:

Please note this form is a public record and subject to a California Public Records Act request.

Attachment: E Tomlinson - Levine Act [Revision 1] (7305 : Additional Nurse Practitioners for Fire Department)



CITY OF SANTA MONICA
CALIFORNIA LEVINE ACT DISCLOSURE

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- (1) Serve in an elected position, including an official appointed to an elected position due to an interim vacancy or an election otherwise canceled because the official was the sole candidate for the position;
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(3) Serve as the chief executive of a state agency, or county, city or district of any kind; or
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- https://www.smgov.net/departments/council/
https://www.santamonica.gov/departments/rent-control
https://www.smgov.net/boards/

Have you, your company, or any agent on behalf of you or your company, made any political contributions of more than \$500 to any City Officer in the twelve months preceding the date of the submission of your application or proposal?

YES NO

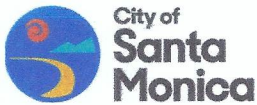
Name of Councilmember or City Officer: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s) _____


Please specify below and/or add additional sheet(s) to identify additional Councilmembers or City Officers to whom you and/or your agents made campaign contributions.



Answering YES does not preclude the City of Santa Monica from awarding a contract, license, permit, or entitlement or taking any subsequent action related to the item. It does, however, preclude the identified City Officer from participating in any actions related to such item.

By signing below, you certify you also agree to disclose to the City any future contributions made to Councilmembers or other City Officers by you or your agent(s) after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested contract, license, permit, or entitlement.

I HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

Signed:  Date: 12/3/2025

Print Name: Alejandro Perez-Sandi Title: Nurse Practitioner

Company: _____

Additional Disclosures:

Please note this form is a public record and subject to a California Public Records Act request.

Attachment: A Perez Sandi - Levine Act (7305 : Additional Nurse Practitioners for Fire Department)



CITY OF SANTA MONICA
OAKS INITIATIVE DISCLOSURE FORM

In order to facilitate compliance with the requirements of the Oaks Initiative, the City compiles and maintains certain information. That information includes the name of any person or persons who is seeking a "public benefit." If the "public benefit" is sought by an entity, rather than an individual person, the information includes the name of every person who is: (a) trustee, (b) director, (c) partner, (d) officer, or has (e) more than a ten percent interest in the entity.

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3. Purchase, sale or lease of real property to or from the City in excess of \$25,000 over a 12-month period;
4. Non-competitive franchise awards with gross revenue of \$50,000 or more in any 12-month period;
5. Land use variance, special use permit, or other exception to an established land use plan, where the decision has a value in excess of \$25,000;
6. Tax "abatement, exception, or benefit" of a value in excess of \$5,000 in any 12-month period; or
7. Payment of "cash or specie" of a net value to the recipient of \$10,000 in any 12-month period.

Name(s) of persons or entities receiving public benefit:

Alejandro Perez Sandi

Name(s) of trustees, directors, partners, and officers:

N/A

Name(s) of persons with more than a 10% equity, participation, or revenue interest:

N/A

Prepared by: *Alejandro Perez Sandi* Title: *Nurse Practitioner*

Signature: *[Signature]* Date: *12/3/2025*

Email: *aperozsandi1@gmail.com* Phone: *(213) 999 4234*

FOR CITY USE ONLY:	
Bid/PO/Contract # _____	Permit # _____

Attachment: A Perez Sandi - Oaks (7305 : Additional Nurse Practitioners for Fire Department)



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 4.B

To: Mayor and City Council
 From: Jing Yeo, Director, City Planning
 Subject: Adoption of a Resolution Accepting and Approving Final Parcel Map No. 84800 to Subdivide a Property at 3222 23rd Street

Recommended Action

Staff recommends that the Council take following actions:

1. Adopt a finding of Statutory Exemption (Approval of Final Subdivision Map) pursuant to Section 15268(b)(3) of the California Environmental Quality Act (CEQA Guidelines); and
2. Adopt the attached resolution approving Final Parcel Map No. 84800 to Subdivide a Property at 3222 23rd Street.

Executive Summary

This report transmits for City Council approval a Final Parcel Map for the project located at 3222 23rd Street. The Tentative Parcel Map was approved ministerially on March 11, 2025. A timely filing of the Final Map was made to the County or City prior to the Map's expiration date. According to Section 66452.6(d) of the Subdivision Map Act, once a timely filing is made to the County or City, subsequent actions of the local agency, including, but not limited to, processing, approving, and recording of a map, may lawfully occur after the map's expiration date.

<u>PARCEL MAP</u>	<u>ADDRESS</u>	<u>SUBDIVIDER</u>	<u>PARCELS</u>
84800	3222 23 rd Street	Robert Katz, as Trustee of The Robert A. Katz Revocable Living Trust	2

The following table provides a brief summary of the project:

Zoning District	Single Unit Residential (R1)
Original Parcel Area / Dimensions	11,485 SF / 58.95' x 194.82'
Resulting Parcel Area / Dimensions	Parcel 1: 6,422 SF / 58.95' x 110.55' Parcel 2: 5,063 SF / 58.95' x 84.27'
Existing On-Site Improvements (Year Built)	Two detached dwelling units (1955 and 1966)
Rent Control Status	Exempt, Owner Occupied
Historic Resources Inventory Status	N/A
SMMC Chapter 9.64, Affordable Housing Production Program	Exempt pursuant to SMMC Section 9.31.125(I)(1)
SMMC Chapter 9.65, Childcare Linkage Program	Exempt, no addition of dwelling units
SMMC Chapter 9.66, Transportation Impact Fee Program	Exempt, no addition of dwelling units
SMMC Chapter 9.67, Parks & Recreation Development Impact Fee Program	Exempt, no addition of dwelling units

Discussion

Government Code Sections 65852.21 and 66411.7 ("SB 9/450") requires a local agency to ministerially approve housing developments containing no more than two residential units and subdivisions of existing parcels into two new parcels for parcels zoned for single-unit residential if the proposed project meets certain requirements (e.g. location limitations, displacement protections, new parcel size minimums, 4' side and rear setbacks, etc.). The City adopted the provisions of the Government Code into the Zoning Ordinance, as amended by Santa Monica's 6th Cycle Housing Element Program 4.E to allow parcels 10,000 SF or greater to establish more than four units, as Santa Monica Municipal Code (SMMC) Section 9.31.125, Duplexes and Lot Splits on Parcel Zoned for Single-Unit Residential.

A Tentative Parcel Map application (24ENT-0235) was submitted to the City Planning Division on November 22, 2024, to create two residential parcels pursuant to SMMC

Section 9.31.125, Duplexes and Lot Splits on Parcel Zoned for Single-Unit Residential, within the Single-Unit Residential (R1) zoning district. Pursuant to SMMC Section 9.31.125(C), the Tentative Parcel Map was ministerially approved on March 11, 2025. The ministerial approval was based on compliance with all applicable standards and requirements of State and local laws and regulations. The Final Map conforms to the Tentative Map.

The Final Map has been approved by the County of Los Angeles, Department of Public Works Land Development Division and certified by the City Engineer for conformance with the Tentative Map and conditions thereon, the Subdivision Map Act, and local ordinances. The City Engineer’s office indicates that there are no required off-site public improvements.

Environmental Review

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15268(b)(3) of the CEQA Guidelines which exempts ministerial projects including approval of final subdivision maps.

Financial Impacts & Budget Actions

There is no immediate financial impact or budget action necessary as a result of the recommended action. Staff will return to Council if specific budget actions are required in the future.

Prepared By: Shira Moch, Associate Planner

Approved

Forwarded to Council



Jing Yeo, Director

2/2/2026

Oliver Chi, City Manager

2/3/2026

Attachments:

A. Resolution

City Council Meeting: February 10, 2026

Santa Monica, California

RESOLUTION NUMBER _____ (CCS)
(City Council Series)

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA MONICA ACCEPTING AND APPROVING
THE FINAL SUBDIVISION MAP FOR PARCEL NO. 84800
TO SUBDIVIDE A PROPERTY AT 3222 23rd STREET

WHEREAS, on March 11, 2025, the tentative parcel map to create two residential parcels was ministerially approved for the parcel located at 3222 23rd Street; and

WHEREAS, a timely filing of a final parcel map was made to the County of Los Angeles prior to expiration of the tentative parcel map; and

WHEREAS, pursuant to Section 66452.6(d) of the Government Code, if a timely filing of a final parcel map is made to the City or County, then the City may process, approve, and record a final parcel map after the expiration of the tentative parcel map; and

WHEREAS, the final parcel map conforms to the tentative parcel map; and

WHEREAS, the City Council finds that the proposed subdivision is consistent with the applicable general and specific plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. The Final Map for Parcel No. 84800 in the City of Santa Monica is hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized and directed to endorse upon the face of said Map this order authenticated by the Seal of the City of Santa Monica.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

Heidi von Tongeln
Interim City Attorney



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 4.C

To: Mayor and City Council
From: Denise Anderson Warren, Interim City Clerk, Records and Election Services Department
Subject: Adoption of a Resolution Amending the 2026 Council Regular Meeting Calendar to Reschedule the March 17, 2026 Regular Meeting to March 10, 2026

Recommended Action

Staff recommends that the City Council approve the following:

1. Adopt the attached Resolution amending the established 2026 Council regular meeting calendar to reschedule the March 17, 2026 Regular Council Meeting to March 10, 2026; and
2. Adopt a finding that the resolution is not a project subject to the California Environmental Quality Act ("CEQA").

Summary

Charter Section 611 requires the Council to hold two regular meetings per month, and that the meeting calendar shall be established by ordinance or resolution.

Discussion

Santa Monica City Charter section 611 states:

The City Council shall hold regular meetings at least twice each month, at such times as it shall fix by ordinance or resolution and may adjourn or readjourn any regular meeting to a date certain, which shall be specified in the order of adjournment and when so adjourned, each adjourned meeting shall be a regular meeting for all purposes.

On October 14, 2025, the City Council adopted Resolution Number 11707 (CCS), adopting the 2026 Council regular meeting calendar. The attached Resolution amends

the regular meeting calendar to reschedule the March 17, 2026 regular meeting to March 10, 2026.

The resolution also authorizes the City Clerk to cancel a regular meeting for an anticipated lack of a quorum, and that additional regular meetings may be scheduled by amendment to the resolution (which could be a simple minute resolution on the Consent Agenda).

Environmental Review

This resolution is not a “project” subject to the California Environmental Quality Act (“CEQA”). The resolution is procedural in nature and amends the established City Council’s regular meeting schedule for the 2026 calendar year. Pursuant to CEQA Section 21065, the project does not meet the definition of a “project” subject to CEQA as it will not “cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment”. Additionally, per Section 15378(b) of the CEQA Guidelines, a “project” does not include continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making. Therefore, the adoption of the resolution is not subject to CEQA.

Financial Impacts and Budget Actions


There is no immediate financial impact or budget action necessary as a result of recommended action.

Prepared By: Esterlina Lugo, Deputy City Clerk

Approved

Forwarded to Council


Denise Anderson Warren, Interim City Clerk 2/3/2026


Oliver Chi, City Manager 2/3/2026

Attachments:

- A. Proposed Resolution

City Council Meeting February 10, 2026

Santa Monica, California

RESOLUTION NUMBER ____ (CCS)

(City Council Series)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA
AMENDING THE 2026 COUNCIL MEETING CALENDAR

WHEREAS, pursuant to Charter section 611, the City Council establishes its regular meeting schedule for the year, and

WHEREAS, the Council now wishes to amend the 2026 meeting schedule set forth below.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to Charter section 611, the City Council establishes the following revised regular meeting calendar for the year 2026:

- January 13, 27
- February 10, 24
- March ~~17~~ 10, 24
- April 14, 28
- May 12, 26
- June 9, 23
- July 14, 28
- August 11, 25
- September 8, 22
- October 13, 27
- November 10, 17
- December 8, 15

SECTION 2. A scheduled regular meeting may be subject to cancellation by the City Clerk for anticipated lack of quorum, and a regular meeting may be added by Council amending this Resolution.

Attachment: Proposed Resolution [Revision 1] (7541 : Reschedule March 17, 2026 Meeting)

SECTION 3. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

HEIDI VON TONGELN
Interim City Attorney

Attachment: Proposed Resolution [Revision 1] (7541 : Reschedule March 17, 2026 Meeting)

(NOT APPROVED)

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

OCTOBER 22, 2024

A regular meeting of the Santa Monica City Council was called to order by Mayor Brock at 5:35 p.m., on Tuesday, October 22, 2024, at City Council Chambers, 1685 Main Street, Santa Monica, CA.

Roll Call: Present: Mayor Phil Brock
Mayor Pro Tem Lana Negrete
Councilmember Gleam Davis
Councilmember Oscar de la Torre
Councilmember Christine Parra
Councilmember Caroline Torosis (Arrived at 5:38 p.m.)
Councilmember Jesse Zwick (Arrived at 5:53 p.m.)

Also Present: City Manager David White
City Attorney Douglas Sloan
City Clerk Nikima S. Newsome

CONVENE/PLEDGE	On order of the Mayor, the City Council convened at 5:35 p.m., with all members present except Councilmembers Zwick and Torosis. Mayor Pro Tem Negrete led the assemblage in the Pledge of Allegiance.
LEVINE ACT DISCLOSURE	<p>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 \$250 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.</p> <p>Councilmember de la Torre announced that he would be recusing himself from Item 5.E. pursuant to the Levine Act.</p>
AGENDA MANAGEMENT (Councilmember Torosis arrived at 5:38 p.m.)	<p>At the request of staff, Item 9.A. was withdrawn from the agenda.</p> <p><u>Motion by Councilmember Davis, seconded by Councilmember Parra to hear Special Agenda Items prior to hearing general public input. Motion was approved by voice vote with Councilmember Zwick absent.</u></p>

Minutes Acceptance: Minutes of Oct 22, 2024 5:30 PM (CONSENT CALENDAR)

<p><u>PUBLIC INPUT FOR GENERAL PUBLIC COMMENT:</u></p>	<p>Members of the public Ava Roker, Milly Garcia, Ashley Hernandez, Rebecca Terlizzi, Cristina Coria, Canella Welch, Jerry Rubin, Kevin McKeown, Denise Barton, Jason Mastbaum, John Berry, Eve Lopez, Wade Kelley, Harvey Eder, Johnathan Foster, Laurene von Klan and Joe commented on various local issues.</p> <p>Per ADA accommodations, David Whatley spoke on items 1, 16.A. and 16.B.</p>
<p><u>PUBLIC INPUT FOR CLOSED SESSION, SPECIAL AGENDA ITEMS AND CONSENT CALENDAR ONLY:</u></p>	<p>No members of the public commented on Closed Session items and Special Agenda items.</p> <p>Members of the public Ken Kutcher and Denise Barton commented on Consent Calendar items.</p>
<p>PROCLAMATIONS/ COMMENDATIONS/ SPECIAL AGENDA ITEMS</p> <p><i>(Councilmember Zwick arrived at 5:53 p.m.)</i></p>	<p>3.A. Commendation: Stephanie Inouye, Trevor Nichols & Jeff Jarow, was presented.</p> <p>3.B. Commendation: Ye Olde King's Head, was presented.</p> <p>3.C. Commendation: Cirque du Soleil, was presented.</p> <p>3.D. City Manager Report, was presented.</p>
<p>CLOSED SESSIONS</p>	<p>On order of the Mayor, the City Council recessed at 6:50 p.m., to consider Closed Sessions and returned at 7:44 p.m., with all members present, to report the following:</p> <p>4.A. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Lucinda Manera v. City of Santa Monica; LASC Case No. 21STCV43159</p> <p>The City Attorney advised this matter was heard with no reportable action taken.</p> <p>4.B. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Elroy W. McCrary, Jr. v. City of Santa Monica, et al.; LASC Case No. 23SMCV03343</p> <p>The City Attorney advised this matter was heard with no reportable action taken.</p> <p>4.C. Conference with real estate negotiator - Gov. Code § 54956.8: properties: 1030 Olympic Blvd and 1713 11th Street; owner of record: BB LAND Company; City Negotiators: Heather Averick, Director of</p>

Minutes Acceptance: Minutes of Oct 22, 2024 5:30 PM (CONSENT CALENDAR)

	<p>Housing and Human Services, and Natalie Verlinich, Housing Manager; owner negotiators: Diane Cabo, Broker for Seller; under negotiation: price and terms of payment for sale or option</p> <p>The City Attorney advised this matter was heard with no reportable action taken.</p>
<p>REPORT ON COUNCIL TRAVEL</p>	<p>Mayor Brock and Councilmember de la Torre reported that they traveled to Long Beach, California for the League of Cities conference.</p>
<p><u>CONSENT CALENDAR:</u></p>	<p>All items were considered and approved in one motion unless removed by a Councilmember for discussion.</p> <p>Pursuant to the Levine Act, Item 5.E. was removed from the Consent Calendar as Councilmember de la Torre recused from Item 5.E.</p> <p><u>Motion by Councilmember Davis, seconded by Mayor Pro Tem Negrete, to approve the Consent Calendar except for Item 5.E, reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:</u></p> <p>AYES: Councilmembers de la Torre, Torosis, Davis, Parra, Zwick, Mayor Pro Tem Negrete, Mayor Brock</p> <p>NOES: None</p> <p>ABSENT: None</p>
<p>MILLS ACT</p>	<p>5.A. Adoption of Resolution Nos. 11625 through 11628 (CCS) Approving Historic Property Preservation Agreements (Mills Act Contracts), was adopted.</p> <p>Recommended Action Staff recommends that the City Council</p> <ol style="list-style-type: none"> 1. Adopt a finding of categorical exemption pursuant to Section 15331 of the California Environmental Quality Act (CEQA) Guidelines. 2. Adopt the Resolution Nos. 11625 through 11628 (CCS) authorizing the City Manager to execute Historic Property Preservation Agreement (Mills Act Contract) 11635-11638 (CCS) between the City of Santa Monica and the owners of City-designated historic resources located at: 518 Adelaide Drive, 1401 Palisades Beach Road, 1132 Princeton Street, and 1138 Princeton Street.
<p>ANTISCALANTS AND CLEANING CHEMICALS</p>	<p>5.B. Award American Water Chemicals, Inc. a Purchase Order for Water Treatment Antiscalants and Cleaning Chemicals, was approved.</p> <p>Recommended Action Staff recommends that the City Council:</p>

Minutes Acceptance: Minutes of Oct 22, 2024 5:30 PM (CONSENT CALENDAR)

	<ol style="list-style-type: none"> 1. Adopt a finding of categorical exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines; and 2. Authorize the Procurement Manager to issue a purchase order with American Water Chemicals, Inc. to provide antiscalant and cleaning chemicals at the Arcadia Water Treatment Plant for the Public Works Department – Water Resources Division. The recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.250 (b) and is for a total amount not to exceed \$2,920,000 over a five-year period with future year funding contingent on Council budget approval.
<p>ADOBE SUBSCRIPTION LICENSES</p>	<p>5.C. Award Purchase Order to Allied Network Solutions, Inc. for Adobe Software Subscription Licenses, was approved.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 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 Procurement Manager to issue a purchase order with Allied Network Solutions, Inc. (ANS) for Adobe Software subscription licenses for the Information Services Department. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.250 (c) and is for a total amount not to exceed \$446,895 over a three-year period (including a \$58,293 contingency) with future year funding contingent on Council budget approval.
<p>PURCHASE OF EQUIPMENT</p>	<p>5.D. Award Purchase Orders for Sweeper and Electric Rear Loader, was approved.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of Categorical Exemption pursuant to Section 15302 (Replacement or Reconstruction) of the California Environmental Quality Act (CEQA) guidelines; 2. Authorize the Procurement Manager to issue a purchase order with Municipal Maintenance Equipment (“MME”), a California-based company, for the purchase of one Ravo Diesel R5-iSeries sweeper for the Public Works Department, Beach Maintenance Division. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.250 (c) and is for a total amount not to exceed \$401,378; 3. Authorize the Procurement Manager to issue a purchase order with Los Angeles Truck Center, LLC, a California-based company (“Los

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	<p>Angeles Truck Center”), for the purchase of one battery electric (“BEV”) Rear Loader Truck for the Public Works Department, Resource Recovery and Recycling Division. This recommended award is made as an exception to the competitive bidding process pursuant to Section 2.24.250 (c) and is for a total amount not to exceed \$771,767; and</p> <p>4. Authorize budget amendment as outlined in the Financial Impacts & Budget Actions section of this report (requires 5 votes).</p>
<p>MINUTES</p>	<p>5.F. Approval of Minutes of City Council - Special Meeting - Oct 8, 2024, were approved.</p>
<p>MINUTES</p>	<p>5.G. Approval of Minutes of City Council - Regular Meeting - Oct 8, 2024, were approved.</p>
<p>MINUTES</p>	<p>5.H. Approval of Minutes of City Council - Regular Meeting - Mar 19, 2024, were approved.</p>
<p>GRANT FUNDS</p>	<p>5.I. Adoption of Resolution No. 11629 (CCS) Authorizing Receipt of State of California Proposition 47 Grant Funds and Authorization of City Manager to Execute All Necessary Associated Documents, was adopted.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of no possibility of significant effect pursuant to Sections 15061(b)(3) (Common Sense Exemption) and 15303 (New Construction and Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines. 2. Adopt attached Resolution No. 11629 (CCS) authorizing the City Manager to submit an application to the State of California, Board of State and Community Corrections (BSCC) in the amount of \$7,926,172 for the SaMo Bridge diversion program; and authorizing the City Manager to accept the grant, execute the grant agreement, and execute other necessary documents. 3. Authorize budget amendment as outlined in the Financial Impacts & Budget Actions section of this report. (requires 5 votes)
<p>ADVERTISING KIOSK PROGRAM</p> <p><i>(Councilmember de la Torre recused at 7:51 p.m.)</i></p>	<p>5.E. Approval of Implementation of Phase 2 of the Digital Wayfinding and Out-of-Home Advertising Kiosk Program, was approved.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of Categorical Exemption pursuant to Sections 15303 (New Construction or Conversion of Small Structures) and 15311 (Accessory Structures) of the California Environmental

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	<p>Quality Act (CEQA) Guidelines in accordance with the Environmental Review section of this report; and</p> <p>2. Authorize deployment of Phase 2 of the digital wayfinding and out-of-home advertising kiosk network.</p> <p><u>Motion by Councilmember Torosis, seconded by Councilmember Davis, to approve the staff recommendation. The motion was approved by the following vote:</u></p> <p>AYES: Councilmembers Zwick, Parra, Davis, Torosis, Mayor Pro Tem Negrete, Mayor Brock</p> <p>NOES: None</p> <p>ABSENT: Councilmember de la Torre</p>
<p><u>PUBLIC INPUT ON REMAINING AGENDA ITEMS:</u></p> <p><i>(Councilmember de la Torre returned at 7:52 p.m.)</i></p>	<p>Members of the public Denise Barton, Myca Tran, and Harvey Eder commented on Item 10.A.</p> <p>Member of the public Harvey Eder commented on Item 14.A.</p> <p>Member of the public David Whatley commented on Item 16.A.</p> <p>Members of the public David Whatley, Jason Mastbaum, Jon Katz, Targeted Parent (time donated by Ericka Lesley), Harvey Eder, Johnathan Foster, and Tricia Crane commented on Item 16.B.</p> <p>Members of the public Jon Katz spoke on Item 16.C.</p> <p>Members of the public Jason Mastbaum, Jon Katz, Carolyn Hooks, commented on Item 16.D.</p> <p>Member of the public Carolyn Hooks commented on Item 16.E.</p>
<p><u>CONTINUED ITEMS: COUNCIL RULES</u></p>	<p>8.A. Adoption of Resolution No. 11630 (CCS) Amending the Council Rules of Procedure Regarding Councilmember Discussion Items (16 items) (Continued from 10/08/2024), was presented.</p> <p>Recommended Action</p> <p>Staff recommends the City Council:</p> <ol style="list-style-type: none"> 1. Adopt Resolution No. 11630 (CCS) amending the Council Rules of Procedure regarding Councilmember Discussion Items (16 items); and 2. 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. <p>The Council had no questions or comments for staff.</p>

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	<p><u>Motion by Councilmember Davis, seconded by Councilmember Parra, to adopt the staff recommendation. The motion was approved by the following vote:</u></p> <p>AYES: Councilmembers Zwick, Parra, Davis, de la Torre, Torosis, Mayor Pro Tem Negrete, Mayor Brock</p> <p>NOES: None</p> <p>ABSENT: None</p>
	<p>8.B. Request by Mayor Phil Brock, Vice-Mayor Lana Negrete, and Councilmember Oscar de la Torre that the City Council endorse Proposition 36 on the November 2024 statewide ballot. Proposition 36 makes several key changes related to punishments for theft and drug crimes. First, it increases punishment for some of these crimes. Second, it creates a new treatment-focused court process for some drug possession crimes. Third, it requires courts to warn people convicted of selling or providing illegal drugs to others they can be charged with murder if they keep doing so and someone dies. (Attachments include the full text of the ballot measure and an analysis by the Legislative Analyst’s Office-The CA Legislature’s Nonpartisan Fiscal and Policy Advisor) (Continued from 10/08/2024), was presented.</p> <p>Considerable discussion ensued on topics including, but not limited to: concerns about rising retail theft and its impact on small businesses and large retailers; whether Prop 36 would reduce crime or simply increase incarceration; potential cost implications, including billions in added state expenses and loss of funding for Prop 47 programs such as mental health, housing, and school initiatives; recent legislative actions addressing retail theft and whether Prop 36 duplicates or undermines those efforts; and equity concerns about harsher penalties disproportionately affecting marginalized communities.</p> <p><u>Motion by Mayor Pro Tem Negrete, seconded by Mayor Brock, to approve the recommendation. The motion was approved by the following vote:</u></p> <p>AYES: Councilmembers de la Torre, Parra, Mayor Pro Tem Negrete, Mayor Brock</p> <p>NOES: Councilmembers Torosis, Davis, Zwick</p> <p>ABSENT: None</p> <p>Councilmember Davis explained the reason for her no vote is due to her belief that this measure will increase mass incarceration particularly of members of marginalized communities.</p>
<p><i>(Councilmember Torosis was</i></p>	<p>8.C. Request by Councilmember Davis to direct the City Attorney to</p>

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<p><i>excused at 9:20 p.m.)</i></p> <p><i>(Councilmember Torosis returned at 9:23 p.m.)</i></p>	<p>prepare and return at the next meeting with an ordinance that would prohibit gifts to Councilmembers, using definitions of gifts and exceptions in the California Political Reform Act, and adding an exception for entry and meals when attending events in an official City capacity. (Continued from 10/08/2024), was presented.</p> <p>Considerable discussion ensued on topics including, but not limited to: whether existing state law already provides adequate safeguards; concerns about criminalizing minor items and the potential for enforcement to result in misdemeanor charges; cultural and practical challenges for council members meeting constituents over meals; questions about exceptions for conferences and nonprofit events; and whether the ordinance would duplicate state law or create unnecessary administrative burdens.</p> <p><u>Motion by Mayor Pro Tem Negrete, seconded by Councilmember Parra, to approve the item.</u></p> <p><u>Councilmember Davis proposed a friendly amendment</u> that the City Attorney modify the language to add a \$50 threshold so gifts under that amount not be prohibited. The amendment was not considered friendly by the maker and seconder.</p> <p>The main motion failed by the following vote: AYES: Councilmembers Zwick, Davis NOES: Councilmembers Parra, Torosis, Mayor Pro Tem Negrete ABSTAIN: Councilmember de la Torre, Mayor Brock ABSENT: None</p>
<p>ACCESSORY DWELLING UNIT (ADU) MAXIMUM SQUARE FOOTAGE</p>	<p>8.D. Request of Mayor Brock that the City Attorney and City Manager begin the process to amend the Zoning Ordinance to increase the maximum square footage of an Accessory Dwelling Unit (ADU) from 1,000 sq. ft. to 1,200 sq. ft, which is allowable pursuant to state law. (Continued from 10/08/2024), was presented.</p> <p><u>Councilmember Parra proposed an amendment</u> to the staff recommendation to add additional language to the item, reading as follows: Request of Mayor Brock that the City Attorney and City Manager begin the process to amend the Zoning Ordinance to increase the maximum square footage of an Accessory Dwelling Unit (ADU) from 1,000 sq. ft. to 1,200 sq. ft, which is allowable pursuant to state law without regard to lot size specifying that only the new structure must meet all required setbacks.</p> <p>Considerable discussion ensued on topics including, but not limited to whether current zoning already limits ADUs based on lot size.</p> <p><u>Councilmember Zwick proposed another amendment</u> to consider a program</p>

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to allow a second ADU if owner agreed to rent out to the unit on a 30-day basis.
 Staff informed Council of an existing program under the Housing Element, and the amendment was withdrawn.

Motion by Mayor Brock, seconded by Councilmember Torosis, to approve the item, as amended. The motion was approved by unanimous voice vote with all members present.

(Councilmember de la Torre left the dais at 9:56 p.m.)

8.E. Request by Councilmember Christine Parra and Vice Mayor Lana Negrete that the City Council consider providing additional support for the 4th Annual Westside Unity Classic Car Show presented by Pico Youth & Family Center (PYFC) that took place on the pier on September 14, 2024 by directing the City Manager to retroactively waive the City’s portion of fees for use of the pier parking lot for PYFC. Waived City fees related to the Westside Unity Classic Car Show include the parking lot buy-out fee in an amount up to \$11,880. (Continued from 10/08/2024), was presented.

Motion by Mayor Pro Tem Negrete, seconded by Councilmember Parra, to approve the item. The motion was approved by the following vote:

AYES: Councilmembers Zwick, Parra, Davis, Torosis,
 Mayor Pro Tem Negrete, Mayor Brock

NOES: None

ABSENT: Councilmember de la Torre

(Councilmember de la Torre returned to the dais at 9:58 p.m.)

8.F. Request of Councilmembers Davis and Zwick that the City Attorney and City Manager review and analyze SB 969, which recently was signed by Governor Newsom, and with due speed take all necessary steps and draft all necessary ordinances and policies that would allow the establishment of an entertainment zone (as that term is defined in SB 969) on the Third Street Promenade in Downtown Santa Monica. (Continued from 10/08/2024), was presented.

Considerable discussion ensued on topics including, but not limited to: whether the entertainment zone would be for special events or year-round; how it would be supervised and the cost of extra policing; existing safety concerns on The Promenade; potential benefits for revitalizing downtown and attracting visitors; concerns about impacts on retail and public safety; and the need for clear regulations and coordination with City Departments before implementation.

Motion by Mayor Pro Tem Negrete, seconded by Councilmember Davis, to approve the item. The motion was approved by unanimous voice vote with all members present.

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LANDMARKS COMMISSION

8.G. Annual Appointments to the following Boards and Commissions: (Continued from 10/08/2024), was presented.

Board/Commission	Number of Appts	Term End Date	Requirements
Landmarks Commission	1	6/30/2028	Reside in Santa Monica and Licensed Architect

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

Councilmember Parra nominated Jack Hillbrand.

Councilmember Davis nominated Neal Payton.

Jack Hillbrand was appointed by the following vote:
 Hillbrand: Councilmember Parra, de la Torre, Torosis, Mayor Pro Tem Negrete, Mayor Brock
 Payton: Councilmembers Zwick, Davis

Councilmembers Davis and Zwick changed their votes to Jack Hillbrand, thereby appointing Jack Hillbrand unanimously to the Landmarks Commission.

CLEAN BEACHES & OCEAN PARCEL TAX CITIZENS OVERSIGHT COMMITTEE

8.H. Appointment to one unscheduled vacancy on the Clean Beaches & Ocean Parcel Tax Citizens Oversight Committee for a term ending on June 30, 2025. (Continued from 10/08/2024), was presented.

Board/Commission	Number of Appts	Term End Date	Requirements
Clean Beaches & Ocean Parcel Tax Advisory Committee	1	6/30/2028	Reside in Santa Monica

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

Councilmember Torosis nominated Richard Melohn.

Richard Melohn was appointed unanimously by acclamation to the Clean Beaches & Ocean Parcel Tax Advisory Committee, with all members present.

ADMINISTRATIVE PROCEEDINGS: LANDMARK

9.A. Appeal of Landmark Commission Decision to Designate the Compass Rose Located North of and Adjacent to Runway 3 at Santa Monica Airport as a City Landmark, was withdrawn at the request of staff.

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DESIGNATION	<p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 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. Deny Appeal 19ENT-0353 appeal of the Landmark Commission’s decision to designate the Compass Rose located north of and adjacent to Runway 3 at Santa Monica Airport as a City Landmark; and; 3. Approve Designation Application 19ENT-0353 to designate the Compass Rose as a City Landmark based on the findings provided in this staff report; and 4. Adopt the Statement of Official Action.
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<p>ORDINANCES: ECONOMIC RECOVERY</p>	<p>10.A. Introduction and First Reading of an Interim Zoning Ordinance to Promote Economic Recovery by Increasing Flexibility and Streamlined Approvals in the Downtown and Establishing a Pilot Program for Exclusively Outdoor Commercial Uses in the Office Campus District and Introduction and Adoption of an Emergency Ordinance 2793 (CCS) Amending the Sign Code to Increase Flexibility for Signage in the Bayside Conservation District and the Third Street Promenade Area, was introduced.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of Categorical Exemption pursuant to Sections 15301 (Existing Facilities, 15303 (New Construction or Conversion of Small Structures), and 15311 (Accessory Structures) of the California Environmental Quality Act (CEQA) Guidelines. 2. Introduction for first reading an Interim Zoning Ordinance Amending Interim Zoning Regulations Established by Interim Zoning Ordinance Number 2754 (CCS) and Amended and Extended by Interim Zoning Ordinance Number 2761 (CCS) to Promote Economic Recovery by Increasing Flexibility in the City’s Downtown Area, Establishing a Pilot Program to Allow Exclusively Commercial Outdoor Uses in the Office Campus District, and Providing Other Minor and Clerical Amendments. 3. Introduction and Adoption of Emergency Ordinance No. 2793 (CCS) Amending Santa Monica Municipal Code Chapter 9.61: Signs to Increase Flexibility for Signage in the Bayside Conservation District and Third Street Promenade Area, and Make other Minor Changes to Promote Economic Recovery, Public Safety and Welfare. <p>Questions asked and answered of staff included: how is the City thinking about a broader digital signage program; is there a process in place for people to bring forward projects with digital signage; would staff be open to taking</p>
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direction to return with information regarding the potential for large-scale off-premises digital advertising under the 3rd Street Promenade Program; would signage extend into alleys and what would the light impact be on alleys; will staff also revise the approval process for efficiency; with proposals not needing approval by the Architectural Review Board, does staff anticipate a quicker approval process; what is the current approval process and are applicants able to view their current status online; and does the new permit system mirror that of other cities and when is the anticipated launch.

Motion by Councilmember Torosis, seconded by Mayor Pro Tem Negrete, to introduce and hold first reading of the Interim Zoning ordinance, reading by title only and waiving further reading thereof, and adopt the emergency ordinance. The motion was approved by the following vote:

- AYES: Councilmembers Zwick, Parra, Davis, Torosis, de la Torre, Mayor Pro Tem Negrete, Mayor Brock
- NOES: None
- ABSENT: None

RESOLUTIONS:
ADMINISTRATIVE
INSTRUCTIONS

(Recess taken at 10:42 p.m.)
(Returned at 10:51 p.m.)

14.A. Adoption of Resolution No. 11631 (CCS) Applying to Councilmembers Laws Applicable to City Employees and Council Appointees, was presented.

Recommended Action

Staff recommends the City Council:

1. Adopt Resolution No. 11631 (CCS) Adopting Administrative Instruction Nos. III-2-3 Discrimination, Harassment, Abusive Conduct, and Retaliation Prevention Policy and Complaint Procedure; III-2-4, Violence in the Workplace; III-2-6, Code of Ethics, Council Rules, and Certain Other Laws, to be Applicable to City Councilmembers and Providing for Processes for Investigating and Resolving Alleged Violations;
2. Discussion and Consideration of Formation of an Ethics Commission; and
3. 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 whether establishing a truly independent Ethics Commission would require Charter Reform and options for ensuring independence from Council; how behaviors like gaslighting and bullying fit within current policies; and if the City has a restorative justice approach when mediating conflicts between employees.

Considerable discussion ensued on topics including, but not limited to the

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	<p>importance of diversity, equity, and inclusion (DEI) training and bringing forward training and education to Council; and concerns about funding for any future investigations and new bodies.</p> <p><u>Motion by Councilmember Torosis, seconded by Mayor Pro Tem Negrete, to adopt the staff recommendation. The motion was approved by the following vote:</u></p> <p>AYES: Councilmembers Zwick, Parra, Davis, Torosis, de la Torre, Mayor Pro Tem Negrete, Mayor Brock</p> <p>NOES: None</p> <p>ABSENT: None</p>
<p>CONTINUE MEETING PAST 11:00 P.M.</p>	<p><u>Motion by Councilmember Torosis, seconded by Mayor Pro Tem Negrete, to continue past 11:00 p.m. The motion was approved by voice vote with all members present.</u></p>
<p><u>COUNCILMEMBER DISCUSSION ITEMS:</u> COUNCIL DISCRETIONARY FUNDS</p>	<p>16.A. Request by Councilmember Oscar de la Torre that the City Council consider allocating \$10,000 from the Council Discretionary funds to the Association of Mexican American Educators (AMAE) in support of the Santa Monica High School student group Legado Latino. This funding will provide scholarships and support culturally relevant programming that promotes academic excellence while honoring and celebrating the students’ vibrant cultural heritage, was presented.</p> <p><u>Motion by Councilmember Parra to approve the recommendation but to reduce the proposed allocation of \$10,000 to \$5,000.</u></p> <p>Considerable discussion ensued on topics including, but not limited to concerns about setting a precedent for funding Santa Monica High School clubs and how discretionary dollars are allocated; whether funding decisions are first-come, first-served and the need for a clearer process; if the proposed \$5,000 funding was approved, would any funds remain; questions about other community events seeking support and the limits of available funding; clarification on whether the requested funds relate to previously allocated amounts for Latino graduation events or separate activities; and discussion about creating a standardized form for future discretionary funding requests.</p> <p><u>Motion by Councilmember Parra, seconded by Mayor Brock, to approve the recommendation as amended. The motion was approved by the following vote:</u></p> <p>AYES: Councilmembers de la Torre, Torosis, Davis, Parra, Zwick, Mayor Pro Tem Negrete, Mayor Brock</p> <p>NOES: None</p> <p>ABSENT: None</p>

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COMBATING HATE

16.B. Request by Councilmember Oscar de la Torre that the City Council, which stands united against hate, racism, religious intolerance, Islamophobia, and antisemitism, consider 1) directing the City Manager to discuss with the Superintendent of the Santa Monica-Malibu Unified School District (SMMUSD) the use of the 1991 Hate Crime letter as a tool to create awareness and educate young people on the impact of hate crimes; and 2) allocate \$2,500 from Council Discretionary Funds to sponsor the '2024 Mayors Summit Against Antisemitism: Directing Change from City Hall' conference, hosted by the Combat Antisemitism Movement (CAM), a project of the Combat Antisemitism Foundation, and the U.S. Conference of Mayors. The event, chaired by Beverly Hills Mayor Lester Friedman, will take place in Beverly Hills from December 11 to 13, 2024, at the Wallis Annenberg Center for the Performing Arts and the Beverly Wilshire Hotel. The summit will unite leaders, policymakers, and advocates from across the United States and Canada in a collective effort to combat antisemitism and promote a society of tolerance and respect. Antisemitism is an urgent and growing threat that endangers not only Jewish communities but also the fundamental values of our diverse and democratic society. City mayors and city council members have a unique ability to proactively confront Jew-hatred at the local level, where it is most acutely felt. More information contact the 2024 Mayors Summit Against Antisemitism at <https://mayors.combatantisemitism.org/summit> (register to attend, donations/sponsorship, schedule of events) and the US Conference of Mayors website (hosting organization) at <https://www.usmayors.org/programs/mayors-and-business-leaders-center-for-compassionate-and-equitable-cities/combating-antisemitism/>, was presented.

For the record, Mayor Brock clarified that the U.S. Conference of Mayors was not a sponsor of the '2024 Mayors Summit Against Antisemitism event.

Considerable discussion ensued on topics including, but not limited to whether to bifurcate the item into two parts—support for an anti-Semitism conference and discussion of the 1991 hate letter; concerns about allocating discretionary funds for a conference that does not require financial support; the importance of condemning anti-Semitism and exploring non-monetary ways to show support; whether the City should engage with the School District on using the 1991 hate crime letter as an educational tool; the case’s unsolved status and ideas such as offering a reward or leveraging it for awareness; suggestions to incorporate restorative and educational approaches; concerns with funding a conference hosted by the Combat Antisemitism Movement; and clarification of the Council’s prior 2021 decision regarding the 1991 hate crime letter and whether the City should engage with the School District on using the letter as an educational tool or

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	<p>go directly to the School Board.</p> <p><u>Motion by Councilmember Torosis, seconded by Mayor Brock</u>, to: reaffirm the City is united against hate, racism and religious-intolerance; and give direction to the City Manager to work with DEI professionals to bring back healing and restorative options to educate the Council on antisemitism and all forms of hate, using the 2022 Statement Against Hate as a base and meet with the Superintendent of the SMMUSD to return with any options related to hate crime letter of 1991. The motion was approved by unanimous voice vote with all members present.</p>
<p>STREET AND PEDESTRIAN PATHWAY LIGHTS</p>	<p>16.C. Request of Mayor Brock that the City Manager return to the City Council with the resources needed, tradeoffs and budget reallocations necessary to address the City’s growing backlog of damaged street and pedestrian pathway lights. The current backlog consists of approximately 270 street and pedestrian pathway lights. The City Manager is being asked to return to the City Council as soon as possible as this is a matter of public safety, was presented.</p> <p><u>Motion by Councilmember Torosis, seconded by Mayor Brock</u>, to approve the item. The motion was approved by unanimous voice vote with all members present.</p>
<p>FENCE, WALL AND HEDGE HEIGHTS</p>	<p>16.D. In response to concerns raised by residents regarding privacy and safety, request by Councilmember Parra and Mayor Brock to direct the City Manager and City Attorney to begin the process of amending the Zoning Ordinance to increase heights in the front yard setback in R2, R3, and R4 zone districts, with particular consideration for the appropriateness of 60 inches in height, with 50% transparency for walls and fences above 42 inches in height within the context of crime prevention principles; address measurements that may include retaining walls; and suspend enforcement and pending applications until the ordinance becomes effective in R2, R3, and R4 for those that would comply with that standard. Given the considerable amount of work that has been performed to date on this issue, the City Attorney and City Manager are being asked to return to City Council with a recommendation in 90 days or as soon as possible thereafter. The City Attorney and City Manager are further directed to immediately initiate community engagement on this matter to be included in the recommendation to City Council, was presented.</p> <p>The City Attorney noted for the record that the previous vote was invalid because Councilmember de la Torre’s fence exceeded the 42-inch limit, creating potential economic interest. The fence is now compliant, allowing Councilmember de la Torre to participate in the vote.</p>

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Considerable discussion ensued on topics including but not limited to: the meaning of suspending pending applications; whether there was an effort to grandfather existing properties rather than implement city-wide policy changes; consideration of evolving social conditions and related security and privacy concerns; and potential impacts on multi-unit properties.

Motion by Councilmember de la Torre, seconded by Councilmember Parra, to approve the item. The motion was unanimously approved by voice vote with all members present.

FENCE, WALL AND HEDGE HEIGHTS

16.E. Request by Councilmember Parra and Mayor Brock to direct the City Attorney and City Manager to return to Council at the next meeting with a resolution to adopt a policy that height regulations for fences, walls, and hedges are the lowest code enforcement priority. Habitability and keeping people housed should be the priorities for enforcement, was presented.

Considerable discussion ensued on topics including, but not limited to: whether the ordinance is intended to address safety standards rather than neighbor impact.

Motion by Councilmember Parra, seconded by Councilmember Torosis, to approve the item, as amended.

Councilmember de la Torre proposed an amendment directing staff to return with an amended ordinance so that the person filing a complaint must be directly affected or reside within 1,000 feet of the violation. The amendment was considered friendly by the maker and seconder.

The motion was approved by voice vote with all members present and Councilmember de la Torre abstaining.

ADJOURNMENT

On order of the Mayor, the City Council meeting adjourned at 12:38 a.m. in memory of Dana Chiquette and family.

ATTEST:

APPROVED:

Nikima S. Newsome
City Clerk

Phil Brock
Mayor

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(NOT APPROVED)

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

JANUARY 13, 2026

A regular meeting of the Santa Monica City Council was called to order by Mayor Torosis at 5:33 p.m., on Tuesday, January 13, 2026, at City Council Chambers, 1685 Main Street, Santa Monica, CA.

Roll Call: Present: Mayor Caroline Torosis
Mayor Pro Tem Jesse Zwick (arrived at 5:38 p.m. and left at 9:52 p.m.)
Councilmember Lana Negrete (joined remotely at 10:58 p.m. & left 1:23 a.m.)
Councilmember Dan Hall
Councilmember Ellis Raskin
Councilmember Barry Snell (left at 1:11 a.m.)
Councilmember Natalya Zernitskaya

Also Present: City Manager Oliver Chi
Interim City Attorney Heidi von Tongeln
Assistant City Clerk Maria Dacanay-Wisner

CONVENE/PLEDGE	On order of the Mayor, the City Council convened at 5:33 p.m., with all members present except Councilmembers Negrete and Mayor Pro Tem Zwick. Councilmember Snell led the assemblage in the Pledge of Allegiance.
STATEMENT OF ACCOUNTABILITY (LAND ACKNOWLEDGEMENT)	The City of Santa Monica Statement of Accountability (Land Acknowledgement) was read into the record by Councilmember Hall.
LEVINE ACT DISCLOSURE (GC 84308)	No Levine Act disclosures were made.
AGENDA MANAGEMENT	<u>Motion by Councilmember Snell, seconded by Councilmember Hall</u> to hear the Mayor’s Highlight after general Public Input (item 1); 11.A.-11.B. and then 7.A. after the Consent Calendar; and then 11.C. before 10.A. The motion was approved by the following vote: AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Mayor Pro Tem Zwick, Mayor Torosis NOES: None ABSENT: Councilmember Negrete
PUBLIC INPUT FOR	Members of the public Dayquan, Jerry Rubin, Ishmael, Gonzalo M, Alan

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<p><u>GENERAL PUBLIC COMMENT:</u></p>	<p>Mont, Miguel B, Elaine Golden-Gealer, Andrew Hoyer, Eli Quinonez, Denise Barton, Jay Johnson, Alix Gucovsky, Giacomo Valentini, Clara Seneca, Andy Moss, Louis Watanabe, Archie Windsor Minor, Mike Feinstein, Rev. Jim Conn, Harvey Eder, Ashley Oelsen, Stephanie, Wade Kelley, Ann Bowman, Cristina Navarro, Nikki Kolhoff, Johnathan Foster, Mary Stewart, David Stewart, Teri Davis Bernstein, Mindi Shamk, Leanna Einbinder, Vanessa McCarthy, John Cyrus Smith, Dhun May, and Sean Delgaudio commented on various local issues.</p> <p><u>Motion by Councilmember Snell, seconded by Councilmember Raskin</u> to hear late in-person speakers for one minute. The motion was approved by the following vote:</p> <p>AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: Councilmember Negrete</p> <p>Members of the public Narween, Cier, Tracey Hom, Apryl B, Mike Montgomery; Steven Price and Esther Chung continued to comment on various local issues.</p>
<p><u>MAYOR’S HIGHLIGHT</u></p>	<p>Proclamations for Human Trafficking Prevention Month were presented.</p>
<p><u>PUBLIC INPUT FOR CONSENT CALENDAR AND CLOSED SESSION ONLY:</u></p>	<p>Members of the public Sam Shapiro-Kline commented on 4.B. and 5.J.</p> <p>Member of the public Harvey Eder commented on various Consent Calendar and Closed Session items.</p> <p>Member of the public Pam O’Connor commented on 4.P. and 7.A.</p> <p>Members of the public Jerry Rubin, Alex Elliot, Commissioner Gordon, Brice Cooper, Eve Lopez, Andrew Gledhill and Jacob Wasserman commented on 7.A.</p> <p>Member of the public Eve Lopez commented on 7.A. and 11.C.</p>
<p><u>CONSENT CALENDAR:</u></p>	<p>All items were considered and approved in one motion unless removed by a Councilmember for discussion.</p> <p>Councilmember Raskin announced that he will recuse himself from items 4.F.-4.J. due to a conflict of interest.</p> <p><u>Motion by Councilmember Raskin, seconded by Councilmember Snell</u>, to approve the Consent Calendar except for items 4-F.-4.J, reading resolutions by title only and waiving further reading thereof. The motion was approved</p>

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<p>(Councilmember Raskin left the dais at 7:06 p.m.)</p> <p>(Councilmember Raskin returned to the dais at 7:07 p.m.)</p>	<p>by the following roll call vote:</p> <p>AYES: Councilmembers Hall, Raskin, Snell, Zernitskaya, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: Councilmember Negrete</p> <p><u>Motion by Councilmember Snell, seconded by Mayor Pro Tem Zwick, to approve items 4-F.-4.J, reading resolutions by title only and waiving further reading thereof. The motion was approved by the following roll call vote:</u></p> <p>AYES: Councilmembers Hall, Snell, Zernitskaya, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: Councilmember Negrete, Raskin</p>
<p>BIKE LANE ENFORCEMENT PROGRAM</p>	<p>4.A. Approval of First Modification of Contract with Hayden AI for Launch of Bike Lane Enforcement Program, was approved.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of Categorical Exemption pursuant to Section 15321 (Enforcement Actions by Regulatory Agencies) of the California Environmental Quality Act (CEQA) Guidelines; and 2. Authorize the City Manager to negotiate and execute a first modification to Agreement No. 11617 (CCS) in the amount of \$944,000 with Hayden AI, Inc. for bike lane enforcement services for the Department of Transportation. This will result in a new six-year amended agreement in an amount not to exceed \$2,452,904, with future year funding contingent on Council budget approval.
<p>MITIGATION FEE ACT</p>	<p>4.B. Development Impact Fees Report 2025, was approved.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding that the action below does not constitute a project subject to the California Environmental Quality Act (CEQA); 2. Review and accept the FY 2024-25 Annual Reporting of Development Impact Fees per the Mitigation Fee Act (Government Code 66000-66025) and the FY 2024-25 Child Care Linkage Fee Report per SMMC Chapter 9.65.
<p>HAZARDOUS WASTE SERVICES</p>	<p>4.C. Approval of the Fifth Modification to Agreement No. 11051 (CCS) with Clean Earth Environmental Solutions for Hazardous Waste Services, was approved.</p>

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	<p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of categorical exemptions pursuant to Sections 15301 and 15308 of the California Environmental Quality Act (CEQA) Guidelines; and 2. Authorize the City Manager to negotiate and execute a fifth modification to Agreement No. 11051 (CCS) in an amount of \$582,031 with Clean Earth Environmental Solutions, Inc. (formerly Stericycle Environmental Solutions), for hazardous waste services for the Public Works Department. This will result in a five-year, eight-month amended agreement with a new total amount not to exceed \$2,780,031, with future year funding contingent on Council budget approval.
<p>REAL-TIME SCHEDULE INFORMATION & METRICS</p>	<p>4.D. Approve Third Modification of Contract with Swiftly, Ltd. for Real Time Bus Arrival Predictions, was approved.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of no possibility of significant environmental effects 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 a third modification to Agreement No. 11000 (CCS) in the amount of \$718,751, with Swiftly Ltd., for a cloud-hosted Software as a Service (SaaS) solution for customer-focused real-time schedule information and service performance metrics for staff for the Department of Transportation. This will result in an eight-year amended Agreement with a new total amount not to exceed \$2,403,205, with future year funding contingent on Council budget approval.
<p>CANNABIS EQUITY PROGRAM</p>	<p>4.E. Adoption of Resolution No. 11729 (CCS) Updating the Santa Monica Cannabis Equity Program, was adopted.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 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. Adopt the attached Resolution updating the Santa Monica Cannabis Equity Program.
<p>DIGITAL DISPLAY DISTRICT (THIRD STREET PROMENADE & SANTA MONICA PLACE)</p>	<p>4.F. Second Reading and Adoption of Ordinance No. 2839 (CCS) to Establish a Digital Display District to Permit Digital Displays to Be Approved by Development Agreement in Specified Locations Along the Third Street Promenade and Santa Monica Place, was adopted.</p>

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	<p>Recommended Action Staff recommends that the City Council adopt the attached Ordinance.</p>
DIGITAL DISPLAY DEVELOPMENT AGREEMENT (395 SANTA MONICA PLACE)	<p>4.G. Second Reading and Adoption of Ordinance No. 2840 (CCS) to Approve a Development Agreement for Digital Displays Located at 395 Santa Monica Place, was adopted.</p> <p>Recommended Action Staff recommends that the City Council adopt the attached Ordinance.</p>
DIGITAL DISPLAY DEVELOPMENT AGREEMENT (1310 THIRD STREET PROMENADE)	<p>4.H. Second Reading and Adoption of Ordinance No. 2841 (CCS) to Approve a Development Agreement for a Digital Display Located at 1310 Third Street Promenade, was adopted.</p> <p>Recommended Action Staff recommends that the City Council adopt the attached Ordinance.</p>
DIGITAL DISPLAY DEVELOPMENT AGREEMENT (1202 THIRD STREET PROMENADE)	<p>4.I. Second Reading and Adoption of Ordinance No. 2842 (CCS) to Approve a Development Agreement for a Digital Display Located at 1202 Third Street Promenade, was adopted.</p> <p>Recommended Action Staff recommends that the City Council adopt the attached Ordinance.</p>
DIGITAL DISPLAY DEVELOPMENT AGREEMENT (301 ARIZONA AVE/1253 THIRD STREET PROMENADE)	<p>4.J. Second Reading and Adoption of Ordinance No. 2843 (CCS) to Approve a Development Agreement for a Digital Display Located at 301 Arizona Avenue/1253 Third Street Promenade, was adopted.</p> <p>Recommended Action Staff recommends that the City Council adopt the attached Ordinance.</p>
RECYCLING ROOM DIMENSIONS	<p>4.K. Second Reading and Adoption of Interim Zoning Ordinance No. 2844 (CCS) Updating Applicability Thresholds and Standards for Resource and Recycling Room Dimensions Set Forth in Santa Monica Municipal Code Section 9.21.130 in Order to Further Economic Recovery Efforts by Facilitating a Self-Certification Building Permit Program, was adopted.</p> <p>Recommended Action Staff recommends that the City Council adopt the attached Ordinance.</p>
SELF-CERTIFICATION PILOT PROGRAM	<p>4.L. Second Reading and Adoption of Ordinance No. 2845 (CCS) Amending Santa Monica Municipal Code Chapter 8.108, Subpart B, to Amend the Construction and Demolition Material Recycling Compliance Process and to Transition from a Deposit-Based System to</p>

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	<p>a Fine-Based Enforcement Approach, was adopted.</p> <p>Recommended Action Staff recommends that the City Council adopt the attached Ordinance.</p>
BUS REPAIRS	<p>4.M. Award Bid # 4506 to A and A Fleet Painting, Inc. for Bus Body and Paint Repairs, was approved.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) and a finding of no possibility of significant effects pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines; 2. Award Bid # 4506 to A and A Fleet Painting, Inc. for transit bus body repairs and painting services for the Department of Transportation; and 3. Authorize the City Manager to negotiate and execute Agreement No. 11795 (CCS) with A and A Fleet Painting Inc., in an amount not to exceed \$3,437,363, including a 10% contingency, for a five-year period, with future year funding contingency on Council budget approval.
MINUTES	<p>4.N. City Council - Regular and Special Meeting - Dec 16, 2025 5:30 PM, were approved.</p>
MINUTES	<p>4.O. City Council - Special Meeting - Jan 6, 2026 5:30 PM, were approved.</p>
INTERIM CITY CLERK	<p>4.P. Approval of Offer Letter for Retired Annuitant Denise Anderson-Warren for Services as Interim Director of Records and Election Services (City Clerk), was approved.</p> <p>Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of no possibility of significant effect pursuant to Section 15601(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines; 2. Approve the offer letter to Denise Anderson-Warren for her services as Interim Director of Records and Election Services (“City Clerk”); and 3. Authorize the Mayor to sign the offer letter on behalf of the City.
<u>SPECIAL MEETING:</u> REDEVELOPMENT SUCCESSOR AGENCY	<p>On order of the Mayor, the City Council meeting recessed at 7:08 p.m. and the Redevelopment Successor Agency convened to a meeting at 7:09 p.m., with Councilmember Negrete absent.</p>

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<p>REPORT ON MEETING COMPENSATION</p>	<p>Pursuant to State law, the Clerk announced that the members will receive no compensation for meeting as the Redevelopment Successor Agency.</p>
<p><u>STAFF ADMINISTRATIVE ITEMS:</u> TAX ALLOCATION REFUNDING BONDS</p>	<p>11.A. Adoption of Resolution Authorizing Issuance of Tax Allocation Refunding Bonds, Series 2026 (refinancing of the 2006 TABs and the 2011 TABs), was presented.</p> <p>Recommended Action Staff recommends that the Successor Agency:</p> <ol style="list-style-type: none"> 1. Adopt Resolution No. 49 (SA) Authorizing Issuance of Tax Allocation Refunding Bonds and approving the related documents and other actions in connection with the issuance of Tax Allocation Refunding Bonds (Attachments A, B, C, D and E). 2. 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. <p>Questions asked and answered of staff included the expected interest rate with the new issuance and if the City could reissue new bonds and refund if interest rates decrease.</p> <p><u>Motion by Councilmember Raskin, seconded by Councilmember Hall,</u> to approve items 11.A. and 11.B. The motion was approved by the following vote:</p> <p>AYES: Agency members Hall, Raskin, Snell, Zernitskaya, Chair Pro Tem Zwick, Chair Torosis NOES: None ABSENT: Agency Member Negrete</p>
<p>MINUTES</p>	<p>11.B. Approval of Minutes for Redevelopment Successor Agency Meeting, were approved with item 11.A.</p> <p>Recommended Action Staff recommends that the Redevelopment Successor Agency approve the minutes of the December 16, 2025 meeting</p>
<p><u>ADJOURNMENT</u></p>	<p>On order of the Chair, the Redevelopment Successor Agency meeting was adjourned at 7:15 p.m.</p>
<p><u>STUDY SESSION: BOARDS & COMMISSIONS REVIEW</u></p>	<p>7.A. Boards & Commissions Comprehensive Review, was presented.</p> <p>Recommended Action Staff recommends that the City Council:</p>

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1. Adopt a finding that the recommended actions herein do not constitute a project subject to the California Environmental Quality Act (CEQA);
2. Hold a study session to review and provide direction on staff recommendations to restructure Boards, Commissions and Task Forces and update general policies and procedures as part of the City Clerk's Office five-year review.

Questions asked and answered of staff included but were not limited to: staffing costs, the recommendation to remove residency requirements, and the possibility of including a preference for residents if the residency requirement was removed for the Landmarks Commission; the Boards & Commissions Dinner costs; how the Housing Authority Board functions with the Housing Commission; why consolidation was not recommended for the Architectural Review Board (ARB), Building & Fire-Life Safety Commission and/or Planning Commission, and the Urban Forest Task Force (UFTF) and Commission on Sustainability; clarification that the Planning Commission is currently the appellate body for the ARB, and that appeals would defer to the Council should the ARB be consolidated with another body or dissolved; the recommendation to remove the three certified International Society of Arboriculture (ISA) positions on the UFTF; how consolidating the Disabilities, Housing and Human Services Commissions would strengthen the new consolidated Commission's expertise and lived experience instead of diluting it; and how the City Clerk's Office plans to measure that the recommendations result in better outcomes, clearer recommendations to Council, and reduced administrative strain.

Council requested: Boards & Commissions Dinner costs and recognition event options; consolidation and efficiency options for the ARB; review of the Landmarks Commission's work, such as the Mills Act and Structures of Merit, and efficiency options; a review of the Airport Commission's composition; centralized system of measuring performance for boards & commissions through the City Clerk's Office, such as efficiencies and positive impacts on policy; youth representation options; and that subject matter expertise and lived experience remain a part of the composition of boards and commissions.

Comments ensued on topics included but were not limited to: options for the Housing and Human Services Department's Commissions such as keeping the Disabilities, Housing and Human Services Commissions separate and encouraging joint meetings, consolidating the three bodies and establishing a Housing or Disabilities Subcommittee, or only consolidating the Housing and Human Services Commissions and keeping the Disabilities Commission separate; pros and cons of consolidating some bodies, such as continuing to work in silos and maintain overlapping functions, and aligning with the Department's structure for clearer workplans and stronger staff support;

keeping the residency requirements for the Landmarks Commission, or maintaining a preference to appoint local experts if the requirement is removed; to include “or go to school in Santa Monica” to the revised Composition of the Public Safety Reform Oversight Commission (PSROC) regarding the youth positions, and discussing proposed changes with the Police Officers Association (POA); removing term limits for the Metropolitan Water District and Los Angeles County Vector Control District Boards; reconsidering the ineligibility of Council’s relatives to serve on boards and commissions; reviewing the composition of the Airport Commission; a desire to supplement Information Items of Annual Reports & Workplans by scheduling brief presentations at intersperse Council meetings or establishing a more effective feedback loop between Council and boards and commissions; a desire for increased Library Board participation; a desire for more joint boards and commissions meetings or cross-commission collaboration; a desire for youth representation, either as a stand-alone Commission or consider seats where appropriate; a desire to prioritize lived experiences in recruitment and appointments; the importance of periodic reviews and opportunities to reverse decisions should they not achieve anticipated outcomes; and concerns over valuing members, offering valuable experiences and strengthening participation from members and community members.

Motion by Councilmember Hall, seconded by Mayor Torosis to: move forward with the recommendations in the staff report except for consolidating the Disabilities Commission with the newly consolidated Housing & Human Services Commission, and removing the residency requirements for the Landmarks Commission; and remove Section 2.G. Term Limits for Regional Advisory Boards from Resolution 11510 (CCS). Direction was also given to meet and confer with the POA regarding the proposal for the PSROC. Additionally, members of the current Housing and Human Services Commissions must re-apply to the new consolidated Commission and priority will not be given to former members.

Substitute motion by Councilmember Raskin, seconded by Councilmember Snell to: move forward with the recommendations in the staff report except for consolidating the Disabilities Commission with the newly consolidated Housing & Human Services Commission, and removing the residency requirements for the Landmarks Commission; and remove Sections 1.G (ineligibility of close family relatives of Council) and 2.G. Term Limits for Regional Advisory Boards from Resolution 11510 (CCS). Direction was also given to meet and confer with the POA regarding the proposal for the PSROC. Additionally, members of the current Housing and Human Services Commissions must re-apply to the new consolidated Commission but priority will not be given to former members. The substitute motion was approved by the following roll call vote:

	<p>AYES: Councilmembers Raskin, Snell, Zernitskaya, Mayor Pro Tem Zwick</p> <p>NOES: Councilmember Hall, Mayor Torosis</p> <p>ABSENT: Councilmember Negrete</p>
CITY MANAGER REPORT	The City Manager Report was presented.
CLOSED SESSIONS	<p>Mayor Pro Tem Zwick announced that he will recuse himself from items 5.H – 5.J. and Councilmember Snell will recuse himself from item 5.J. due to conflict of interests.</p> <p>On order of the Mayor, the City Council recessed at 8:24 p.m., to consider Closed Sessions and returned at 10:50 p.m., with Councilmember Negrete and Mayor Pro Tem Zwick absent, to report the following:</p> <p>5.A. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): John U.N.B. Doe, et al. v. City, et al.; LASC # 23STCV12746; John Doe 1, et al. v. City, et al.; LASC # 23STCV15009; Hector Orozco v. John Doe: Does 1-2; LASC # 23SMCV03120; John JPC Doe v. Doe City, et al.; LASC # 23STCV22020; John AD Doe, et al. v. City, et al.; LASC # 23STCV26548; John CW Doe, et al. v. City, et al.; LASC # 23STCV29623; John Doe (A.G.) v. Santa Monica Police Activities League, et al; LASC # 23SMCV06066; John GA DOE, et al. v. City, et al.; LASC # 24STCV06484; John U.L.W. Doe, et al. v. City, et al.; LASC # 24STCV06768; Joseph Garcia v. Santa Monica Police Activities League, et al.; LASC # 24SMCV01368; John Doe 15, et al. v. City, et al.; LASC # 24STCV07647; John Doe 18, et al. v. City, et al.; LASC # 24STCV0239; John RR Doe, et al. v. City, et al.; LASC # 24STCV09398; John Doe 33, et al. v. City, et al.; LASC # 24STCV15580; John Doe 48 v. City, et al.; LASC # 24STCV15420; John Doe 49 v. City, et al.; LASC # 24STCV19296; John DD Doe v. City, et al.; LASC # 24SMCV04421; Jane EB Doe, et al. v. City, et al.; LASC # 24STCV24146; John Doe (V.D.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05049; John Doe (D.F.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05050; John Doe (D.G.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05051; Jane Doe 13, et al. v. City, et al.; LASC # 24STCV27233; John AM Doe, et al. v. City, et al.; LASC # 24STCV28433; John Doe v. City, et al.; LASC # 24SMCV05527; John Doe 53 v. City, et al.; LASC # 24STCV31763; John Doe (Y.M.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV06355; Jane Doe 16, et al. v. a Public Entity, et al.; LASC # 25STCV02235; John Doe 62, et al. v. City, et al.; LASC # 25STCV04414; John Doe 23 v. City, et al.; LASC # 25STCV05850; John Doe (E.B.) v. Santa Monica Police Activities League, et al.; LASC # 25STCV06354; Jane PB Doe, et al. v. City, et al.;</p>

LASC # 25

The City Attorney advised this matter was heard with no reportable action taken.

5.B. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): City v. ICSOP, et al.; OCSC # 30-2022-01261243

The City Attorney advised this matter was heard with no reportable action taken.

5.C. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): City of Santa Monica, et al. v. Waymo LLC et al., LASC # 25SMCV06581

The City Attorney advised this matter was heard with no reportable action taken.

5.D. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Santa Monica EV Holdings, LLC et al. v. City, LASC # 25SMCV06681

The City Attorney advised this matter was heard with no reportable action taken.

5.E. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Waymo LLC v. City, LASC # 25SMCV06541

The City Attorney advised this matter was heard with no reportable action taken.

5.F. Conference with real estate negotiator - Gov. Code § 54956.8; property: 930 Pacific Coast Highway, 1200 Pacific Coast Highway, 2400 Ocean Front Walk, and 2600 Ocean Front Walk, Santa Monica, California; City negotiators: Jennifer Taylor, Economic Development Manager; owner of record: City of Santa Monica; persons to be negotiated with: Richard Chacker, President for Chaos Enterprises, Inc. dba Perry's Café and Rentals at the Beach; under negotiation: price and terms of lease

The City Attorney advised this matter was heard with no reportable action taken.

5.G. Conference with real estate negotiator - Gov. Code § 54956.8; property: 2640 Main Street, Santa Monica, California; City negotiators: Jennifer Taylor, Economic Development Manager; owner of record:

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(Councilmember Zwick left the meeting at 9:52 p.m.)

City of Santa Monica; persons to be negotiated with: Bruce Phillips, Chief Executive Officer for Ocean Park Restaurant Corporation; under negotiation: price and terms of payment

The City Attorney advised this matter was heard with no reportable action taken.

5.H. Conference with real estate negotiator - Gov. Code § 54956.8; property: 419 and 1616 Ocean Avenue, Santa Monica, California; City negotiators: Oliver Chi, City Manager; owner of record: Community Corporation of Santa Monica; persons to be negotiated with: Tara Barauskas, Executive Director, Community Corporation of Santa Monica; under negotiation: price and terms of payment

The City Attorney advised this matter was heard, with Mayor Pro Tem Zwick absent. No reportable action was taken but Council waived privilege to disclose information and Mayor Torosis read a statement on behalf of the Council.

5.I. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Stanford Neighbors Against City Overreach v. City, LASC # 25STCP04108

The City Attorney advised this matter was heard, with Mayor Pro Tem Zwick absent, and no reportable action was taken.

(Councilmember Snell returned to the dais at 10:19 p.m.)

5.J. Conference with legal counsel - significant exposure to litigation - Government Code § 54956.9(d)(2) – 1 case

The City Attorney advised this matter was heard with, Mayor Pro Tem Zwick and Councilmember Snell absent, and no reportable action was taken.

5.K. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Courtney Bruesehoff v. City; LASC # 23TRCV03691 [report out only]

The City Attorney advised this matter was heard at the June 24, 2025 Council meeting and Council unanimously approved a \$5,999,999 settlement with all members present.

5.L. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Narine Sulahian Keshishianv. City; LASC # 24SMCV02912 [report out only]

The City Attorney advised this matter was heard at the December 16, 2025 Council meeting and Council approved a \$475K settlement, with all

	members present and Councilmember Negrete voting no.
REPORT ON COUNCIL TRAVEL (AB 1234)	No travel reports were made.
AGENDA MANAGEMENT <i>(Councilmember Negrete joined the meeting remotely at 10:58 p.m.)</i>	<p><u>Motion by Councilmember Hall, seconded by Councilmember Raskin</u> to hear the public comment on item 11.C and 16.A first, and hear comments on 10.A. with the item when Councilmember Snell will be recusing himself from the item. The motion was approved by the following roll call vote:</p> <p>AYES: Councilmembers Negrete, Hall, Raskin, Snell, Zernitskaya, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: Mayor Pro Tem Zwick</p>
<u>PUBLIC INPUT ON REMAINING AGENDA ITEMS:</u>	Members of the public Denise Barton, Andrew Hoyer, Brian O’Neill, Ashley Oelsen, Stephanie, Alan Mont, Christina Parra, Nikki Kolhoff, John Cyrus Smith, Heather Thomasom, Alex Ward, Chris Kanjo, Mitch Dorf, Jennifer Polhemus, Ivana, Harlow Sharp II, Jeff Blodgett, Loren Bloch, Ping Ho, Eli Gill, Michael Drandell, Paula Mazur, Richard Milanese, John Reynolds, Joseph Cohen May, Brad Ewing, Eve Lopez and Jacob Wasserman commented on 11.C.
<u>STAFF ADMINISTRATIVE ITEMS (CONTINUED): CONSIDERATION OF PRIOR HOUSING-PRODUCTION RELATED VOTES</u>	<p>11.C. Consideration of Certain Prior Housing-Production Related Votes and Repeal of Interim Zoning Regulations Related to Projects Utilizing State Law for Small Lot Subdivisions and Duplexes and Lot Splits on Parcels Zoned for Single-Unit Residential, was presented.</p> <p>Recommended Actions Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt findings of exemption under the California Environmental Quality Act as outlined in Environmental Review, below; 2. Adopt Resolution No. 11733 (CCS) Directing the Planning Commission to Initiate the Process of Amending the Zoning Ordinance Related to Projects Utilizing State Law for Small Lot Subdivisions Under 10 Units and Projects Consisting of Duplexes and Lot Splits on Parcels Zoned for Single-Unit Residential; 3. Approve Proposed Regulatory Updates to High-Rise Building Definitions and Single Stairway Multi-Family Building Provisions; 4. Ratify Adoption of the 2025 California Building Standards Code and Resolution making Findings of Climatic, Geological and Topographical Conditions, and 5. Repeal Emergency Interim Zoning Ordinance (IZO) Number 2821 (CCS), Permitting the Establishment of Accessory Dwelling Units (ADUs) as Part of Projects Utilizing Senate Bill (SB) 1123 on Vacant Parcels Zoned for Single-Unit Residential, Ensuring Project

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Feasibility of SB 1123 Projects by Providing for Certain Relaxed Development Standards, and Expanding the Establishment of ADUs to All Projects Utilizing Government Code Sections 65852.28, and 66499.41 Which Includes Parcels Within Multiple-Unit Zoning District as Permitted Pursuant to SB 684.

Questions asked and answered of staff included but was not limited to: clarification that initial guidance was received from the previous City Attorney and that staff then sought guidance from outside counsel; whether it is necessary to include Senate Bill (SB) 9/450 and SB 1123 the City's code and if having it in the code and State law later changing would cause issues; if the Resolution of Intent (ROI) includes rolling back the expansive version of SB 9 pending the Planning Commission's recommendations; and if there are any SB 1123 projects that have been approved and comply with State standards.

Considerable discussion ensued on topics including, but not limited to: concerns about hearing and voting on recommendations together vs. voting on the recommendations separately; and pros and cons of abiding by State law vs. exceeding it; refraining from establishing new development standards that would add additional height or density beyond what is allowable by State law; a desire for ordinances addressing other standards for small subdivision to require appropriate contribution to the City's Affordable Housing Production Program (AHPP); the Planning Commission's discussions on SB1123 and clarification on the direction Council can provide without limiting the Commission's recommendations; clarification that the single-stairway rule is not an amendment to the Building Code but an alternative method requiring extensive vetting from Building Officials and the Fire Department; studying the potential for expanded zoning standards to allow more family housing; a desire to see policies that deliver affordability alongside density; and clarification between affordable housing and deed-restricted affordable housing.

Motion by Councilmember Negrete to: repeal SB 1123 (Emergency IZO); re-ratify the Building Code; not to adopt the ROI and direct staff not to bring forward recommendations beyond State law; and not move forward with administrative procedure allowing single stairways above State law. The motion died for lack of a second.

Motion by Mayor Torosis, seconded by Councilmember Snell to: repeal the IZO; not move forward with SB 1123 and implement State law as written; approve the proposed updates to high-rise buildings definitions and single stairways; and adopt the ROI, not going beyond State law, and require an appropriate contribution to the AHPP.

Motion to amend by Councilmember Raskin to add: as part of the ROI, staff

direction to explore opportunities for amending local subdivision standards so that if there are small lot subdivisions created pursuant to State law, that they can be done without creating Homeowners Associations or other common interest developments. The amendment was friendly to the maker and seconder.

Second motion to amend by Councilmember Zernitskaya to add: as part of the ROI, direction to the Planning Commission to return with options: allowing for larger family-sized homes and equitable home ownership opportunities, and thresholds for AHPP exemption. The amendment was friendly to the maker but not the seconder.

Substitute motion by Councilmember Hall, seconded by Zernitskaya to: adopt the staff recommendation; provide direction to allow the Planning Commission to explore standards which may exceed State law to facilitate more bedrooms, on-site parking; and a point where participation in AHPP is financially viable. In addition, encourage applicants who want to use such standards to bring designs and renderings showing the difference on what expanded standards may accomplish. The substitute motion failed by the following roll call vote:

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

Councilmember Raskin stated that his “no” vote was due to the lack of direction on affordability requirements.

New substitute motion by Councilmember Hall to: adopt the staff recommendation with direction to the Community Development Department and Planning Commission to provide recommendations on trade-offs, including staying within State law, and what increased development standards mean to produce greater family housing, more affordable housing or increased participation in affordable housing trust fund contributions.

Motion to amend by Councilmember Zernitskaya to include more equitable home ownership opportunities. The amendment was friendly to the maker and substitute motion was seconded by Councilmember Zernitskaya. The substitute motion passed by the following roll call vote:

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

**AGENDA
 MANAGEMENT**

Motion by Councilmember Zernitskaya, seconded by Mayor Torosis to hear the public comment on item 10.A. before hearing and discussing items 16.A.

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<p><i>(Councilmember Snell left the dais at 12:55 a.m.)</i></p>	<p>and 10.A. The motion was approved by the following roll call vote:</p> <p>AYES: Councilmembers Zernitskaya, Raskin, Hall, Negrete, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: Councilmember Snell, Mayor Pro Tem Zwick</p>
<p><u>PUBLIC INPUT ON REMAINING AGENDA ITEMS (CONTINUED):</u></p>	<p>Members of the public John Cyrus Smith, Denise Barton, Joseph Cohen May and Dave Rand commented on 10.A.</p>
<p><u>COUNCILMEMBER DISCUSSION ITEMS: VOTING AND ALTERNATE DELEGATES</u> <i>(Councilmember Snell returned to the dais at 1:04 a.m.)</i></p>	<p>16.A. Appointments of City Council Voting and Alternate Delegates to Regional Governmental and Membership Organizations, was presented.</p> <p>Recommended Action Staff recommends the City Council appoint Councilmembers to serve as the City Council’s voting and alternate delegates to the five regional governmental and membership organizations:</p> <ol style="list-style-type: none"> 1. Westside Cities Council of Governments (WSCCOG): One (1) Voting Delegate and one (1) Alternate Delegate to the WSCCOG Governing Board to participate in regular meetings (2nd Thursday of every even numbered months from Noon to 1:15pm) 2. Independent Cities Association (ICA): One (1) Voting Delegate and one (1) Alternate Delegate to participate in monthly meetings and plan to attend Winter (February 20-22, 2026 in Santa Barbara) and Summer (July 9-12, 2026 in Indian Wells) Seminars. 3. League of California Cities (CalCities): One (1) Voting Delegate and one (1) Alternate Delegate to attend the 2026 CalCities Annual Conference (September 23-25, 2026 in Anaheim). 4. Los Angeles County Division of CalCities: One (1) representative to attend Los Angeles County Division monthly meetings (1st Thursday of each month from 6pm to 8pm). 5. Southern California Association of Governments (SCAG): One (1) Voting Delegate and one (1) Alternate Delegate to attend the SCAG General Assembly (May 7-8, 2026 in Indian Wells). <p><u>Motion by Mayor Torosis, seconded by Councilmember Snell</u>, to nominate Councilmember Hall as Delegate and Councilmember Raskin as Alternate to the WSCCOG. The motion was approved by the following roll call vote:</p> <p>AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Negrete, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: Mayor Pro Tem Zwick</p> <p><u>Motion by Councilmember Negrete, seconded by Councilmember Hall</u>, to</p>

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nominate Councilmember Negrete as Delegate and Councilmember Snell as Alternate to the ICA. The motion was approved by the following roll call vote:

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

Motion by Councilmember Hall, seconded by Councilmember Snell, to nominate Mayor Torosis as Delegate and Mayor Pro Tem Zwick as Alternate to CalCities, with the condition to re-agendized this item to nominate Councilmember Negrete should Mayor Pro Tem Zwick be unavailable. The motion was approved by the following roll call vote:

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

Motion by Councilmember Hall, seconded by Councilmember Negrete, to nominate Councilmember Zernitskaya to the LA County Division of CalCities. The motion was approved by the following roll call vote:

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

Motion by Mayor Torosis, seconded by Councilmember Raskin, to nominate Councilmember Raskin as Delegate and Councilmember Hall as Alternate to the SCAG. The motion was approved by the following roll call vote:

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

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ORDINANCES:
OFF-SITE AFFORDABLE HOUSING PILOT PROGRAM

(Councilmember Snell left the meeting at 1:11 a.m.)

10.A. Introduction of an Ordinance to Extend the Off-Site Affordable Housing Pilot Program, Allowing Additional Applicants of Qualified Market Rate Multi-family Residential Projects to Satisfy the City’s Affordable Housing Requirements through Alternative Options, was presented.

Recommended Action
Staff recommends that the City Council:

1. Adopt a finding that the actions below have been previously analyzed in the certified 6th Cycle Housing Element Environmental Impact Report and are statutorily exempt from the California Environmental Quality Act pursuant to Section 21080.085(a) of the California Public Resources Code;
2. Introduce for first reading an ordinance to add Section 9.64.065 to the Santa Monica Municipal Code to establish the Off-site Affordable Housing Pilot Program for 1000 units and add Section 9.64.075 to the Santa Monica Municipal Code to extend and expand the Off-site Affordable Housing Pilot Program.

Questions asked and answered of staff included clarification on the definition of uncontaminated property.

Comments ensued on topics including the need for more affordable housing and desire to see the outcome of the pilot.

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 roll call vote:

- AYES: Councilmembers Hall, Raskin, Zernitskaya, Mayor Torosis
- NOES: Councilmember Negrete
- ABSENT: Councilmember Snell, Mayor Pro Tem Zwick

(Councilmember Negrete left the meeting at 1:23 a.m.)

ADJOURNMENT

On order of the Mayor, the City Council meeting adjourned at 1:27 a.m. in memory of Keith Porter Jr. and Renee Nicole Good.

ATTEST:

APPROVED:

Maria Dacanay-Wisner
Assistant City Clerk

Caroline Torosis
Mayor

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(NOT APPROVED)

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

JANUARY 27, 2026

A regular meeting of the Santa Monica City Council was called to order by Mayor Torosis at 5:35 p.m., on Tuesday, January 27, 2026, at City Council Chambers, 1685 Main Street, Santa Monica, CA.

Roll Call: Present: Mayor Caroline Torosis
Mayor Pro Tem Jesse Zwick (arrived at 5:42 p.m.)
Councilmember Lana Negrete
Councilmember Dan Hall
Councilmember Ellis Raskin
Councilmember Barry Snell
Councilmember Natalya Zernitskaya

Also Present: City Manager Oliver Chi
Interim City Attorney Heidi von Tongeln
Assistant City Clerk Maria Dacanay-Wisner

CONVENE/PLEDGE	On order of the Mayor, the City Council convened at 5:35 p.m. to hear the 5:30 p.m. regular meeting and the 5:35 p.m. concurrently, with Mayor Pro Tem Zwick absent. Councilmember Snell led the assemblage in the Pledge of Allegiance.
STATEMENT OF ACCOUNTABILITY (LAND ACKNOWLEDGEMENT)	The City of Santa Monica Statement of Accountability (Land Acknowledgement) was read into the record by Councilmember Zernitskaya.
LEVINE ACT DISCLOSURE (GC 84308)	No Councilmember made Levine Act disclosures.
AGENDA MANAGEMENT	<u>Motion by Mayor Torosis, seconded by Councilmember Hall</u> to: approve staff's request to pull items 4.C. and 11.B.; hear comments on item 16.I. (ONESAMO People's Academy) along with item 1 (General Public Input); present the Mayor's Highlight after item 1; combine the City Manager's Report with item 16.I and hear both items after item 2 (Special Agenda Items); hear item 12.A. after the Consent Calendar and give priority to hear students speaking on items 11.C. and 11.D. upon arrival. The motion passed with the following roll call vote: AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Negrete,

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<p>(Councilmember Zwick arrived at 5:42 p.m.)</p>	<p>Mayor Torosis NOES: None ABSENT: Mayor Pro Tem Zwick</p> <p><u>Motion by Councilmember Negrete, seconded by Councilmember Zernitskaya</u> to recess from Closed Session at 8:30 p.m. and continue with Closed Session after the public session. The motion passed with the following roll call vote:</p> <p>AYES: Councilmembers Negrete, Hall, Raskin, Snell, Zernitskaya, Mayor Pro Tem Zwick, Mayor Torosis NOES: None ABSENT: None</p>
<p><u>PUBLIC INPUT FOR GENERAL PUBLIC COMMENT AND SPECIAL AGENDA ITEMS:</u></p>	<p>Members of the public Brigit, Matthew, Verena, Jerry Rubin, Laurence Cohen, Johnathan Foster, Auston Stamm, Hajar, Goli Golnaz, Denise Barton, Mike Montgomery, Steven Price and Mica Jordan commented on various local issues.</p> <p>Members of the public Robbie Jones commented on the Special Agenda item.</p> <p>Students Lanikai Parker, David Johnson, Neve Garcia-Langley, Andrew Lau, Sahana Lindsey, and Judisma Siddhi commented on items 11.C. and 11.D.</p>
<p>MAYOR’S HIGHLIGHT</p>	<p>The Mayor’s Highlight was presented.</p>
<p>PROCLAMATIONS/ COMMENDATIONS/ SPECIAL AGENDA ITEMS</p>	<p>2.A. Proclamation: Black History Month, was presented.</p>
<p>CITY MANAGER REPORT</p>	<p>The City Manager Report was presented with item 16.I.</p>
<p>ONESAMO PEOPLE’S ACADEMY</p>	<p>16.I. A request of Councilmember Negrete that the City Council Consider Directing the City Manager to Agendize the ONESAMO People’s Academy and provide an update on the timeline and launch of the program, was presented with the City Manager’s Report.</p>
<p><u>PUBLIC INPUT FOR CONSENT CALENDAR AND CLOSED SESSION ONLY:</u></p>	<p>Members of the public Jacob Wasserman commented on 4.G.</p> <p>Members of the public Tom Casparian commented on 5.A. to 5.C. under the special meeting.</p>

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	<p>Members of the public Cindy Pfeiffer and Jim Harris commented on 5.H.</p> <p>Members of the public Denise Barton commented on various Closed Session items.</p>
<p><u>CONSENT CALENDAR:</u></p> <p><i>(Councilmember Raskin left the dais at 7:08 p.m.)</i></p> <p><i>(Councilmember Raskin returned, and Mayor Pro Tem Zwick and Councilmember Snell left the dais at 7:09 p.m.)</i></p> <p><i>(Mayor Pro Tem Zwick and Councilmember Snell returned at 7:10 p.m.)</i></p>	<p>All items were considered and approved in one motion unless removed by a Councilmember for discussion.</p> <p>Due to conflicts of interest: Councilmember Raskin will recuse himself from item 4.G.; and Mayor Pro Tem Zwick and Councilmember Snell will recuse themselves from 4.H.</p> <p><u>Motion by Councilmember Snell, seconded by Raskin,</u> to approve the Consent Calendar except for Item 4.G. and 4.H., reading resolutions by title only and waiving further reading thereof. The motion was approved by the following roll call vote:</p> <p>AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Negrete, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: None</p> <p><u>Motion by Councilmember Snell, seconded by Mayor Torosis,</u> to approve item 4.G., reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:</p> <p>AYES: Councilmembers Negrete, Hall, Snell, Zernitskaya, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: Councilmember Raskin</p> <p><u>Motion by Mayor Torosis, seconded by Councilmember Raskin,</u> to approve 4.H., reading resolutions by title only and waiving further reading thereof. The motion was approved by the following vote:</p> <p>AYES: Councilmembers Zernitskaya, Raskin, Hall, Negrete, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: Councilmember Snell, Mayor Pro Tem Zwick</p>
<p>FY 2024-25 ANNUAL WATER, WASTEWATER, AND NON-POTABLE WATER MAIN REPLACEMENT PROJECT</p>	<p>4.A. Award Bid SP2666-CT and the Construction Contract to Big Ben Inc., and RFP SP2666-CM and the Construction Management Agreement to Z&K Consultants, Inc., for the FY2024-25 Annual Water, Wastewater, and Non-Potable Water Main Replacement Project, was approved.</p>

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	<p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of Categorical Exemption pursuant to Sections 15301, 15302, 15303, and 15304, and a finding of Statutory Exemption pursuant to Section 21080.21 of the California Environmental Quality Act (CEQA) Guidelines; 2. Award Bid #SP2666-CT to Big Ben Inc. to provide construction services for the FY 2024/25 Annual Water, Wastewater, and Non-Potable Water Main Replacement Project for the Public Works Department; 3. Authorize the City Manager to negotiate and execute Contract No. 11798 (CCS) with Big Ben Inc. in an amount not to exceed \$18,729,326 (including a 15% contingency); 4. Award RFP #SP2666-CM to Z&K Consultants, Inc. for construction management services for the FY 2024/25 Annual Water, Wastewater, and Non-Potable Water Main Replacement Project and the FY 2025/26 Annual Paving Project for the Public Works Department; and 5. Authorize the City Manager to negotiate and execute Agreement No. 11799 (CCS) with Z&K Consultants, Inc., in an amount not to exceed \$1,500,000 over a three-year period with future funding contingent on Council budget approval. 6. Authorize budget amendments as outlined in the Financial Impacts and Budget Actions section of this report (requires 5 votes).
<p>ASSISTANCE TO FIREFIGHTERS GRANT</p>	<p>4.B. Acceptance of FY2024 Assistance to Firefighters Grant Award, was accepted.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 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 to the City in the amount of \$119,056.36 from the Department of Homeland Security, Federal Emergency Management Agency, for the FY 2024 Assistance to Firefighters Grant in the Fire Department, and to accept all grant renewals; 3. Authorize the City Manager to execute all necessary documents to accept the grant, all grant renewals, and modifications; and 4. Authorize a budget amendment as outlined in the Financial Impacts & Budget Actions section of this report (requires 5 votes).
<p>REAL TIME BUS ARRIVAL PREDICTIONS</p>	<p>4.C. Approval of Third Modification of Contract with Swiftly, Ltd. for Real Time Bus Arrival Predictions, was pulled at the request of staff.</p>

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	<p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of no possibility of significant environmental effects 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 a third modification to agreement #11000 in the amount of \$718,751, with Swiftly Ltd., for a cloud-hosted Software as a Service (SaaS) solution for customer-focused real-time schedule information and service performance metrics for staff for the Department of Transportation. This will result in an eight-year amended agreement with a new total amount not to exceed \$2,403,205, with future year funding contingent on Council budget approval.
<p>HOMELESS OUTREACH EFFORTS</p>	<p>4.D. Approval of First Modification of Agreement No. 11424 (CCS) with The Salvation Army for Homeless Outreach Efforts, was approved.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 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 City Manager to negotiate and execute a first modification to Agreement No. 11424 (CCS) in the amount of \$433,365 with The Salvation Army to provide homeless outreach efforts, including supporting the City’s 311 Outreach effort and assisting the City’s Homeless Liaison Program for the Police Department. This will result in a 3-year amended agreement with a new total amount not to exceed \$879,615, and with future year funding contingent on Council budget approval.
<p>GEOTECHNICAL ENGINEERING SERVICES</p>	<p>4.E. Approval of First Modification to Agreement with Cotton, Shires & Associates for Geotechnical Engineering Services, was approved.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of no possibility of signification effect pursuant to Section 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines; and 2. Authorize the City Manager to negotiate and execute a first modification to Agreement No. 11275 (CCS) in the amount of \$180,000 with Cotton, Shires and Associates, Inc. for geotechnical engineering services for the Community Development Department. This will result in a five-year amended agreement with a new total amount not to exceed \$405,000, with future year funding contingent on Council budget approval.

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<p>TOBACCO GRANT PROGRAM</p>	<p>4.F. Adoption of Resolution No. 11730 (CCS) Authorizing Acceptance of a Grant from the California Department of Justice for the Tobacco Grant Program, was adopted.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding that the Tobacco Grant Program is categorically exempt pursuant to Section 15321 (Class 21, Enforcement Actions) of the California Environmental Quality Act (CEQA) Guidelines; 2. Adopt attached Resolution No. 11730 (CCS) authorizing the acceptance of a grant awarded in the amount of \$138,138 from the California Department of Justice Tobacco Grant Program for the Tobacco Enforcement program at the Police Department, and to accept all grant renewals; 3. Authorize the City Manager to execute all necessary documents to accept the grant and all grant renewals; and 4. Authorize budget changes as outlined in the Financial Impacts & Budget Actions section of this report (requires 5 votes).
<p>FY 2026-2028 SHORT RANGE TRANSIT PLAN</p>	<p>4.G. Receive and File Short Range Transit Plan and Adoption of Resolution No. 11731 (CCS) Authorizing the City Manager to File the FY 2026–2028 Short Range Transit Plan with Los Angeles County Metropolitan Transportation Authority (Metro) and Execute Related Grant Agreements, was filed and adopted.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of categorical exemption pursuant to Section 15262 of the California Environmental Quality Act (CEQA) Guidelines 2. Authorize the City Manager to file the Fiscal Year (FY) 2026-2028 Short Range Transportation Plan (SRTP) with the Los Angeles County Metropolitan Transportation Authority (Metro); 3. Adopt attached Resolution No. 11731 (CCS) authorizing the City Manager to: (a) apply for and execute grant agreements and execute related certifications and assurances with the Federal Transit Administration (FTA), Metro, and other Federal, State, Regional or Local agencies; and (b) enter into agreements for transportation funds for the pass-through of funds and agreements for planning, programming, and implementing transportation services and capital projects during FY2025-26 through FY2027-28.
<p>OFF-SITE AFFORDABLE HOUSING PILOT PROGRAM</p>	<p>4.H. Second Reading and Adoption of Ordinance No. 2846 (CCS) to Add Section 9.64.065 to the Santa Monica Municipal Code to Establish the Off-Site Affordable Housing Pilot Program for 1000 Units and Add Section 9.64.075 to the Santa Monica Municipal Code to Extend and</p>

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	<p>Expand the Off-Site Affordable Housing Pilot Program, was adopted.</p> <p>Recommended Action Staff recommends that the City Council adopt the attached Ordinance.</p>
<p><u>PUBLIC HEARINGS:</u> “YIELD RIGHT-OF-WAY” SIGNAGE</p>	<p>12.A. Public Hearing and Adoption of Resolution No. 11734 (CCS) Approving and Adopting “Yield Right-of-Way” Signage on Big Blue Bus Buses Pursuant to Assembly Bill 1904, was presented.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines; and 2. Adopt a Resolution No. 11734 (CCS) approving and adopting the “Yield Right-of-Way” signage on Big Blue Bus buses <p>Questions asked and answered of staff included how soon the decals will be installed. Council commented on the low cost of the recommendation and the safer experience for City buses.</p> <p>Member of the public Jacob Wasserman spoke to the recommended action and the public hearing was closed.</p> <p><u>Motion by Councilmember Raskin, seconded by Councilmember Negrete</u> to adopt the staff recommendation. The motion was approved by the following vote:</p> <p>AYES: Councilmembers Negrete, Hall, Raskin, Snell, Zernitskaya, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: None</p>
<p>CLOSED SESSIONS</p>	<p>Due to conflicts of interest: Councilmember Zernitskaya announced that she will recuse herself from item 5.C. of the regular meeting; Councilmember Hall will recuse himself from 5.I. and 5.J.; and Mayor Pro Tem Zwick will recuse himself from 5.C., 5.D. and 5.G. of the regular meeting.</p> <p>On order of the Mayor, the City Council recessed at 7:22 p.m., to consider Closed Sessions and returned at 8:30 p.m., with all members present, to report the following:</p> <p>5.A. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): - John U.N.B. Doe, et al. v. City, et al.; LASC # 23STCV12746; John Doe 1, et al. v. City, et al.; LASC # 23STCV15009; Hector Orozco v. John Doe: Does 1-2; LASC # 23SMCV03120; John</p>

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JPC Doe v. Doe City, et al.; LASC # 23STCV22020; John AD Doe, et al. v. City, et al.; LASC # 23STCV26548; John CW Doe, et al. v. City, et al.; LASC # 23STCV29623; John Doe (A.G.) v. Santa Monica Police Activities League, et al.; LASC # 23SMCV06066; John GA DOE, et al. v. City, et al.; LASC # 24STCV06484; John U.L.W. Doe, et al. v. City, et al.; LASC # 24STCV06768; Joseph Garcia v. Santa Monica Police Activities League, et al.; LASC # 24SMCV01368; John Doe 15, et al. v. City, et al.; LASC # 24STCV07647; John Doe 18, et al. v. City, et al.; LASC # 24STCV0239; John RR Doe, et al. v. City, et al.; LASC # 24STCV09398; John Doe 33, et al. v. City, et al.; LASC # 24STCV15580; John Doe 48 v. City, et al.; LASC # 24STCV15420; John Doe 49 v. City, et al.; LASC # 24STCV19296; John DD Doe v. City, et al.; LASC # 24SMCV04421; Jane EB Doe, et al. v. City, et al.; LASC # 24STCV24146; John Doe (V.D.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05049; John Doe (D.F.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05050; John Doe (D.G.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05051; Jane Doe 13, et al. v. City, et al.; LASC # 24STCV27233; John AM Doe, et al. v. City, et al.; LASC # 24STCV28433; John Doe v. City, et al.; LASC # 24SMCV05527; John Doe 53 v. City, et al.; LASC # 24STCV31763; John Doe (Y.M.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV06355; Jane Doe 16, et al. v. a Public Entity, et al.; LASC # 25STCV02235; John Doe 62, et al. v. City, et al.; LASC # 25STCV04414; John Doe 23 v. City, et al.; LASC # 25STCV05850; John Doe (E.B.) v. Santa Monica Police Activities League, et al.; LASC # 25STCV06354; Jane PB Doe, et al. v. City, et al.; LASC # 25STCV06880; John Doe 67 v. City, et al.; LASC # 25STCV10142; John Doe 68 v. City, et al.; LASC # 25STCV12089; John Doe 69, et al. v. City, et al.; LASC # 25STCV14031; John OR Doe, et al. v. City, et al.; LASC # 25STCV16251; John RD Doe, et al. v. City, et al.; LASC # 25STCV24158

The City Attorney advised this matter was heard with no reportable action taken.

5.B. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): City v. ICSOP, et al.; OCSC # 30-2022-01261243

The City Attorney advised this matter was heard with no reportable action taken.

5.E. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Edgar Espinoza v. City, et al.; LASC # 24SMCV00473

The City Attorney advised this matter was heard with no reportable action taken.

5.F. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Anthony J. Stone v. City, et al.; LASC # 25SMCV00044

The City Attorney advised this matter was not heard.

5.G. Conference with real estate negotiator - Gov. Code § 54956.8; property: 1333 4th/1324 5th Street (“4th/5th/Arizona”) and 1234 4th Street ("Parking Structure 1), Santa Monica, California; City negotiators: Natalie Verlinich, Housing Manager, and Agustin Aleman, Senior Development Analyst; owner of record: City of Santa Monica; persons to be negotiated with: Mee Heh Risdon, Director of Housing, A Community of Friends; Jeff Edgren, Director of Acquisitions, Affirmed Housing; Frank Chang, Vice President of Acquisitions, Linc Housing; Gary Steinhardt, Metropolitan Pacific Real Estate Group; Jay Stark, Principal, The Pinyon Group; Bill Witte, CEO, Related California; David Grunwald, Executive Vice President, RMG Housing; Steven Spielberg, Senior Vice President, Alliant Communities; Andrew Bueno, Bueno Group; Charles Cohen, Project Manager, EAH, Inc.; Daniel Hanasab, Principal, Orum Capital; Luis de la Rosa, Pacific Urbanism; Shant Samuelian, Samuelian Group; Jason Yap, Director of Acquisitions, Sola Impact; Anup Patel, Director of Real Estate Development, West Hollywood Community Housing Corporation; Hunter Simmons, Partner, Bridge Realty Advisors; Mike Lanza, Project Manager, People Assisting the Homeless; Ian Fishburn, Managing Director, Vitruvian Development; under negotiation: disposition of property, price and terms of payment

The City Attorney advised this matter was not heard.

5.H. Conference with real estate negotiator - Gov. Code § 54956.8; property: 256 Santa Monica Pier, Santa Monica, California; City negotiator: Oliver Chi, City Manager; owner of record: City of Santa Monica; persons to be negotiated with: Sean Ahaus, California Roadhouse, Inc., a California corporation d.b.a. California Roadhouse; under negotiation: price and terms of payment for lease

The City Attorney advised this matter was heard with no reportable action taken.

5.I. Conference with real estate negotiator - Gov. Code § 54956.8; property: 2019 and 1905 Pico Boulevard, Santa Monica, California; City negotiator: Oliver Chi, City Manager; owner of record: Dennis Wylder; persons to be negotiated with: Dennis Wylder; under negotiation: price and terms of payment of lease

	<p>The City Attorney advised this matter was not heard.</p> <p>5.J. Conference with real estate negotiator - Gov. Code § 54956.8; property: 2020 14th Street, Santa Monica, California; City negotiator: Oliver Chi, City Manager; owner of record: Thea Cappicille; persons to be negotiated with: Thea Cappicille; under negotiation: price and terms of payment of lease</p> <p>The City Attorney advised this matter was not heard.</p>
<p>REPORT ON COUNCIL TRAVEL (AB 1234)</p>	<p>No Councilmembers reported on travel.</p>
<p><u>PUBLIC INPUT ON REMAINING AGENDA ITEMS:</u></p>	<p>Members of the public Cindy Pfeiffer, Jim Harris, Louis Watanabe, Cathie Gentile, Ishmael K, Daquan Moller, Ely Quinonez, Patti Walker, Matthew Hom, Christina Santiago, Roberto Mazariegos, Liliana Hernandez, Bridie Roberts, Miguel M, Denny Zane, Dora Hernandez, Don Camacho, Peter Trinh, Fred Deni, Jim Christel, Jackie Romero, Sean Ahaus, and Patricia Ibanez commented on 10.A.</p> <p>Members of the public Gleam Davis, Laurie Lieberman, Alicia Mignano (representing the Santa Monica-Malibu Unified School District Board), and Gerardo Cruz commented on 11.A.</p> <p>Members of the public Ellie Kay, Cody Kay, Andrew Hoyer, Jerry Rubin, Dianne Woelke, Steven Johnson (representing the Recreation & Parks Commission), Gloria Shen, Ashley Oelsen (representing the Commission on Sustainability), Mike Feinstein, Benjamin Kay, Brian Sweeney, Grady Hall, John Cyrus Smith, Jackie Romero, and Hanna Leshner commented on 11.C. and 11.D.</p> <p>Member of the public Daniel Campbell commented on 11.D.</p> <p>Members of the public Denise Barton, Angela Scott, Cheryce Cryer, and Ailsa Ortiz commented on 11.E.</p> <p>Member of the public Gleam Davis commented on 16.C.</p> <p>Members of the public Connor Webb and Jacob Wasserman commented on 16.E.</p> <p>Member of the public John Cyrus Smith commented on 16.F.</p> <p>Members of the public Mike Feinstein, John Cyrus Smith, and Peter Trinh, commented on 16.H.</p>

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ORDINANCES:
RIGHT TO RECALL

10.A. Introduction and First Reading of an Ordinance to Amend Santa Monica Municipal Code Chapter 4.66 to Provide for Recall of Workers at Hotels on City-Owned Property and Hospitality Businesses on the Santa Monica Pier and Adding Chapter 4.69 to Provide for Retention of Workers at Hospitality Businesses on the Santa Monica Pier, was presented.

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to Sections 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines; and
2. Introduce for First Reading the proposed Ordinance amending Santa Monica Municipal Code Chapter 4.66 to provide for recall of workers at hotels on City-owned property and hospitality businesses on the Santa Monica Pier and adding Chapter 4.69 to provide for retention of workers at hospitality businesses on the Santa Monica Pier.

Questions asked and answered of staff included but was not limited to: a list of Pier businesses and the number of employees that would be affected; how similar positions are determined for recall and retention; the ordinance's impacts on the City's efforts to be business-friendly; if the ordinance would apply to retail carts; the Subcommittee's recommendation setting the threshold to two hours/week for recall and the definition of full-time employees; the definition of "substantiated cause", including how it would be documented; if the proposed ordinance is standard with other jurisdictions for government-owned property and applies to new businesses replacing existing businesses or when new businesses change control of existing ones; the recommendation to set the threshold to five workers, and how many businesses would be affected if the threshold for hotels on City-owned property and hospitality business on the Pier was increased to 25; the City of West Hollywood's definition of "substantiated cause" compared to the City's; the recommendation of an incumbent Pier employer to provide the successor with a list of eligible workers within 15 days of control instead of before operations commences; after a change of control, how the 90-day retention period supports business continuity and confirmation that employers may terminate employees for misconduct and cause within the 90-day period; if private right of action must be included in the Municipal Code to be enforced; if the City's Hotel Worker Retention ordinance includes Remedies and Attorneys' Fees and Costs; and if Pier Leasing Guideline include right to recall.

Comments ensued on topics including, but not limited to: concerns that the proposed ordinance creates difficulties for small businesses and that owners should be able to hire staff and operate their businesses independently; incentivizing new and substantially similar businesses to recall workers from

a prior business instead of mandating it; the importance of job security and workers rights when affordability is challenging; the limited scope to City property while still giving employers the flexibility to try out employees and let them go for cause; the ordinance’s enforcement mechanisms incentivizing litigation vs. protecting workers; setting a limit to Attorneys’ Fees and Cost and State law provisions that provide for Attorneys’ Fees; the desire for more information on alternative thresholds and tabling the item; and the Council’s right and responsibility to demand public good on City-owned property.

Motion by Councilmember Raskin, seconded by Mayor Torosis, to introduce and hold first reading of the ordinance reading by title only and waiving further reading thereof with the edits read into the record by the Interim City Attorney for Sections 4.69.010(c)-(d), (n) and (p) and 4.69.020(b)-(c).

Substitute motion by Mayor Pro Tem Zwick to add back the language on reasonable and substantiated cause and remove the language on Attorneys’ Fees and Costs. The motion died for lack of a second.

Motion to amend the main motion by Councilmember Hall to provide direction to: include the reference of Right to Recall and Retention in Pier Leasing Guidelines, and return with information on increasing the threshold for number of employees. The amendment was friendly to the maker and seconder.

Point of clarification from the Interim City Attorney to revise Section B. Incumbent Pier Employer Responsibilities under 4.69.020 Pier Worker Retention to provide a list of eligible workers within 15 days of entering into an agreement with the successor Pier operator, and remove Section D. Attorneys’ Fees and Costs under 4.66.060 and 4.69.050 Remedies. The maker and seconder incorporated the clarification to the amended motion. The amended motion was approved by the following roll call vote:

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

STAFF
ADMINISTRATIVE
ITEMS:

MEASURE YY/GS
MASTER FACILITIES
USE AGREEMENT

(Councilmember Negrete left the dais at 10:52 p.m.)

Councilmember Negrete recused herself from the item due to a conflict of interest.

11.A. Authorization of Modification to the Measure YY/GS Master Facilities Use Agreement with the Santa Monica-Malibu Unified School District, was presented.

Recommended Action

Staff recommend that the City Council:

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	<ol style="list-style-type: none"> 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 City Manager to execute a modification to Agreement No. 10658 (CCS), the Measure YY/GS Master Facilities Use Agreement with the Santa Monica-Malibu Unified School District, to extend the term indefinitely. <p>Questions asked and answered of staff included: clarification on the revised recommendation from the staff report to extend the agreement for 10 years with the same terms and the process to cancel the agreement; and a request for staff to confirm operating hours of facilities due to conflicting hours and closures.</p> <p><u>Motion by Councilmember Snell, seconded by Councilmember Hall, to adopt the staff recommendation. The motion was approved by the following roll call vote:</u></p> <p>AYES: Councilmembers Hall, Raskin, Snell, Zernitskaya, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: Councilmember Negrete</p>
<p>POLLING RESULTS</p>	<p>11.B. Polling Results On Potential 2026 Parcel Tax Ballot Measure, was pulled at the request of staff.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding that the report provided herein is not a “project” subject to the California Environmental Quality Act (CEQA); <p>Receive the results of a statistically reliable community survey of Santa Monica voters, conducted in October 2025, to gauge sentiment around a potential parcel tax ballot measure; and provide direction to staff on whether to continue preparations to place the measure on the November 2026 general election ballot.</p>
<p>2025 PARKS & RECREATION VISION PLAN <i>(Councilmember Negrete returned to the dais at 10:57 p.m.)</i></p>	<p>11.C. 2025 Parks and Recreation Vision Plan, was presented.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt a finding of no possibility of significant effect pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines; and 2. Receive and approve the 2025 Parks and Recreation Vision Plan. <p>Questions asked and answered of staff included but was not limited to:</p>

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incorporating beach space in this and future plans; options to increase park space in the Mid-City and WilMont neighborhoods; the total acreage of private parks in the City; the possibility of implementing short-term actions in medians such as installing temporary benches and lighting; when the field at Airport Park will be replaced and the amount of use between youth and adult sports; if the City has identified underused land or parking space that can be converted to usable rectangular park space for joint-use; reinstating a memorial bench program; prioritizing park space for youth programs in the day and adult programs at night; creating not only accessible park space but inclusive space; the pros and cons of turf vs. natural grass; and clarification on the compromise policy, the pilot program and City’s long-term goals replacing artificial turf.

Comments ensued on topics including, but not limited to: generating revenue from parks, such as hosting events and vending carts/stands; devoting resources to public health and preventing risks to the environment; keeping beach space separate in the City’s needs assessment; prioritizing youth programs during day; making better use of medians for green space such as community gardens; consider housing locations and creating nearby recreational space; reusing freeway land for parks; more dog parks, especially by the beach; more recreational areas on private land with public access; informational signs providing the history of the diverse communities that made up the City; concerns over immediately replacing the Airport Park field with natural grass and its capacity to continue hosting high-intensity adult sports; and boards and commissions’ varying input and recommendations.

Motion by Mayor Pro Tem Zwick, seconded by Councilmember Negrete, to adopt the staff recommendation with an amendment to the third policy for City-Owned Sports Fields that existing City-owned artificial turf fields will be re-evaluated at the end of their natural life to determine if durable natural grass alternatives may feasibly replace them. Feasibility analysis should include cost, intensity of use, capacity needs and public health issues.

Motion to amend by Councilmember Raskin to provide direction on the feasibility analysis to incorporate public health, and determine how streets and the freeway could potentially be reutilized for public recreational purposes. The amendment was friendly to the maker and seconder. The amended motion was approved by the following roll call vote:

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

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MEMORIAL PARK 11.D. Approval of the Revised Plan for Phases 1 and 2 of the Memorial

<p>REDEVELOPMENT & EXPANSION PROJECT</p>	<p>Park Redevelopment and Expansion Project, was presented.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Adopt attached Resolution No. 11732 (CCS) certifying the attached Environmental Impact Report for the Memorial Park Redevelopment and Expansion Project; 2. Adopt mitigation measures set forth in the Environmental Impact Report; and 3. Approve the revised plan and direct staff to proceed with design development and construction documents for Phases 1 and 2 of the Memorial Park Redevelopment and Expansion Project. <p>Questions asked and answered of staff included but was not limited to: the cost, process, on-going maintenance and accountability of LEED Certification; the plan and timeline for displaced programming; the shortfall for the various phases of the project, if the project can proceed to the next phases if funding is not meet, and alternatives to reduce the shortfall; the recommendation for combination baseball fields if certain games cannot be played simultaneously; Field Five’s proposed direction towards sunset and its affect on the playground; and confirmation of the pickleball court recommended by the Recreation and Parks Commission.</p> <p>Comments ensued on topics including, but not limited to: exploring ways to complete the project when resources are restrained; and partnering with private businesses to temporarily replace displaced programming.</p> <p><u>Motion by Councilmember Raskin, seconded by Mayor Torosis</u>, to adopt the staff recommendation. The motion was approved by the following roll call vote:</p> <p>AYES: Councilmembers Negrete, Hall, Raskin, Snell, Zernitskaya, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: None</p>
<p>SANTA MONICA RESTORATIVE JUSTICE PROGRAM</p>	<p>11.E. Establishment of a Santa Monica Restorative Justice Program, was presented.</p> <p>Recommended Action Staff recommends that the City Council establish the Santa Monica Restorative Justice Program by taking the following actions:</p> <ol style="list-style-type: none"> 1. Establish a dedicated Restorative Justice Fund by allocating the \$3.5 million received by the City following adoption of the Second Amendment to the Development Agreement with the RAND Corporation.

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2. Create a formal City Council established Santa Monica Restorative Justice Commission to develop Restorative Justice Program details and criteria.
3. Authorize staff to secure the services of an independent administrator to support the efforts of the Restorative Justice Commission in developing and administering the City's Restorative Justice Program.
4. Consider a future allocation of the remaining \$2 million in funding that the City will receive from the RAND Corporation, which will occur within 3 years based on the Second Amendment to the Development Agreement with RAND Corporation, to the Restorative Justice Fund.

Questions asked and answered of staff included but was not limited to: the practice of upgrading temporary task forces to permanent commissions; if the task force's work and recommendations will be presented to the proposed commission or the Council; the commission's responsibilities on claims and decisions on programming vs. the Council's; if the \$3.5M is the program's initial or maximum budget and if it will fund claims or invest in programming; the timeline to submit claims; if the independent Program Administrator will be a City staff member or consultant, and if an external Administrator is best practice in other agencies; and if the program is moving away from reparations as the program's name is different.

Comments ensued on topics including, but not limited to: the work and recommendations of the task force being incorporated; the creativity on finding sufficient resources and dedicating it to the program; honoring commitments made in the Black Apology; and the desire to offer financial literacy programs, including partnering with local businesses.

The Council requested a presentation or an Information Item on Task Force's work and recommendations.

Motion by Councilmember Hall, seconded by Councilmember Negrete, to adopt the staff recommendation but refrain from committing the additional \$2M until more information is provided on the Restorative Justice Program.

Motion to amend by Councilmember Raskin to include direction on looking at how freeway land can be reused to promote restorative justice. The amendment was friendly to the maker and seconder. The amended motion was approved by the following roll call vote:

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

NOES: None

ABSENT: None

<p><u>COUNCILMEMBER DISCUSSION ITEMS:</u></p>	<p>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.</p> <p>Item 16.A., 16.C., and 16.H. was removed and considered separately in accordance with Council Rule 6(y).</p> <p><u>Motion by Councilmember Raskin, seconded by Councilmember Hall, to approve items 16.B., 16.D., 16.E., 16.F. and 16.G. The motion was approved by the following roll call vote:</u></p> <p>AYES: Councilmembers Negrete, Hall, Raskin, Snell, Zernitskaya, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: None</p>
<p>SCAG REGIONAL COUNCIL DISTRICT 41 SPECIAL ELECTION</p>	<p>16.A. Selection of Councilmembers to Participate in SCAG Regional Council District 41 Special Election, was presented.</p> <p>Recommended Action Staff recommends that the City Council:</p> <ol style="list-style-type: none"> 1. Select five of its seven Councilmembers available to attend the Westside Cities Council of Governments (WSCCOG) Board Meeting to participate in the Southern California Association of Governments (SCAG) Regional Council District 41 Special Election by each casting one of the City’s five authorized votes; 2. Designate a sixth Councilmember as an alternate, authorized to cast a vote in the event that one of the initially selected five Councilmembers is unable to cast a vote; 3. Authorize the seventh Councilmember to cast a vote only if fewer than five votes have been cast on behalf of the City after all other authorized Councilmembers present have cast their votes; and 4. 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 <p><u>Nomination from Mayor Torosis, seconded by Councilmember Hall to:</u> appoint Mayor Pro Tem Zwick and Councilmembers Hall, Negrete, Raskin and Snell to represent the City at the Board meeting; designate Councilmember Zernitskaya as the Alternate; and authorize Mayor Torosis to vote if there are fewer than five votes for the City. The motion was approved by the following roll call vote:</p> <p>AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Negrete, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p>

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	ABSENT: None
PERSONNEL BOARD	16.B. Recommendation to accept Melanie Luthern Allen's resignation from the Personnel Board and authorize the City Clerk to publish the vacancy, was accepted with regret.
AFFORDABILITY STRATEGIES	<p>16.C. Request of Mayor Torosis and Councilmembers Hall and Raskin to direct the City Manager and City Attorney to evaluate and advance targeted affordability strategies addressing food costs, early-childhood expenses, worker wage protection, consumer pricing fairness, and tenant displacement, using proven local and national models, was presented.</p> <p>Comments ensued on topics including, but not limited to: numerous Councilmember items becoming unfunded mandates, staff’s bandwidth, and the need to continue to provide basic City services and focus on core priorities; some recommendations falling under State or Federal authority and a request for more information before launching pilot programs or adopting ordinances; the Baby Basket Program and parents’ need for financial assistance over physical goods; providing financial or child-care assistance to middle-income parents who over-qualify for State and Federal programs; the high-cost of food and childcare and Federal funding freezes, and the urgency to pro-actively help community members; and consultation with local parents and community organizations.</p> <p><u>Motion by Councilmember Hall, seconded by Mayor Torosis</u> to approve the request, with direction to: analyze what can legally and feasibility be under the City authority vs. State or Federal; analyze community needs, what resources are already available in the City, and if existing programs can be expanded; and prioritize restoring former City programs such as Childcare, Recreation, Enrichment, Sports Together (CREST) and including programs such as the Growing Place and Connections for Children. The motion was approved by the following roll call vote:</p> <p>AYES: Councilmembers Negrete, Hall, Raskin, Snell, Zernitskaya, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: None</p>
GENDER-AFFIRMING HEALTHCARE	16.D. Request of Councilmembers Hall and Zernitskaya that the Council direct City Staff to publicly comment on proposed federal rules and consider joining litigation to protect gender-affirming healthcare for Transgender, Gender Diverse, and Intersex youth, was approved.
<u>CURB RAMP STANDARDS</u>	16.E. Request of Mayor Pro Tem Zwick and Councilmember Hall that the City Council direct the City Manager to formalize a policy with

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	regard to curb ramp design standards in the city, was approved.
2027 TOURNAMENT OF ROSES PARADE	16.F. Request of Mayor Torosis, Councilmember Snell and Councilmember Zernitskaya to Pursue Santa Monica Entry into the 2027 Tournament of Roses Parade through a Community-led Planning, Fundraising and Volunteer Effort, was approved.
PEDESTRIAN AND BIKE PATHS	16.G. Request of Mayor Torosis, Councilmember Snell, and Councilmember Hall to Strengthen Safety, Accessibility, and Enforcement on the Santa Monica’s Pedestrian and Bike Paths, was approved.
COUNCIL MEETING IMPROVEMENTS	<p>16.H. A request of Councilmember Negrete that the City Council consider support directing staff to analyze process improvements for City Council Meetings, was presented.</p> <p>Comments ensued on topics including, but not limited to: the meeting serving as an example for reducing public speaking time when there are 25+ speakers due to delayed discussions and prolonging the meeting; the part-time status of Councilmembers, the need to maintain full-time work, and difficulty of attending daytime meetings; additional meetings taking Councilmembers from familial and personal obligations; day-time meetings preventing working individuals from serving on Council and losing representation from certain community members; finding a balance to give time to hear public members who are at school, working during the day or tend to family in the evenings, the ability to conduct the people’s business and not prolonging meetings; other bodies capping public speaking time on general public comment and agenda items; general public comments speakers being unable to stay until the end of the meeting; and a process for large organized groups to register one speaker for the group and give additional time similar to board and commission representatives, and offer real-time translation to save time on public comment.</p> <p><u>Motion by Councilmember Hall, seconded by Councilmember Raskin</u> to direct staff to return with: options to schedule Closed Session meetings on alternate Tuesdays when regular meetings are estimated to run long; moving Item 1 (General Public Comment) to the end of the meeting allowing speakers on agenda items to be heard earlier; revising the rule on reducing time for more than 25 speakers registered to speak during a public input section, to reducing time for more than 25 speakers on an agenda item, while maintaining the 6 minutes per Council meeting limit; options to increase collaboration or support from multiple Councilmembers or local organizations on 16-item instead of agendizing items from only one Councilmember; offering more public comment opportunities outside of Council meetings similar to last year’s Council Budget Workshop; and Council compensation information from other jurisdictions that meet earlier</p>

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	<p>in the day or have full-time Council members. The motion was approved by the following roll call vote:</p> <p>AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Negrete, Mayor Pro Tem Zwick, Mayor Torosis</p> <p>NOES: None</p> <p>ABSENT: None</p>
<p>CLOSED SESSIONS (Continued)</p>	<p>On order of the Mayor, the City Council to adjourn to Closed Session at 1:51 a.m. The City Attorney and City Manager returned at 2:33 a.m., and the City Attorney reported the following:</p> <p>5.C. Conference with legal counsel - significant exposure to litigation - Gov. Code § 54956.9(d)(2) - 2 cases</p> <p>The City Attorney advised this matter was heard with no reportable action taken.</p> <p>5.D. Conference with legal counsel - consider filing amicus brief - Gov. Code § 54956.9(d)(4): Harris, et al. v. City of Los Angeles (9th Cir. No. 25-5029)</p> <p>The City Attorney advised this matter was heard and Council approved to file amicus brief on a 6-0 vote with Mayor Pro Tem Zwick absent.</p>
<p><u>ADJOURNMENT</u></p>	<p>On order of the Clerk, the City Council meeting adjourned at 2:34 a.m. in memory of Alex Jeffrey Pretti.</p> <p>ATTEST:</p> <p>Maria Dacanay-Wisner Assistant City Clerk</p> <p>APPROVED:</p> <p>Caroline Torosis Mayor</p>

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(NOT APPROVED)

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

JANUARY 27, 2026

A special meeting of the Santa Monica City Council was called to order by Mayor Torosis at 5:35 p.m., on Tuesday, January 27, 2026, at City Council Chambers, 1685 Main Street, Santa Monica, CA.

Roll Call: Present: Mayor Caroline Torosis
Mayor Pro Tem Jesse Zwick (arrived at 5:42 p.m.)
Councilmember Lana Negrete
Councilmember Dan Hall
Councilmember Ellis Raskin
Councilmember Barry Snell
Councilmember Natalya Zernitskaya

Also Present: City Manager Oliver Chi
Interim City Attorney Heidi von Tongeln
Assistant City Clerk Maria Dacanay-Wisner

CONVENE/PLEDGE	On order of the Mayor, the City Council convened at 5:35 p.m. to hear the 5:30 p.m. regular meeting and the 5:35 p.m. concurrently, with Mayor Pro Tem Zwick absent. Councilmember Snell led the assemblage in the Pledge of Allegiance.
STATEMENT OF ACCOUNTABILITY (LAND ACKNOWLEDGEMENT)	The City of Santa Monica Statement of Accountability (Land Acknowledgement) was read into the record by Councilmember Zernitskaya.
LEVINE ACT DISCLOSURE (GC 84308)	No Councilmembers made disclosures regarding the Levine Act.
AGENDA MANAGEMENT	<u>Motion by Mayor Torosis, seconded by Councilmember Hall to:</u> approve staff's request to pull items 4.C. and 11.B.; hear comments on item 16.I. (ONESAMO People's Academy) along with item 1 (General Public Input); present the Mayor's Highlight after item 1; combine the City Manager's Report with item 16.I. and hear both items after Item 2 (Special Agenda Items); hear item 12.A. after the Consent Calendar and give priority to hear students speaking on items 11.C. and 11.D. upon arrival. The motion passed with the following roll call vote: AYES: Councilmembers Zernitskaya, Snell, Raskin, Hall, Negrete,

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<p>(Councilmember Zwick arrived at 5:42 p.m.)</p>	<p>Mayor Torosis NOES: None ABSENT: Mayor Pro Tem Zwick</p> <p><u>Motion by Councilmember Negrete, seconded by Councilmember Zernitskaya</u> to recess from Closed Session at 8:30 p.m. and continue with Closed Session after the public session. The motion passed with the following roll call vote:</p> <p>AYES: Councilmembers Negrete, Hall, Raskin, Snell, Zernitskaya, Mayor Pro Tem Zwick, Mayor Torosis NOES: None ABSENT: None</p>
<p><u>PUBLIC INPUT FOR CLOSED SESSION ONLY:</u></p>	<p>Members of the public Denise Barton and Tom Casparian commented on Closed Session items.</p>
<p>CLOSED SESSIONS</p>	<p>On order of the Mayor, the City Council recessed at 7:22 p.m., to consider Closed Sessions and returned at 8:30 p.m., with all members present to report the following:</p> <p>5.A. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): City, et al. v. Waymo LLC et al., LASC # 25SMCV06581</p> <p>The City Attorney advised this matter was heard with no reportable action taken.</p> <p>5.B. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Santa Monica EV Holdings, LLC, et al. v. City, LASC # 25SMCV06681</p> <p>The City Attorney advised this matter was heard with no reportable action taken.</p> <p>5.C. Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1): Waymo LLC v. City, LASC # 25SMCV06541</p> <p>The City Attorney advised this matter was heard with no reportable action taken.</p>

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<u>ADJOURNMENT</u>	<p>On order of the Mayor, the special City Council meeting adjourned at 8:30 p.m. and the regular City Council continued.</p> <p>ATTEST: APPROVED:</p> <p>Maria Dacanay-Wisner Caroline Torosis Assistant City Clerk Mayor</p>
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(NOT APPROVED)

CITY OF SANTA MONICA

CITY COUNCIL MINUTES

JANUARY 28, 2026

A special meeting of the Santa Monica City Council was called to order by Councilmember Raskin at 5:30 p.m., on Wednesday, January 28, 2026, at City Council Chambers, 1685 Main Street, Santa Monica, CA., and teleconference location in Ketchum, ID 83340.

- Roll Call: Present: Mayor Caroline Torosis *(via telephone at 5:34 p.m.)*
 Councilmember Lana Negrete
 Councilmember Dan Hall
 Councilmember Ellis Raskin
 Councilmember Natalya Zernitskaya
- Absent: Mayor Pro Tem Jesse Zwick
 Councilmember Barry Snell
- Also Present: City Manager Oliver Chi
 Interim City Attorney Heidi von Tongeln
 Interim City Clerk Denise Anderson-Warren

CONVENE/PLEDGE	On order of the Acting Chair, the City Council convened at 5:30 p.m., with all members present except Councilmember Snell, Mayor Pro Tem Zwick, and Mayor Torosis. Councilmember Hall led the assemblage in the Pledge of Allegiance.
STATEMENT OF ACCOUNTABILITY (LAND ACKNOWLEDGEMENT)	The City of Santa Monica Statement of Accountability (Land Acknowledgement) was read into the record by Councilmember Negrete.
LEVINE ACT DISCLOSURE	No Councilmembers made disclosures regarding the Levine Act (Govt Code Section 84308).
VOTE FOR ACTING CHAIR	Due to the Mayor not joining the meeting until Closed session, Councilmember Raskin volunteered to sit as the Acting Chair for the meeting. There being no objections, Councilmember Raskin was unanimously appointed by voice vote, with Mayor Torosis, Mayor Pro Tem Zwick, and Councilmember Snell absent.

Minutes Acceptance: Minutes of Jan 28, 2026 5:30 PM (CONSENT CALENDAR)

<p><u>PUBLIC INPUT FOR CLOSED SESSION ONLY:</u></p>	<p>There were no members of the public present to comment on Closed Session items.</p>
<p>CLOSED SESSIONS <i>Mayor Torosis arrived via teleconference at 5:34 p.m.</i></p>	<p>On order of the Mayor, the City Council recessed at 5:34 p.m., to consider Closed Sessions and returned at 6:53 p.m., with Mayor Pro Tem Zwick and Councilmember Snell absent, to report the following:</p> <p>Acting Chair Raskin, advised this matter was heard with no reportable action taken.</p>
<p><u>ADJOURNMENT</u></p>	<p>On order of the Acting Chair, the City Council meeting adjourned at 6:53 p.m.</p> <p>ATTEST: APPROVED:</p> <p>Denise Anderson-Warren Ellis Raskin Interim City Clerk Acting Chair</p>

Minutes Acceptance: Minutes of Jan 28, 2026 5:30 PM (CONSENT CALENDAR)



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 4.1

To: Mayor and City Council
 From: Heidi Von Tongeln, Interim City Attorney, City Attorney's Office, Administration
 Subject: Adoption of Resolution Ratifying Regional Fires Emergency Proclamation and Supplements

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant effect pursuant to Sections 15061(b)(3) (Common Sense Exemption), 15268 (Ministerial Projects), and 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines; and
2. Adopt the proposed resolution ratifying the Executive Order issued by the Director of Emergency Services declaring the existence of a local emergency in the City of Santa Monica and the Supplements to that Order.

Executive Summary

On January 8, 2025, on behalf of the City, and in accordance with Santa Monica Municipal Code (SMMC) Section 2.16.060, the City Manager, as Director of Emergency Services, issued an Executive Order declaring a Local Emergency (Executive Order) in response to extreme weather conditions and widespread fires that ignited in nearby Pacific Palisades (Palisades Fire) and elsewhere in Los Angeles County (collectively, Regional Fires). On January 10, 2025, the City Manager issued a Revised Executive Order.

On January 10, 2025, Council adopted Resolution Number 11639 (CCS), ratifying the Executive Order and Revised Executive Order, proclaiming a local emergency throughout the City, and authorizing the Executive Director to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires.

On January 14, 2025, the City Manager issued a Second Revised Executive Order in accordance with direction given by the City Council on January 10, and on January 31, 2025, the City Manager issued a First Supplement to the Executive Order.

On February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order. On March 19, 2025, the City Manager issued a Second Supplement to the Executive Order in accordance with direction given by Council on February 25. On March 28, 2025, the City Manager issued a Third Supplement to the Executive Order, and on April 16, 2025, the City Manager issued a Fourth Supplement to the Executive Order.

On April 22, 2025, the City Council adopted Resolution Number 11659 (CCS), re-ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order, and ratifying the Third and Fourth Supplements to the Executive Order. On April 29, 2025, the City Manager issued a Fifth Supplement to the Executive Order.

On June 10, 2025, the City Council adopted Resolution Number 11668 (CCS), re-ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First, Second, Third and Fourth Supplements to the Executive Order, and ratifying the Fifth Supplement to the Executive Order. On June 26, 2025, the City Manager issued a Sixth Supplement to the Executive Order.

On July 29, 2025, the City Council adopted Resolution Number 11685 (CCS), re-ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First, Second, Third, Fourth and Fifth Supplements to the Executive Order, and ratifying the Sixth Supplement to the Executive Order. On August 28, 2025, the City Manager issued a Seventh Supplement to the Executive Order.

On September 9, 2025, the City Council adopted Resolution Number 11696 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth and Sixth Supplements to the Executive Order, and ratifying the Seventh Supplement to the Executive Order. On October 23, 2025, the City Manager issued an Eighth Supplement to the Executive Order.

On October 28, 2025, the City Council adopted Resolution Number 11713 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth, Sixth and Seventh Supplements to the Executive Order, and ratifying the Eighth Supplement to the Executive Order.

On December 16, 2025, the City Council adopted Resolution Number 11727 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Supplements to the Executive Order. On December 19, 2025, the City Manager issued a Ninth Supplement to the Executive Order.

The Executive Order, Revised Executive Order, Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth and Ninth Supplements, all include specific regulations and policies to protect the health and safety of Santa Monica residents, workers, businesses, and visitors.

Government Code Section 8630 requires local governmental authorities to renew a local emergency every 60 days until the governing body terminates the local emergency. Further, SMMC section 2.16.100 requires that “rules and regulations” issued by the Director of Emergency Services be “confirmed at the earliest practicable time by the City Council” Accordingly, this staff report recommends adopting the attached Resolution re-ratifying the Executive Order, Revised Executive Order, Second Revised Executive Order and the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth and Ninth Supplements to the Executive Order. (Attachment A).

On February 24, 2026, Council is scheduled to consider economic recovery updates to the Zoning Ordinance that would incorporate a number of provisions in the Emergency Order and Supplements. As that process moves forward, staff is assessing whether the remaining provisions of the Emergency Order and supplements are still necessary or require revision due to evolving circumstances. Staff anticipates returning to Council with a recommendation at its April 7, 2026 Regular Meeting.

Discussion

On January 7, 2025, a life-threatening, destructive, widespread windstorm and extreme fire weather system commenced, impacting the Los Angeles metropolitan area, including the City of Santa Monica, County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure. The National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity, and extremely dry vegetation.

On January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena ignited in Los Angeles County ignited in Los Angeles County, burning over 40,000 acres (the Regional Fires). High winds, low humidity, and dry conditions increased the intensity and spread of the Regional Fires, causing imminent threat to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph.

The Regional Fires and windstorm conditions threatened or destroyed structures, homes, and critical infrastructure, including power lines and water tanks, prompted evacuation orders and warnings, and impacted the access routes to the communities affected by the Regional Fires. Along with the windstorm, the Regional Fires spread across more than 40,000 acres damaging or destroying structures and prompting evacuation orders and road closures. This weather system caused extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure.

On January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles, and the Governor declared a state of emergency to make additional resources available.

On January 8, 2025, the City Manager, in his role as the Director of Emergency Services (“Executive Director of Emergency Services”), issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Executive Order”) declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires. Pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an

evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permitted bed and breakfasts and hotels and motels to allow stays beyond 30 days. (Attachment B). On January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (Revised Executive Order) restating the declaration of local emergency, and 1) prohibiting landscaping activities in areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications. (Attachment C).

On January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires. At that meeting, Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires; 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City's below market housing waitlist to households displaced by the Regional Fires with minor children currently attending SMMUSD schools or that work in the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections.

On January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Second Revised Executive Order") to implement Council direction from January 10, 2025. (Attachment D). On January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other

campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes and the Tourism Marketing District Assessment; and 4) expand criteria for Tier 1 priority on the City's below market housing waitlist for income-qualifying households impacted by the Regional Fires. (Attachment E).

On February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order. Council further gave direction to phase out suspension of the tenant protection laws for short term rentals and that short term renters are given the same protections as long-term renters in addition to providing support to local restaurants impacted by the fires.

On March 19, 2025, the City Manager issued a Second Supplement to the Second Revised Executive Order to: 1) broaden the Order's provisions to include schools and Child Care and Early Education Facilities that were expanding to accommodate students displaced by the Regional Fires; 2) terminate the portion of Section 3 of the Second Revised Emergency Order suspending enforcement of the provisions of the City's Home-Sharing Ordinance as of April 18, 2025, and clarify that the resumption of enforcement does not require the eviction of any person occupying a rental unit pursuant to Section 3 of the Second Revised Emergency Order or terminate any tenant rights that any such person may have acquired; 3) expand the 30-day extension for payment of TOT and TMD to any request made on or before April 30, 2025; and 4) suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025. (Attachment F).

On March 28, 2025, the City Manager issued a Third Supplement to the Executive Order to provide a 50% discount for license fees for outdoor dining, sidewalk dining, and pier deck dining for the month of March 2025. (Attachment G).

On April 16, 2025, the City Manager issued a Fourth Supplement to the Executive Order to: 1) require, upon request of the City, that schools displaced by the Regional Fires that are operating or expanding as a temporary use in the City to submit a Parking and

Loading Operations Plan for review and approval by the Director of the Community Development Department; 2) provide discounted rates City's Downtown parking structures for schools displaced by the Regional Fires that are operating or expanding in the City's Downtown for the remainder of the Spring 2025 semester; and 3) allow modifications to regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests permits to expire as of April 30, 2025. (Attachment H).

On April 29, 2025, the City Manager issued Fifth Supplement to the Executive Order, which, consistent with Council direction given on March 22, 2025, extended the provisions of Section 5 of the Second Supplement to the Executive Order suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through June 30, 2025. (Attachment I.)

On June 26, 2025, the City Manager issued a Sixth Supplement to the Executive Order, to: 1) allow Child Care and Early Education Facilities displaced by the Regional Fires to operate within the City's nonresidential zones as a permitted use in existing buildings that were previously used as Child Care and Early Education Facilities; and 2) extend the provisions of Section 5 of the Second Supplement to the Executive Order suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through August 31, 2025. (Attachment J.)

On August 28, 2025, the City Manager issued a Seventh Supplement to the Executive Order to: 1) authorize the Director of the Community Development Department, or designee, to issue Temporary Use Permits for temporary uses that are supportive of economic recovery or to support businesses that were operating within Los Angeles County but displaced by the Regional Fires, which the Director has determined will be compatible with the purposes of the district and surrounding land uses; and 2) extend the provisions of Section 5 of the Second Supplement to the Executive Order suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-

Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through October 31, 2025. (Attachment K.)

After an initial higher volume of requests for Tier 1 priority due to impacts from the regional fires on the City's Below Market Housing waitlist and the Santa Monica Housing Authority's waitlist, requests have dropped significantly in recent months, with only one request for Tier 1 priority submitted to the Housing Division from October 1 through October 22, 2025, evidencing demand for the preference has largely subsided. Further, the 6-month period of Tier 1 priority on the Below Market Housing waitlist and the Santa Monica Housing Authority's waitlist that was granted under the Second Revised Executive Order to eligible persons impacted by the Regional Fires has expired for initial persons that were awarded the priority and will expire soon for others, and as the Emergency Housing Voucher (EHV) program sunsets and federal funding winds down, it is vital for the Housing Authority to focus its limited voucher program staff capacity on maintaining housing stability for current voucher program participants, particularly those transitioning from the EHV program into the Section 8 Housing Choice Voucher program to prevent displacement and homelessness.

On October 23, 2025, the Executive Director of Emergency Services issued an Eighth Supplement to the Second Revised Executive Order to: 1) allow for and confirm the expiration of the provisions of Section 4 of the Second Revised Executive Order, as amended by the First Supplement, granting priority on the Below Market Housing waitlist and the Santa Monica Housing Authority's waitlist to eligible persons impacted by the Regional Fires; and 2) extend the provisions of Section 5 of the Second Supplement to the Executive Order suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through December 31, 2025. (Attachment L)

In adopting Santa Monica Municipal Code Chapter 6.22, Residential Leasing Requirements ("SMMC Chapter 6.22"), on September 9, 2020, the City Council found and declared that "the City's rental housing stock should, to the extent possible, be preserved for use as long-term permanent housing". The temporary suspension of

enforcement of SMMC Chapter 6.22 as to persons who rent to persons displaced by the Regional Fires pursuant to Section 3 of the Second Revised Executive Order expanded housing opportunities for displaced persons in need of medium-term and furnished housing who were unable to return to their homes for months after the fires. The demand for new medium-term furnished housing units among displaced persons has substantially decreased, as many households now have long term plans in place for rebuilding or permanently relocating, and the demand for permanent housing in Santa Monica remains high. Temporary housing, with lease terms of more than thirty days but less than a year, typically has a higher monthly price point than rental housing subject to annual leases, thereby increasing market pressure on rents and diminishing the supply of units available for permanent residence.

On December 19, 2025, the Executive Director of Emergency Services issued a Ninth Supplement to the Second Revised Executive Order to: 1) revise the provisions of the Section 3 of the Second Revised Executive Order, as modified by the Second Supplement, to provide for the commencement of enforcement of SMMC sections 6.22.050, 6.22.060, and 6.22.070 for lease agreements or new tenancies entered into on or after January 1, 2026; and 2) extend the provisions of Section 5 of the Second Supplement to the Executive Order suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through February 28, 2026. (Attachment M)

The emergency proclamation and its supplements were issued by the City Manager as the Director of Emergency Operations, under authority of Santa Monica Municipal Code 2.16.060. These orders must be ratified by the City Council as soon as practicable to remain in effect. Council previously approved Resolution Number 11639 (CCS) on January 10, 2025, ratifying the Executive Order and Revised Executive Order; Resolution Number 11645 (CCS) on February 25, 2025, re-ratifying the Executive Order and Revised Executive Order and ratifying the Second Revised Executive Order and the First Supplement to the Executive Order; Resolution Number 11659 (CCS) on April 22, 2025, re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First Supplement to the Executive Order, and ratifying the Second, Third, and Fourth Supplements; Resolution Number 11668 (CCS) on June 10, 2025, re-ratifying the Executive Order, the First and Second Revised Executive Order, and the

First, Second, Third and Fourth Supplements to the Executive Order, and ratifying the Fifth Supplement to the Executive Order; Resolution Number 11685 (CCS) on July 29, 2025, re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth and Fifth Supplements to the Executive Order, and ratifying the Sixth Supplement to the Executive Order; on September 9, 2025, the City Council adopted Resolution Number 11696 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth and Sixth Supplements to the Executive Order, and ratifying the Seventh Supplement to the Executive Order; on October 28, 2025, the City Council adopted Resolution Number 11713 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth, Sixth and Seventh Supplements to the Executive Order, and ratifying the Eighth Supplement to the Executive Order; and on December 16, 2025, the City Council adopted Resolution Number 11727 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Supplements to the Executive Order.

Staff now recommends that Council adopt the attached resolution re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Supplements and ratifying the Ninth Supplement to the Executive Order issued by the Director of Emergency Services declaring the existence of a local emergency in the City of Santa Monica and authorizing specified actions in response to that local emergency.

On February 24, 2026, Council is scheduled to consider economic recovery updates to the Zoning Ordinance that would incorporate a number of provisions in the Emergency Order and Supplements. As that process moves forward, staff is assessing whether the remaining provisions of the Emergency Order and supplements are still necessary or require revision due to evolving circumstances. Staff anticipates returning to Council with a recommendation at its April 7, 2026 Regular Meeting.

Environmental Review

The action taken by the City Council is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Common Sense Exemption) of the CEQA Guidelines, which states that CEQA does not apply, “where it can be seen with certainty that there is no possibility that the activity in question may have a significant

effect on the environment”, Section 15268 (Ministerial Projects) CEQA Guidelines, and Section 15301 (Existing Facilities) of the CEQA Guidelines. The measures taken are, among other things, administrative; ministerial; involving the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use; or are emergency and temporary in nature. Therefore, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Fiscal Impacts

None.

Prepared By: Heidi Von Tongeln, Interim City Attorney

Approved

Forwarded to Council


Heidi Von Tongeln, Interim City Attorney

2/5/2026


Oliver Chi, City Manager

2/5/2026

Attachments:

- A. A-RESO Ratification of Emergency Proclamation and Supplement (Regional Fires) 02.10.26
- B. B-Executive Order Local Emergency January 8, 2025
- C. C-Revised Executive Order Local Emergency January 10, 2025
- D. D-Second Revised Executive Order Local Emergency January 14, 2025
- E. E-First Supplement to Executive Order Local Emergency January 31, 2025
- F. F-Second Supplement to Executive Order Local Emergency March 19, 2025
- G. G-Third Supplement to Executive Order Local Emergency March 28, 2025
- H. H-Fourth Supplement Executive Order Local Emergency April 16, 2025
- I. I-Fifth Supplement Executive Order Local Emergency April 29, 2025
- J. J-Sixth Supplement Executive Order Local Emergency June 26, 2025
- K. K-Seventh Supplement Executive Order Local Emergency August 28, 2025
- L. L-Eighth Supplement Executive Order Local Emergency October 23, 2025
- M. M-Ninth Supplement to Proclamation-Local Emergency-2025 Palisades Fire 12.19.25

City Council Meeting: February 10, 2026

Santa Monica, California

RESOLUTION NUMBER _____ (CCS)
(City Council Series)

AN EMERGENCY RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA MONICA PURSUANT TO CHAPTER 2.16 OF THE SANTA
MONICA MUNICIPAL CODE RATIFYING THE PROCLAMATION OF EXISTENCE OF
LOCAL EMERGENCY AND SUPPLEMENTAL PROCLAMATIONS THERETO

WHEREAS, a life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica and the County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph gusts in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning well over 40,000 acres; and

WHEREAS, high winds, low humidity, and dry conditions increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph were forecasted; and

WHEREAS, the Regional Fires and windstorm conditions threatened structures, homes, and critical infrastructure, including power lines and water tanks, prompted evacuation orders and warnings, and impacted the access route to the Regional Fires communities; and

WHEREAS, along with the windstorm, the Regional Fires spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and road closures, and continued to threaten structures, homes, and critical infrastructure over multiple days; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity, and extremely dry vegetation; and

WHEREAS, this weather system caused extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, these events created conditions likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the

mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above-described events created conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment,

and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, (“Executive Director of Emergency Services”) issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Executive Order”) declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered

emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Revised Executive Order”) restating the declaration of local emergency, and 1) prohibiting landscaping activities in areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires: 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City’s below market housing waitlist to households displaced by the Regional Fires with minor children currently attending SMMUSD schools or that work in

the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Second Revised Executive Order”) to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires destroyed more than 17,000 structures; and

WHEREAS, on January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes (TOT) and the Tourism Marketing District (TMD) Assessment due for December 2024; and 4) expanding criteria for Tier 1 priority on the City’s below market housing waitlist for income-qualifying households impacted by the Regional Fires; and

WHEREAS, on February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order; and

WHEREAS, on February 25, the City Council further gave direction to phase out suspension of enforcement of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, and to clarify tenant protections for persons displaced that obtained housing during the suspension; and

WHEREAS, on March 19, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) broaden the Order's provisions to include schools and Child Care and Early Education Facilities that were expanding to accommodate students displaced by the Regional Fires; 2) terminate the portion of Section 3 of the Second Revised Emergency Order suspending enforcement of the provisions of the City's Home-Sharing Ordinance as of April 18, 2025, and clarify that the resumption of enforcement does not require the eviction of any person occupying a rental unit pursuant to Section 3 of the Second Revised Emergency Order or terminate any tenant rights that any such person may have acquired; 3) expand the 30-day extension for payment of TOT and TMD to any request made on or before April 30, 2025; and 4) suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025; and

WHEREAS, on March 28, 2025, on March 19, 2025, the Executive Director of Emergency Services issued a Third Supplement to the Second Revised Executive Order to discount license fees by 50% for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining; and

WHEREAS, on April 16, 2025, the Executive Director of Emergency Services issued a Fourth Supplement to the Second Revised Executive Order to: 1) require, upon request of the City, that schools displaced by the Regional Fires that are operating or expanding as a temporary use in the City to submit a Parking and Loading Operations Plan for review and approval by the Director of the Community Development Department; 2) provide discounted rates City's Downtown parking structures for schools displaced by the Regional Fires that are operating or expanding in the City's Downtown for the remainder of the Spring 2025 semester; and 3) allow modifications to regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests permits to expire as of April 30, 2025; and

WHEREAS, on April 22, 2025, the City Council adopted Resolution Number 11659 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First Supplement to the Executive Order, and ratifying the Second, Third, and Fourth Supplements to the Executive Order; and

WHEREAS, on April 22, 2025, the Council provided further direction to extend the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any

Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025, for an additional 60 days; and

WHEREAS, on April 29, 2025, the Executive Director of Emergency Services issued a Fifth Supplement to the Second Revised Executive Order to implement Council direction from April 22 and extend the provisions of Section 5 to the Second Supplement through June 30, 2025; and

WHEREAS, on June 10, 2025, the City Council adopted Resolution Number 11668 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, and Fourth Supplements to the Executive Order, and ratifying the Fifth Supplement to the Executive Order; and

WHEREAS, on June 26, 2025, the Executive Director of Emergency Services issued a Sixth Supplement to the Second Revised Executive Order to: 1) allow Child Care and Early Education Facilities displaced by the Regional Fires to operate within the City's nonresidential zones as a permitted use in existing buildings that were previously used as Child Care and Early Education Facilities; and 2) extend the provisions of Section 5 of the Second Supplement to August 31, 2025; and

WHEREAS, on July 29, 2025, the City Council adopted Resolution Number 11685 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, and Fifth Supplements to the Executive Order, and ratifying the Sixth Supplement to the Executive Order; and

WHEREAS, on August 28, 2025, the Executive Director of Emergency Services issued a Seventh Supplement to the Second Revised Executive Order to: 1) authorize

the Director of the Community Development Department, or designee, to issue Temporary Use Permits for temporary uses that are supportive of economic recovery or to support businesses that were operating within Los Angeles County but displaced by the Regional Fires, which the Director has determined will be compatible with the purposes of the district and surrounding land uses; and 2) extend the provisions of Section 5 of the Second Supplement to October 31, 2025; and

WHEREAS, on September 9, 2025, the City Council adopted Resolution Number 11696 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth and Sixth Supplements to the Executive Order, and ratifying the Seventh Supplement to the Executive Order; and

WHEREAS, on October 23, 2025, the Executive Director of Emergency Services issued an Eighth Supplement to the Second Revised Executive Order to: 1) terminate the provisions of Section 4 of the Second Revised Executive Order, as amended by the First Supplement, granting Tier 1 priority on the Below Market Housing waitlist and the Santa Monica Housing Authority's waitlist to eligible persons impacted by the Regional Fires for a period of 6 months; and 2) extend the provisions of Section 5 of the Second Supplement to December 31, 2025; and

WHEREAS, on October 28, 2025, the City Council adopted Resolution Number 11713 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth, Sixth and Seventh Supplements to the Executive Order, and ratifying the Eighth Supplement to the Executive Order; and

WHEREAS, on December 16, 2025, the City Council adopted Resolution Number 11727 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive

Order, and the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Supplements to the Executive Order; and

WHEREAS, in adopting Santa Monica Municipal Code Chapter 6.22, Residential Leasing Requirements (“SMMC Chapter 6.22”), on September 9, 2020, the City Council found and declared that “the City’s rental housing stock should, to the extent possible, be preserved for use as long-term permanent housing”; and

WHEREAS, the temporary suspension of enforcement of SMMC Chapter 6.22 as to persons who rent to persons displaced by the Regional Fires pursuant to Section 3 of the Second Revised Executive Order expanded housing opportunities for displaced persons in need of medium-term and furnished housing who were unable to return to their homes for months after the fires; and

WHEREAS, the demand for new medium-term furnished housing units among displaced persons has substantially decreased, as many households now have long term plans in place for rebuilding or permanently relocating, and the demand for permanent housing in Santa Monica remains high; and

WHEREAS, temporary housing, with lease terms of more than thirty days but less than a year, typically has a higher monthly price point than rental housing subject to annual leases, thereby increasing market pressure on rents and diminishing the supply of units available for permanent residence; and

WHEREAS, on December 19, 2025, the Executive Director of Emergency Services issued an Eighth Supplement to the Second Revised Executive Order to: 1) revise the provisions of the Section 3 of the Second Revised Executive Order, as modified by the Second Supplement, to provide for the commencement of enforcement of SMMC

sections 6.22.050, 6.22.060, and 6.22.070 for lease agreements or new tenancies entered into on or after January 1, 2026; and 2) extend the provisions of Section 5 of the Second Supplement to February 28, 2026; and

WHEREAS the findings included in each Executive Order referenced herein are included herein as if stated in full; and

WHEREAS, although the immediate fire danger has subsided, the City has continued to receive requests to accommodate individuals, schools, and businesses displaced by the Regional Fires; and

WHEREAS, local businesses have reported that they are still experiencing economic impacts from the Regional Fires and face resulting economic uncertainty; and

WHEREAS, the City has continued to receive reports of excessive pricing for rental housing and consumers and renters remain susceptible to price gouging due to the Regional Fires; and

WHEREAS in the interest of public health and safety, as affected by the state, and local emergency caused by the Regional Fires, it is necessary to exercise the City Council's authority pursuant to Section 2.16.060 of the Santa Monica Municipal Code to ratify the actions of the Executive Director of Emergency Services related to the protection of life and property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. The Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency ("Executive Order") ("Exhibit A") is hereby ratified.

SECTION 2. The Revised Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit B”) is hereby ratified.

SECTION 3. The Second Revised Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit C”) is hereby ratified.

SECTION 4. The First Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit D”) is hereby ratified.

SECTION 5. The Second Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit E”) is hereby ratified.

SECTION 6. The Third Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit F”) is hereby ratified.

SECTION 7. The Fourth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit G”) is hereby ratified.

SECTION 8. The Fifth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit H”) is hereby ratified.

SECTION 9. The Sixth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit I”) is hereby ratified.

SECTION 10. The Seventh Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit J”) is hereby ratified.

SECTION 11. The Eighth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit K”) is hereby ratified.

SECTION 12. The Ninth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency (“Exhibit L”) is hereby ratified.

SECTION 13. It is hereby proclaimed that a local emergency now exists throughout the City. It is further proclaimed and ordered that during the existence of this local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of this City shall be those prescribed by State law and by the ordinances and resolutions of this City.

SECTION 14. The City Council authorizes the City Manager, in the Manager’s capacity as the Director of Emergency Services, to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires.

SECTION 15. The local emergency shall be deemed to continue and exist until its termination is proclaimed by the City Council. As required by law, the City Council shall review the need to continue the state of emergency at least every 60 days until this resolution is terminated. Except as may be otherwise provided, the provisions of the Executive Order, Revised Executive Order, Second Revised Executive Order, First,

Second, Third, Fourth, Fifth, Sixth, Seventh, **Eighth and Ninth Supplements** to the Executive Order and any Supplement issued pursuant to the authority of the Director of Emergency Services pursuant to this resolution and the Municipal Code shall be in full force and effect as of their issuance and shall remain in full force and effect until the termination of the resolution by the City Council.

SECTION 15. If any section, subsection, sentence, clause, or phrase of this Resolution, the Executive Order, the Revised Executive Order, the Second Revised Executive Order, or the First, Second, Third, Fourth, Fifth, Sixth, Seventh, **Eighth and Ninth** Supplements to the Executive Order ratified herein is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, the Executive Order, the Revised Executive Order, the Second Revised Executive Order, or the First, Second, Third, Fourth, Fifth, Sixth, Seventh, **Eighth and Ninth** Supplements to the Executive Order. The City Council hereby declares that it would have passed this Resolution, the Executive Order, the Revised Executive Order, the Second Revised Executive Order, or the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth and Ninth Supplements to the Executive Order, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 16. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

HEIDI VON TONGELN
Interim City Attorney



PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
(by the Director of Emergency Services)

**AN EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES
OF THE CITY OF SANTA MONICA DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, Section 2.16.060 of the Santa Monica Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City of Santa Monica is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days; and

WHEREAS, the Director of Emergency Services of the City of Santa Monica does hereby find:

That, a life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, and is expected at least through Thursday, January 9, 2025, and possibly extending indefinitely, impacting the Los Angeles metropolitan area, including the City of Santa Monica, County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

That the National Weather Service has advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph in the mountains and foothills, are expected across most of Los Angeles metropolitan area; and

That on January 7, 2025, the Palisades Fire ignited in Los Angeles County, burning over 15,800 acres as of the time this Proclamation is issued; and

Attachment: B-Executive Order Local Emergency January 8, 2025 (7387 : Fire Emergency Order Extension)

That high winds, low humidity, and dry conditions have increased the intensity and spread of the Palisades Fire, causing imminent threat to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph forecasted; and

That the Palisades Fire and windstorm conditions threaten structures, homes, and critical infrastructure, including power lines and water tanks, and have prompted evacuation orders and warnings and impacted the access route to the Palisades Highlands community; and

That, along with the windstorm, the Palisades Fire has already spread across 15,800 acres damaging or destroying structures and prompting evacuation orders and road closures and continue to threaten structures, homes and critical infrastructure; and

That, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

That, this weather system has caused, or is substantially likely to cause, extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

That, based upon the above events, by reason of its magnitude, and the need to protect the health, safety and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Palisade there exists the potential that these events are likely to become beyond the control of the normal services, personnel, equipment and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response.

That on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

That, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property

That, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

That the City of Santa Monica (the "City") has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

That, in consultation with the Chief of Police, it has been determined that in light of the continued threat of theft and looting in areas subject to mandatory evacuation orders, the safety of the public, and public and private property, within the City of Santa Monica, requires the imposition of a curfew within evacuated areas of the City of Santa Monica; and

That California Government Code 8634 empowers the City to promulgate orders and regulations necessary to provide for the protection of life and property during a local emergency, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety; and

That, in the interest of public order and safety, as affected by this emergency, it is necessary to exercise my authority pursuant to Section 2.16.060 of the Santa Monica Municipal Code to issue this order imposing a curfew related to the protection of life and property in certain areas of the City; and

That, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Palisades Fire; and

That the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

That the above described events are creating conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

That the City Council of the City of Santa Monica is not in session and cannot immediately be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED and restated that a local emergency and now exists throughout the City;

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of the City shall be as prescribed by federal and state law, and by City ordinances and resolutions of this City.

IT IS FURTHER PROCLAIMED AND ORDERED THAT:

1. Schools, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(11), and Child Care and Early Education Facilities, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(3) that were displaced by the Palisades Fire may operate within the City's non-residential zones on a temporary basis without first obtaining a Conditional Use Permit.
2. Preferential parking rules are hereby suspended for residents that provide accommodations to persons displaced by the Palisades Fire.
3. Enforcement of the provisions of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations,

as against persons who provide alternative accommodations within the City of Santa Monica to persons displaced by the Palisades Fire only, is suspended.

4. The prohibitions on price gouging for goods and services set forth in Penal Code Section 396 and Santa Monica Municipal Code Section 4.36.161, including but not limited to consumer goods, emergency cleanup supplies, and repair and reconstruction services, and for housing costs, including hotel and motel rates and rental housing prices, are hereby triggered by this proclamation and shall remain in effect for the time periods set forth in Penal Code Section 396 and Santa Monica Municipal Code Section 4.36.161;

5. During the period of the local emergency, no landlord shall endeavor to evict a residential tenant, including serving a notice to terminate tenancy based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to a Palisades Fire evacuation order or warning or poor air quality conditions related to the Palisades Fire.

6. A curfew is hereby imposed in the City of Santa Monica in all areas subject to mandatory evacuation order. Pursuant to the curfew, no persons shall be upon the public streets, avenues, alleys, parks, ways, or any other public place or upon unimproved private real property in the specified areas of the City of Santa Monica between the hours between sunset and sunrise, for so long as the mandatory evacuation order is effective. The City shall take all reasonable measures to provide notice to the public of the existence and terms of this curfew order.

a. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest any such person as does not obey this curfew after due notice, oral or written, has been given to that person.

b. A violation of the curfew shall be punishable as a misdemeanor pursuant to Section 2.16.100(2) of the Santa Monica Municipal Code.

c. The curfew shall also be enforceable through the issuance of administrative citations in accordance with Chapter 1.09 of the Santa Monica Municipal Code. Pursuant to Section 1.09.040 of the Santa Monica Municipal Code, the amount of the fine for a violation of the curfew shall be up to a maximum of \$1,000 per violation. Administrative citation may be issued by and City Officer or employee granted authority to issue written notices to appear pursuant to Santa Monica Municipal Code Section 3.36.090.

d. Law enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, individuals traveling to and from work, individuals traveling to and from medical appointments or to seek medical care, and representatives of the media are exempt from this Order.

7. All previously-issued building permits for areas subject to mandatory Evacuation Orders or an Evacuation Warning are suspended. The time to complete work under such previously-issued building permits shall be tolled during the period of suspension under this paragraph.

a. Violations of this seventh paragraph shall be enforceable by the Santa Monica Police Department and any City Officer or employee granted authority to issue written notices to appear pursuant to Santa Monica Municipal Code Section 3.36.090 as misdemeanors pursuant to Government Code Section 8665 and Santa Monica Municipal Code Section 2.16.100, or through the issuance of administrative citations in accordance with Chapter 1.09 of the Santa Monica Municipal Code.

b. Pursuant to Section 1.09.040 of the Santa Monica Municipal Code, the amount of the fine for a violation of any provision of this seventh paragraph, the amount of the fine for a violation of the curfew shall be up to a maximum of \$1,000 per violation. Violations of this provision may result in suspension or revocation of any building permit previously issued.

c. Each day or portion of a day that any person violates or continues to violate this seventh paragraph constitutes a separate violation and may be charged and punished separately.

8. In accordance with Santa Monica Municipal Code Section 2.24.240, Procurement for Emergency Needs, the City Manager, the Emergency Services Manager, the Purchasing Agent, or designees delegated in accordance with Section 2.24.240(b) may:

a. Shorten or waive all required notice periods and competitive solicitation procedures set forth in this Chapter;

b. Secure in the open market at the best reasonable price, contracts for public works projects, goods and services;

c. Negotiate or execute such contracts, agreements, applications or other documents with such other federal, state or local agencies or other groups and organizations as are necessary to provide or obtain emergency aid, assistance or services to the City of Santa Monica; and


d. Contract for the immediate expenditure of public funds to safeguard life, health or property.

9. In accordance with Santa Monica Municipal Code Section 2.16.090, any expenditures made in connection with the emergency activities under this Proclamation, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Santa Monica.


10. Bed and Breakfasts, as that term is defined by Santa Monica Municipal Code Section 9.51.030(B)(15)(a), and hotels and motels, as that term is defined by Santa Monica Municipal Code Section 9.51.030(B)(15)(b), may allow hotel stays beyond 30 days.

ADOPTED this 8th day of January 2025.

ATTEST:

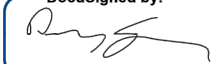
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NIKIMA NEWSOME
City Clerk
1/8/2025

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DAVID WHITE
City Manager
Director of Emergency Services
1/8/2025

This proclamation has been issued in accordance with applicable law and is in effect and carries the force of law until January 15, 2025, on which date it expires unless confirmed and ratified by the City Council.

APPROVED AS TO FORM:

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DOUGLAS SLOAN
City Attorney
1/8/2025

Attachment: B-Executive Order Local Emergency January 8, 2025 (7387 : Fire Emergency Order Extension)



REVISED PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
(by the Director of Emergency Services and ratified
by the City Council on January 10, 2025)

**AN EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES
OF THE CITY OF SANTA MONICA DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, Section 2.16.060 of the Santa Monica Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City of Santa Monica is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days; and

WHEREAS, the Director of Emergency Services of the City of Santa Monica does hereby find:

That, a life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, and is expected at least through Thursday, January 9, 2025, and possibly extending indefinitely, impacting the Los Angeles metropolitan area, including the City of Santa Monica, County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

Attachment: C-Revised Executive Order Local Emergency January 10, 2025 (7387 : Fire Emergency Order Extension)

That the National Weather Service has advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph in the mountains and foothills, are expected across most of Los Angeles metropolitan area; and

That on January 7, 2025, the Palisades Fire ignited in Los Angeles County, burning over ~~15,800~~ 20,000 acres as of the time this Proclamation is issued; and

That high winds, low humidity, and dry conditions have increased the intensity and spread of the Palisades Fire, causing imminent threat to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph forecasted; and

That the Palisades Fire and windstorm conditions threaten structures, homes, and critical infrastructure, including power lines and water tanks, and have prompted evacuation orders and warnings and impacted the access route to the Palisades Highlands community; and

That, along with the windstorm, the Palisades Fire has already spread across ~~15,800~~ more than 20,000 acres damaging or destroying structures and prompting evacuation orders and road closures and continue to threaten structures, homes and critical infrastructure; and

That, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

That, this weather system has caused, or is substantially likely to cause, extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire

behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

That, based upon the above events, by reason of its magnitude, and the need to protect the health, safety and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Palisade there exists the potential that these events are likely to become beyond the control of the normal services, personnel, equipment and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response.

That on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

That, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property

That, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

That the City of Santa Monica (the "City") has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

That, in consultation with the Chief of Police, it has been determined that in light of the continued threat of theft and looting in areas subject to mandatory evacuation orders, the safety of the public, and public and private property, within the City of Santa Monica, requires the imposition of a curfew within evacuated areas of the City of Santa Monica; and

That California Government Code 8634 empowers the City to promulgate orders and regulations necessary to provide for the protection of life and property during a local emergency, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety; and

That, in the interest of public order and safety, as affected by this emergency, it is necessary to exercise my authority pursuant to Section 2.16.060 of the Santa Monica Municipal Code to issue this order imposing a curfew related to the protection of life and property in certain areas of the City; and

That, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Palisades Fire; and

That the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

That the above described events are creating conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

That the Palisades Fire has already displaced thousands of residents who are in need of temporary housing; and

That the City's regulations related to home-sharing and residential leases as set forth in Santa Monica Municipal Code Chapters 6.20 and 6.22, and prohibition against stays of longer than 30 days in bed and breakfasts and hotels may impede the ability of residents, landlords and local businesses to house those displaced by the Palisades Fire; and

That tenants who wish to accommodate persons displaced by the Palisades Fire on a temporary basis may be restricted from doing so by lease terms limiting the number of occupants or pets in a residential unit; and

That in areas subject to Mandatory Evacuation Orders and Evacuation Warnings, the risk of fires being started by construction, and in areas subject to Mandatory Evacuation Orders, the risk of fires being started by landscaping activity is unreasonably high and could stretch already limited resources beyond their capacity; and

That the City Council of the City of Santa Monica is not in session and cannot immediately be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED and restated that a local emergency and now exists throughout the City;

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of the City shall be as prescribed by federal and state law, and by City ordinances and resolutions of this City.

IT IS FURTHER PROCLAIMED AND ORDERED THAT:

1. Schools, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(11), and Child Care and Early Education Facilities, as that term is defined by

Santa Monica Municipal Code Section 9.51.030(A)(3) that were displaced by the Palisades Fire may operate within the City's non-residential zones on a temporary basis without first obtaining a Conditional Use Permit.

2. Preferential parking rules are hereby suspended for residents that provide accommodations to persons displaced by the Palisades Fire.

3. Enforcement of the provisions of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations, as against persons who provide alternative accommodations within the City of Santa Monica to persons displaced by the Palisades Fire only, is suspended.

4. The prohibitions on price gouging for goods and services set forth in Penal Code Section 396 and Santa Monica Municipal Code Section ~~4.36.161~~ 4.32.161, including but not limited consumer goods, emergency cleanup supplies, and repair and reconstruction services, and for housing costs, including hotel and motel rates and rental housing prices, are hereby triggered by this proclamation and shall remain in effect for the time periods set forth in Penal Code Section 396 and Santa Monica Municipal Code Section ~~4.36.161~~ 4.32.161;

5. During the period of the local emergency, no landlord shall endeavor to evict a residential tenant, including but not limited to servicing or filing a notice to terminate tenancy or unlawful detainer complaint, based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to a Palisades Fire evacuation order or warning or poor air quality conditions related to the Palisades Fire.

6. A curfew is hereby imposed in the City of Santa Monica in all areas subject to mandatory evacuation order. Pursuant to the curfew, no persons shall be upon the

public streets, avenues, alleys, parks, ways, or any other public place or upon unimproved private real property in the specified areas of the City of Santa Monica between the hours between sunset and sunrise, for so long at the mandatory evacuation order is effective. The City shall take all reasonable measures to provide notice to the public of the existence and terms of this curfew order.

a. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest any such person as does not obey this curfew after due notice, oral or written, has been given to that person.

b. A violation of the curfew shall be punishable as a misdemeanor pursuant to Section 2.16.100(2) of the Santa Monica Municipal Code.

c. The curfew shall also be enforceable through the issuance of administrative citations in accordance with Chapter 1.09 of the Santa Monica Municipal Code. Pursuant to Section 1.09.040 of the Santa Monica Municipal Code, the amount of the fine for a violation of the curfew shall be up to a maximum of \$1,000 per violation. Administrative citation may be issued by and City Officer or employee granted authority to issue written notices to appear pursuant to Santa Monica Municipal Code Section 3.36.090.

d. Law enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, individuals traveling to and from work, individuals traveling to and from medical appointments

or to seek medical care, and representatives of the media are exempt from this Order.

7. To avoid sparks that could lead to additional sources of fires,; 1) All previously issued building permits previously issued to persons other than the City are hereby suspended in for areas subject to mandatory Evacuation Orders or an Evacuation Warning are suspended,; and 2) all landscaping activities are hereby prohibited in areas subject to a Mandatory Evacuation Order. The time to complete work under such previously-issued building permits shall be tolled during the period of suspension under this paragraph.

a. Violations of this seventh paragraph shall be enforceable by the Santa Monica Police Department and any City Officer or employee granted authority to issue written notices to appear pursuant to Santa Monica Municipal Code Section 3.36.090 as misdemeanors pursuant to Government Code Section 8665 and Santa Monica Municipal Code Section 2.16.100, or through the issuance of administrative citations in accordance with Chapter 1.09 of the Santa Monica Municipal Code.

b. Pursuant to Section 1.09.040 of the Santa Monica Municipal Code, the amount of the fine for a violation of any provision of this seventh paragraph, the amount of the fine for a violation of the curfew shall be up to a maximum of \$1,000 per violation. Violations of this provision may result in suspension or revocation of any building permit previously issued.

c. Each day or portion of a day that any person violates or continues to violate this seventh paragraph constitutes a separate violation and may be charged and punished separately.

8. In accordance with Santa Monica Municipal Code Section 2.24.240, Procurement for Emergency Needs, the City Manager, the Emergency Services Manager, the Purchasing Agent, or designees delegated in accordance with Section 2.24.240(b) may:

a. Shorten or waive all required notice periods and competitive solicitation procedures set forth in this Chapter;

b. Secure in the open market at the best reasonable price, contracts for public works projects, goods and services;

c. Negotiate or execute such contracts, agreements, applications or other documents with such other federal, state or local agencies or other groups and organizations as are necessary to provide or obtain emergency aid, assistance or services to the City of Santa Monica; and


d. Contract for the immediate expenditure of public funds to safeguard life, health or property.

9. In accordance with Santa Monica Municipal Code Section 2.16.090, any expenditures made in connection with the emergency activities under this Proclamation, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Santa Monica.


10. Bed and Breakfasts, as that term is defined by Santa Monica Municipal Code Section 9.51.030(B)(15)(a), and hotels and motels, as that term is defined by Santa Monica Municipal Code Section 9.51.030(B)(15)(b), may allow hotel stays beyond 30 days.

ADOPTED this 10th day of January 2025.

ATTEST:

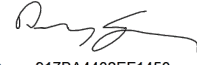
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NIKIMA NEWSOME
City Clerk
1/10/2025

By: DocuSigned by:

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DAVID WHITE
City Manager
Director of Emergency Services
1/10/2025

This proclamation has been issued in accordance with applicable law and is in effect and carries the force of law until January 15, 2025, on which date it expires unless confirmed and ratified by the City Council.

APPROVED AS TO FORM:
DocuSigned by:

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DOUGLAS SLOAN
City Attorney
1/10/2025

Attachment: C-Revised Executive Order Local Emergency January 10, 2025 (7387 : Fire Emergency Order Extension)



SECOND REVISED PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
(by the Director of Emergency Services)

**AN EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES
OF THE CITY OF SANTA MONICA DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, Section 2.16.060 of the Santa Monica Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City of Santa Monica is affected or likely to be affected by a public calamity; and

WHEREAS, the Director of Emergency Services of the City of Santa Monica does hereby find:

That, life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, and is continuing as of this date, impacting the Los Angeles metropolitan area, including the City of Santa Monica, County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

That the National Weather Service has advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph in the mountains and foothills, are expected across most of Los Angeles metropolitan area; and

Attachment: D-Second Revised Executive Order Local Emergency January 14, 2025 (7387 : Fire Emergency Order Extension)

That commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning over well over 40,000 acres as of the time this Proclamation is issued; and

That high winds, low humidity, and dry conditions have increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph forecasted; and

That the Regional Fires and windstorm conditions threaten structures, homes, and critical infrastructure, including power lines and water tanks, and have prompted evacuation orders and warnings and impacted the access route to the Regional Fires communities; and

That, along with the windstorm, the Regional Fires have already spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and road closures, and continue to threaten structures, homes and critical infrastructure; and

That, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

That, this weather system has caused, or is substantially likely to cause, extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

That, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, there exists the potential that these events are likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

That on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

That, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

That, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

That the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

That, in consultation with the Chief of Police, it has been determined that in light of the continued threat of theft and looting in areas subject to evacuation orders, the safety of the public, and public and private property, within the City of Santa Monica, requires the imposition of a curfew within evacuated areas of the City of Santa Monica; and

That California Government Code 8634 empowers the City to promulgate orders and regulations necessary to provide for the protection of life and property during a local emergency, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety; and

That, in the interest of public order and safety, as affected by this emergency, it is necessary to exercise my authority pursuant to Section 2.16.060 of the Santa Monica Municipal Code to issue this order imposing a curfew related to the protection of life and property in certain areas of the City; and

That, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

That the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

That the above described events are creating conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

That the Regional Fires have already displaced many thousands of residents who are in need of temporary housing; and

That the City's regulations related to home-sharing and residential leases as set forth in Santa Monica Municipal Code Chapters 6.20 and 6.22, and prohibition against stays of longer than 30 days in bed and breakfasts and hotels may impede the ability of residents, landlords, and local businesses to house those displaced by the Regional Fires; and

That tenants who wish to accommodate persons displaced by the Regional Fires on a temporary basis may be restricted from doing so by lease terms limiting the number of occupants or pets in a residential unit; and

That in areas subject to Mandatory Evacuation Orders and Evacuation Warnings, the risk of fires being started by construction, and in areas subject to Mandatory Evacuation Orders, the risk of fires being started by landscaping activity is unreasonably high and could stretch already limited resources beyond their capacity; and

That the City Council of the City of Santa Monica ratified the existence of the emergency on January 9, 2025.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED and restated that a local emergency and now exists throughout the City;

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of the City shall be as prescribed by federal and state law, and by City ordinances and resolutions of this City.

IT IS FURTHER PROCLAIMED AND ORDERED THAT:

1. Schools, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(11), and Child Care and Early Education Facilities, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(3) that were displaced by the Regional Fires may operate within the City's non-residential zones on as a temporary use without first obtaining a Conditional Use Permit or a Temporary Use Permit; in addition, small businesses, as that term is defined by the United States Small Business Administration at 13 CFR § 121.105, and nonprofit organizations, that were operating in Los Angeles County and have been impacted or displaced by the Regional Fires may operate within the City as a temporary permitted use without first obtaining a Temporary Use Permit.

City Staff shall also prioritize any necessary permitting and inspections required, and strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; since it is the intent to accommodate those affected beyond the immediate fire emergency threat, City Staff are also directed to prepare and offer for Council approval solutions that would allow those schools, child care and early education facilities, small businesses and nonprofits displaced and temporarily relocating pursuant to this provision to remain for six to twelve months (or longer, as may be directed by Council) following their displacement.

2. Parking regulations are hereby modified to allow residents to obtain 30 day Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests permits (excluding the Central Zone and for beach zone residents only) for up to two vehicles (per residential address) for persons displaced by the Regional Fires residing with them for the duration of the declared emergency. At the end of the 30 day period, the permit can be renewed for an additional 30 days if the declared emergency is still in place.

3. Enforcement of the provisions of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, as against persons who provide alternative accommodations within the City of Santa Monica to persons displaced by the Regional Fires is suspended; and enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, as against persons who (a) provide alternative accommodations within the City of Santa Monica to natural persons displaced by the Regional Fires and (b) sublease no more than one rental housing unit within the City, is suspended; since it is the intent to accommodate those affected beyond the immediate fire emergency threat, City Staff are also directed to prepare and offer for Council approval solutions that would allow those displaced to remain in their alternative accommodations, whether furnished or not, and whether the displaced person's primary residence or not, including with a lease for a term less than one year to remain for six to twelve months (or longer, as may be directed by Council) following their displacement.

4. Priority for displaced lower income households on City's Below Market waitlist - households impacted by the Regional Fires who are income qualified and:

- have minor children currently attending SMMUSD schools; or
- work in Santa Monica at least 25 hours/week

shall be given Tier 1 priority on the City's Below Market Housing waitlist for 6 months, suspending the current Tier 1 requirement that a household be displaced from a residence in Santa Monica by natural disaster. Temporarily expanding the City's local preference rule allows prioritization of families displaced by the fire, and individuals who work in Santa Monica, ahead of current applicants who live or work in Santa Monica but do not otherwise qualify for Tier 1 priority.

5. The prohibitions on price gouging for goods and services set forth in Penal Code Section 396 and Santa Monica Municipal Code Section 4.32.161, including but not limited to consumer goods, emergency cleanup supplies, and repair and reconstruction services, and for housing costs, including hotel and motel rates and rental housing prices, are hereby triggered by this proclamation and shall remain in effect for the time periods set forth in Penal Code Section 396 and Santa Monica Municipal Code Section 4.32.161.

6. During the period of the local emergency, no landlord shall endeavor to evict a residential tenant, including but not limited to serving or filing a notice to terminate tenancy or unlawful detainer complaint, based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to a Regional Fire evacuation order or warning or poor air quality conditions related to the Regional Fires.

7. A curfew is hereby imposed in the City of Santa Monica in all areas subject to Mandatory Evacuation Orders or an Evacuation Warning. Pursuant to the curfew, no persons shall be upon the public streets, avenues, alleys, parks, ways, or any other public place or upon unimproved private real property in the specified areas of the City of Santa Monica between the hours 6 p.m. and 6 a.m., for so long at the evacuation orders are effective. The City shall take all reasonable measures to provide notice to the public of the existence and terms of this curfew order.

a. The law enforcement personnel of this City along with other law enforcement authorities cooperating with the City are hereby authorized and charged to the extent provided by law with the responsibility of enforcing this curfew, and are further authorized to arrest any such person as does not obey this curfew after due notice, oral or written, has been given to that person.

b. A violation of the curfew shall be punishable as a misdemeanor pursuant to Section 2.16.100(2) of the Santa Monica Municipal Code.

c. The curfew shall also be enforceable through the issuance of administrative citations in accordance with Chapter 1.09 of the Santa Monica Municipal Code. Pursuant to Section 1.09.040 of the Santa Monica Municipal Code, the amount of the fine for a violation of the curfew shall be up to a maximum of \$1,000 per violation. Administrative citation may be issued by and City Officer or employee granted authority to issue written notices to appear pursuant to Santa Monica Municipal Code Section 3.36.090.

d. Law enforcement personnel, firefighting personnel, emergency health care providers, civilians engaged in police or emergency work, individuals traveling to and from work, individuals traveling to and from medical appointments or to seek medical care, and representatives of the media are exempt from this Order.

8. To avoid sparks that could lead to additional sources of fires: 1) building permits previously issued to persons other than the City itself are hereby suspended in areas subject to Mandatory Evacuation Orders or an Evacuation Warning; 2) all landscaping activities are hereby prohibited in areas subject to a Mandatory Evacuation Order; and 3) all outdoor open flames in the City shall be prohibited during times of red flag warnings. The time to complete work under such previously-issued building permits shall be tolled during the period of suspension under this paragraph.

a. Violations of this seventh paragraph shall be enforceable by the Santa Monica Police Department and any City Officer or employee granted authority to issue written notices to appear pursuant to Santa Monica Municipal Code Section 3.36.090 as misdemeanors pursuant to Government Code Section 8665 and Santa Monica Municipal Code Section 2.16.100, or through the issuance of administrative citations in accordance with Chapter 1.09 of the Santa Monica Municipal Code.

b. Pursuant to Section 1.09.040 of the Santa Monica Municipal Code, the amount of the fine for a violation of any provision of this seventh paragraph, the amount of the fine for a violation of the curfew shall be up to a maximum of \$1,000 per violation. Violations of this provision may result in suspension or revocation of any building permit previously issued.

c. Each day or portion of a day that any person violates or continues to violate this seventh paragraph constitutes a separate violation and may be charged and punished separately.

9. In accordance with Santa Monica Municipal Code Section 2.24.240, Procurement for Emergency Needs, the City Manager, the Emergency Services Manager, the Purchasing Agent, or designees delegated in accordance with Section 2.24.240(b) may:

a. Shorten or waive all required notice periods and competitive solicitation procedures set forth in this Chapter;

b. Secure in the open market at the best reasonable price, contracts for public works projects, goods and services;

c. Negotiate or execute such contracts, agreements, applications or other documents with such other federal, state or local agencies or other groups and organizations as are necessary to provide or obtain emergency aid, assistance or services to the City of Santa Monica; and

d. Contract for the immediate expenditure of public funds to safeguard life, health or property.

10. In accordance with Santa Monica Municipal Code Section 2.16.090, any expenditures made in connection with the emergency activities under this Proclamation, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City of Santa Monica.


11. Bed and Breakfasts, as that term is defined by Santa Monica Municipal Code Section 9.51.030(B)(15)(a), and hotels and motels, as that term is defined by Santa Monica Municipal Code Section 9.51.030(B)(15)(b), may allow hotel stays beyond 30 days.

12. Pursuant to California Government Code section 8625, the City requests that the Governor proclaim a State of Emergency in the area affected by the Regional Fires.


13. Pursuant to California Government Code, Title 2, Division 1, Chapter 7.5 (California Disaster Assistance Act), the City requests financial and recovery assistance be made available, and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

ADOPTED this 14th day of January 2025.

ATTEST:

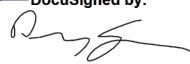
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NIKIMA NEWSOME
 City Clerk
 1/14/2025

DocuSigned by:

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 By: _____
DAVID WHITE
 City Manager
 Director of Emergency Services
 1/14/2025

This proclamation has been issued in accordance with applicable law and is in effect and carries the force of law until terminated by the Santa Monica City Council.

APPROVED AS TO FORM:

DocuSigned by:

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DOUGLAS SLOAN
 City Attorney
 1/14/2025

Attachment: D-Second Revised Executive Order Local Emergency January 14, 2025 (7387 : Fire Emergency Order Extension)



FIRST SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica, County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service has advised that damaging N/NE gusts of 50- 80 mph, as well as isolated 80-100 mph in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning over well over 40,000 acres as of the time this Proclamation is issued; and

WHEREAS, high winds, low humidity, and dry conditions have increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph forecasted; and

Attachment: E-First Supplement to Executive Order Local Emergency January 31, 2025 (7387 : Fire Emergency Order Extension)

WHEREAS, the Regional Fires and windstorm conditions threaten structures, homes, and critical infrastructure, including power lines and water tanks, and have prompted evacuation orders and warnings and impacted the access route to the Regional Fires communities; and

WHEREAS, along with the windstorm, the Regional Fires have already spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and road closures, and continue to threaten structures, homes and critical infrastructure; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

WHEREAS, this weather system has caused, or is substantially likely to cause, extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, there exists the potential that these events are likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above described events are creating conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, the City’s regulations related to home-sharing and residential leases as set forth in Santa Monica Municipal Code Chapters 6.20 and 6.22, and prohibition against stays of longer than 30 days in bed and breakfasts and hotels may impede the ability of residents, landlords, and local businesses to house those displaced by the Regional Fires; and

WHEREAS, tenants who wish to accommodate persons displaced by the Regional Fires on a temporary basis may be restricted from doing so by lease terms limiting the number of occupants or pets in a residential unit; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, (“Executive Director of Emergency Services”) issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Executive Order”) declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject

Attachment: E-First Supplement to Executive Order Local Emergency January 31, 2025 (7387 : Fire Emergency Order Extension)

to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Revised Executive Order”) restating the declaration of local emergency, and 1) prohibiting landscaping activities in areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires: 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City’s below market housing waitlist to households displaced by the

Regional Fires with minor children currently attending SMMUSD schools or that work in the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Second Revised Executive Order”) to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires have destroyed more than 17,000 structures; and

WHEREAS, the damage caused by the Regional Fires has left thousands displaced due to loss of housing or inability to access their homes due to safety reasons; and;

WHEREAS, schools located in the City’s residential zoning districts that are subject to occupancy limitations under previously-issued Conditional Use Permits (CUPs) have received requests to accommodate students from other campuses operated by the school that were impacted by the Regional Fires; and

WHEREAS, increasing occupancy limitations for those schools will allow for students displaced by the Regional Fires to continue their education; and

WHEREAS, before the Regional Fires, local restaurants had been impacted by inflation and the continuing rise in operating costs; and

WHEREAS, Santa Monica restaurant operators are reporting year-on-year sales for the month of January dropped between 10 and 20 percent, with more significant impact in areas with restricted access due to the Regional Fires, including the beach and the Santa Monica Pier, reporting sales down by 20-40%; and

WHEREAS, although outdoor dining options have continued to serve as popular options for customers seeking to enjoy the year-round Southern California climate and sunshine, the Regional Fires caused hazardous air quality, limiting restaurant's ability to utilize outdoor dining areas for parts of the month of January; and

WHEREAS, without relief, the drop in revenue resulting from Regional Fires may result in layoffs of staff or even closure; and

WHEREAS, waiving license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025 will provide Santa Monica restaurants and other businesses with outdoor dining options some economic relief to help remain open and support their overall business recovery; and

WHEREAS, as a result of the recent Regional Fires, hotels and motels in Santa Monica are experiencing major cancellations on both the rooms and events, with large groups pulling their business through February and into March; and

WHEREAS, these cancellations are causing a significant financial impact to many hotels and motels, some of which are struggling to manage their financial commitments; and

WHEREAS, the City's Revenue Division has received requests from multiple hotels requesting a 30-day extension for the Transient Occupancy Taxes ("TOT") and the Tourism Marketing District Assessment ("TMD"); and

WHEREAS, Section 6.68.050 of the Santa Monica Municipal Code requires the payment of TOT on the first business day of each month and imposes a penalty 10% if the TOT is not paid by the last day of the month; and

WHEREAS, the TMD is collected per occupied room per night at fixed rates depending on average daily rate; and

WHEREAS, the TMD assessments are collected at the same time and manner as the TOT pursuant to Streets and Highways Code Section 36631 and Resolution Number 11005 (CCS); and

WHEREAS, Santa Monica Travel and Tourism supports a 30 day extension for the TOT and TMD due for December 2024;

WHEREAS, the Regional Fires' destruction of homes and businesses has resulted in significant job losses, including jobs for lower income families and an estimated loss of up to 35,000 jobs held by Latinos alone; and

WHEREAS, these job losses will make it more difficult for lower income families to afford market rents without assistance from programs such as those administered by the Santa Monica Housing Authority or the City's Below Market Housing waitlist; and

WHEREAS, temporarily adjusting criteria for local preferences on the City's Below Market Housing waitlist and the Santa Monica Housing Authority's waitlist is in alignment with broader regional emergency efforts to assist those in need of housing as a result of the Regional Fires, without disturbing the longstanding priority for individuals who live or work in Santa Monica.

NOW, THEREFORE, I; David White, the Director of Emergency Services for the City of Santa Monica, do hereby issue the following supplemental order to become effective immediately, subject to ratification by the Council as may be required by the Municipal Code.

IT IS HEREBY ORDERED THAT:

1. The Second Revised Executive Order shall continue in full force and effect, except as modified and supplemented by this First Supplement.

2. Section 1 of the Second Revised Executive Order is hereby amended as follows:

Schools, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(11), and Child Care and Early Education Facilities, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(3) that were displaced by the Regional Fires may operate within the City's non-residential zones on as a temporary use without first obtaining a Conditional Use Permit or a Temporary Use Permit; in addition, small businesses, as that term is defined by the United States Small Business Administration at 13 CFR § 121.105, and nonprofit organizations, that were operating in Los Angeles County and have been impacted or displaced by the Regional Fires may operate within the City as a temporary permitted use without first obtaining a Temporary Use Permit. Schools with existing Conditional Use Permits in residential zones that are subject to occupancy limitations may expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires.

City Staff shall also prioritize any necessary permitting and inspections required, and strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; since it is the intent to accommodate those affected beyond the immediate fire emergency threat, City Staff are also directed to prepare and offer for Council approval solutions that would allow those schools, child care and early education facilities, small businesses and nonprofits displaced and temporarily relocating pursuant to this provision to remain for six to twelve months (or longer, as may be directed by Council) following their displacement.

3. License fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining, shall be waived for the month of February 2025.

4. Upon written request of a hotel or motel subject to the TOT and TMD, the Finance Department may grant a 30-day extension for the payment of TOT and TMD for the December 2024 reporting period. If an extension is granted, the payment deadline would be extended to February 28, 2025 for the December 2024 reporting period.

5. Section 4 of the Second Revised Executive Order is hereby amended as follows:

~~Tier 1 priority~~ ~~Priority for displaced lower income households~~ on the City’s Below Market Housing (BMH) waitlist shall be given to displaced households impacted by the Regional Fires who are income qualified and ~~impacted by the Regional Fires and:~~

- have minor children currently attending SMMUSD or local Santa Monica schools;
- or
- worked in Santa Monica, prior to the Regional Fires, at least 25 hours/week; or
- are Santa Monica residents and experienced a job loss as a direct result of the Regional Fires

Tier 1 priority on the Santa Monica Housing Authority waitlist shall be given to displaced households who are income qualified, meet voucher eligibility requirements, are impacted by the Regional Fires and:

- are Santa Monica residents and experienced job loss as a direct result of the Regional Fires; or
- are homeless in Santa Monica (not living in “standard, permanent replacement housing,” defined as housing that is decent, safe and sanitary (according to Housing and Urban Development (HUD) Housing Quality Standards (HQS)) or that is adequate for the household size (according to HUD HQS), or living in housing not pursuant to a lease agreement).

Attachment: E-First Supplement to Executive Order Local Emergency January 31, 2025 (7387 : Fire Emergency Order Extension)

These households would be eligible for referrals to:

- Project-Based Voucher (PBV) buildings; or
- Continuum of Care (CoC) vouchers; or
- Section 8 Housing Choice Vouchers (HCV)

An individual may apply during the period of this Emergency Order and will maintain priority on the Santa Monica Housing Authority or BMH waitlist for 6 months. The adjustment to the local preference criteria should be viewed as a temporary expansion of the rule, made in alignment with broader regional emergency efforts to assist those affected. However, the longstanding live/work priority (Tier 2) will remain in place.

~~shall be given Tier 1 priority on the City's Below Market Housing waitlist for 6 months, suspending the current Tier 1 requirement that a household be displaced from a residence in Santa Monica by natural disaster. Temporarily expanding the City's local preference rule allows prioritization of families displaced by the fire, and individuals who work in Santa Monica, ahead of current applicants who live or work in Santa Monica but do not otherwise qualify for Tier 1 priority.~~


ADOPTED this 31st day of January 2025.

ATTEST:


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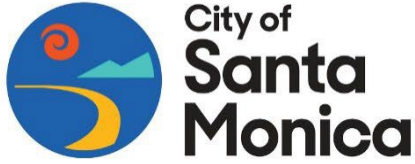
 NIKIMA NEWSOME
 City Clerk
 1/31/2025

DocuSigned by:

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 By: _____
 DAVID WHITE
 City Manager
 Director of Emergency Services
 1/31/2025

APPROVED AS TO FORM:

DocuSigned by:

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 DOUGLAS SLOAN
 City Attorney
 1/31/2025



SECOND SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica, County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service has advised that damaging N/NE gusts of 50- 80 mph, as well as isolated 80-100 mph in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning over well over 40,000 acres as of the time this Proclamation is issued; and

WHEREAS, high winds, low humidity, and dry conditions have increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph forecasted; and

Attachment: F-Second Supplement to Executive Order Local Emergency March 19, 2025 (7387 : Fire Emergency Order Extension)

WHEREAS, the Regional Fires and windstorm conditions threaten structures, homes, and critical infrastructure, including power lines and water tanks, and have prompted evacuation orders and warnings and impacted the access route to the Regional Fires communities; and

WHEREAS, along with the windstorm, the Regional Fires have already spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and road closures, and continue to threaten structures, homes and critical infrastructure; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

WHEREAS, this weather system has caused, or is substantially likely to cause, extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, there exists the potential that these events are likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above described events are creating conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, the City's regulations related to home-sharing and residential leases as set forth in Santa Monica Municipal Code Chapters 6.20 and 6.22, and prohibition against stays of longer than 30 days in bed and breakfasts and hotels may impede the ability of residents, landlords, and local businesses to house those displaced by the Regional Fires; and

WHEREAS, tenants who wish to accommodate persons displaced by the Regional Fires on a temporary basis may be restricted from doing so by lease terms limiting the number of occupants or pets in a residential unit; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, ("Executive Director of Emergency Services") issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Executive Order") declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject

to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Revised Executive Order”) restating the declaration of local emergency, and 1) prohibiting landscaping activities in areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires: 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City’s below market housing waitlist to households displaced by the

Regional Fires with minor children currently attending SMMUSD schools or that work in the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Second Revised Executive Order”) to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires have destroyed more than 17,000 structures; and

WHEREAS, the damage caused by the Regional Fires has left thousands displaced due to loss of housing or inability to access their homes due to safety reasons; and;

WHEREAS, schools located in the City’s residential zoning districts that are subject to occupancy limitations under previously-issued Conditional Use Permits (CUPs) have received requests to accommodate students from other campuses operated by the school that were impacted by the Regional Fires; and

WHEREAS, increasing occupancy limitations for those schools will allow for students displaced by the Regional Fires to continue their education; and

WHEREAS, before the Regional Fires, local restaurants had been impacted by inflation and the continuing rise in operating costs; and

WHEREAS, Santa Monica restaurant operators are reporting year-on-year sales for the month of January dropped between 10 and 20 percent, with more significant impact in areas with restricted access due to the Regional Fires, including the beach and the Santa Monica Pier, reporting sales down by 20-40%; and

WHEREAS, although outdoor dining options have continued to serve as popular options for customers seeking to enjoy the year-round Southern California climate and sunshine, the Regional Fires caused hazardous air quality, limiting restaurant's ability to utilize outdoor dining areas for parts of the month of January; and

WHEREAS, without relief, the drop in revenue resulting from Regional Fires may result in layoffs of staff or even closure; and

WHEREAS, waiving license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025 will provide Santa Monica restaurants and other businesses with outdoor dining options some economic relief to help remain open and support their overall business recovery; and

WHEREAS, as a result of the recent Regional Fires, hotels and motels in Santa Monica are experiencing major cancellations on both the rooms and events, with large groups pulling their business through February and into March; and

WHEREAS, these cancellations are causing a significant financial impact to many hotels and motels, some of which are struggling to manage their financial commitments; and

WHEREAS, the City's Revenue Division has received requests from multiple hotels requesting a 30-day extension for the Transient Occupancy Taxes ("TOT") and the Tourism Marketing District Assessment ("TMD"); and

WHEREAS, Section 6.68.050 of the Santa Monica Municipal Code requires the payment of TOT on the first business day of each month and imposes a penalty 10% if the TOT is not paid by the last day of the month; and

WHEREAS, the TMD is collected per occupied room per night at fixed rates depending on average daily rate; and

WHEREAS, the TMD assessments are collected at the same time and manner as the TOT pursuant to Streets and Highways Code Section 36631 and Resolution Number 11005 (CCS); and

WHEREAS, Santa Monica Travel and Tourism supports a 30 day extension for the TOT and TMD due for December 2024;

WHEREAS, the Regional Fires’ destruction of homes and businesses has resulted in significant job losses, including jobs for lower income families and an estimated loss of up to 35,000 jobs held by Latinos alone; and

WHEREAS, these job losses will make it more difficult for lower income families to afford market rents without assistance from programs such as those administered by the Santa Monica Housing Authority or the City’s Below Market Housing waitlist; and

WHEREAS, temporarily adjusting criteria for local preferences on the City’s Below Market Housing waitlist and the Santa Monica Housing Authority’s waitlist is in alignment with broader regional emergency efforts to assist those in need of housing as a result of the Regional Fires, without disturbing the longstanding priority for individuals who live or work in Santa Monica; and

WHEREAS, on January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes and the Tourism Marketing District Assessment due for December 2024; and 4) expanding criteria

Attachment: F-Second Supplement to Executive Order Local Emergency March 19, 2025 (7387 : Fire Emergency Order Extension)

for Tier 1 priority on the City’s below market housing waitlist for income-qualifying households impacted by the Regional Fires; and

WHEREAS, on February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order; and

WHEREAS, existing schools located in the City are continually receiving requests to accommodate students that were impacted by the Regional Fires; and

WHEREAS, permitting expansions of those existing schools to operate as a temporary use in the City’s non-residential zones will allow for students displaced by the Regional Fires to continue their education; and

WHEREAS, the temporary suspension of enforcement of SMMC Chapter 6.20, Home-sharing and Vacation Rentals, as to hosting guests displaced by the Regional Fires pursuant to Section 3 of the Second Revised Executive Order expanded the number of temporary housing units available for rent for 30 days or less; and

WHEREAS, the need among persons displaced by the Regional Fires for short-term housing two months after the Regional Fires has substantially diminished, and is now being surpassed by the need for long-term and permanent housing for those persons who lost their homes in the Regional Fires; and

WHEREAS, the use of rental properties for short-term rentals for 30 days or less limits the supply of housing available for long-term rental to meet this need; and

WHEREAS, hosts and fire-displaced occupants of home-shares and vacation rentals are entitled to reasonable advance notice of when enforcement of the provisions of SMMC Chapter 6.20 will resume to facilitate compliance; and

Attachment: F-Second Supplement to Executive Order Local Emergency March 19, 2025 (7387 : Fire Emergency Order Extension)

WHEREAS, hotels and motels in Santa Monica continue to experience major cancellations on both rooms and events as a result of the Regional Fires; and

WHEREAS, expanding the opportunity for a 30-day extension for TOT and TMD due to any request filed with the City prior to April 30, 2025 will offer further support to the City's hotels and motels and assist with lessening financial burdens caused by the Regional Fires; and

WHEREAS, restaurants and other businesses that are licensed to serve alcoholic beverages have reported a continuing loss of revenue due to impacts of the Regional Fires in addition to the economic conditions existing before the Regional Fires, including, but not limited to, inflation and the continuing rise in operating costs; and

WHEREAS, a temporary suspension of enforcement of certain City regulations related to alcohol sales will provide opportunities for these businesses to recoup financial losses caused by the Regional Fires.

NOW, THEREFORE, I; Elaine Polachek, the Interim Director of Emergency Services for the City of Santa Monica, do hereby issue the following supplemental order to become effective immediately, subject to ratification by the Council as may be required by the Municipal Code.

IT HEREBY ORDERED THAT:

1. The Second Revised Executive Order shall continue in full force and effect, except as modified and supplemented by the First Supplement and this Second Supplement.
2. Section 1 of the Second Revised Executive Order as amended by the First Supplement to the Executive Order is hereby amended as follows:

Attachment: F-Second Supplement to Executive Order Local Emergency March 19, 2025 (7387 : Fire Emergency Order Extension)

Schools, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(11), and Child Care and Early Education Facilities, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(3) that were displaced by the Regional Fires or expansions to existing schools to accommodate students displaced by the Regional Fires may operate within the City's non-residential zones-as a temporary use without first obtaining a Conditional Use Permit or a Temporary Use Permit; in addition, small businesses, as that term is defined by the United States Small Business Administration at 13 CFR § 121.105, and nonprofit organizations, that were operating in Los Angeles County and have been impacted or displaced by the Regional Fires may operate within the City as a temporary permitted use without first obtaining a Temporary Use Permit. Schools with existing Conditional Use Permits in residential zones that are subject to occupancy limitations may expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires.

City Staff shall also prioritize any necessary permitting and inspections required, and strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; since it is the intent to accommodate those affected beyond the immediate fire emergency threat, City Staff are also directed to prepare and offer for Council approval solutions that would allow those schools, child care and early education facilities, small businesses and nonprofits displaced and temporarily relocating pursuant to this provision to remain for six to twelve months (or longer, as may be directed by Council) following their displacement.

3. Section 3 of the Second Revised Executive Order is hereby amended and shall read in its entirety as follows:

Enforcement of the provisions of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, as against persons who provide alternative accommodations within the City of Santa Monica to persons displaced by the Regional Fires is suspended through and including April 18, 2025; and enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, as against persons who (a) provide alternative accommodations within the City of Santa Monica to natural persons displaced by the Regional Fires and (b) sublease no more than one rental housing unit within the City, is suspended; since it is the intent to accommodate those affected beyond the immediate fire emergency threat, City Staff are also directed to prepare and offer for Council approval solutions that would allow those displaced to remain in their alternative accommodations, whether furnished or not, residence or not, including with a lease for a term less than one year to remain for six to twelve months (or longer, as may be directed by Council) following their displacement. This section does not provide a basis for a short-term rental host, home-sharing host, or landlord to do any of the following: (a) unilaterally terminate a short-term rental agreement, home-share agreement, or rental housing agreement before the end of the agreed upon rental period; (b) evict or otherwise compel a person who has established a tenancy to vacate a rental unit without judicial process; or (c) terminate a tenancy that is subject to Article XVIII or XXIII of the City Charter, or Section 1946.2 of the Civil Code, for a reason other than one provided by the applicable just cause eviction law. This section also does not require a short-term rental host, home-share host, or landlord to cease renting to a person occupying the rental unit on or before April 19, 2025, so long as the rental period is for at least 31 consecutive days.

4. Upon written request, made on or before April 30, 2025, of a hotel or motel subject to the TOT and TMD, and impacted by the regional fires, the Finance Department may grant a 30-day extension for the payment of TOT and TMD due.

5. Notwithstanding anything to the contrary in the Santa Monica Municipal Code or permits issued by the City of Santa Monica, enforcement of the following provisions of Santa Monica Municipal Code Sections 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements, as applicable, are hereby suspended for businesses that: (1) have obtained and are operating under license to sell alcoholic beverages from the California Department of Alcoholic Beverage Control (ABC); and (2) have obtained and are operating under a Conditional Use Permit or Alcohol Exemption issued by the City of Santa Monica, or are operating as an existing alcohol outlet without a Conditional Use Permit pursuant to Section 9.31.040 of the Santa Monica Municipal Code, including, but not limited to, Eating and Drinking Establishments, as defined by Santa Monica Municipal Code Section 9.51.030(B)(8), and Commercial Entertainment and Recreation, Large Scale Facilities, as defined by Santa Monica Municipal Code Section 9.51.030(B)(7)(d), and Small Scale Facilities, as defined by Santa Monica Municipal Code Section 9.51.030(B)(7)(e):

- A. Restrictions on hours of operation and hours of alcohol service.
- B. Prohibitions against serving alcohol in any disposable container such as disposable plastic or paper cups, except for special events.
- C. Limitations on percentage of total gross revenues per year from alcohol sales.

D. Limitations on the number of 3 television screens including video projectors or similar audio/visual devices permitted to be utilized on the premises, including limitations on size of screens.

E. Prohibitions against providing billiard/pool tables, video or amusement games, bowling, darts, and other similar entertainment activities.

F. Prohibitions against liquor bottle service, including provisions limiting wine and beer bottle service unless full meal service is provided concurrent with the bottle service, and requirements that all food items shall be available from the full service menu. For purposes of this provision, bottle service shall mean the service of any full bottle of liquor, wine, or beer of more than 375 ml, along with glass ware, mixers, garnishes, etc., in which patrons are able to then make their own drinks or pour their own wine or beer.

G. Prohibitions against establishments, except for special events, organizing or participating in organized “pub-crawl” events where participants or customers pre-purchase tickets or tokens to be exchanged for alcoholic beverages at the restaurant.

H. Requirements that, if a counter service area is provided, food service shall be available at all hours the counter is open for patrons and the counter area shall not function as a separate bar area.

I. Requirements that the primary use of any outdoor dining area shall be for seated meal service and that patrons who are standing in the outdoor seating area shall not be served.

J. For Restaurants, Full Service, as defined by Santa Monica Municipal Code Section 9.51.030(B)(8)(b), and Restaurants, Limited-Service and Take-Out, as defined by Santa Monica Municipal Code Section 9.51.030(B)(8)(c):

1. Limitations on the number of indoor or outdoor seats; and

2. Requirements that the primary use of the premises shall be for sit-down meal service to patrons.


K. For Restaurants with Entertainment subject to the provisions of Santa Monica Municipal Code Section 9.31.290, requirements that:

- 1. There is sit down meal service provided at all times while the entertainment is taking place;
- 2. The entertainment is provided only in the dining areas; and
- 3. There is no cover charge or minimum drink purchase requirement.

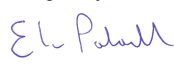
The provisions of this Section 5 of this Second Supplement shall terminate on April 30, 2025 at 11:59 p.m., unless extended or expressly superseded by a further order of the Director of Emergency Services.

ADOPTED this 20th day of March 2025.

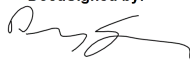
ATTEST:

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NIKIMA NEWSOME
 City Clerk
 3/20/2025

Signed by:

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 By: _____
ELAINE POLACHEK
 Interim City Manager
 Interim Director of Emergency
 Services
 3/20/2025

APPROVED AS TO FORM:

DocuSigned by:

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DOUGLAS SLOAN
 City Attorney
 3/20/2025

Attachment: F-Second Supplement to Executive Order Local Emergency March 19, 2025 (7387 : Fire Emergency Order Extension)

**CITY OF SANTA MONICA
THIRD SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF
EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica, County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service has advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning over well over 40,000 acres as of the time this Proclamation is issued; and

WHEREAS, high winds, low humidity, and dry conditions have increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph forecasted; and

WHEREAS, the Regional Fires and windstorm conditions threaten structures, homes, and critical infrastructure, including power lines and water tanks, and have prompted evacuation orders and warnings and impacted the access route to the Regional Fires communities; and

WHEREAS, along with the windstorm, the Regional Fires have already spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and road closures, and continue to threaten structures, homes and critical infrastructure; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

WHEREAS, this weather system has caused, or is substantially likely to cause, extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, there exists the potential that these events are likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above described events are creating conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, the City's regulations related to home-sharing and residential leases as set forth in Santa Monica Municipal Code Chapters 6.20 and 6.22, and prohibition against stays of longer than 30 days in bed and breakfasts and hotels may impede the

ability of residents, landlords, and local businesses to house those displaced by the Regional Fires; and

WHEREAS, tenants who wish to accommodate persons displaced by the Regional Fires on a temporary basis may be restricted from doing so by lease terms limiting the number of occupants or pets in a residential unit; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, (“Executive Director of Emergency Services”) issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Executive Order”) declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered

emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Revised Executive Order”) restating the declaration of local emergency, and 1) prohibiting landscaping activities in areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires: 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City’s below market housing waitlist to households displaced by the Regional Fires with minor children currently attending SMMUSD schools or that work in

the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Second Revised Executive Order”) to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires have destroyed more than 17,000 structures; and

WHEREAS, the damage caused by the Regional Fires has left thousands displaced due to loss of housing or inability to access their homes due to safety reasons; and;

WHEREAS, schools located in the City’s residential zoning districts that are subject to occupancy limitations under previously-issued Conditional Use Permits (CUPs) have received requests to accommodate students from other campuses operated by the school that were impacted by the Regional Fires; and

WHEREAS, increasing occupancy limitations for those schools will allow for students displaced by the Regional Fires to continue their education; and

WHEREAS, before the Regional Fires, local restaurants had been impacted by inflation and the continuing rise in operating costs; and

WHEREAS, Santa Monica restaurant operators are reporting year-on-year sales for the month of January dropped between 10 and 20 percent, with more significant impact in areas with restricted access due to the Regional Fires, including the beach and the Santa Monica Pier, reporting sales down by 20-40%; and

WHEREAS, although outdoor dining options have continued to serve as popular options for customers seeking to enjoy the year-round Southern California climate and sunshine, the Regional Fires caused hazardous air quality, limiting restaurant's ability to utilize outdoor dining areas for parts of the month of January; and

WHEREAS, without relief, the drop in revenue resulting from Regional Fires may result in layoffs of staff or even closure; and

WHEREAS, waiving license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025 will provide Santa Monica restaurants, and other businesses with outdoor dining options, some economic relief to help remain open and support their overall business recovery; and

WHEREAS, as a result of the recent Regional Fires, hotels and motels in Santa Monica are experiencing major cancellations on both the rooms and events, with large groups pulling their business through February and into March; and

WHEREAS, these cancellations are causing a significant financial impact to many hotels and motels, some of which are struggling to manage their financial commitments; and

WHEREAS, the City's Revenue Division has received requests from multiple hotels requesting a 30-day extension for the Transient Occupancy Taxes ("TOT") and the Tourism Marketing District Assessment ("TMD"); and

WHEREAS, Section 6.68.050 of the Santa Monica Municipal Code requires the payment of TOT on the first business day of each month and imposes a penalty 10% if the TOT is not paid by the last day of the month; and

WHEREAS, the TMD is collected per occupied room per night at fixed rates depending on average daily rate; and

WHEREAS, the TMD assessments are collected at the same time and manner as the TOT pursuant to Streets and Highways Code Section 36631 and Resolution Number 11005 (CCS); and

WHEREAS, Santa Monica Travel and Tourism supports a 30 day extension for the TOT and TMD due for December 2024;

WHEREAS, the Regional Fires' destruction of homes and businesses has resulted in significant job losses, including jobs for lower income families and an estimated loss of up to 35,000 jobs held by Latinos alone; and

WHEREAS, these job losses will make it more difficult for lower income families to afford market rents without assistance from programs such as those administered by the Santa Monica Housing Authority or the City's Below Market Housing waitlist; and

WHEREAS, temporarily adjusting criteria for local preferences on the City's Below Market Housing waitlist and the Santa Monica Housing Authority's waitlist is in alignment with broader regional emergency efforts to assist those in need of housing as a result of the Regional Fires, without disturbing the longstanding priority for individuals who live or work in Santa Monica; and

WHEREAS, on January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes and the Tourism Marketing District Assessment due for December 2024; and 4) expanding criteria

for Tier 1 priority on the City's below market housing waitlist for income-qualifying households impacted by the Regional Fires; and

WHEREAS, on February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order; and

WHEREAS, existing schools located in the City are continually receiving requests to accommodate students that were impacted by the Regional Fires; and

WHEREAS, permitting expansions of those existing schools to operate as a temporary use in the City's non-residential zones will allow for students displaced by the Regional Fires to continue their education; and

WHEREAS, the temporary suspension of enforcement of SMMC Chapter 6.20, Home-sharing and Vacation Rentals, as to hosting guests displaced by the Regional Fires pursuant to Section 3 of the Second Revised Executive Order expanded the number of temporary housing units available for rent for 30 days or less; and

WHEREAS, the need among persons displaced by the Regional Fires for short-term housing two months after the Regional Fires has substantially diminished, and is now being surpassed by the need for long-term and permanent housing for those persons who lost their homes in the Regional Fires; and

WHEREAS, the use of rental properties for short-term rentals for 30 days or less limits the supply of housing available for long-term rental to meet this need; and

WHEREAS, hosts and fire-displaced occupants of home-shares and vacation rentals are entitled to reasonable advance notice of when enforcement of the provisions of SMMC Chapter 6.20 will resume to facilitate compliance; and

WHEREAS, hotels and motels in Santa Monica continue to experience major cancellations on both rooms and events as a result of the Regional Fires; and

WHEREAS, expanding the opportunity for a 30-day extension for TOT and TMD due to any request filed with the City prior to April 30, 2025 will offer further support to the City's hotels and motels and assist with lessening financial burdens caused by the Regional Fires; and

WHEREAS, restaurants and other businesses that are licensed to serve alcoholic beverages have reported a continuing loss of revenue due to impacts of the Regional Fires in addition to the economic conditions existing before the Regional Fires, including, but not limited to, inflation and the continuing rise in operating costs; and

WHEREAS, a temporary suspension of enforcement of certain City regulations related to alcohol sales will provide opportunities for these businesses to recoup financial losses caused by the Regional Fires.

WHEREAS, on March 19, 2025, the Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) broaden the Order's provisions to include schools and Child Care and Early Education Facilities that were expanding to accommodate students displaced by the Regional Fires; 2) suspend enforcement of the provisions of Santa Monica Municipal Code Chapter 6.20 Home-Sharing and Vacation Rentals through and including April 18, 2025 and clarify that short-term rental hosts, home-sharing hosts, or landlords may not unilaterally terminate rental agreements before the end of the agreed upon rental period, evict or compel a person who has established a tenancy to vacate a rental unit without judicial process, or terminate a tenancy subject to Article XVIII or XXIII of the City Charter, or Section 1946.2 of the Civil Code, for a reason other than one provided by applicable law; 3) expand a 30-day

extension for payment of TOT and TMD; and 4) suspend certain provisions of Santa Monica Municipal Code Sections 9.31.280 and 9.31.290 for specified businesses; and

WHEREAS, restaurants in the City are reporting ongoing losses of revenue through March 2025 due to the impacts of the Regional Fires and thus discounting license fees by 50% for the month of March for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining will continue to provide Santa Monica restaurants and other businesses with outdoor dining options some economic relief to help them remain open and support their overall business recovery.

NOW, THEREFORE, I, Elaine Polachek, the Interim Director of Emergency Services for the City of Santa Monica, do hereby issue the following supplemental order to become effective immediately, subject to ratification by the Council as may be required by the Municipal Code.

IT HEREBY ORDERED THAT:

1. The Second Revised Executive Order shall continue in full force and effect, except as modified and supplemented by the First Supplement, Second Supplement, and this Third Supplement.

2. License fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining, shall be discounted by 50% for the month of March 2025.

ADOPTED this 28th day of March 2025.

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Attachment: G-Third Supplement to Executive Order Local Emergency March 28, 2025 (7387 : Fire Emergency Order Extension)

ATTEST:


DocuSigned by:

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NIKIMA NEWSOME
City Clerk

DocuSigned by:

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By: _____
ELAINE POLACHEK
Interim City Manager

APPROVED AS TO FORM:

DocuSigned by:

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DOUGLAS SLOAN
City Attorney

Attachment: G-Third Supplement to Executive Order Local Emergency March 28, 2025 (7387 : Fire Emergency Order Extension)



**FOURTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF
EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica and the County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning over well over 40,000 acres; and

WHEREAS, high winds, low humidity, and dry conditions increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph were forecasted; and

WHEREAS, the Regional Fires and windstorm conditions threatened structures, homes, and critical infrastructure, including power lines and water tanks, prompted evacuation orders and warnings, and impacted the access route to the Regional Fires communities; and

WHEREAS, along with the windstorm, the Regional Fires spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and road closures, and continued to threaten structures, homes and critical infrastructure over multiple days; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

WHEREAS, this weather system caused extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, these events created conditions likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above-described events created conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, (“Executive Director of Emergency Services”) issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Executive Order”) declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Revised Executive Order”) restating the declaration of local emergency, and 1) prohibiting landscaping activities in

areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires: 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City's below market housing waitlist to households displaced by the Regional Fires with minor children currently attending SMMUSD schools or that work in the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Second Revised Executive Order") to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires destroyed more than 17,000 structures; and

WHEREAS, on January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes and the Tourism Marketing District Assessment due for December 2024; and 4) expanding criteria for Tier 1 priority on the City's below market housing waitlist for income-qualifying households impacted by the Regional Fires; and

WHEREAS, on February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order; and

WHEREAS, on February 25, the City Council further gave direction to phase out suspension of enforcement of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, and to clarify tenant protections for persons displaced that obtained housing during the suspension; and

WHEREAS, on March 19, 2025, the Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) broaden the Order's provisions to include schools and Child Care and Early Education Facilities that were expanding to accommodate students displaced by the Regional Fires; 2) terminate

suspension of enforcement of the provisions of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, as against persons who provide alternative accommodations within the City of Santa Monica to persons displaced by the Regional Fires is suspended; and enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, as against persons who (a) provide alternative accommodations within the City of Santa Monica to natural persons displaced by the Regional Fires and (b) sublease no more than one rental housing unit within the City through and including April 18, 2025 and clarify that persons occupying a rental unit pursuant to these provision receive tenant protections; 3) expand the 30-day extension for payment of TOT and TMD to any request made on or before April 30, 2025; and 4) suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025; and

WHEREAS, on March 28, 2025, on March 19, 2025, the Executive Director of Emergency Services issued a Third Supplement to the Second Revised Executive Order to discount license fees by 50% for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining; and

WHEREAS, unexpected traffic impacts may occur as a result of schools that have been displaced by the Regional Fires operating or expanding within the City as a temporary use, which may be alleviated through a Parking and Loading Operations Plan; and

WHEREAS, schools displaced by the Regional Fires that expect to operate within the City’s Downtown will experience unexpected costs arising out of parking fees for the City’s Downtown parking structure; and

WHEREAS, providing a discounted group rate to displaced schools will alleviate some unexpected financial burden while supporting use of the City’s Downtown parking structures; and

WHEREAS, in the months that have passed since the Regional Fires, persons displaced have had opportunity to find housing accommodations on a semi-permanent or permanent basis; and

WHEREAS, expiration of emergency measures allowing modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests will allow for normal parking operations to resume.

NOW, THEREFORE, I, Elaine Polachek, the Interim Director of Emergency Services for the City of Santa Monica, do hereby issue the following supplemental order to become effective immediately, subject to ratification by the Council as may be required by the Municipal Code.

IT HEREBY ORDERED THAT:

1. The Second Revised Executive Order shall continue in full force and effect, except as modified and supplemented by the First, Second and Third Supplements, and this Fourth Supplement.

2. Section 1 of the Second Revised Executive Order as amended by the First and Second Supplements to the Executive Order is hereby amended as follows:

Schools, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(11), and Child Care and Early Education Facilities, as that term is defined by

Attachment: H-Fourth Supplement Executive Order Local Emergency April 16, 2025 (7387 : Fire Emergency Order Extension)

Santa Monica Municipal Code Section 9.51.030(A)(3) that were displaced by the Regional Fires or expansions to existing schools to accommodate students displaced by the Regional Fires may operate within the City's non-residential zones as a temporary use without first obtaining a Conditional Use Permit or a Temporary Use Permit; in addition, small businesses, as that term is defined by the United States Small Business Administration at 13 CFR § 121.105, and nonprofit organizations, that were operating in Los Angeles County and have been impacted or displaced by the Regional Fires may operate within the City as a temporary permitted use without first obtaining a Temporary Use Permit. Schools with existing Conditional Use Permits in residential zones that are subject to occupancy limitations may expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires. Prior to occupancy and upon request by the City, schools operating or expanding under this Section shall submit a Parking and Loading Operations Plan to the Director of the Community Development Department for review and approval, which may be amended from time to time.

City Staff shall also prioritize any necessary permitting and inspections required, and strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; since it is the intent to accommodate those affected beyond the immediate fire emergency threat, City Staff are also directed to prepare and offer for Council approval solutions that would allow those schools, child care and early education facilities, small businesses and nonprofits displaced and temporarily relocating pursuant to this provision to remain for six to twelve months (or longer, as may be directed by Council) following their displacement.

3. Schools operating or expanding under Section 1 to the Second Revised Emergency Order, as amended, that are located within the Downtown shall be eligible for discounted monthly parking passes for the City’s Downtown parking structures pursuant to a pro rata monthly Group Discount Rate for the 35 remaining school days of the Spring 2025 Semester at a rate of \$192.50 per parking pass (which equates to a daily rate of \$5.50 per day).


4. Modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests permits set forth in Section 2 of the Second Revised Emergency Order shall be of no further force and effect as of April 30, 2025, and no permits shall be issued pursuant to those modified parking regulations after April 30, 2025.


ADOPTED this 16th day of April 2025.

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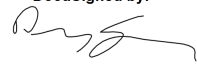
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ATTEST:

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NIKIMA NEWSOME
City Clerk
4/16/2025

Signed by:

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By: ELAINE POLACHEK
Interim City Manager
Interim Director of Emergency Services
4/16/2025

APPROVED AS TO FORM:

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DOUGLAS SLOAN
City Attorney
4/16/2025

Attachment: H-Fourth Supplement Executive Order Local Emergency April 16, 2025 (7387 : Fire Emergency Order Extension)



FIFTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica and the County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning over well over 40,000 acres; and

WHEREAS, high winds, low humidity, and dry conditions increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph were forecasted; and

WHEREAS, the Regional Fires and windstorm conditions threatened structures, homes, and critical infrastructure, including power lines and water tanks, prompted evacuation orders and warnings, and impacted the access route to the Regional Fires communities; and

Attachment: I-Fifth Supplement Executive Order Local Emergency April 29, 2025 (7387 : Fire Emergency Order Extension)

WHEREAS, along with the windstorm, the Regional Fires spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and road closures, and continued to threaten structures, homes and critical infrastructure over multiple days; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

WHEREAS, this weather system caused extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, these events created conditions likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above-described events created conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, ("Executive Director of Emergency Services") issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the

Existence of a Local Emergency (“Executive Order”) declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Revised Executive Order”) restating the declaration of local emergency, and 1) prohibiting landscaping activities in areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires: 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City's below market housing waitlist to households displaced by the Regional Fires with minor children currently attending SMMUSD schools or that work in the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Second Revised Executive Order") to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires destroyed more than 17,000 structures; and

WHEREAS, on January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes and the Tourism Marketing District Assessment due for December 2024; and 4) expanding criteria for Tier 1 priority on the City's below market housing waitlist for income-qualifying households impacted by the Regional Fires; and

WHEREAS, on February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order; and

WHEREAS, on February 25, the City Council further gave direction to phase out suspension of enforcement of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, and to clarify tenant protections for persons displaced that obtained housing during the suspension; and

WHEREAS, on March 19, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) broaden the Order's provisions to include schools and Child Care and Early Education Facilities that were expanding to accommodate students displaced by the Regional Fires; 2) terminate the portion of Section 3 of the Second Revised Emergency Order suspending enforcement of the provisions of the City's Home-Sharing Ordinance as of April 18, 2025,

and clarify that the resumption of enforcement does not require the eviction of any person occupying a rental unit pursuant to Section 3 of the Second Revised Emergency Order or terminate any tenant rights that any such person may have acquired; 3) expand the 30-day extension for payment of TOT and TMD to any request made on or before April 30, 2025; and 4) suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025; and

WHEREAS, on March 28, 2025, the Interim Executive Director of Emergency Services issued a Third Supplement to the Second Revised Executive Order to discount license fees by 50% for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of March 2025; and

WHEREAS, unexpected traffic impacts may occur as a result of schools that have been displaced by the Regional Fires operating or expanding within the City as a temporary use, which may be alleviated through a Parking and Loading Operations Plan; and

WHEREAS, schools displaced by the Regional Fires that expect to operate within the City's Downtown will experience unexpected costs arising out of parking fees for the City's Downtown parking structure; and

WHEREAS, providing a discounted group rate to displaced schools will alleviate some unexpected financial burden while supporting use of the City's Downtown parking structures; and

WHEREAS, in the months that have passed since the Regional Fires, persons displaced have had opportunity to find housing accommodations on a semi-permanent or permanent basis; and

WHEREAS, expiration of emergency measures allowing modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests will allow for normal parking operations to resume; and

WHEREAS, on April 16, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) require schools operating or expanding under Section 1o to the Second Revised Emergency Order, as amended, to submit a Parking and Loading Operations Plan to the City; 2) provide a pro rata monthly Group Discount Rate for the City's Downtown Parking Structures for the 35 remaining days of the Spring 2025 Semester for schools operating or expanding under Section 1 to the Second Revised Emergency Order, as amended, that are located within the Downtown; and 3) terminate modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests permits set forth in Section 2 of the Second Revised Emergency Order as of April 30, 2025; and

WHEREAS, on April 22, 2025, the City Council adopted Resolution Number 11659 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First Supplement to the Executive Order, and ratifying the Second, Third, and Fourth Supplements to the Executive Order; and

WHEREAS, on April 22, 2025, the Council provided further direction to extend the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants,

Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025, for an additional 60 days; and

WHEREAS, this extension will provide additional opportunities for economic recovery for local businesses.

NOW, THEREFORE, I, Elaine Polachek, the Interim Director of Emergency Services for the City of Santa Monica, do hereby issue the following supplemental order to become effective immediately, subject to ratification by the Council as may be required by the Municipal Code.

IT HEREBY ORDERED THAT:

1. The Second Revised Executive Order shall continue in full force and effect, except as modified and supplemented by the First, Second, Third and Fourth Supplements, and this Fifth Supplement.


2. The provisions of Section 5 of the Second Supplement are hereby extended and shall terminate on June 30, 2025, at 11:59 p.m., unless extended or expressly superseded by a further order of the Director of Emergency Services.

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Attachment: I-Fifth Supplement Executive Order Local Emergency April 29, 2025 (7387 : Fire Emergency Order Extension)

ADOPTED this 29th day of April 2025.


ATTEST:

DocuSigned by:

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NIKIMA NEWSOME
 City Clerk
 4/29/2025

Signed by:

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 By: _____
ELAINE POLACHEK
 Interim City Manager
 Interim Director of Emergency Services
 4/29/2025

APPROVED AS TO FORM:

DocuSigned by:

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DOUGLAS SLOAN
 City Attorney
 4/29/2025

Attachment: I-Fifth Supplement Executive Order Local Emergency April 29, 2025 (7387 : Fire Emergency Order Extension)



**SIXTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF
EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica and the County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning over well over 40,000 acres; and

WHEREAS, high winds, low humidity, and dry conditions increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph were forecasted; and

WHEREAS, the Regional Fires and windstorm conditions threatened structures, homes, and critical infrastructure, including power lines and water tanks, prompted evacuation orders and warnings, and impacted the access route to the Regional Fires communities; and

WHEREAS, along with the windstorm, the Regional Fires spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and road closures, and continued to threaten structures, homes and critical infrastructure over multiple days; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

WHEREAS, this weather system caused extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, these events created conditions likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above-described events created conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, ("Executive Director of Emergency Services") issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the

Existence of a Local Emergency (“Executive Order”) declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Revised Executive Order”) restating the declaration of local emergency, and 1) prohibiting landscaping activities in areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires: 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City's below market housing waitlist to households displaced by the Regional Fires with minor children currently attending SMMUSD schools or that work in the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Second Revised Executive Order") to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires destroyed more than 17,000 structures; and

WHEREAS, on January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes and the Tourism Marketing District Assessment due for December 2024; and 4) expanding criteria for Tier 1 priority on the City's below market housing waitlist for income-qualifying households impacted by the Regional Fires; and

WHEREAS, on February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order; and

WHEREAS, on February 25, the City Council further gave direction to phase out suspension of enforcement of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, and to clarify tenant protections for persons displaced that obtained housing during the suspension; and

WHEREAS, on March 19, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) broaden the Order's provisions to include schools and Child Care and Early Education Facilities that were expanding to accommodate students displaced by the Regional Fires; 2) terminate the portion of Section 3 of the Second Revised Emergency Order suspending enforcement of the provisions of the City's Home-Sharing Ordinance as of April 18, 2025,

and clarify that the resumption of enforcement does not require the eviction of any person occupying a rental unit pursuant to Section 3 of the Second Revised Emergency Order or terminate any tenant rights that any such person may have acquired; 3) expand the 30-day extension for payment of TOT and TMD to any request made on or before April 30, 2025; and 4) suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025; and

WHEREAS, on March 28, 2025, the Interim Executive Director of Emergency Services issued a Third Supplement to the Second Revised Executive Order to discount license fees by 50% for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of March 2025; and

WHEREAS, unexpected traffic impacts may occur as a result of schools that have been displaced by the Regional Fires operating or expanding within the City as a temporary use, which may be alleviated through a Parking and Loading Operations Plan; and

WHEREAS, schools displaced by the Regional Fires that expect to operate within the City's Downtown will experience unexpected costs arising out of parking fees for the City's Downtown parking structure; and

WHEREAS, providing a discounted group rate to displaced schools will alleviate some unexpected financial burden while supporting use of the City's Downtown parking structures; and

WHEREAS, in the months that have passed since the Regional Fires, persons displaced have had opportunity to find housing accommodations on a semi-permanent or permanent basis; and

WHEREAS, expiration of emergency measures allowing modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests will allow for normal parking operations to resume; and

WHEREAS, on April 16, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) require schools operating or expanding under Section 1o to the Second Revised Emergency Order, as amended, to submit a Parking and Loading Operations Plan to the City; 2) provide a pro rata monthly Group Discount Rate for the City's Downtown Parking Structures for the 35 remaining days of the Spring 2025 Semester for schools operating or expanding under Section 1 to the Second Revised Emergency Order, as amended, that are located within the Downtown; and 3) terminate modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests permits set forth in Section 2 of the Second Revised Emergency Order as of April 30, 2025; and

WHEREAS, on April 22, 2025, the City Council adopted Resolution Number 11659 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First Supplement to the Executive Order, and ratifying the Second, Third, and Fourth Supplements to the Executive Order; and

WHEREAS, on April 22, 2025, the Council provided further direction to extend the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants,

Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025, for an additional 60 days; and

WHEREAS, on April 29, 2025, the Executive Director of Emergency Services issued a Fifth Supplement to the Second Revised Executive Order to implement Council direction from April 22 and extend the provisions of Section 5 to the Second Supplement through June 30, 2025; and

WHEREAS, on June 10, 2025, the City Council adopted Resolution Number 11668 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third and Fourth Supplements to the Executive Order, and ratifying the Fifth Supplement to the Executive Order; and

WHEREAS, although the immediate fire danger has subsided, the City has continued to receive requests to accommodate individuals, schools, and businesses displaced by the Regional Fires; and

WHEREAS, the City has received additional inquiries from displaced schools, early childhood education centers, and small businesses seeking flexibility from regulations in order to temporarily or permanently relocate to the City; and

WHEREAS, allowing for this additional flexibility will support displaced residents, students and businesses in their recovery from the Regional Fires while further supporting the City's economic recovery efforts; and

WHEREAS, local businesses have reported that they are still experiencing economic impacts from the Regional Fires and face resulting economic uncertainty; and

WHEREAS further extending the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales, will provide additional opportunities for economic recovery for local businesses.

NOW, THEREFORE, I, Elaine Polachek, the Interim Director of Emergency Services for the City of Santa Monica, do hereby issue the following supplemental order to become effective immediately, subject to ratification by the Council as may be required by the Municipal Code.

IT HEREBY ORDERED THAT:

1. The Second Revised Executive Order shall continue in full force and effect, except as modified and supplemented by the First, Second, Third, Fourth and Fifth Supplements, and this Sixth Supplement.

2. Section 1 of the Second Revised Executive Order, as amended by the First, Second and Fourth Supplements to the Executive Order, is hereby amended as follows:

A. Within the City’s non-residential zones:

1. Schools, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(11), and Child Care and Early Education Facilities, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(3) that were displaced by the Regional Fires or expansions to existing schools to accommodate students displaced by the Regional Fires may operate ~~within the City’s non-~~

Attachment: J-Sixth Supplement Executive Order Local Emergency June 26, 2025 (7387 : Fire Emergency Order Extension)

~~residential zones~~ as a temporary use without first obtaining a Conditional Use Permit or a Temporary Use Permit; and

2. ~~in addition, small~~ Small businesses, as that term is defined by the United States Small Business Administration at 13 CFR § 121.105, and nonprofit organizations, that were operating in Los Angeles County and have been impacted or displaced by the Regional Fires may operate ~~within the City~~ without first obtaining a Conditional Use Permit, or as a temporary permitted use without first obtaining a Temporary Use Permit.

B. Within the City’s Residential Zones, Schools with existing Conditional Use Permits ~~in residential zones~~ that are subject to occupancy limitations may expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; Child Care and Early Education Facilities displaced by the Regional Fires may operate as a permitted use in existing buildings that were previously used as Child Care and Early Education Facilities.

C. Prior to occupancy and upon request by the City, schools operating or expanding under this Section shall submit a Parking and Loading Operations Plan to the Director of the Community Development Department for review and approval, which may be amended from time to time.


D. City Staff shall also prioritize any necessary permitting and inspections required, and strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; since it is the intent to accommodate those affected beyond the immediate fire emergency threat, City Staff are also directed to prepare and offer for Council approval solutions that would allow those schools, child care and early education facilities, small businesses and nonprofits

displaced and temporarily relocating pursuant to this provision to remain for six to twelve months (or longer, as may be directed by Council) following their displacement.

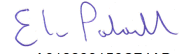
3. The provisions of Section 5 of the Second Supplement are hereby extended and shall terminate on August 31, 2025, at 11:59 p.m., unless extended or expressly superseded by a further order of the Director of Emergency Services.

ADOPTED this 26th day of June 2025.

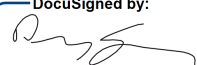
ATTEST:

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NIKIMA NEWSOME
City Clerk
6/26/2025

Signed by:

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By: _____
ELAINE POLACHEK
Interim City Manager
Interim Director of Emergency Services
6/26/2025

APPROVED AS TO FORM:

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DOUGLAS SLOAN
City Attorney
6/26/2025

Attachment: J-Sixth Supplement Executive Order Local Emergency June 26, 2025 (7387 : Fire Emergency Order Extension)



SEVENTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica and the County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning over well over 40,000 acres; and

WHEREAS, high winds, low humidity, and dry conditions increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph were forecasted; and

Attachment: K-Seven Supplement Executive Order Local Emergency August 28, 2025 (7387 : Fire Emergency Order Extension)

WHEREAS, the Regional Fires and windstorm conditions threatened structures, homes, and critical infrastructure, including power lines and water tanks, prompted evacuation orders and warnings, and impacted the access route to the Regional Fires communities; and

WHEREAS, along with the windstorm, the Regional Fires spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and road closures, and continued to threaten structures, homes and critical infrastructure over multiple days; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation; and

WHEREAS, this weather system caused extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, these events created conditions likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above-described events created conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, (“Executive Director of Emergency Services”) issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Executive Order”) declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Revised Executive Order”) restating the declaration of local emergency, and 1) prohibiting landscaping activities in

areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires: 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City's below market housing waitlist to households displaced by the Regional Fires with minor children currently attending SMMUSD schools or that work in the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Second Revised Executive Order") to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires destroyed more than 17,000 structures; and

WHEREAS, on January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes and the Tourism Marketing District Assessment due for December 2024; and 4) expanding criteria for Tier 1 priority on the City's below market housing waitlist for income-qualifying households impacted by the Regional Fires; and

WHEREAS, on February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order; and

WHEREAS, on February 25, the City Council further gave direction to phase out suspension of enforcement of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, and to clarify tenant protections for persons displaced that obtained housing during the suspension; and

WHEREAS, on March 19, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) broaden the Order's provisions to include schools and Child Care and Early Education Facilities that were expanding to accommodate students displaced by the Regional Fires;

2) terminate the portion of Section 3 of the Second Revised Emergency Order suspending enforcement of the provisions of the City's Home-Sharing Ordinance as of April 18, 2025, and clarify that the resumption of enforcement does not require the eviction of any person occupying a rental unit pursuant to Section 3 of the Second Revised Emergency Order or terminate any tenant rights that any such person may have acquired; 3) expand the 30-day extension for payment of TOT and TMD to any request made on or before April 30, 2025; and 4) suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025; and

WHEREAS, on March 28, 2025, the Interim Executive Director of Emergency Services issued a Third Supplement to the Second Revised Executive Order to discount license fees by 50% for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of March 2025; and

WHEREAS, unexpected traffic impacts may occur as a result of schools that have been displaced by the Regional Fires operating or expanding within the City as a temporary use, which may be alleviated through a Parking and Loading Operations Plan; and

WHEREAS, schools displaced by the Regional Fires that expect to operate within the City's Downtown will experience unexpected costs arising out of parking fees for the City's Downtown parking structure; and

WHEREAS, providing a discounted group rate to displaced schools will alleviate some unexpected financial burden while supporting use of the City's Downtown parking structures; and

WHEREAS, in the months that have passed since the Regional Fires, persons displaced have had opportunity to find housing accommodations on a semi-permanent or permanent basis; and

WHEREAS, expiration of emergency measures allowing modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests will allow for normal parking operations to resume; and

WHEREAS, on April 16, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) require schools operating or expanding under Section 1o to the Second Revised Emergency Order, as amended, to submit a Parking and Loading Operations Plan to the City; 2) provide a pro rata monthly Group Discount Rate for the City's Downtown Parking Structures for the 35 remaining days of the Spring 2025 Semester for schools operating or expanding under Section 1 to the Second Revised Emergency Order, as amended, that are located within the Downtown; and 3) terminate modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests permits set forth in Section 2 of the Second Revised Emergency Order as of April 30, 2025; and

WHEREAS, on April 22, 2025, the City Council adopted Resolution Number 11659 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First Supplement to the Executive Order, and ratifying the Second, Third, and Fourth Supplements to the Executive Order; and

WHEREAS, on April 22, 2025, the Council provided further direction to extend the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025, for an additional 60 days; and

WHEREAS, on April 29, 2025, the Executive Director of Emergency Services issued a Fifth Supplement to the Second Revised Executive Order to implement Council direction from April 22 and extend the provisions of Section 5 to the Second Supplement through June 30, 2025; and

WHEREAS, on June 10, 2025, the City Council adopted Resolution Number 11668 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third and Fourth Supplements to the Executive Order, and ratifying the Fifth Supplement to the Executive Order; and

WHEREAS, on June 26, 2025, the Executive Director of Emergency Services issued a Sixth Supplement to the Second Revised Executive Order to: 1) allow Child Care and Early Education Facilities displaced by the Regional Fires to operate within the City's nonresidential zones as a permitted use in existing buildings that were previously used as Child Care and Early Education Facilities; and 2) extend the provisions of Section 5 of the Second Supplement to August 31, 2025; and

WHEREAS, on July 29, 2025, the City Council adopted Resolution Number 11685 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order,

and the First, Second, Third, Fourth, and Fifth Supplements to the Executive Order, and ratifying the Sixth Supplement to the Executive Order; and

WHEREAS, although the immediate fire danger has subsided, the City has continued to receive requests to accommodate individuals, schools, and businesses displaced by the Regional Fires; and

WHEREAS, the City has received additional inquiries from displaced schools, early childhood education centers, and small businesses seeking flexibility from regulations in order to temporarily or permanently relocate to the City; and

WHEREAS, allowing for this additional flexibility will support displaced residents, students and businesses in their recovery from the Regional Fires while further supporting the City's economic recovery efforts; and

WHEREAS, local businesses have reported that they are still experiencing economic impacts from the Regional Fires and face resulting economic uncertainty; and

WHEREAS, allowing the Director of the Community Development Department, or designee, to issue Temporary Use Permits for temporary uses that are supportive of economic recovery or to support businesses that were operating within Los Angeles County but displaced by the Regional Fires, which the Director has determined will be compatible with the purposes of the district and surrounding land uses, will provide additional opportunity for displaced businesses and economic recovery for local businesses; and

WHEREAS, further extending the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and

conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales, will provide additional opportunities for economic recovery for local businesses.

NOW, THEREFORE, I, Oliver Chi, the Director of Emergency Services for the City of Santa Monica, do hereby issue the following supplemental order to become effective immediately, subject to ratification by the Council as may be required by the Municipal Code.

IT HEREBY ORDERED THAT:

1. The Second Revised Executive Order shall continue in full force and effect, except as modified and supplemented by the First, Second, Third, Fourth, Fifth, Sixth Supplements, and this Seventh Supplement.

2. Section 1 of the Second Revised Executive Order, as amended by the First, Second and Fourth Supplements to the Executive Order, is hereby amended as follows:

A. Within the City's non-residential zones:

1. Schools, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(11), and Child Care and Early Education Facilities, as that term is defined by Santa Monica Municipal Code Section 9.51.030(A)(3) that were displaced by the Regional Fires or expansions to existing schools to accommodate students displaced by the Regional Fires may operate as a temporary use without first obtaining a Conditional Use Permit or a Temporary Use Permit; and

2. Small businesses, as that term is defined by the United States Small Business Administration at 13 CFR § 121.105, and nonprofit organizations, that were operating in Los Angeles County and have been impacted or displaced by the

Regional Fires may operate without first obtaining a Conditional Use Permit, or as a temporary permitted use without first obtaining a Temporary Use Permit.

3. The Director of the Community Development Department, or designee, may issue Temporary Use Permits in accordance with Santa Monica Municipal Code Chapter 9.44 for temporary uses supportive of economic recovery or to support businesses operating in Los Angeles County that were displaced by the Regional Fires, if the Director has determined that the temporary use will be compatible with the purposes of the district and surrounding land uses.

B. Within the City's Residential Zones, Schools with existing Conditional Use Permits that are subject to occupancy limitations may expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; Child Care and Early Education Facilities displaced by the Regional Fires may operate as a permitted use in existing buildings that were previously used as Child Care and Early Education Facilities.

C. Prior to occupancy and upon request by the City, schools operating or expanding under this Section shall submit a Parking and Loading Operations Plan to the Director of the Community Development Department for review and approval, which may be amended from time to time.


D. City Staff shall also prioritize any necessary permitting and inspections required, and strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; since it is the intent to accommodate those affected beyond the immediate fire emergency threat, City Staff are also directed to prepare and offer for Council approval solutions that would allow those schools, child care and early education facilities, small businesses and nonprofits


displaced and temporarily relocating pursuant to this provision to remain for six to twelve months (or longer, as may be directed by Council) following their displacement.

3. The provisions of Section 5 of the Second Supplement are hereby extended and shall terminate on October 31, 2025, at 11:59 p.m., unless extended or expressly superseded by a further order of the Director of Emergency Services.


ADOPTED this 28th day of August 2025.

ATTEST:

DocuSigned by:

7032651E374E430...
NIKIMA NEWSOME
City Clerk
8/29/2025

Signed by:

A99E21FD504B4
By: _____
OLIVER CHI
City Manager
Director of Emergency Services
8/29/2025

APPROVED AS TO FORM:

Signed by:

61C02D0CAE84432...
DOUGLAS SLOAN
City Attorney
8/29/2025

Attachment: K-Seventh Supplement Executive Order Local Emergency August 28, 2025 (7387 : Fire Emergency Order Extension)

**CITY OF SANTA MONICA
EIGHTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF
EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, a life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica and the County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph gusts in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning well over 40,000 acres; and

WHEREAS, high winds, low humidity, and dry conditions increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph were forecasted; and

WHEREAS, the Regional Fires and windstorm conditions threatened structures, homes, and critical infrastructure, including power lines and water tanks, prompted evacuation orders and warnings, and impacted the access route to the Regional Fires communities; and

WHEREAS, along with the windstorm, the Regional Fires spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and

road closures, and continued to threaten structures, homes, and critical infrastructure over multiple days; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity, and extremely dry vegetation; and

WHEREAS, this weather system caused extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, these events created conditions likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above-described events created conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, ("Executive Director of Emergency Services") issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Executive Order") declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Revised Executive Order”) restating the declaration of local emergency, and 1) prohibiting landscaping activities in areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the

protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires; 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City's below market housing waitlist to households displaced by the Regional Fires with minor children currently attending SMMUSD schools or that work in the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Second Revised Executive Order") to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires destroyed more than 17,000 structures; and

WHEREAS, on January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended

dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes and the Tourism Marketing District Assessment due for December 2024; and 4) expanding criteria for Tier 1 priority on the City's below market housing waitlist for income-qualifying households impacted by the Regional Fires; and

WHEREAS, on February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order; and

WHEREAS, on February 25, the City Council further gave direction to phase out suspension of enforcement of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, and to clarify tenant protections for persons displaced that obtained housing during the suspension; and

WHEREAS, on March 19, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) broaden the Order's provisions to include schools and Child Care and Early Education Facilities that were expanding to accommodate students displaced by the Regional Fires; 2) terminate the portion of Section 3 of the Second Revised Emergency Order suspending enforcement of the provisions of the City's Home-Sharing Ordinance as of April 18, 2025, and clarify that the resumption of enforcement does not require the eviction of any person occupying a rental unit pursuant to Section 3 of the Second Revised Emergency Order or terminate any tenant rights that any such person may have acquired; 3) expand the 30-day extension for payment of TOT and TMD to any request made on or before April 30, 2025; and 4) suspend certain provisions of Santa Monica Municipal Code 9.31.280,

Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025; and

WHEREAS, on March 28, 2025, the Interim Executive Director of Emergency Services issued a Third Supplement to the Second Revised Executive Order to discount license fees by 50% for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of March 2025; and

WHEREAS, unexpected traffic impacts may occur as a result of schools that have been displaced by the Regional Fires operating or expanding within the City as a temporary use, which may be alleviated through a Parking and Loading Operations Plan; and

WHEREAS, schools displaced by the Regional Fires that expect to operate within the City's Downtown will experience unexpected costs arising out of parking fees for the City's Downtown parking structure; and

WHEREAS, providing a discounted group rate to displaced schools will alleviate some unexpected financial burden while supporting use of the City's Downtown parking structures; and

WHEREAS, in the months that have passed since the Regional Fires, persons displaced have had opportunity to find housing accommodations on a semi-permanent or permanent basis; and

WHEREAS, expiration of emergency measures allowing modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests will allow for normal parking operations to resume; and

WHEREAS, on April 16, 2025, the Interim Executive Director of Emergency Services issued a Fourth Supplement to the Second Revised Executive Order to: 1) require schools operating or expanding under Section 1 to the Second Revised Emergency Order, as amended, to submit a Parking and Loading Operations Plan to the City; 2) provide a pro rata monthly Group Discount Rate for the City's Downtown Parking Structures for the 35 remaining days of the Spring 2025 Semester for schools operating or expanding under Section 1 to the Second Revised Emergency Order, as amended, that are located within the Downtown; and 3) terminate modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests permits set forth in Section 2 of the Second Revised Emergency Order as of April 30, 2025; and

WHEREAS, on April 22, 2025, the City Council adopted Resolution Number 11659 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First Supplement to the Executive Order, and ratifying the Second, Third, and Fourth Supplements to the Executive Order; and

WHEREAS, on April 22, 2025, the Council provided further direction to extend the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to

allow for additional flexibility in alcohol sales and service through April 30, 2025, for an additional 60 days; and

WHEREAS, on April 29, 2025, the Executive Director of Emergency Services issued a Fifth Supplement to the Second Revised Executive Order to implement Council direction from April 22 and extend the provisions of Section 5 to the Second Supplement through June 30, 2025; and

WHEREAS, on June 10, 2025, the City Council adopted Resolution Number 11668 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third and Fourth Supplements to the Executive Order, and ratifying the Fifth Supplement to the Executive Order; and

WHEREAS, on June 26, 2025, the Executive Director of Emergency Services issued a Sixth Supplement to the Second Revised Executive Order to: 1) allow Child Care and Early Education Facilities displaced by the Regional Fires to operate within the City's nonresidential zones as a permitted use in existing buildings that were previously used as Child Care and Early Education Facilities; and 2) extend the provisions of Section 5 of the Second Supplement to August 31, 2025; and

WHEREAS, on July 29, 2025, the City Council adopted Resolution Number 11685 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, and Fifth Supplements to the Executive Order, and ratifying the Sixth Supplement to the Executive Order; and

WHEREAS, on August 28, 2025, the Executive Director of Emergency Services issued a Seventh Supplement to the Second Revised Executive Order to: 1) authorize the Director of the Community Development Department, or designee, to issue Temporary Use Permits for temporary uses that are supportive of economic recovery or

to support businesses that were operating within Los Angeles County but displaced by the Regional Fires, which the Director has determined will be compatible with the purposes of the district and surrounding land uses; and 2) extend the provisions of Section 5 of the Second Supplement to October 31, 2025; and

WHEREAS, on September 9, 2025, the City Council adopted Resolution Number 11696 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth and Sixth Supplements to the Executive Order, and ratifying the Seventh Supplement to the Executive Order; and

WHEREAS, although the immediate fire danger has subsided, the City has continued to receive requests to accommodate individuals, schools, and businesses displaced by the Regional Fires; and

WHEREAS, the City has received additional inquiries from displaced schools, early childhood education centers, and small businesses seeking flexibility from regulations in order to temporarily or permanently relocate to the City; and

WHEREAS, allowing for this additional flexibility will support displaced residents, students and businesses in their recovery from the Regional Fires while further supporting the City's economic recovery efforts; and

WHEREAS, local businesses have reported that they are still experiencing economic impacts from the Regional Fires and face resulting economic uncertainty; and

WHEREAS, allowing the Director of the Community Development Department, or designee, to issue Temporary Use Permits for temporary uses that are supportive of economic recovery or to support businesses that were operating within Los Angeles County but displaced by the Regional Fires, which the Director has determined will be compatible with the purposes of the district and surrounding land uses, will provide

additional opportunity for displaced businesses and economic recovery for local businesses; and

WHEREAS, after an initial higher volume of requests for Tier 1 priority due to impacts from the regional fires on the City's Below Market Housing waitlist and the Santa Monica Housing Authority's waitlist, requests have dropped significantly in recent months, with only one request for Tier 1 priority submitted to the Housing Division from October 1 through October 22, 2025, evidencing demand for the preference has largely subsided; and

WHEREAS, the 6-month period of Tier 1 priority on the Below Market Housing waitlist and the Santa Monica Housing Authority's waitlist that was granted under the Second Revised Executive Order to eligible persons impacted by the Regional Fires has expired for initial persons that were awarded the priority and will expire soon for others; and

WHEREAS, as the Emergency Housing Voucher (EHV) program sunsets and federal funding winds down, it is vital for the Housing Authority to focus its limited voucher program staff capacity on maintaining housing stability for current voucher program participants, particularly those transitioning from the EHV program into the Section 8 Housing Choice Voucher program to prevent displacement and homelessness; and

WHEREAS, further extending the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in

alcohol sales, will provide additional opportunities for economic recovery for local businesses.

NOW, THEREFORE, I, Oliver Chi, the Director of Emergency Services for the City of Santa Monica, do hereby issue the following supplemental order to become effective immediately, subject to ratification by the Council as may be required by the Municipal Code.

IT HEREBY ORDERED THAT:

1. The Second Revised Executive Order shall continue in full force and effect, except as modified and supplemented by the First, Second, Third, Fourth, Fifth, Sixth, and Seventh Supplements, and this Eighth Supplement.


2. Section 4 of the Second Revised Executive Order as modified and supplemented by the First Supplement is hereby terminated and is of no further force and effect except that households granted Tier 1 priority on the Below Market Housing waiting list or the Santa Monica Housing Authority waiting list shall retain that priority for a period of 6 months after being granted the priority.

3. The provisions of Section 5 of the Second Supplement are hereby extended and shall terminate on December 31, 2025, at 11:59 p.m., unless extended or expressly superseded by a further order of the Director of Emergency Services.


///

ADOPTED this 23rd day of October 2025.

ATTEST:

DocuSigned by:

7032651F371E430

NIKIMA NEWSOME
City Clerk

Signed by:

A99E21EDDD504B4...
By: _____
OLIVER CHI
City Manager
Director of Emergency Services

APPROVED AS TO FORM:

DocuSigned by:

13843626425B4F4...

HEIDI VON TONGELN
Interim City Attorney

Attachment: L-Eighth Supplement Executive Order Local Emergency October 23, 2025 (7387 : Fire Emergency Order Extension)

**CITY OF SANTA MONICA
NINTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF
EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, a life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica and the County and City of Los Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service advised that damaging N/NE gusts of 50-80 mph, as well as isolated 80-100 mph gusts in the mountains and foothills, were expected across most of Los Angeles metropolitan area; and

WHEREAS, commencing on January 7, 2025, the Palisades Fire and other major fires, including, but not limited to, the Eaton Fire located primarily in Altadena (Regional Fires) ignited in Los Angeles County, burning well over 40,000 acres; and

WHEREAS, high winds, low humidity, and dry conditions increased the intensity and spread of the Regional Fires, causing imminent threats to life with Red Flag warnings in effect in Los Angeles and Ventura Counties and widespread dangerous windstorm conditions with damaging wind gusts of 50 to 80 mph were forecasted; and

WHEREAS, the Regional Fires and windstorm conditions threatened structures, homes, and critical infrastructure, including power lines and water tanks, prompted evacuation orders and warnings, and impacted the access route to the Regional Fires communities; and

WHEREAS, along with the windstorm, the Regional Fires spread across more than 40,000 acres, damaging or destroying structures and prompting evacuation orders and

Attachment: M-Ninth Supplement to Proclamation-Local Emergency-2025 Palisades Fire 12.19.25 (7387 : Fire Emergency Order Extension)

road closures, and continued to threaten structures, homes, and critical infrastructure over multiple days; and

WHEREAS, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for 19 million people in the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity, and extremely dry vegetation; and

WHEREAS, this weather system caused extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior, impacting significant transportation arteries, requiring long-term repair and threatening the integrity of the critical infrastructure; and

WHEREAS, based upon the above events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, these events created conditions likely to become beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and that such emergency conditions require the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, the City of Santa Monica (the City) has a population of over 90,000 residents, is a major tourist destination, has two major hospitals and an airport within its jurisdiction, is a significant destination for business travel, and is adjacent to and contiguous on three sides with the City of Los Angeles, resulting in high volumes of residents and visitors traveling within and across the City's borders; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, the City intends to continue to take bold and aggressive actions to protect the public health and safety during this local and state emergency; and

WHEREAS, the above-described events created conditions of extreme peril and such conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the Regional Fires have displaced many thousands of residents who are in need of temporary housing; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, ("Executive Director of Emergency Services") issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Executive Order") declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Executive Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permits bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, on January 10, 2025, the Executive Director of Emergency Services issued a Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency (“Revised Executive Order”) restating the declaration of local emergency, and 1) prohibiting landscaping activities in areas subject to a Mandatory Evacuation Order; and 2) making other minor amendments and clarifications; and

WHEREAS, on January 10, 2025, at a Special Meeting of the City Council, the Council adopted Resolution Number 11639 (CCS) to: 1) ratify the Executive Order and Revised Executive Order; 2) proclaim a local emergency throughout the City; and 3) authorize the Executive Director of Emergency Services to take all actions related to the

Attachment: M-Ninth Supplement to Proclamation-Local Emergency-2025 Palisades Fire 12.19.25 (7387 : Fire Emergency Order Extension)

protection of life and property that are reasonably necessary to respond to the local emergency caused by the Regional Fires; and

WHEREAS, on January 10, 2025, the City Council further directed staff to supplement the Executive Order to: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires; 2) prioritize any necessary permitting and inspections for displaced schools, early childhood education centers, small businesses and nonprofit organizations, and clarify that strict adherence to building codes shall not be required on this temporary basis unless the provision directly affects health and safety; 3) grant priority on the City's below market housing waitlist to households displaced by the Regional Fires with minor children currently attending SMMUSD schools or that work in the City at least 25 hours per week; 4) prohibit open flames during times of red flag warnings; and 5) make other minor clarifications and corrections; and

WHEREAS, on January 14, 2025, the Executive Director of Emergency Services issued a Second Revised Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the Existence of a Local Emergency ("Second Revised Executive Order") to implement Council direction; and

WHEREAS, as of January 30, 2025, the Regional Fires destroyed more than 17,000 structures; and

WHEREAS, on January 31, 2025, the Executive Director of Emergency Services issued a First Supplement to the Executive Order to: 1) authorize schools with existing Conditional Use Permits in residential zones to expand to accommodate students from other campuses operated by the existing school displaced by the Regional Fires; 2) waive license fees for outdoor dining areas, sidewalk dining, parklets, and pier deck extended

dining for the month of February 2025; 3) authorize the Finance Department to grant hotels and motels a 30-day extension for payment of Transient Occupancy Taxes and the Tourism Marketing District Assessment due for December 2024; and 4) expanding criteria for Tier 1 priority on the City's below market housing waitlist for income-qualifying households impacted by the Regional Fires; and

WHEREAS, on February 25, 2025, the City Council adopted Resolution Number 11645 (CCS), ratifying the Executive Order, the Revised Executive Order, the Second Revised Executive Order, and the First Supplement to the Executive Order; and

WHEREAS, on February 25, the City Council further gave direction to phase out suspension of enforcement of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, and to clarify tenant protections for persons displaced that obtained housing during the suspension; and

WHEREAS, on March 19, 2025, the Interim Executive Director of Emergency Services issued a Second Supplement to the Second Revised Executive Order to: 1) broaden the Order's provisions to include schools and Child Care and Early Education Facilities that were expanding to accommodate students displaced by the Regional Fires; 2) terminate the portion of Section 3 of the Second Revised Emergency Order suspending enforcement of the provisions of the City's Home-Sharing Ordinance as of April 18, 2025, and clarify that the resumption of enforcement does not require the eviction of any person occupying a rental unit pursuant to Section 3 of the Second Revised Emergency Order or terminate any tenant rights that any such person may have acquired; 3) expand the 30-day extension for payment of TOT and TMD to any request made on or before April 30, 2025; and 4) suspend certain provisions of Santa Monica Municipal Code 9.31.280,

Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service through April 30, 2025; and

WHEREAS, on March 28, 2025, the Interim Executive Director of Emergency Services issued a Third Supplement to the Second Revised Executive Order to discount license fees by 50% for outdoor dining areas, sidewalk dining, parklets, and pier deck extended dining for the month of March 2025; and

WHEREAS, unexpected traffic impacts may occur as a result of schools that have been displaced by the Regional Fires operating or expanding within the City as a temporary use, which may be alleviated through a Parking and Loading Operations Plan; and

WHEREAS, schools displaced by the Regional Fires that expect to operate within the City's Downtown will experience unexpected costs arising out of parking fees for the City's Downtown parking structure; and

WHEREAS, providing a discounted group rate to displaced schools will alleviate some unexpected financial burden while supporting use of the City's Downtown parking structures; and

WHEREAS, in the months that have passed since the Regional Fires, persons displaced have had opportunity to find housing accommodations on a semi-permanent or permanent basis; and

WHEREAS, expiration of emergency measures allowing modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests will allow for normal parking operations to resume; and

WHEREAS, on April 16, 2025, the Interim Executive Director of Emergency Services issued a Fourth Supplement to the Second Revised Executive Order to: 1) require schools operating or expanding under Section 1 to the Second Revised Emergency Order, as amended, to submit a Parking and Loading Operations Plan to the City; 2) provide a pro rata monthly Group Discount Rate for the City's Downtown Parking Structures for the 35 remaining days of the Spring 2025 Semester for schools operating or expanding under Section 1 to the Second Revised Emergency Order, as amended, that are located within the Downtown; and 3) terminate modifications to parking regulations for Temporary Preferential parking permits or 30 day Overnight Beach Residents & Guests permits set forth in Section 2 of the Second Revised Emergency Order as of April 30, 2025; and

WHEREAS, on April 22, 2025, the City Council adopted Resolution Number 11659 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First Supplement to the Executive Order, and ratifying the Second, Third, and Fourth Supplements to the Executive Order; and

WHEREAS, on April 22, 2025, the Council provided further direction to extend the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to

allow for additional flexibility in alcohol sales and service through April 30, 2025, for an additional 60 days; and

WHEREAS, on April 29, 2025, the Executive Director of Emergency Services issued a Fifth Supplement to the Second Revised Executive Order to implement Council direction from April 22 and extend the provisions of Section 5 to the Second Supplement through June 30, 2025; and

WHEREAS, on June 10, 2025, the City Council adopted Resolution Number 11668 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third and Fourth Supplements to the Executive Order, and ratifying the Fifth Supplement to the Executive Order; and

WHEREAS, on June 26, 2025, the Executive Director of Emergency Services issued a Sixth Supplement to the Second Revised Executive Order to: 1) allow Child Care and Early Education Facilities displaced by the Regional Fires to operate within the City’s nonresidential zones as a permitted use in existing buildings that were previously used as Child Care and Early Education Facilities; and 2) extend the provisions of Section 5 of the Second Supplement to August 31, 2025; and

WHEREAS, on July 29, 2025, the City Council adopted Resolution Number 11685 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, and Fifth Supplements to the Executive Order, and ratifying the Sixth Supplement to the Executive Order; and

WHEREAS, on August 28, 2025, the Executive Director of Emergency Services issued a Seventh Supplement to the Second Revised Executive Order to: 1) authorize the Director of the Community Development Department, or designee, to issue Temporary Use Permits for temporary uses that are supportive of economic recovery or

Attachment: M-Ninth Supplement to Proclamation-Local Emergency-2025 Palisades Fire 12.19.25 (7387 : Fire Emergency Order Extension)

to support businesses that were operating within Los Angeles County but displaced by the Regional Fires, which the Director has determined will be compatible with the purposes of the district and surrounding land uses; and 2) extend the provisions of Section 5 of the Second Supplement to October 31, 2025; and

WHEREAS, on September 9, 2025, the City Council adopted Resolution Number 11696 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth and Sixth Supplements to the Executive Order, and ratifying the Seventh Supplement to the Executive Order; and

WHEREAS, on October 23, 2025, the Executive Director of Emergency Services issued an Eighth Supplement to the Second Revised Executive Order to extend the provisions of Section 5 of the Second Supplement to December 31, 2025; and

WHEREAS, on October 28, 2025, the City Council adopted Resolution Number 11713 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth, Sixth, and Seventh Supplements to the Executive Order, and ratifying the Eighth Supplement to the Executive Order; and

WHEREAS, on December 16, 2025, the City Council adopted Resolution Number 11727 (CCS), re-ratifying the Executive Order, the First and Second Revised Executive Order, and the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Supplements to the Executive Order; and

WHEREAS, although the immediate fire danger has subsided, the City has continued to receive requests to accommodate individuals, schools, and businesses displaced by the Regional Fires; and

WHEREAS, the City has received additional inquiries from displaced schools, early childhood education centers, and small businesses seeking flexibility from regulations in order to temporarily or permanently relocate to the City; and

WHEREAS, allowing for this additional flexibility will support displaced residents, students and businesses in their recovery from the Regional Fires while further supporting the City’s economic recovery efforts; and

WHEREAS, local businesses have reported that they are still experiencing economic impacts from the Regional Fires and face resulting economic uncertainty; and

WHEREAS, allowing the Director of the Community Development Department, or designee, to issue Temporary Use Permits for temporary uses that are supportive of economic recovery or to support businesses that were operating within Los Angeles County but displaced by the Regional Fires, which the Director has determined will be compatible with the purposes of the district and surrounding land uses, will provide additional opportunity for displaced businesses and economic recovery for local businesses; and

WHEREAS, after an initial higher volume of requests for Tier 1 priority due to impacts from the regional fires on the City’s Below Market Housing waitlist and the Santa Monica Housing Authority’s waitlist, requests have dropped significantly in recent months, with only one request for Tier 1 priority submitted to the Housing Division from October 1 through October 22, 2025, evidencing demand for the preference has largely subsided; and

WHEREAS, the 6-month period of Tier 1 priority on the Below Market Housing waitlist and the Santa Monica Housing Authority’s waitlist that was granted under the Second Revised Executive Order to eligible persons impacted by the Regional Fires has

Attachment: M-Ninth Supplement to Proclamation-Local Emergency-2025 Palisades Fire 12.19.25 (7387 : Fire Emergency Order Extension)

expired for initial persons that were awarded the priority and will expire soon for others; and

WHEREAS, as the Emergency Housing Voucher (EHV) program sunsets and federal funding winds down, it is vital for the Housing Authority to focus its limited voucher program staff capacity on maintaining housing stability for current voucher program participants, particularly those transitioning from the EHV program into the Section 8 Housing Choice Voucher program to prevent displacement and homelessness; and

WHEREAS, in adopting SMMC Chapter 6.22 on September 9, 2020, the City Council found and declared that “the City’s rental housing stock should, to the extent possible, be preserved for use as long-term permanent housing”; and

WHEREAS, the temporary suspension of enforcement of SMMC Chapter 6.22, Residential Leasing Requirements, as to persons who rent to persons displaced by the Regional Fires pursuant to Section 3 of the Second Revised Executive Order expanded housing opportunities for displaced persons in need of medium-term and furnished housing who were unable to return to their homes for months after the fires; and

WHEREAS, the demand for new medium-term furnished housing units among displaced persons has substantially decreased, as many households now have long term plans in place for rebuilding or permanently relocating, and the demand for permanent housing in Santa Monica remains high; and

WHEREAS, temporary housing, with lease terms of more than thirty days but less than a year, typically has a higher monthly price point than rental housing subject to annual leases, thereby increasing market pressure on rents and diminishing the supply of units available for permanent residence; and

WHEREAS, further extending the provisions of Section 5 of the Second Supplement to the Emergency Order, which suspended certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales, will provide additional opportunities for economic recovery for local businesses.

NOW, THEREFORE, I, Oliver Chi, the Director of Emergency Services for the City of Santa Monica, do hereby issue the following supplemental order to become effective immediately, subject to ratification by the Council as may be required by the Municipal Code.

IT HEREBY ORDERED THAT:

1. The Second Revised Executive Order shall continue in full force and effect, except as modified and supplemented by the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Supplements, and this Ninth Supplement.

2. Section 3 of the Second Revised Executive Order, as modified and supplemented by the Second Supplement, is hereby amended to read as follows:

Enforcement of the provisions of Santa Monica Municipal Code Chapter 6.20, Home-Sharing and Vacation Rentals, as against persons who provide alternative accommodations within the City of Santa Monica to persons displaced by the Regional Fires is, suspended through and including April 18, 2025; and enforcement of Santa Monica Municipal Code 6.22.050, 6.22.060, and 6.22.070, Residential Leasing Regulations, as against persons who (a) provide alternative accommodations within the

City of Santa Monica to natural persons displaced by the Regional Fire whose tenancies began on or before December 31, 2025 and (b) sublease no more than one rental housing unit within the City, is suspended. All lease agreements for new tenancies entered into on or after January 1, 2026, shall comply with all requirements of Chapter 6.22. This time-limited suspension of enforcement is consistent with Council direction; ~~since it is the intent to accommodate those affected beyond the immediate fire emergency threat, City Staff are also directed to prepare and offer for Council approval solutions that would allow those displaced to remain in their alternative accommodations, whether furnished or not, residence or not, including with a lease for a term less than one year to remain for six to twelve months (or longer, as may be directed by Council) following their displacement. This section does not provide a basis for a short-term rental host, home-sharing host, or landlord to do any of the following: (a) unilaterally terminate a short-term rental agreement, home-share agreement, or rental housing agreement before the end of the agreed upon rental period; (b) evict or otherwise compel a person who has established a tenancy to vacate a rental unit without judicial process; or (c) terminate a tenancy that is subject to Article XVIII or XXIII of the City Charter, or Section 1946.2 of the Civil Code, for a reason other than one provided by the applicable just cause eviction law. This section also does not require a short-term rental host, home-share host, or landlord to cease renting to a person occupying the rental unit on or before April 19, 2025, so long as the rental period is for at least 31 consecutive days; nor does this section require a landlord to cease renting to any tenant a rental housing unit that is not the tenant's primary residence, is furnished, and/or is subject to a lease of less than one year, so long as the tenant is a person displaced by the Regional Fires who began renting the rental housing unit on or before December 31, 2025.~~

3. The provisions of Section 5 of the Second Supplement are hereby extended and shall terminate on February 28, 2026, at 11:59 p.m., unless extended or expressly superseded by a further order of the Director of Emergency Services.

ADOPTED this 19th day of December 2025.

ATTEST:

DocuSigned by:
Nikima Newsome
7032651F371E430...

NIKIMA NEWSOME
City Clerk

Signed by:
Oliver Chi
By: A99E21EDDD504B4...

OLIVER CHI
City Manager
Director of Emergency Services

APPROVED AS TO FORM:

DocuSigned by:
Heidi von Tongeln
13843525425B4E4

HEIDI VON TONGELN
Interim City Attorney

Attachment: M-Ninth Supplement to Proclamation-Local Emergency-2025 Palisades Fire 12.19.25 (7387 : Fire Emergency Order Extension)



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 4.J

To: Mayor and City Council
 From: Heidi Von Tongeln, Interim City Attorney, City Attorney's Office,
 Administration
 Subject: Adoption of Resolution Ratifying Homelessness Emergency Proclamation

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. Adopt the proposed resolution ratifying the 2025 Proclamation of the City Council of the City of Santa Monica Declaring a Local Emergency on Homelessness.

Executive Summary

On March 11, 2025, in accordance with Santa Monica Municipal Code (SMMC) Chapter 2.16, the City Council adopted the 2025 Proclamation of the City Council of the City of Santa Monica Declaring a Local Emergency on Homelessness (the "2025 Proclamation").

Government Code Section 8630 requires local governmental authorities to renew a local emergency every 60 days until the governing body terminates the local emergency. Accordingly, this staff report recommends adopting the attached Resolution ratifying the 2025 Proclamation. (Attachment A).

Discussion

On February 14, 2023, the City Council adopted a Proclamation Declaring a Local Emergency on Homelessness due to the homelessness crisis in the region, which continues to grow, leading to deplorable living conditions and illness and deaths of

unhoused and unsheltered persons in the region. On May 14, 2024, the City Council adopted a further Proclamation Declaring a Local Emergency on Homelessness (“the 2024 Proclamation”), which was utilized to advance several key initiatives related to homelessness.

On March 11, 2025, because the conditions that existed at the time the 2024 Proclamation was adopted persist, the City Council adopted the 2025 Proclamation, which extends the local emergency on homelessness through December 31, 2026. The 2025 Proclamation allows the City to expeditiously increase City services and programs to address and prevent homelessness. Specifically, the extension enables the City to, among other things, receive additional county, state, and federal resources to address the homelessness crisis, prevent rental price gouging, streamline and expedite certain City processes, leverage City resources to support people who are experiencing homelessness or at risk of experiencing homelessness or to address local impacts of homelessness, and allows the City Manager to take all available actions authorized under Santa Monica Municipal Code Chapter 2.16. Thus far in FY 2025-26, the Proclamation has facilitated rapid progress on a number of priority initiatives aimed directly at addressing homelessness, notably including expansion of the City’s C3 outreach teams, expansion of Right to Counsel services, and a new housing retention/bridge financial assistance program. Staff anticipates ongoing near-term use of the Proclamation to implement additional activities contemplated in the Realignment Plan as well as to efficiently operationalize Measure A funds.

On April 22, 2025, the City Council adopted Resolution Number 11658 (CCS), ratifying the 2025 Proclamation. On June 10, 2025, the City Council adopted Resolution Number 11669 (CCS), on July 29, 2025, the City Council adopted Resolution Number 11686 (CCS), on September 9, 2025, the City Council adopted Resolution Number 11697 (CCS), on October 28, 2025, the City Council adopted Resolution Number 11712 (CCS), and on December 16, 2025, the City Council adopted Resolution Number 11726 (CCS) re-ratifying the 2025 Proclamation.

Staff now recommends that Council adopt the attached resolution re-ratifying the 2025 Proclamation declaring the existence of a local emergency in the City of Santa Monica and authorizing specified actions in response to that local emergency.

Environmental Review

The 2025 Proclamation Declaring a Local Emergency on Homelessness would have no effect on the environment, and therefore, is categorically exempt from CEQA pursuant

to Section 15061(b)(3) (Common Sense Exemption) of the CEQA Guidelines, which states that CEQA does not apply, "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment."

Fiscal Impacts

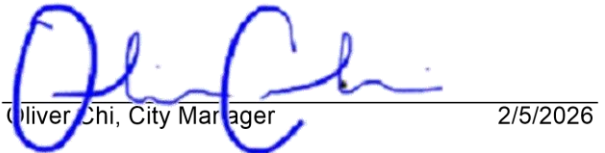
None.

Prepared By: Heidi Von Tongeln, Interim City Attorney

Approved

Forwarded to Council


Heidi Von Tongeln, Interim City Attorney 2/5/2026


Oliver Chi, City Manager 2/5/2026

Attachments:

- A. Resolution for Ratification of 2025 Proclamation Declaring State of Emergency on Homelessness 02.10.26
- B. 2025 Proclamation Declaring Local Emergency on Homelessness

City Council Meeting: February 10, 2026

Santa Monica, California

RESOLUTION NUMBER _____ (CCS)
(City Council Series)

AN EMERGENCY RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA MONICA RATIFYING THE 2025 PROCLAMATION OF THE
CITY COUNCIL OF THE CITY OF SANTA MONICA DECLARING A LOCAL
EMERGENCY ON HOMELESSNESS

WHEREAS, Santa Monica Municipal Code Chapter 2.16 empowers the City Manager, as the Director of Emergency Services (“Director”), to request that the City Council proclaim the existence or threatened existence of a local emergency if the City Council is in session; and

WHEREAS, on February 14, 2023, the City adopted a Proclamation Declaring a Local Emergency on Homelessness due to the homelessness crisis in the region, which continues to grow, leading to deplorable living conditions and illness and deaths of unhoused and unsheltered persons in the region, which was extended to May 31, 2024; and

WHEREAS, on May 14, 2024 the City adopted a further Proclamation Declaring a Local Emergency on Homelessness (the “2024 Proclamation”), which was utilized to advance several key initiatives related to homelessness; and

WHEREAS, based on the 2024 Point-In-Time Homeless Count (“2024 PITC”) data, there were 75,312 people experiencing homeless in Los Angeles County; and
WHEREAS, based on the 2024 PITC data for Service Planning Area 5 (SPA 5), the SPA Santa Monica is in, there were 5,383 people experiencing homelessness; and

WHEREAS, based on the 2024 PITC data, there were 774 people experiencing homelessness in Santa Monica; and

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (Metro) conducted an End of Line Survey in January 2025, and found 39 unhoused persons were unsheltered at the Santa Monica Downtown Metro Station given Metro's current End of Line policy, which requires disembarking of all passengers and belongings at the end of the line when trains go out of service; and

WHEREAS, according to a U.S. Department of Health and Human Services report published in October 2023, the fastest growing group in the nation's population of people experiencing homelessness is older adults, composing nearly half of the homeless population nationwide, and a number that is expected to triple by 2030, and older adult homelessness has increased by 25% in the Los Angeles Continuum of Care between 2020 and 2024; and

WHEREAS, a California Statewide Study of People Experiencing Homelessness (CASPEH) found that high housing costs and low income left participants vulnerable to homelessness, and that the most common reason for leaving housing was economic; and

WHEREAS, the Los Angeles County's COVID-19 Eviction Moratorium that protected tenants from eviction who were under 80% of Area Median Income who were unable to pay rent due to the pandemic expired March 31, 2023, and tenants had up to twelve (12) months to repay past due rent owed to avoid risk of eviction; and

WHEREAS, the number of eviction lawsuits provided to the Santa Monica City Attorney's office in 2024 increased by over 28% from the number provided in 2023, with 84.8% of 2024 eviction lawsuits based on nonpayment of rent, suggesting even more tenants at risk of eviction and homelessness than in 2023; and

WHEREAS, on March 11, 2025, because the conditions that existed at the time the 2024 Proclamation was adopted persist, the City Council adopted the 2025 Proclamation of the City Council of the City of Santa Monica Declaring a Local Emergency on Homelessness (the “2025 Proclamation”); and

WHEREAS, the 2025 Proclamation extends the local emergency on homelessness through December 31, 2026, and allows the City to expeditiously increase City services and programs to address and prevent homelessness; and

WHEREAS, specifically, the extension of the local emergency effectuated by the 2025 Proclamation enables the City to, among other things, receive additional county, state, and federal resources to address the homelessness crisis, prevent rental price gouging, streamline and expedite certain City processes, leverage City resources to support people who are experiencing homelessness or at risk of experiencing homelessness or to address local impacts of homelessness, and to allow the City Manager to take all available actions authorized under Santa Monica Municipal Code Chapter 2.16; and

WHEREAS, on April 22, 2025, the City Council adopted Resolution Number 11658 (CCS), ratifying the 2025 Proclamation; and

WHEREAS, on June 10, 2025, the City Council adopted Resolution Number 11669 (CCS), on July 29, 2025, the City Council adopted Resolution Number 11686 (CCS), on September 9, 2025, the City Council adopted Resolution Number 11697 (CCS), on October 28, 2025, the City Council adopted Resolution Number 11712 (CCS), and on December 16, 2025, the City Council adopted Resolution Number 11726 (CCS) re-ratifying the 2025 Proclamation; and

WHEREAS the findings included in the 2025 Proclamation are included herein as if stated in full.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. The 2025 Proclamation of the City Council of the City of Santa Monica Declaring a Local Emergency on Homelessness (“Exhibit A”) is hereby ratified.

SECTION 2. It is hereby proclaimed that a local emergency now exists throughout the City. It is further proclaimed and ordered that during the existence of this local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of this City shall be those prescribed by State law and by the ordinances and resolutions of this City.

SECTION 3. The City Council authorizes the City Manager, in capacity as the Director of Emergency Services, to take all actions related to the protection of life and property that are reasonably necessary to respond to the local emergency.

SECTION 4. The local emergency shall be deemed to continue and exist until December 31, 2026, unless its termination is earlier proclaimed by the City Council. As required by law, the City Council shall review the need to continue the state of emergency every 60 days until this resolution is terminated.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this Resolution, or the 2025 Proclamation ratified herein is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution or the 2025 Proclamation. The City Council hereby declares that it would have passed this Resolution

and the 2025 Proclamation and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

HEIDI VON TONGELN
Interim City Attorney

City Council Meeting: March 11, 2025

Santa Monica, California

2025 PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA DECLARING A LOCAL EMERGENCY ON HOMELESSNESS

WHEREAS, Santa Monica Municipal Code Chapter 2.16 empowers the City Manager, as the Director of Emergency Services (“Director”), to request that the City Council proclaim the existence or threatened existence of a local emergency if the City Council is in session; and

WHEREAS, on February 14, 2023, the City adopted a Proclamation Declaring a Local Emergency on Homelessness due to the homelessness crisis in the region, which continues to grow, leading to deplorable living conditions and illness and deaths of unhoused and unsheltered persons in the region, which was extended to May 31, 2024; and

WHEREAS, on May 14, 2024 the City adopted a further Proclamation Declaring a Local Emergency on Homelessness (“the 2024 Proclamation”);

WHEREAS, the 2024 Proclamation was utilized to advance several key initiatives related to homelessness, including but not limited to:

1. Extending the term of an existing acquisition and predevelopment loan with Community Corporation of Santa Monica (CCSM) and making a loan commitment to CCSM for the rehabilitation and development of affordable housing at 2033-2101 Virginia Avenue;
2. Making a loan commitment to CCSM for the development of affordable housing at 1342 Berkeley Street;

Attachment: 2025 Proclamation Declaring Local Emergency on Homelessness (7389 : Homelessness Emergency Proclamation)

3. Approving an agreement with Exodus Recovery, Inc. as the primary service provider for the SaMo Bridge program;
4. Approving an agreement with Willscot for the lease of mobile trailers for the SaMo Bridge program;
5. Approving an agreement with Elizabeth Anderson Consulting (EAC) for grant administration services for the SaMo Bridge program;
6. Approving an agreement with Moss Adams for evaluation and audit services for the SaMo Bridge program;
7. Modifying an agreement with Main Street Computing to extend the term and to add functionality to affordable housing compliance monitoring software;
8. Executing an agreement with Carahsoft for employment verification software for tenants and applicants in Santa Monica programs that keep people stably housed;
9. Modifying a contract with Capstone Solutions for behavioral health consulting services;
10. Executing a Letter of Intent with Exodus Recovery, Inc. dedicating four beds at the Westside Mental Health Urgent Care Center (UCC) for Santa Monica use;
11. Modifying an agreement with the County of Los Angeles to extend the term and allow for continued operation of the Therapeutic Transport Team program.

WHEREAS, based on the 2024 Point-In-Time Homeless Count (“2024 PITC”) data , there were 75,312 people experiencing homeless in Los Angeles County; and

WHEREAS, based on the 2024 PITC data for Service Planning Area 5 (SPA 5), the SPA Santa Monica is in, there were 5,383 people experiencing homelessness; and

WHEREAS, based on the 2024 PITC data, there were 774 people experiencing homelessness in Santa Monica; and

WHEREAS, the Los Angeles County Metropolitan Transportation Authority (Metro) conducted an End of Line Survey in January 2025, and found 39 unhoused persons were unsheltered at the Santa Monica Downtown Metro Station given Metro’s current End of Line policy, which requires deboarding of all passengers and belongings at the end of the line when trains go out of service; and

WHEREAS, according to a U.S. Department of Health and Human Services report published in October 2023, the fastest growing group in the nation’s population of people experiencing homelessness is older adults, composing nearly half of the homeless population nationwide, and a number that is expected to triple by 2030, and older adult homelessness has increased by 25% in the Los Angeles Continuum of Care between 2020 and 2024; and

WHEREAS, a California Statewide Study of People Experiencing Homelessness (CASPEH) found that high housing costs and low income left participants vulnerable to homelessness, and that the most common reason for leaving housing was economic; and

WHEREAS, the Los Angeles County’s COVID-19 Eviction Moratorium that protected tenants from eviction who were under 80% of Area Median Income who were

unable to pay rent due to the pandemic expired March 31, 2023 and tenants had up to twelve (12) months to repay past due rent owed to avoid risk of eviction; and

WHEREAS, the number of eviction lawsuits provided to the Santa Monica City Attorney's office in 2024 increased by over 28% from the number provided in 2023, with 84.8% of 2024 eviction lawsuits based on nonpayment of rent, suggesting even more tenants at risk of eviction and homelessness than in 2023; and

WHEREAS, at its March 11, 2023 workshop, the City Council reaffirmed Preventing Homelessness as a priority, adopting the following Priority Statement: "Prevent housed Santa Monicans from becoming homeless and increase the supply of affordable housing; address the behavioral health needs of vulnerable individuals; and advocate for regional capacity to address homelessness"; and

WHEREAS, the ongoing crisis of homelessness continues as evidenced by the following:

1. In 2024, of the total arrests in the City, 60% were attributable to people experiencing homelessness;
2. The number of calls-for-service to the Fire Department attributed to people experiencing homelessness constituted 16% of the total call volume in 2024 and fire incidents related to people experiencing homelessness were 39% (180 out of 459 total fires);
3. In 2024, SMPD responded to 1,648 calls related to encampments, and the HLP Team handled 862 requests to address encampments through the 311 system;
4. Per SMPD, there were 22 public death cases of people experiencing homelessness in 2024;

5. In 2024, the Public Works Department estimates that on an average monthly basis, approximately 224 individuals experiencing homelessness were identified in the areas that are serviced by the Department;

WHEREAS, the City of Culver City, County of Los Angeles, City of Los Angeles, and City of Long Beach have each declared or proclaimed a local emergency to address homelessness; and

WHEREAS, Los Angeles County is experiencing a massive workforce shortage which has led to understaffing and challenges hiring and retaining staff due to the demands of the work of addressing and preventing homelessness, leading to delays in implementing programs, such as the Therapeutic Transport Team; and

WHEREAS, when combined with workforce shortages experienced throughout the County, and strict civil service rules, the City struggles to fill positions expeditiously, if at all, which hampers the City's ability to create necessary organizational capacity to effectively implement programs and services needed to address and prevent homelessness; and

WHEREAS, the recent Palisades Fire resulted in the loss of 6,837 homes which will exacerbate the existing local housing crisis in terms of affordability and availability; and

WHEREAS, the conditions that existed at the time the 2024 Proclamation was adopted persist, and, therefore, the City Council finds it necessary to issue another Proclamation Declaring a Local Emergency on Homelessness through December 31, 2026 ("2025 Proclamation"), to expeditiously increase City services and programs to address and prevent homelessness; and

WHEREAS, another proclamation of local emergency on homelessness would enable the City to:

1. Receive additional county, state, and federal resources to address the homelessness crisis to further efforts such as:
 - a. Expanding multi-disciplinary outreach teams;
 - b. Providing enhanced supports for individuals that are rent burdened to prevent homelessness;
2. Prevent rental price gouging through enforcement of Penal Code 396(e) during the existence of the Proclamation;
3. Streamline and expedite City processes and approvals concerning development, deployment of resources, employment, contracting, grant approvals, receipt, budgeting, and community activities to assist in expediting services and housing for people who are at-risk of or experiencing homelessness or to address local impacts of homelessness;
4. Streamline, accelerate, and expedite processes to implement the 2021-2029 Council approved Housing Element regarding City-owned land identified for affordable housing;
5. Authorize the Director of the Community Development Department, or designee, to approve temporary uses located on City property or utilizing City funds that support people who are at-risk of or experiencing homelessness or to address local impacts of homelessness.
6. Issue requests for proposals to identify development teams with demonstrated capacity to design, finance, construct, and operate affordable housing and

execute agreements and ground leases with selected development teams. The selection of any development teams involving City-owned land would be subject to Council approval;

7. Leverage Housing Trust Fund resources and streamline, accelerate, and expedite the process to review and approve loan commitments for affordable housing developments that serve Santa Monicans who are homeless or at-risk of homelessness, or Santa Monica residents and workers; and
8. Allow the City Manager to take all available actions authorized under Chapter 2.16.

NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that a local emergency on homelessness exists in the City of Santa Monica; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this local emergency the powers, functions, and duties of the emergency organization of the City shall be those prescribed by state law, and by ordinances, proclamations, and resolutions of the City;

IT IS FURTHER PROCLAIMED AND ORDERED that the City Manager shall be empowered to seek, receive, budget, and expend all potential funding sources that may be used to address the homelessness crisis;

IT IS FURTHER PROCLAIMED AND ORDERED that the Proclamation will allow the City Manager to modify or waive the requirements on a case-by-case basis for process, participation, approvals, and limits set forth in the Housing Trust Fund Plan and Housing Trust Fund Guidelines as well as require additional qualifications for projects

such as size, target population, and location in order to achieve the production of affordable housing and permanent supportive housing;

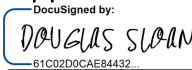
IT IS FURTHER PROCLAIMED AND ORDERED that a copy of this Proclamation be forwarded to the Los Angeles County Office of Emergency Management, to be forwarded to the Director of California Governor’s Office of Emergency Services, requesting that the Director find it acceptable in accordance with State law; and that the Governor issue a proclamation declaring an emergency in Los Angeles County; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

IT IS FURTHER PROCLAIMED AND ORDERED that this Proclamation of Local Emergency shall take effect immediately, and that widespread publicity and notice shall be given of this Proclamation throughout the City; and that this Proclamation shall expire on December 31, 2026, unless repealed or extended by the City Council.

ADOPTED this 11th day of March, 2025.

By:

Susan Cline
Acting City Manager

Approved as to form:

Douglas Sloan
City Attorney

Attest:

Nikima Newsome
City Clerk

Attachment: 2025 Proclamation Declaring Local Emergency on Homelessness (7389 : Homelessness Emergency Proclamation)



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 4.K

To: Mayor and City Council
From: Jenny Rogers, Recreation and Arts Director, Recreation and Arts Department
Subject: Approval of Emergency Extension of Security Services Contract at Annenberg Community Beach House

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. Ratify the Procurement Manager's approval of the emergency extension of Agreement #11120 (CCS) with AG Coast Inc. dba California Panther Security to continue 24/7 unarmed security guard service at the Annenberg Community Beach House for the Recreation and Arts Department. This emergency purchase was made as an exception to the competitive bidding process per SMMC 2.24.250(i), and is for a total amount not to exceed \$215,000 through September 30, 2026.

Summary

The Annenberg Community Beach House ("Beach House") has contracted with a security vendor since opening its doors in April 2009. Governing documents for the Beach House site, including the Statement of Official Action and Annenberg Community Beach House Operations Plan, require the City of Santa Monica (City) to provide on-site, unarmed security personnel, year-round.

On December 23, 2020, the City and AG Coast Inc. dba California Panther Security ("Panther") entered into Agreement #11120 (CCS) (Attachment A) for security guard service at the Beach House through January 14, 2026. Unforeseen delays with the

competitive bidding process for the next security service contract necessitated the extension of Panther Security's contract. On January 15, 2026, the City and Panther entered into the First Modification to Agreement #11120 (CCS) (Attachment B), to prevent a lapse in crucial security coverage while a new solicitation is issued.

The emergency extension of Agreement #11120 (CCS) was approved as an exception to the competitive bidding process (ECB# 341) per SMMC 2.24.250(i) pursuant to SMMC 2.24.240(d)(3).

Discussion

The Beach House sits on a five-acre parcel of Santa Monica State Beach, developed by William Randolph Hearst for actress Marion Davies in the 1920s. Originally known as the Marion Davies Estate, it became an oceanfront luxury hotel, then a private beach club. In partnership with the Annenberg Foundation and California State Parks, the City opened the site as a public beach facility known as the Annenberg Community Beach House on April 25, 2009. The Beach House is a unique community destination and is open to all. The site combines elements of the historic Marion Davies Estate with beach and cultural amenities and demonstrates the City's commitment to community-responsive programming, quality visitor services, and a high level of maintenance and security.

In the interest of public safety and site protection, security guard service at the Beach House is mandatory and guided by requirements specified in the Statement of Official Action (Attachment C) approved by City Council on May 25, 2006, and the Annenberg Community Beach House Operations Plan (Attachment D). In accordance with these governing documents, the City is required to have security personnel on site to monitor the site year-round, even during holidays when the site is closed to the public.

Security personnel at the Beach House are responsible for ensuring the safety of employees and visitors, and ensuring facilities and infrastructure remain secure and

protected from trespassing, vandalism, illegal and inappropriate behavior, and suspicious activities. Additional security duties include:

- Providing regular roaming patrols day and night, including checking in at electronic stations throughout the site.
- Securing vehicle entrances to the Beach House parking lots and external doors.
- Staffing property when City staff may not be present, such as nights and holidays, to monitor access; maintaining a high visibility presence; and taking appropriate measures to prevent trespassing, damage, or theft of Beach House property.
- Assisting City personnel, including fire and police, as necessary by providing perimeter access control and traffic direction or by acting as site liaison.
- Enforcing rules and providing support to Beach House staff when hired for permitted private events that may involve alcohol, be youth-focused, or are attended by high-visibility individuals.
- Observing and reporting suspicious activity.

Bid #4399 for unarmed security service at the Beach House was awarded to AG Coast Inc. dba California Panther Security (“Panther”) on December 23, 2020. The City and Panther entered into Agreement #11120 (“Original Agreement”) through January 14, 2026, for an amount not to exceed \$1,029,268. Panther provides year-round security coverage, 24 hours per day, 365 days per year.

Unforeseen delays with the scope development for the competitive bidding process for the next security service contract necessitated the emergency extension of Panther Security’s contract with the City. On January 15, 2026, the City and Panther entered into the First Modification to Agreement #11120 (CCS) (“First Modification”), to extend the length of the contract, increase funds for service, and prevent a lapse in crucial security coverage while a new solicitation is issued.

Contract Extension

The contract extension pricing is summarized below.

January 15 – March 31, 2026

Month	Average Monthly Rate*
January	\$ 15,000.00
February	\$ 25,000.00
March	\$ 25,000.00
Total	\$ 65,000.00

Month-to-Month Options

As needed through September 30, 2026

Month	Average Monthly Rate*	Cumulative Month-to-Month Spend
April	\$ 25,000.00	\$ 25,000.00
May	\$ 25,000.00	\$ 50,000.00
June	\$ 25,000.00	\$ 75,000.00
July	\$ 25,000.00	\$ 100,000.00
August	\$ 25,000.00	\$ 125,000.00
September	\$ 25,000.00	\$ 150,000.00

*All monthly rates shown are averages. Actual monthly rates will vary slightly based on the number of calendar days and holidays in each month. Rates are based on the 24-hour presence of one security guard per shift with no overlap.

Environmental Review

The contract modification is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines which states that CEQA does not apply, “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” The modification will provide the City with continued security coverage at the Beach House. Therefore, it can be seen with certainty that the proposed modification would not result in adverse physical impacts on the environment, and as such, is exempt from CEQA.

Financial Impacts and Budget Actions

The emergency extension of the agreement with AG Coast Inc. dba California Panther Security to continue 24/7 unarmed security guard service at the Annenberg Community

Beach House is funded from the current budget in the Beach Recreation Fund

Contract Modification Request					
Agreement #	Current Authorized Amount	FY 2025-26 Modified Request Amount	FY 2026-27 Amount	Account #	Total Revised Contract Amount
11120	\$1,029,268	\$54,000	\$75,000	11430001.550010	\$1,158,268
	--	86,000	--	11430003.550010	86,000
TOTAL	\$1,029,268	\$140,000	\$75,000		\$ 1,244,268

Future year funding is contingent on Council budget approval.

Prepared By: Angela VonSlomski, Administrative Services Officer

Approved

Forwarded to Council

Jenn Rogers, Recreation and Arts Director

2/2/2026

Oliver Chi, City Manager

2/3/2026

Attachments:

- A. Agreement 11120 (CCS) 12.23.20
- B. 01 CSA_11120_First_Modification EXECUTED
- C. STOA 05.25.06
- D. ACBH Operations Plan
- E. OAKS INITIATIVE FORM 12.15.25
- F. Procurement Mgr Approval- Emergency
- G. LEVINE ACT DISCLOSURE

Contract No. 11120 (CCS)

CONTRACTUAL SERVICES AGREEMENT

This Contractual Services Agreement (“Contract”), entered into as of 12/23/2020 (“Execution Date”), by and between the CITY OF SANTA MONICA, a municipal corporation (“City”), and A.G COAST INC dba CALIFORNIA PANTHER SECURITY (“CONTRACTOR”), is made with reference to the following:

RECITALS:

- A. The City is a municipal corporation duly organized and validly existing under the laws of the State of California with the power to carry on its business as it is now being conducted under the statutes of the State of California and the Charter of the City.
- B. CONTRACTOR is qualified to do business, and is doing business, in the State of California. CONTRACTOR represents it has the background, knowledge, experience and expertise necessary to provide the services set forth in this Contract.
- C. The City and CONTRACTOR desire to enter into an agreement for the CONTRACTOR to provide contractual services to the City as set forth herein, upon the terms and conditions set forth below.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

TERMS AND CONDITIONS

1. **Term.** This Agreement begins on the Execution Date and terminates on January 14, 2026, unless sooner terminated in accordance with Section 14.
2. **CONTRACTOR Services.** CONTRACTOR will perform all of the services (“Services”) described in Exhibit A, Scope of Services. CONTRACTOR will complete the Services in accordance with Exhibit B, Budget.
3. **City Services.** The City agrees to:
 - 3.1 Make available to CONTRACTOR any currently existing documents, data or information required for the performance of the Services.
 - 3.2 Designate a representative authorized to act on behalf of City.
 - 3.3 Promptly examine and render findings on all documents submitted for staff review by CONTRACTOR.
4. **Compensation.** The City will compensate CONTRACTOR for the Services performed in an amount not to exceed \$193,868 for the first one-year term commencing on the Execution Date, for a total not to exceed \$1,029,268, as set forth in Exhibit B.
5. **Invoices.** CONTRACTOR will invoice the City for the Services in accordance with Exhibit B and the City will pay any undisputed amount within 30 days of receipt.

6. **Notices.** All notices, demands, requests or approvals to be given under this Agreement, must be in writing and will be deemed served when delivered personally, by email, or on the third business day after deposit in the United States mail, postage prepaid, registered or certified, addressed as follows:

6.1 All notices, demands, requests or approvals to the City:

Annenberg Community Beach House
City of Santa Monica
415 Pacific Coast Highway
Santa Monica, California 90402
Attention: Nan Friedman
Re: Contract No. 11120 (CCS)

with a copy to:

Santa Monica City Attorney's Office
1685 Main Street, Third Floor
Santa Monica, California 90401
Attention: City Attorney
Re: Contract No. 11120 (CCS)

6.2 All notices, demands, requests or approvals to CONTRACTOR:

A.G COAST INC dba CALIFORNIA PANTHER SECURITY
5777 W. Century Boulevard, Suite 1601
Los Angeles, CA 90045
Attention: Moe Galal
wo@capanther.com
Re: Contract No. 11120 (CCS)

7. **Independent Parties.** Both parties to this Agreement will be acting in an independent capacity and not as agents, employees, partners, or joint venturers of one another. Neither the City nor its officers or employees will have any control over the conduct of CONTRACTOR or any of CONTRACTOR's agents, employees, or subconsultants, except as otherwise provided in this Agreement.
8. **Integrated Contract.** This Agreement represents the full and complete understanding of every kind or nature whatsoever between the parties. Any preliminary negotiations and agreements of any kind or nature are merged into this Agreement. No oral agreement or implied covenant may be held to vary the provisions of this Agreement. This Agreement may be modified only by written agreement signed by City and CONTRACTOR, and approved as to form by the City Attorney.
9. **Insurance.** Prior to commencing work, CONTRACTOR must procure, maintain and pay for insurance against claims for injuries to persons or damage to property that may

arise from or in connection with the performance of the Services by CONTRACTOR or CONTRACTOR's agents, representatives, employees or subconsultants for the duration of this Agreement. CONTRACTOR must obtain insurance that, at a minimum, meets the requirements for insurance set forth in Exhibit C, Insurance Requirements and Verifications.

10. Defense and Indemnification.

10.1 CONTRACTOR agrees to defend, indemnify, protect, and hold harmless the City, its agents, officers, boards and commissions, and employees (collectively, "City") from and against any and all liability, claims, demands, damages, or costs, including but not limited to attorney's fees, or payments for injury to any person or property (collectively, "Losses") caused or claimed to be caused by the act, errors, and/or omissions of CONTRACTOR, or CONTRACTOR's employees, agents, officers, and subconsultants. CONTRACTOR's responsibilities under this Section 10.1 include liability arising from, connected with, caused by, or claimed to be caused by the active or passive negligent acts or omissions of the City, which may be in combination with the acts or omissions of CONTRACTOR, its employees, agents or officers, or subconsultants; provided, however, that CONTRACTOR's duty to defend, indemnify, protect and hold harmless shall not include any Losses arising from the sole negligence or willful misconduct of the City. Notwithstanding CONTRACTOR's obligation to defend City hereunder, City has the right to conduct its own defense and seek reimbursement for reasonable costs of defense from CONTRACTOR, if City chooses to do so.

10.2 Enforcement Costs. CONTRACTOR agrees to pay any and all costs the City incurs enforcing the indemnity, defense and hold harmless provisions set forth in Section 10.1.

11. Prohibition Against Transfers.

11.1 CONTRACTOR may not assign, hypothecate, or transfer this Agreement or any interest therein directly or indirectly, by operation of law or otherwise without the prior written consent of City. Any attempt to do so without the City's consent will be null and void, and any assignee, hypothecatee or transferee acquires no right or interest by reason of such attempted assignment, hypothecation or transfer.

11.2 The sale, assignment, transfer or other disposition of any of the issued and outstanding capital stock of CONTRACTOR or of any general partner or joint venturer or syndicate member of CONTRACTOR, if a partnership or joint venture or syndicate exists, which results in changing the control of CONTRACTOR, will be construed as an assignment of this Agreement. Control means 50% or more of the voting power of the corporation.

- 12. Permits and Licenses.** CONTRACTOR, at its sole expense, must obtain and maintain during the term of this Agreement all required business and professional permits, licenses and certificates.
- 13. Waiver.** A waiver of any breach of this Agreement may not be deemed a waiver of any subsequent breach of the same or any other term, covenant, or condition of this Agreement.
- 14. Default and Termination.**
- 14.1** If CONTRACTOR fails or refuses to perform any of the provisions of this Agreement, and if the default is not cured within a period of five days after the City's written notice of default specifying the nature of the default, City may immediately terminate this Agreement by written notice to CONTRACTOR.
- 14.2** The City has the option, at its sole discretion and without cause, of terminating this Agreement by giving ten days' written notice to CONTRACTOR. Upon termination of this Agreement, City will pay CONTRACTOR any compensation earned and unpaid up to the effective date of termination.
- 15. Compliance with Law.** CONTRACTOR must comply with all laws of the State of California and the United States, and all ordinances, rules and regulations enacted or issued by City.
- 16. Discrimination.** CONTRACTOR may not discriminate in the provision of services hereunder because of race, color, religion, national origin, ancestry, sex, age, sexual orientation, marital status, AIDS or disability.
- 17. Nuisance.** CONTRACTOR may not maintain, commit, or permit the maintenance or commission of any nuisance in connection with the performance of services under this Agreement.
- 18. Records.**
- 18.1** CONTRACTOR must maintain complete and accurate records with respect to costs, expenses, receipts and other such information required by the City for any services provided where compensation is on the basis of hourly rates, subconsultant costs, or other direct costs. CONTRACTOR must keep the records, together with supporting documents, separate from other documents and records and maintain them for a period of three years after receipt of final payment.
- 18.2** CONTRACTOR must maintain records in sufficient detail to permit an evaluation of the Services and in accordance with generally accepted accounting principles. CONTRACTOR must clearly identify all records and make them readily accessible to the City. At the City's request, CONTRACTOR must provide records in an electronic format and, if necessary, access to any proprietary software to view such electronic records.

18.3 CONTRACTOR must allow the City to have free access to CONTRACTOR's books and records and to inspect all work, data, documents, proceedings and activities related to this Agreement. The City has the right to examine or audit CONTRACTOR's records, and CONTRACTOR agrees to cooperate with any examination or audit of its records. If a City audit discloses an error of 5% or more in information reported by CONTRACTOR, CONTRACTOR agrees to pay the cost of the City's audit computed on the basis of four times the direct payroll of the audit staff completing the audit and audit report.

19. Work Product; Reports.

19.1 Any work product prepared or caused to be prepared by CONTRACTOR or any subconsultant for this Agreement will be the exclusive property of City. No work product given to or prepared by CONTRACTOR or any subconsultant pursuant to this Agreement may be made available to any individual or organization by CONTRACTOR without prior written approval by City.

19.2 At the City's request, CONTRACTOR must furnish reports concerning the status of the Services.

20. Standard of Care. CONTRACTOR agrees to provide all Services, including services performed by any subconsultant, in a manner consistent with the level of care and skill ordinarily exercised by members of CONTRACTOR's profession currently practicing in the same locality under similar conditions.

21. Subconsultants.

21.1 If CONTRACTOR proposes to have any subconsultant perform any part of the Services, CONTRACTOR must submit a request for approval in writing, describing the scope of work to be subcontracted, the name of the proposed subconsultant, and the total price or hourly rates used in preparing an estimated cost for the subconsultant's services. The City, in its sole discretion, may grant or deny the request.

21.2 CONTRACTOR will be responsible for the quality of any subconsultant's work. Every subcontract or agreement of any kind entered into between CONTRACTOR and any subconsultant (or between any subconsultant and others) must contain the following provision:

This agreement is consistent with all terms and conditions of the Agreement No. 11120 (CCS) entered into between the City of Santa Monica and CALIFORNIA PANTHER SECURITY on 12/23/2020.

22. Governing Law. The laws of the State of California, without regard to any choice of law provisions, will govern this Agreement.

23. **Venue and Jurisdiction.** The City and CONTRACTOR agree that the Services will take place in Los Angeles County. Any litigation arising out of this Agreement may only be brought in either the United States District Court, Central District of California, or the Superior Court of California, County of Los Angeles, West District, as appropriate. The parties agree that venue exists in either court, and each party expressly waives any right to transfer to another venue. The parties further agree that either court will have personal jurisdiction over the parties to this Agreement.

24. **Survival of Provisions and Obligations.** Any provision of this Agreement, which by its nature must be exercised after termination of this Agreement, will survive termination and remain effective for a reasonable time. Any obligation that accrued prior to termination of this Agreement will survive termination of this Agreement.

25. **Exhibits.** The following exhibits are incorporated by reference into this Contract as though fully set forth herein.

- Exhibit A Scope of Services
- Exhibit B Budget
- Exhibit C Insurance Requirements

In witness whereof, the parties have caused this Agreement to be executed the day and year first above written.


ATTEST:

DocuSigned by:

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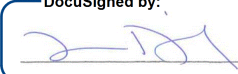
Denise Anderson-Warren
City Clerk
12/24/2020

APPROVED AS TO FORM:

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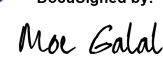
George Cardona
Interim City Attorney
12/23/2020

CITY OF SANTA MONICA,
a municipal corporation

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 By: FEC6DBA8A0D3460...

Lane Dilg
Interim City Manager
12/23/2020

CPS

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 By: D1FE704AC6494B6...

Moe Galal
Vice President
12/23/2020

Attachment: Agreement 11120 (CCS) 12.23.20 (7465 : Emergency Extension of Security Services Contract at Annenberg Community Beach

Exhibit A Scope of Services

As a public space, the Beach House wishes to provide a safe, secure environment in and around its respective facilities for its patrons and employees, and to safeguard the property. Security officers are required, seven days per week.

The Beach House requires nighttime security services with a combined maximum total of 24 hours per day. The City, in its sole and absolute discretion, may change the amount of hours for which security services are required. The Beach House Manager or designee have authority to modify the number of hours for which security services are required at the Beach House.

- Regular shifts are 5:30PM – 5:30AM and 7:30PM – 7:30AM
- The 5:30PM-5:30AM shift may be adjusted depending on day light hours or other site needs

The Beach House will pay a maximum of 24 hours per day, unless otherwise specified by Beach House Venue Manager or designee. The Beach House Venue Manager or designee will specify any schedule changes, additional hours or additional security officers.

Facility Hours – subject to change

- Parking Lot: Opens daily at 7:00AM, and may close at 7:00PM, 8:00PM or 9:00PM, depending on the season.
- Guest Services: Opens daily from 8:30AM to 5:30PM (hours may vary in the summer season and weekends during the fall, winter and spring)
- Event Services: Events may start as early as 7:00AM and end at 10:00PM (Monday-Friday) or 11:00PM (Saturday-Sunday) with vendors leaving one hour past event end times
- Custodial Services: Custodians are onsite daily from 6:00AM to 1:00AM

Holidays

The Beach House is open on most holidays and requires regular security services. On holidays such as Christmas, Thanksgiving and New Year when the facility is closed to the public, 24-hour security coverage is required. The City, in its sole and absolute discretion, may change the amount of hours for which security services are required for holidays. The Beach House Manager or designee have authority to modify the number of hours for which security services are required at the Beach House.

Contractor must meet or exceed the following requirements:

- A. Employee Recruitment, Screening and Licensing**
1. Contractor shall provide appropriately equipped and trained security personnel, with background and qualifications completed according to City-specified eligibility criteria, in such numbers as are required by the City.

2. Contractor shall identify contractor's principals, including, but not limited to, the individual responsible for managing day-to-day business operations and provide written qualifications, or resume, for each.
3. All security personnel are required to meet certain qualifications and standards regarding background, training, experience and health as established in this section. All security officers assigned to the Beach House must:
 - a. Be a graduate of a state certified Security Officer/Guard training program and possess current, valid Consumer Affairs guard cards
 - b. Be a United States citizen or have certifications of Permanent Residence Status and the right to work from the immigration and Naturalization Service.
 - c. Be fully literate in the English language (i.e., able to read, write, speak and understand clearly), including, but not limited to being able to read and understand all post orders, Beach House policies and procedures, and posted warning/danger signs of potential hazards and safety instructions and properly writing reports and maintaining a daily activity log; an oral command of English sufficient to permit effective communication even in times of stress.
 - d. Carry evidence of certificates and permits required by the contract.
 - e. Meet and deal tactfully with government personnel, facility employees and the general public; have the ability to understand, explain, interpret and apply rules, regulations, directives and procedures.
 - f. Possess poise, self-confidence and an ability to make sound decisions and react quickly under stressful conditions.
 - g. Be able to learn and adapt to changing situations and accept/respond to instructions and direction.
 - h. Possess either a high school diploma or a General Equivalency Diploma and have 2 years of prior security experience or have worked in a related field.
 - i. Be able to stand on their feet for extended periods of time, maneuver stairs and other physically demanding terrain at the site as regular duties.
4. Background Checks/Pre-employment Screening/Drug Screening
 - a. Contractor shall certify in writing that it regularly conducts background checks and medical (physical) examinations on all personnel that assigned to the Beach House to ensure they meet the minimum requirements set forth in this Scope of Work.
 - b. Contractor shall also have an anti-drug policy in place that is at least as comprehensive as the City's current policies. At a minimum, drug screens shall include testing of urine samples for marijuana, amphetamines, methamphetamines, cocaine and opiates.
 - c. Evidence of procedures for background checks and of bidder's anti-drug policy must be provided to the Beach Manager or designee prior to the Contractor's execution of this Agreement.
 - d. All background checks must be consistent with California requirements for private security services. The City reserves the right, in its discretion, to disqualify from duty at the Beach House those security officers with records of acts constituting grounds for dismissal, removal or denial of a license under

State law, including, but not limited to, those delineated in Sections 7587.1 or 7587.4 of the Business and Professions Code.

- e. All such background checks and medical (physical) examinations shall be at Contractor's expense, shall ensure that all security officers meet the minimum requirements set forth in this Scope of Services, and shall comply with all applicable laws.

5. Licensing and Permits

- a. Contractor must be licensed and experienced in performing in this Scope of Services and must provide evidence of current licensing and permits as required by local, State and Federal regulations in providing such services including, but not limited to, a California Private Patrol Operator's License issued by the Department of Consumer Affairs.
- b. Contractor and its employees must possess all licenses, registrations and permits required by the California Department of Consumer Affairs, Bureau of Security and Investigative Services. Contractor is responsible for ensuring that any security officer working at the Beach House is properly licensed under California law.
- c. Contractor's security officers must be registered and must have a valid guard registration card in their possession while on duty. Guard registration cards must be presented to the Beach House upon request. If Contractor's security officer is unable to present his/her guard registration card upon demand, he/she must be relieved from duty and Contractor must provide a security officer who has appropriate credentials in his/her possession.
- d. Contractor must also maintain all required business and professional licenses and permits required by law for accomplishing any work required in connection with this Contract, at no cost to the Beach House.

B. Physical Demands

The security services to be performed by security officers requires frequent and prolonged walking, standing sitting and some running. At times, security officers may be required to subdue violent or potentially violent people. Accordingly, physical stamina in all its forms (mental, climate-related, etc.) is a basic physical requirement of this position. Any individual who cannot meet the requirements of a security officer, including inability discovered through on-the-job performance, shall not be qualified to work at this location. Those individuals deemed to be unqualified or inappropriate for the position must be removed and replaced within two (2) days of being notified in writing of dissatisfaction from the Beach House.

C. Training Requirements and Job Function

1. Contractor shall ensure that all security personnel receive training in order that the City may be assured that said personnel are capable of assuming the responsibilities of their assignment.
2. Before Contractor provides security services under this Agreement, Contractor shall be responsible for ensuring all security personnel are trained as provided in this Scope of Services, at contractor's sole expense.
3. Contractor must ensure all security officers have, at a minimum 24 hours, non-billable on-the-job training. In addition, prior to providing security services under this Agreement, security officers shall be trained in the following areas:

- Security Officer instruction as mandated by the State of California
 - Patrol Procedures
 - Observation and Incident Reporting
 - Security Awareness
 - Legal Aspects of Private Security
 - Security Officer Conduct
 - Principles of Communications
 - Principles of Access Control
 - Principles of Safeguarding Information
 - Emergency Response Procedures
 - Life Safety Awareness
 - Workplace Violence
 - Sexual Harassment
 - Discrimination
 - Diversity
 - Conflict Resolution Awareness (i.e. unruly citizens, dealing with difficult and hostile people, etc.)
 - Parking Lot Security
 - Terrorism (Recognition, Response, and Recovery)
 - Responding to Bomb Threats
 - Responding to Natural Disasters
 - Heat Illness Prevention and Response
4. Contractor and its security personnel must fully implement Beach House safety & security procedures and policies in the Handbook for Security Vendors that is provided by Beach House Manager or designee.

DUTIES OF SECURITY OFFICERS FOR SITE PATROL

- Patrol Beach House grounds individually. Each security officer will be assigned specific areas of responsibility.
- Maintain a high visibility presence to deter illegal and inappropriate behavior and suspicious activities.
- Enforce Beach House policies. Notify persons of rule infractions or violations, and if necessary, request that violators leave the premises. Contact Santa Monica Police Department (SMPD) as necessary.
- Monitor Beach House and patrol site with Contractor-provided guard tours software system.
- Monitor Beach House parking lots and implement Beach House parking restrictions. Notify City staff and/or City's Parking Enforcement of parking violations when necessary.
- Investigate unusual or suspicious activities on premises or on adjacent public thoroughfares.
- Take appropriate measures to prevent trespassing, damage or theft of Beach House property.
- Report property damage or unauthorized removal of Beach House property.
- Interact in a professional manner with the public. Answer routine questions and provide directions to visitors and vendors to various areas of the Beach House.

- Submit to Supervisor accurate, reports detailing any occurrences and unusual incidents/accidents during each shift. Supervisor is responsible for relaying such reports to Beach House manager or designee.
- Report to Supervisor any damage, breakage or missing equipment supplied by Beach House to Security vendor.
- Ensure all gates and external doors are locked after normal operating hours.
- Assist City of Santa Monica personnel, fire and law enforcement as necessary by providing perimeter access control, traffic direction or by acting as a site liaison.
- Escort Beach House staff to or from their vehicles as requested and provide general assistance whenever possible.
- Install security chain and bollards at night to close parking lot; reopen the parking lot in the morning and remove the bollards for storage.
- Perform additional security-related duties, as assigned.

DUTIES OF OFFICERS FOR PRIVATE EVENT SECURITY

Private events at the Beach House may include, but are not limited to: weddings, bar/bat mitzvahs, proms, corporate meetings, receptions, holiday parties, pool parties, birthday parties, baby showers, banquet/award presentations, and fundraisers. These events may have guests as few as 25 and as many as 500. Event Services will determine number of security officers needed for each event, and may assist in ensuring that private event clients pay Contractor directly for security services provided by Contractor. Contractor must have capability to accept checks and credit card payments from private event clients.

In addition to regular site duties expected from site patrol officers, event security officers must also:

- Enforce Beach House event rules pertaining to smoking and alcoholic beverages. Notify attendees of violations, and coordinate with Beach House staff as necessary.
- Enforce rules set by private event client (i.e., no youth on the beach/sand after sunset, physical presence at parent drop-off location).
- Provide presence during pre-event, event and post-event.
- Primarily provide security presence on the exteriors of the building. May be asked to provide security indoors.
- Ensure that only invited guests (not the general public) enter private event space.
- Ensure safety of all private event guests.
- Provide directions for multiple events.
- Provide direct support to event services, custodial services and guest services.
- Assist event coordinator with maintaining appropriate sound levels from DJs or musicians.
- Report incidents to the Beach House event coordinator and assist the event services team with incident reports (if they are a witness)
- Report property damage to the event services team.

D. Uniforms and Standards of Appearance

1. All security personnel must wear the same color and style or type of uniform, accessories and equipment while on duty.

2. Contractor employees must maintain professional appearance at all times. For example, but not limited to: clean, pressed uniforms; neatly groomed; and hat worn straight (not backwards, or off to the side).
3. Contractor shall propose uniform type, style and color. Uniforms must be of a professional nature and photos should be included with the proposal for approval by the Beach House. Uniforms shall be given to Contractor employees in sufficient quantity by the Contractor and shall ensure that all security officers assigned to the Beach House comply with basic appearance standards to include:
 - a. All security officers must be in complete uniform, neat in appearance, with uniforms clean, pressed and correctly fitted, and shoes shined.
 - b. Assigned personnel shall not “accessorize” their uniforms and must wear their shirts tucked inside their slacks.
 - c. Personnel must display a professional appearance in uniform and hygiene by ensuring uniforms comply with the following requirements:
 - i. Uniform jackets ({1} heavy winter jacket and {1} summer wind breaker), with SECURITY on the back of jacket
 - ii. Uniform hat with SECURITY printed on the front and include Contractor’s logo
 - iii. Uniform shirts with badge and common logo in a visible location
 - iv. High Visibility Rainwear with SECURITY on the back (issued to Security Officer or must be available at post)
 - v. Flashlight holder and flashlight (rechargeable durable quality flashlights or better)
 - vi. Security badge
 - vii. Shoulder patches displaying the Contractor’s logo
 - viii. Name tag with Security Officer’s first initial and last name
4. Contractor employee photo identification (ID) card must have employee name in front, no smaller than a font size of 18 with last name, first name, and middle initial, if any.
5. Contractor employees shall not be assigned to work at Beach House without being issued the uniform as described above.
6. Wrist watches, medical or identification bracelets, rings, and earrings are the only items of jewelry or ornaments authorized to be exposed when in uniform and on duty.
7. No jewelry shall be worn in such a manner as to present a safety hazard to the individual, or a distraction of professional appearance. Only post type of earrings shall be worn. Facial piercings and/or gauge type earrings are not allowed to be worn by security officers or supervisors.
8. No visible tattoos shall be permitted.
9. Security personnel shall not possess, display, or use firearms, explosives, or other dangerous weapons, including night sticks (batons), handcuffs, knives, saps

(clubs), brass knuckles, stun gun, taser, mace or oleoresin capsicum (pepper spray) while on duty. This includes but is not limited to, the employee's vehicle, locker, and while on Beach House property.

E. Instructions Manual and Post Orders and Temporary Post Orders

1. Prior to providing security services under this Agreement, Contractor shall provide written Post Orders documenting site/security station/position specific operational instructions that assigned security officers must follow while providing security services. Such procedures must be created with input from, and approved by, the Beach House Manager or designee. All assigned security officers must read and execute a statement that provides that they read and understood the Post Orders, as issued from time to time, as part of their on-going training.
2. In addition, Contractor shall ensure that all security officers have an updated copy of Post Orders according to the following:
 - a. Post Orders, including Temporary Post Orders, must contain duty instructions, safety instructions, and emergency instructions. Post Orders are subject to change by the Beach Manager or designee.
 - b. Contractor is responsible for writing and updating (quarterly or as necessary) the Post Orders and providing electronic copies to the Beach House Manager or designee.
 - c. Temporary Post Orders are temporary instructions issued by Beach House Manager or designee.

F. Security Officer Tour Verification System/Officer's Schedule

1. Contractor must supply, at Contractor's sole expense, a security officer tour verification report system for the Beach House facility.
2. Contractor employees shall be responsible for recording rounds using the tour verification system.
3. Contractor must set the patrol points at the Beach House in coordination with Beach House Manager or designee.

G. Removal of Security Officers by the Beach House

The Beach House reserves the right to require the Contractor to remove any security personnel from further duty at the Beach House. If the Beach House requires the removal of any security personnel from duty, the Beach House shall make reasonable efforts to provide the Contractor its reasoning for the removal demand. However, failure to provide such reasoning by the Beach House shall not be grounds for the Contractor to challenge such removal. Upon receiving a request for removal, the Contractor must immediately remove and replace an individual security employee. Such requests may be submitted in writing, via email, in person or by telephone.

H. Equipment Provided by the Beach House

Security Office - Beach House shall provide a room which serves as a security station.
Communications - Beach House shall provide the appropriate number of two-way radios to be used by the Security Officers.

I. Contractor's Responsibilities

1. Contractor shall be responsible for the development, design, coordination and supervision of all services provided under this Agreement. These activities include, but shall not be limited to, the following:
 - a. Evaluating, recruiting, screening, supervising, and training of personnel.
 - b. Evaluating and providing adequate field supervision to ensure security officers arrive at assigned post on time, fit for duty, in proper uniform, and properly trained and oriented and perform their duties throughout their assigned shift, and provide backup as needed during all required hours.
 - c. Maintaining adequate staffing to ensure that Beach House has the required number of security officers on site at all times. All security officers assigned to Beach House, even those filling in, shall meet all the requirements of this Agreement.
 - d. Requiring security officers to carry a cellular telephone (whether provided by the Contractor or not) on their person at all time to give them the ability to summon law enforcement when necessary.
 - e. Providing security service for the days and hours specified. Any security officer unable to work his/her shift must be replaced by Contractor before the start of the shift. No overtime shall be charged to Beach House. Contractor must replace any post that is left vacant unexpectedly within thirty (30) minutes and not charge for time not worked. Any discrepancies to the agreed hours over 15 minutes must be reported to the Beach House Manager or designee.
 - f. Providing an additional security officer when required for special events, which shall be billed at the applicable private event hourly rate as identified in the Budget, Exhibit B.
 - g. Maintaining a 24-hour communication center 365 days a year for Contractor's security personnel and Beach House staff to contact in the event of an emergency. Contractor's communication center phones must be immediately answered and staffed at 24/7, 365 days a year.
 - h. The Contractor may receive Beach House owned equipment; which may include keys, electronic card keys to the building, various offices, gates, etc., as required to perform security services. Contractor shall be responsible for any and all expenses related to any Beach House owned equipment replacement where Contractor's personnel were negligent in handling or safeguarding the equipment and will be responsible for door re-keying costs should Contractor's security personnel lose keys. Contractor shall also be responsible for any and all expenses related to the replacement of lost electronic cardkeys.
2. Equipment/Personal Equipment/Visits
 - a. Contractor shall ensure that at no time shall assigned contract personnel use or tamper with Beach House telephones, computers, or other equipment for non-Beach House or personal business without Contractor receiving prior approval by the Beach House Manager or designee. Unauthorized use of any Beach House equipment may be reason for the City to request Contractor remove the security officer from Beach House assignment.

- b. Contractor shall ensure security personnel are always diligent, vigilant, alert, focused on their duties, and not engaged in any activity that distracts them from their responsibilities as a security officer.
- c. Contractor shall ensure security personnel display a professional image at all times while on duty. Consistent with this is the expectation that security officers must be alert to their surroundings at all times while on duty and shall not be engaged in any activity that distracts them
- d. Contractor shall ensure security personnel do not smoke while in performance of their duties.

J. Security Officer's Log

Contractor shall maintain a Security Officer's Log for security officers to record a written incident report for all incidents that occur at the Beach House. Incidents include any activity that may be cause for concern, including disturbances or matters that interfered or may interfere with Beach House operations, as determined and identified in the Post Orders. The manner and timing of reporting for all incidents to the Beach House Manager or designee shall also be specified in the Post Orders.

Contractor shall maintain a Security Officer's Log as required below:

1. Maintain a chronological Security Officer's Log at security station
2. Do not remove the Security Officer's Log from the station
3. All report entries must be completed honestly, accurately, and in response to an activity
4. Ensure that the Security Officer's Logs contain, at least the following minimum information:
 - The Security Officer's name;
 - The times the Security Officer begins and concludes their shift;
 - An inspection by the Contractor's supervisors;
 - Descriptions of any suspicious persons loitering near the facility;
 - Description of any acts of vandalism or intrusion;
 - A report of any event where law enforcement, fire department or other public safety officials are contacted;
 - A description of any other events which the Security Officer may wish to note.

K. Account Manager/Supervisor; Reporting

Contractor must submit reports, compiling and disseminating statistical data for such items as incident reports and other statistical information as requested by Beach House, and must schedule periodic meetings with key Beach House staff.

Contractor shall provide telephone number(s) for Account Manager/Supervisors, and Executive Staff and designees, where he/she can be reached twenty-four (24) hours a day and shall call back within fifteen (15) minutes of originating call. The assigned Account Manager/Supervisor is responsible for interfacing with Beach House Management.

L. Transition Plan

Prior to commencing services under this Agreement, the Contractor shall submit a thirty (30) transition plan for implementation. This plan shall include, at a minimum, tasks, time frames, and procedures for a cold start transition. The plan

will identify the personnel that will be assigned to the transition team with current contact information, telephone numbers and email addresses.

**Exhibit B
Budget**

CONTRACTOR shall be compensated a total amount not to exceed \$194,000 for services rendered for the first one-year term, which commences on the Execution Date of this Agreement.

Total estimated expenditure for the five-year term is not to exceed \$1,029,268, allocated below. Annual increases are 3 percent, on the same terms and conditions.

Total - Site Patrol Only (to be paid by the City)	Regular Rate- Hourly	Holiday Rate- Hourly	Annual Total (Based on Estimated Hours)	
Period 1: 01/15/2021-01/14/2022	\$ 21.37	\$ 32.05	\$ 193,867.20	
Period 2: 01/15/2022-01/14/2023	\$ 22.01	\$ 33.01	\$ 199,683.22	3% annual increase
Period 3: 01/15/2023-01/14/2024	\$ 22.67	\$ 34.00	\$ 205,673.71	3% annual increase
Period 4: 01/15/2024-01/14/2025	\$ 23.35	\$ 35.02	\$ 211,843.92	3% annual increase
Period 5: 01/15/2025-01/14/2026	\$ 24.05	\$ 36.07	\$ 218,199.24	3% annual increase
Grand Total			\$1,029,267.29	

CONTRACTOR shall bill private event clients directly for private event security staff services and provided in the Scope of Services, Exhibit A.

Total - Private Events (to be paid by the event clients)	Regular Rate- Hourly	Annual Total (Based on Estimated Hours)	
Period 1: 01/15/2021-01/14/2022	\$ 21.37	\$ 10,257.60	
Period 2: 01/15/2022-01/14/2023	\$ 22.01	\$ 10,565.33	3% annual increase
Period 3: 01/15/2023-01/14/2024	\$ 22.67	\$ 10,882.29	3% annual increase
Period 4: 01/15/2024-01/14/2025	\$ 23.35	\$ 11,208.76	3% annual increase
Period 5: 01/15/2025-01/14/2026	\$ 24.05	\$ 11,545.02	3% annual increase
Grand Total		\$ 54,458.99	

Number of Hours - Annual Estimate*	Regular	Holiday	Private Events
	8640	288	480

*Actual number of hours may vary depending on Beach House needs

Attachment: Agreement 11120 (CCS) 12.23.20 (7465 : Emergency Extension of Security Services Contract at Annenberg Community Beach

Exhibit C Insurance Requirements

Contractual Services Agreement Insurance Requirements

Contractor shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, employees or subcontractors.

Minimum Scope and Limits of Insurance

Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office Form CG 00 01 covering CGL on an “occurrence” basis, including products and completed operations, property damage, bodily injury and personal and advertising injury, with limits of no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (Insurance Services Office Form CG 25 04) or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** Insurance Services Office Form CA 00 01 covering Code 1 (any auto), or if Contractor has no owned autos, Code 8 (hired) and Code 9 (non-owned), with limits of no less than \$1,000,000 per accident for bodily injury and property damage.
3. **Workers’ Compensation:** Workers’ Compensation insurance as required by the State of California, with Statutory Limits and Employers’ Liability Insurance with limits of no less than \$1,000,000 per accident for bodily injury or disease (see footnote #1).

If the Contractor maintains broader coverage or higher limits than the minimums shown above, the City of Santa Monica requires and shall be entitled to the broader coverage or higher limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City of Santa Monica.

Other Insurance Provisions

1. The insurance policies are to contain, or be endorsed to contain, the following provisions:
 - a. **Additional Insured Status:** The City of Santa Monica, its officers, officials, employees and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on

behalf of Contractor including materials, parts, or equipment furnished in connection with such work or operations. CGL coverage can be provided in the form of an endorsement to the Contractor's insurance (at least as broad as Insurance Services Office Form CG 20 10 11 85, or if not available, through the addition of **both** CG 20 10, CG 20 26, CG 20 33, or CG 20 38 **and** CG 20 37).

- b. Primary Coverage:** For any claims related to this Agreement, the Contractor's insurance shall be primary coverage as least as broad as Insurance Services Office Form CG 20 01 04 13 as respects the City of Santa Monica, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City of Santa Monica, its officers, officials, employees or volunteers shall be in excess of the Contractor's insurance and shall not contribute with it.
- c. Notice of Cancellation:** Each insurance policy required herein shall state that coverage shall not be cancelled except after notice has been given to the City of Santa Monica.
- d. Waiver of Subrogation:** Contractor hereby grants to the City of Santa Monica a waiver of any right of subrogation which any insurer of said Contractor may acquire against the City of Santa Monica by virtue of payment of any loss. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City of Santa Monica has received a waiver of subrogation endorsement from the insurer.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the City of Santa Monica for all work performed by the Contractor, its employees, agents and subcontractors.

Self-Insured Retentions

Self-insured retentions must be declared to and approved by the City of Santa Monica. The City of Santa Monica may require the Contractor to purchase coverage with a lower retention or provide satisfactory proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the name insured or the City of Santa Monica.

Acceptability of Insurers

Insurance is to be placed with insurers authorized to conduct business in California with a current A.M. Best rating of no less than A:VII, unless otherwise acceptable to the City of Santa Monica.

Verification of Coverage

Contractor shall furnish the City of Santa Monica with original certificates and amendatory endorsements (or copies of the applicable policy language effecting coverage provided by this clause). All certificates and endorsements are to be received and approved by the City of Santa Monica before work commences. However, failure to obtain required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The City of Santa Monica reserves the right to require complete, certified copies of all required insurance policies, including the endorsements required herein, at any time.

Failure to Maintain Insurance Coverage

If Contractor, for any reason, fails to maintain insurance coverage which is required pursuant to this Agreement, the same shall be deemed a material breach of contract. The City of Santa Monica, at its sole option, may terminate this Agreement and obtain damages from the Contractor resulting from said breach.

Subcontractors

Contractor shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein. All exceptions must be approved in writing by the Risk Manager.

Footnotes

- # 1: Workers' Compensation insurance coverage is not required if the Contractor does not have employees. The Contractor must, however, execute the City's Workers' Compensation Coverage Exemption Declaration Form.

FIRST MODIFICATION OF AGREEMENT NO. 11120 (CCS)

This First Modification of Agreement Number 11120 (CCS) (“First Modification”), entered into as of 1/21/2026 (“Execution Date”), by and between the City of Santa Monica, a municipal corporation (“City”), and AG COAST INC dba CALIFORNIA PANTHER SECURITY (“PANTHER”) is made with reference to the following:

RECITALS

- A. On or about December 23, 2020, the City and PANTHER entered into Agreement Number 11120 (CCS) for unarmed security guard services at the Annenberg Community Beach House (“Original Agreement”).
- B. The Original Agreement expires on January 14, 2026.
- C. The City and PANTHER desire to modify the Original Agreement to extend the agreement term, increase the agreement price to pay for the extended services, and include a rate increase.

TERMS AND CONDITIONS

Now, therefore, the undersigned parties do hereby mutually agree to modify the Original Agreement as follows:

- 1. Section 1 of the Original Agreement entitled “Term” shall be modified by adding the following paragraph:

Extension Term. The extension of this Agreement begins on January 15, 2026 and terminates on March 31, 2026, with the option to continue on a month-to-month basis through September 30, 2026. The month-to-month extension period may be terminable by the City on fifteen (15) days prior written notice.

- 2. Section 2 of the Original Agreement entitled “CONTRACTOR Services” shall be modified by adding the following paragraph:

Extension of Services. During the Extension Term, PANTHER will perform all services (“Services”) described in Exhibit A, Scope of Services of the Original Agreement. Between January 15, 2026, and the termination date, PANTHER will complete the Services in accordance with Exhibit B-1, Budget.

- 3. Section 4 of the Original Agreement entitled “Compensation” shall be modified by adding the following paragraph:


Compensation. The City will compensate Panther for the Additional Services in an amount not to exceed two hundred and fifteen thousand dollars (\$215,000.00), as set forth in Exhibit B-1. The total agreement price for services pursuant to the Original Agreement and this First Modification shall not exceed one million, two hundred forty-four thousand, two hundred sixty-eight dollars (\$1,244,268).


- 4. Exhibit B-1 is attached hereto incorporated herein by this reference.
- 5. **Execution in Counterparts.** This First Modification may be executed in counterparts with the same effect as if both parties hereto had executed the same document. All counterparts shall be construed together and shall constitute a single modification. Any signature to this First Modification transmitted electronically through DocuSign or PDF shall be deemed an original signature and be binding upon the parties hereto (it being agreed that such electronic signature shall have the same force and effect as an original signature).
- 6. Except as expressly modified by this First Modification, all other terms and conditions of the Original Agreement shall be and remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Modification as of the date and year first written above.

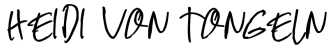
ATTEST:


CITY OF SANTA MONICA,
a municipal corporation

DocuSigned by:

 E2F9C9C6A74400...
 Denise Anderson-Warren
 Interim City Clerk
 1/27/2026

Signed by:

 A99E21E9DD504B4
 By: _____
 Oliver Chi
 City Manager
 1/21/2026

APPROVED AS TO FORM:

Signed by:

 64C93D9CAE84423...
 HEIDI VON TONGELN
 Interim City Attorney
 1/15/2026

CPS
 Signed by:

 D1FE704AC6494B6...
 By: _____
 Moe Galal
 Vice President
 1/15/2026

Attachment: 01 CSA_11120_First_Modification EXECUTED (7465 : Emergency Extension of Security Services Contract at Annenberg

Exhibit B-1
Budget

Contract Extension

January 15 – March 31, 2026

Month	Average Monthly Rate*
January	\$ 15,000.00
February	\$ 25,000.00
March	\$ 25,000.00
Total	\$ 65,000.00

Month-to-Month Options

As needed through September 30, 2026

Month	Average Monthly Rate*	Cumulative Month-to-Month Spend
April	\$ 25,000.00	\$ 25,000.00
May	\$ 25,000.00	\$ 50,000.00
June	\$ 25,000.00	\$ 75,000.00
July	\$ 25,000.00	\$ 100,000.00
August	\$ 25,000.00	\$ 125,000.00
September	\$ 25,000.00	\$ 150,000.00

The total expenditure for the Contract Extension (\$65,000.00) and Month-to-Month Options (up to \$150,000.00) shall not exceed \$215,000.00.

*All monthly rates shown are averages. Actual monthly rates will vary slightly based on the number of calendar days and holidays in each month. Rates are based on the 24-hour presence of one security guard per shift with no overlap.

Panther Hourly Rates

Regular hourly rate: \$33.75 per guard

Holiday hourly rate: \$50.62 per guard

Attachment: 01 CSA_11120_First_Modification EXECUTED (7465 : Emergency Extension of Security Services Contract at Annenberg

AG. Coast, Corp. d/b/a California Panther Security
www.capanther.com For: Nan Friedman, Annenberg Community Beach House



Schedule & Cost:

Location:

**Annenberg Community Beach House
415 Pacific Coast Hwy, Santa Monica, CA 90402**

Start Date: 1/15/2026

Sevice hours 24/7

Service Length: TBD March or April and month to month after

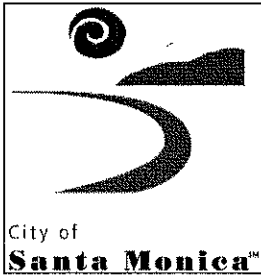
Unarmed Guard Rate:
<p>\$33.75 Per hour / Per guard Holiday rate \$50.62 Per hour / Per guard</p>

- A.G. Coast, Inc./California Panther Security will adhere to your insurance requirements.
- Overtime is billed at time and one- half per hour (if it applies)
- All National Recognized Holidays will be billed as time and a half.
- Minimum of 4 hours for any additional requests.

We believe good Strategic planning and communication will create a careful deployment schedule, making for a very cost-effective, workable schedule and savings.

Please visit our website at www.capanther.com for additional information. Should you have any questions please feel free to contact me at your earliest convenience.

Attachment: 01 CSA_11120_First_Modification EXECUTED (7465 : Emergency Extension of Security Services Contract at Annenberg



**CITY COUNCIL
CITY OF SANTA MONICA**

STATEMENT OF OFFICIAL ACTION

PROJECT

CASE NUMBER: 06APP-030 and 06APP-032

LOCATION: 415 Pacific Coast Highway

APPLICANT: City of Santa Monica – Community & Cultural Services Department

APPELLANT: Palisades Beach Road Property Owners' Association; Jonathan Ornstein

PROPERTY OWNER: State of California - Department of Parks and Recreation

CASE PLANNER: Roxanne Tanemori, Associate Planner

REQUEST: Appeals 06APP-030 and 06APP-032 of the Planning Commission's approval of Development Review Permit 06DR-002, Reduced Parking Permit 06RPP-001, Fence Height Modification 06-001, and certification of the Final Environmental Impact Report for the rehabilitation and adaptive reuse of the property at 415 Pacific Coast Highway as a public, beach-oriented recreation facility.

CEQA STATUS: An Environmental Impact Report (EIR) was prepared for the project in accordance with Section 15087 of the CEQA Guidelines. On May 25, 2006, the City Council adopted a resolution certifying the Final Environmental Impact for the 415 Pacific Coast Highway Project with staff recommended modifications contained in the supplemental staff report distributed on May 25, 2006. In addition, the City Council adopted a resolution making the necessary findings to approve the 415 Pacific Coast Highway Project and adopted a Statement of Overriding Considerations and Mitigation Monitoring Program.

compatibility with the remaining historic features and overall historic nature of the site. A system of perimeter fencing and gates has been incorporated into the project design in order to control access to the site, and installation of security cameras on site is a condition of project approval. A variety of measures related to use of the site have been developed to help ensure compatibility with nearby residential uses. Measures related to on-site parking facilities include the following: Use of parking lots in conjunction with booked special events requires that parking spaces furthest from the adjacent residential uses will be utilized first; parking lots will be closed at 11 pm on weekdays and midnight on weekends; and parking lots will be staffed during events and parking permits shall be issued to event guests. Measures related to on-site activities include the following: amplified music shall only be permitted indoors except during City sponsored day-time events only; and a priority reservation system shall be established at peak use periods for use of the public pool and picnic area as noted on the plans dated May 16, 2006.

2. The rights-of-way can accommodate autos and pedestrians, including parking and access, in that 279 parking spaces will be provided on site within two interconnected lots to serve the project and the beach in a shared use arrangement. Vehicular access is provided from Pacific Coast Highway into a driveway at the south parking lot (Beach Lot 10), with exiting permitted from both the south lot and north lot. Pedestrian and bicycle access to the site is provided along the Santa Monica Beach Bike Path and the sand area between the 1921 mean high tide line and the bike path is defined and organized by two main boardwalks providing universal access and pedestrian circulation to all areas of the site.
3. The health and safety services (police, fire, etc.) and public infrastructure (e.g. utilities) are sufficient to accommodate the new development, in that these services already exist to meet the needs of the site and will be complimented by on site security during the evening hours.
4. Any on-site provision of housing or parks and public open space, which are part of the required project mitigation measures required in Subchapter 9.04.70 Part 9.04.10.12 of the City of Santa Monica Comprehensive Land Use and Zoning Ordinance, satisfactory meet the goals of the mitigation program, in that the project is exempt based on the fact that the project is not an office development.
5. The project is generally consistent with the Municipal Code and General Plan, in that the project is located within the RVC (Residential Visitor Commercial), BPD (Beach Parking) and Beach Overlay Zoning Districts which allow for the community-oriented uses including recreational buildings, public beaches, playgrounds, recreational areas and parking and these uses are consistent with those proposed by the project. The proposed project is consistent with Proposition S (Beach Overlay Zoning District) in that project components consist of uses expressly authorized by the proposition such as open space, parks, incidental park structures, gardens, playgrounds, recreational buildings, and recreational areas. In accordance with Proposition S (Beach Overlay Zoning

District), the project does not propose a hotel, motel, restaurant and/or food service facility of more than 2,000 square feet and/or exceeding one story in height. Furthermore, the project is consistent with General Plan Citywide Objective 1.1 of the Land Use Element which calls for improving the quality of life by providing a balance of land uses consistent with fulfilling the City's role as a regional recreational and business center by providing a regional public recreational resource at the site, and Land Use Element Policy 1.11.1 which encourages the development of recreation facilities to meet the needs of both resident and daytime populations with attention to creating amenities for families with children in that the project includes the rehabilitation of the existing pool for recreational use, construction of a new water play area and associated pool amenities such as showers, restrooms, changing rooms and lockers as well as a community room to be used for informal recreation, an event house, gardens, playgrounds and walkways. The project is consistent with Land Use Element Policy 3.1.3, which encourages the retention of historic and architecturally significant resources, and Goal 3 of the Historic Preservation Element, which calls for an increase in public awareness of the history of Santa Monica and historic preservation in the City, in that the historically significant North House and swimming pool will be preserved and rehabilitated and the site development will feature a multi-faceted interpretive program in response to the high level of community interest in the site's history and its local and regional context. Land Use Element Policy 3.1.3 also states that the design of new buildings should respect the character of nearby historic resources and the new buildings are designed to be compatible with the historic structures on the site while not duplicating their design. The project is consistent with Objective 5 of the Open Space Element which called for establishing stronger connections to regional open spaces in that the project will reuse a portion of State owned beachfront property along the California Coastline for broad public access and through the site's interpretive program will connect visitors to the significance of this site as part of the Santa Monica Mountains National Recreation Area and Santa Monica State Beach.

6. Feasible mitigation measures have been included for all adverse impacts identified in an Initial Study or Environmental Impact Report, in that an Environmental Impact Report was prepared for the project and all proposed feasible mitigation measures have been included in the project approval.

REDUCED PARKING PERMIT FINDINGS

Shared Parking

1. A sufficient number of spaces are provided to meet the greater parking demand of the participating uses in that a total of 279 parking spaces will be provided on

site which is sufficient to address the facility plus beachgoer parking demand. The parking demand analysis contained in the EIR determined that the 415 PCH facility would generate a parking demand of 212 spaces. There are 162 existing parking spaces in Beach Lot 10 which must be retained. The demand analysis indicated a peak summer beach period parking demand of 374 spaces, including 100 parking spaces needed to meet the demand for a maximum 200 guest special event. A total of 274 spaces are required for the 415 PCH facility and beachgoers when special events are not occurring. Therefore, the 279 available spaces are sufficient to meet the parking demand for the 415 PCH facility and beachgoers, except when these special events are scheduled at the meeting facilities during peak summer beach days (Mondays-Thursdays during June through September 1 PM – 4 PM and Fridays-Sundays during June through September 10 AM – 6 PM), and during other peak beach days (Saturday and Sunday during October, March, April, and May, 10 AM – 6 PM). In order to address the special event-related demand of up to 100 parking spaces during the peak summer beach season, Mitigation Measure T-2 has been included as a condition of project approval. This measure requires that, if events are scheduled during peak summer days or other peak beach days, the party booking the event shall secure off-site parking within 5 miles of the project site for the guests with a shuttle bus system to transport them to the site, unless the off-site parking is located within walking-distance of the site. The party booking the event shall be required to submit a Transportation and Parking Management Plan to the operator of the site prior to issuance of a permit for use of the facility. The mitigation measure further requires that the management plan include a description of the methodology of notifying guests of the location for the shuttle, if determined by the City to be needed; provide information regarding the number of guests and parking spaces needed to meet this demand; and include evidence demonstrating that 1) pre-paid parking has been secured; and 2) pre-paid shuttle service, if needed, has been hired between the site and the off-site parking lot.

The 279 parking spaces provided on site would also be sufficient to address the parking demand for special events scheduled on site after 6 PM during any month of the year. In addition, the 279 parking spaces provided on site are sufficient to address the parking demand for beachgoers, regular site operations and special events scheduled on site after 6 PM during any month of the year. The 279 parking spaces are also sufficient to meet the demand during regular operation of the site, plus beachgoer parking demand, during other peak beach days.

2. Satisfactory evidence has been submitted by the parties operating the shared parking facility, describing the nature of the uses and times when the uses operate so as to demonstrate the lack of conflict between them in that the City of Santa Monica operates all parking lots involved in the parking calculations and a shared parking analysis was conducted as part of the project's Environmental Impact Report (EIR). The analysis indicated that sufficient parking is available for public beachgoers and the 415 PCH facility except if special events are scheduled during peak summer beach days and other peak beach days. A mitigation measure has been identified to address this greater parking demand.

The parking facilities for beachgoers (Beach Lot 10) and for the 415 PCH project can be shared except if events are scheduled to occur during peak summer beach days (Mondays-Thursdays during June through September 1 PM – 4 PM and Fridays-Sundays during June through September 10 AM – 6 PM), and during other peak beach days (Saturday and Sunday during October, March, April, and May, 10 AM – 6 PM). Mitigation Measure T-2 has been identified to address the greater parking demand under these scenarios. If events are scheduled during peak summer beach days and other peak beach days, the party booking the event shall secure off-site parking within 5 miles of the project site for the guests with a shuttle bus system to transport them to the site, unless the off-site parking is located within walking-distance of the site, and shall submit a Transportation and Parking Management Plan (Plan) to the operator of the site prior to issuance of a permit for use of the facility. The Plan shall include a description of the methodology of notifying guests of the location for the shuttle, if determined by the City to be needed; shall provide information regarding the number of guests and parking spaces needed to meet this demand; and shall include evidence demonstrating that 1) pre-paid parking has been secured; and 2) pre-paid shuttle service, if needed, has been hired between the site and the off-site parking lot.

The 279 parking spaces provided on site would also be sufficient to address the parking demand for special events scheduled on site after 6 PM during any month of the year. In addition, the 279 parking spaces provided on site are sufficient to address the parking demand for beachgoers, regular site operations and special events scheduled on site after 6 PM during any month of the year. The 279 parking spaces are also sufficient to meet the demand during regular operation of the site, plus beachgoer parking demand, during other peak beach days.

Mitigation Measure T-2 clearly states when off-site parking will be required and how the provision of off-site parking will be implemented in order to minimize any potential conflicts resulting from the shared use of Beach Lot 10, the North Parking Lot, and an off-site parking facility when special events are scheduled during the peak summer days and other peak beach days.

3. Additional documents, covenants, deed restrictions or other agreements as may be deemed necessary by the Zoning Administrator are executed to assure that the required parking spaces provided are maintained and uses with similar hours and parking requirements as those uses sharing the parking remain for the life of the building in that the proposed use is on land subject to a long-term operating agreement with the State of California, and includes parking facilities operated by the City of Santa Monica. The City will continue to operate the parking facilities on site that will continue to serve visitors going to the beach and/or to the 415 PCH facility. In addition, Mitigation Measure T-2 which addresses the special event related demand of up to 100 parking spaces is included as condition of project approval (Condition #38) and is also a mitigation measure that is included in the Mitigation Monitoring Program adopted for the project. Monitoring this

mitigation measure will be done by the City of Santa Monica, Planning and Community Development Department, Transportation Management Division.

WALL HEIGHT MODIFICATION FINDINGS

1. The subject fence, wall or hedge will be compatible with other similar structures in the neighborhood and is required to mitigate impacts from adjacent land uses, the subject property's proximity to public rights-of-way, or safety concerns in that the project fronts on Pacific Coast Highway, an arterial roadway that carries over 75,000 vehicles per day north of the California Incline. The proposed 7'-4" fence is similar in terms of its height and proximity to the public right-of-way when compared to other existing improvements along Pacific Coast Highway in the area of the project site. The proposed 7'-4" fence will help mitigate sound impacts on the site from the highway, and help to address site security issues by controlling access to the site. Additionally, breaks in the fence of a minimum of 20 feet in length will be provided at the south and north parking lots providing views into the site and the shoreline from the highway.
2. The granting of such modification will not be detrimental or injurious to the property or improvements in the general vicinity and district in which the property is located in that the proposed fence will extend along the property frontage for a maximum distance of 662 feet and will replace the historic fence with a fence of similar height that was removed in 1995 due to extensive damage following approval of a Certificate of Appropriateness (Dec. 13, 1993 and extended Oct. 10, 1994). The proposed fence will be replaced in accordance with a Memorandum of Agreement between the City of Santa Monica, the State Office of Historic Preservation and the Advisory Council on Historic Preservation, which specifies that, in addition to local agency review and approval, the design of the new fence will be approved in consultation with the State Historic Preservation Officer.
3. The modification will not impair the integrity and character of the neighborhood in which the fence, wall or hedge is located, in that the fence will replace a chain link fence that was installed to secure the site along PCH with a fence that is compatible with the site and is reminiscent of the historic fence that once was located along this property line in terms of its height, scale and general character. The proposed fence has been designed to reflect a rhythm similar to the original, historic fence and has also been designed to be compatible with the contemporary architecture of the new construction on site. The proposed fence also addresses the programmatic needs of the site in that it would serve to visually define the facility along PCH, provide site security, and serve as a sound wall.

CONDITIONS

Plans

1. This approval is for those plans dated May 16, 2006 a copy of which shall be maintained in the files of the City Planning Division. Project development shall be consistent with such plans, except as otherwise specified in these conditions of approval.
2. The Plans shall comply with all other provisions of Chapter 1, Article IX of the Municipal Code, (Zoning Ordinance) and all other pertinent ordinances and General Plan policies of the City of Santa Monica.
3. Final parking lot layout, specifications, and operations shall be subject to the review and approval of the Transportation Management Division.
4. Minor amendments to the plans shall be subject to approval by the Director of Planning. A significant change in the approved concept shall be subject to Planning Commission Review. Construction shall be in conformance with the plans submitted or as modified by the Planning Commission, Landmarks Commission, or Director of Planning.

Landmarks Commission

5. Prior to consideration of the project by the Landmarks Commission, or City Council on appeal, the applicant shall review disabled access requirements with the Building and Safety Division and make any necessary changes in the project design to achieve compliance with such requirements. The Landmarks Commission, or City Council on appeal, in its review, shall pay particular attention to the aesthetic, landscaping, and setback impacts of any ramps or other features necessitated by accessibility requirements.
6. Plans for final design, landscaping, screening, trash enclosures, and signage shall be subject to review and approval by the Landmarks Commission, or City Council on appeal.
7. The Landmarks Commission, or City Council on appeal, in its review, shall pay particular attention to the proposed project's treatment of the historic North House and swimming pool to ensure that all rehabilitation work is done in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. The Commission, or City Council on appeal, shall also pay particular attention to the design of the new buildings on site to ensure that they are compatible with the remaining historic features on the site and the overall historic character of the site.
8. Refuse areas, storage areas and mechanical equipment shall be screened in accordance with SMMC Section 9.04.10.02.130-90.04.10.02.150. Refuse areas shall be of a size adequate to meet on-site need, including recycling. The Landmarks Commission, or City Council on appeal, in its review shall pay particular attention to the screening of such areas and equipment. Any rooftop mechanical equipment shall be minimized in height and area, and shall be

located in such a way as to minimize noise and visual impacts to surrounding properties. Unless otherwise approved by the Landmarks Commission, or City Council on appeal, rooftop mechanical equipment shall be located at least five feet from the edge of the roof.

Demolition

9. Until such time as the demolition is undertaken, and unless the structure is currently in use, the existing structure shall be maintained and secured by boarding up all openings, erecting a security fence, and removing all debris, bushes and planting that inhibit the easy surveillance of the property to the satisfaction of the Building and Safety Officer and the Fire Department. Any landscaping material remaining shall be watered and maintained until demolition occurs.
10. Street trees shall be maintained, relocated or provided as required in a manner consistent with the City's Community Forest Management Plan 2000, per the specifications of the Open Space Management Division of the Community and Cultural Services Department and the City's Tree Code (SMMC Section 7.40). No street trees shall be removed without the approval of the Open Space Management Division.
11. Immediately after demolition (and during construction), a security fence, the height of which shall be the maximum permitted by the Zoning Ordinance, shall be maintained around the perimeter of the lot. The lot shall be kept clear of all trash, weeds, etc.
12. Prior to issuance of a demolition permit, applicant shall prepare for Building Division approval a rodent and pest control plan to ensure that demolition and construction activities at the site do not create pest control impacts on the project neighborhood.
13. Prior to issuance of any demolition permits, a demolition materials recycling plan shall be filed for approval by the Department of Environmental and Public Works Management which seeks to maximize the reuse/recycling of existing building materials.
14. The applicant shall submit a report from an industrial hygienist to be reviewed and approved as to content and form by the Environmental and Public Works Management/Environmental Programs Division. The report shall consist of a hazardous materials survey for the structure proposed for demolition. The report shall include a section on asbestos and in accordance with the South Coast AQMD Rule 1403, the asbestos survey shall be performed by a state Certified Asbestos Consultant (CAC). The report shall include a section on lead, which shall be performed by a state Certified Lead Inspector/Assessor. Additional hazardous materials to be considered by the industrial hygienist shall include:

mercury (in thermostats, switches, fluorescent light); polychlorinated biphenyls (PCBs) (including light Ballast), and fuels, pesticides, and batteries.

Construction

15. Unless otherwise approved by the Department of Environmental and Public Works Management, all sidewalks shall be kept clear and passable during the grading and construction phase of the project.
16. Sidewalks, curbs, gutters, paving and driveways which need replacing or removal as a result of the project as determined by the Department of Environmental and Public Works Management shall be reconstructed to the satisfaction of the Department of Environmental and Public Works Management. Approval for this work shall be obtained from the Department of Environmental and Public Works management prior to issuance of the building permits.
17. Vehicles hauling dirt or other construction debris from the site shall cover any open load with a tarpaulin or other secure covering to minimize dust emissions. Immediately after commencing dirt removal from the site, the general contractor shall provide the City of Santa Monica with written certification that all trucks leaving the site are covered in accordance with this condition of approval.
18. A construction period mitigation plan shall be prepared by the applicant for approval by the Department of Environmental and Public Works Management prior to issuance of a building permit. The approved mitigation plan shall be posted on the construction site for the duration of the project construction and shall be produced upon request. As applicable, this plan shall 1) Specify the names, addresses, telephone numbers and business license numbers of all contractors and subcontractors as well as the developer and architect; 2) Describe how demolition of any existing structures is to be accomplished; 3) Indicate where any cranes are to be located for erection/construction; 4) Describe how much of the public street, alleyway, or sidewalk is proposed to be used in conjunction with construction; 5) Set forth the extent and nature of any pile-driving operations; 6) Describe the length and number of any tiebacks which must extend under the property of other persons; 7) Specify the nature and extent of any dewatering and its effect on any adjacent buildings; 8) Describe anticipated construction-related truck routes, number of truck trips, hours of hauling and parking location; 9) Specify the nature and extent of any helicopter hauling; 10) State whether any construction activity beyond normally permitted hours is proposed; 11) Describe any proposed construction noise mitigation measures; 12) Describe construction-period security measures including any fencing, lighting, and security personnel; 13) Provide a drainage plan; 14) Provide a construction-period parking plan which shall minimize use of public streets for parking; 15) List a designated on-site construction manager; 16) Provide a construction materials recycling plan which seeks to maximize the reuse/recycling of construction waste; 17) Provide a plan regarding use of

recycled and low-environmental-impact materials in building construction; 18) provide a construction period water runoff control plan.

19. A sign shall be posted on the property in a manner consistent with the public hearing sign requirements which shall identify the address and phone number of the owner and/or applicant for the purposes of responding to questions and complaints during the construction period. Said sign shall also indicate the hours of permissible construction work.
20. The property owner shall insure any graffiti on the site is promptly removed through compliance with the City's graffiti removal program.
21. A copy of these conditions shall be posted in an easily visible and accessible location at all times during construction at the project site. The pages shall be laminated or otherwise protected to ensure durability of the copy.

Environmental Mitigation

22. Ultra-low flow plumbing fixtures are required on all new development and remodeling where plumbing is to be added. (Maximum 1.6 gallon toilets and 1.0 gallon urinals and low flow shower head.)
23. To mitigate solid waste impacts, prior to issuance of a Certificate of Occupancy, project owner shall submit a recycling plan to the Department of Environmental and Public Works Management for its approval. The recycling plan shall include 1) list of materials such as white paper, computer paper, metal cans, and glass to be recycled; 2) location of recycling bins; 3) designated recycling coordinator; 4) nature and extent of internal and external pick-up service; 5) pick-up schedule; 6) plan to inform tenants/ occupants of service.
24. To mitigate storm water and surface runoff from the project site, an Urban Runoff Mitigation Plan may be required by the Department of Environmental and Public Works Management (EPWM) pursuant to Municipal Code Chapter 7.10. Applicant shall contact EPWM to determine applicable requirements, which include the following:
 - Non-stormwater runoff, sediment and construction waste from the construction site and parking areas is prohibited from leaving the site;
 - An sediments or materials which are tracked off-site must be removed the same day they are tracked off-site;
 - Excavated soil must be located on the site and soil piles should be covered and otherwise protected so that sediments do not go into the street or adjoining properties;
 - Washing of construction or other vehicles shall be allowed adjacent to a construction site. No runoff from washing vehicles on a construction site shall be allowed to leave the site;

- Drainage controls may be required depending on the extent of grading and topography of the site.
- New development is required to reduce projected runoff pollution by at least twenty percent through incorporation of design elements or principles, such as increasing permeable surfaces, diverting or catching runoff via swales, berms, and the like; orientation of drain gutters towards permeable areas; modification of grades; use of retention structures and other methods.

Miscellaneous Conditions

25. The building address shall be painted on the roof of the building and shall measure four feet by eight feet (32 square feet).
26. The operation shall at all times be conducted in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking or other actions.
27. If any archaeological remains are uncovered during excavation or construction, work in the affected area shall be suspended and a recognized specialist shall be contacted to conduct a survey of the affected area at project's owner's expense. A determination shall then be made by the Director of Planning to determine the significance of the survey findings and appropriate actions and requirements, if any, to address such findings.
28. Street and/or alley lighting shall be provided on public rights-of-way adjacent to the project if and as needed per the specifications and with the approval of the Department of Environmental and Public Works Management.
29. Automotive repair facilities and dealerships, parking areas and structures, automotive paint shops, gas stations, equipment degreasing areas, and other facilities generating wastewater with significant oil and grease content are required to pretreat these wastes before discharging to the City sewer or storm drain system. Pretreatment will require that a clarifier or oil/water separator be installed and maintained on site. In cases where settleable solids are present (or expected) in greater amounts than floatable oil and grease, a clarifier unit will be required. In cases where the opposite waste characteristics are present, an oil/water separator with automatic oil draw-off will be required instead. The Environmental and Public Works Management Department will set specific requirements. Building permit plans shall show the required installation.
30. Mechanical equipment shall not be located on the side of any building which is adjacent to a residential building on the adjoining lot. Roof locations may be used when the mechanical equipment is installed within a soundrated parapet enclosure.

31. Final approval of any mechanical equipment installation will require a noise test in compliance with SMMC section 4.12.040. Equipment for the test shall be provided by the owner or contractor and the test shall be conducted by the owner or contractor. A copy of the noise test results on mechanical equipment shall be submitted to the Community Noise officer for review to ensure that noise levels do not exceed maximum allowable levels for the applicable noise zone.
32. Final building plans submitted for approval of a building permit shall include on the plans a list of all permanent mechanical equipment to be placed outdoors and all permanent mechanical equipment to be placed indoors which may be heard outdoors.
33. Prior to issuance of a Certificate of Occupancy Permit, the applicant shall post a notice at the building entry stating that the site is regulated by a Development Review Permit and the Statement of Official Action, which includes the establishment's conditions of approval, is available upon request. This notice shall remain posted at all time the establishment is in operation.

Validity of Permits

34. In the event permittee violates or fails to comply with any conditions of approval of this permit, no further permits, licenses, approvals or certificates of occupancy shall be issued until such violation has been fully remedied.
35. Within ten days of Planning Division transmittal of the Statement of Official Action, project applicant shall sign and return a copy of the Statement of Official Action prepared by the Planning Division, agreeing to the Conditions of approval and acknowledging that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval. By signing same, applicant shall not thereby waive any legal rights applicant may possess regarding said conditions. The signed Statement shall be returned to the City Planning Division. Failure to comply with this condition shall constitute grounds for potential permit revocation.
36. The approval of this permit shall expire if the rights granted are not exercised within eighteen (18) months from the permit's effective date. Exercise of rights shall mean issuance of a building permit to commence construction. However, the permit shall also expire if the building permit expires, if final inspection is not completed or a Certificate of Occupancy is not issued within the time periods specified in SMMC Section 8.08.060, or if the rights granted are not exercised within one (1) year following the earliest to occur of the following: issuance of a Certificate of Occupancy or, if no certificate of Occupancy is required, the last

required final inspection for the new construction. One six month extension may be permitted if approved by the Director of Planning. Applicant is on notice that time extensions shall not be granted if development standards or the development process relevant to the project have changed since project approval. Additionally, the rights associated with this approval shall expire if the establishment ceases operation for a period of one year or longer.

37. Applicant is advised that projects in the California Coastal Zone may need approval of the California Coastal Commission prior to issuance of any building permits by the City of Santa Monica. Applicant is responsible for obtaining any such permits.

Mitigation Measure Conditions

38. AES-2(a) Planning Commission Review. The physical location, size, massing and placement of proposed structures on the site shall be compatible with and relate harmoniously to surrounding sites and neighborhood. Prior to issuance of Building Permits, the applicant shall submit plans for review and approval by the Planning Commission to demonstrate compliance with this mitigation measure.

AES-2(b) Landmarks Commission Review. The design, scale and character of project architecture shall be compatible with the existing Georgian Revival architectural style of the Marion Davies Estate. Rehabilitation of historic resources shall comply with the recommendations of the Cultural Resources Technical Report: Proposed 415 PCH Project (Historic Resources Group 2005) and shall be consistent with the final design requirements outlined in Mitigation Measure HR-1(a). Prior to issuance of Building Permits, the applicant shall submit detailed plans for review and approval by the Landmarks Commission, or City Council on appeal, that demonstrate compliance with this mitigation measure.

AES-2(c) Fence Design Requirements. Plans for the proposed project shall include design details of the fence that is envisioned along the street frontage of PCH. The design of the fence shall be compatible with the existing Georgian Revival architectural style of the Marion Davies Estate and shall be subject to review by the Planning Commission and Landmarks Commission, or City Council on appeal, as required pursuant to Mitigation Measures AES-2(a) and (b).

AES-3(a) Low-glare Materials. All design and placement of windows shall be of low-glare specification. Paint used for exterior facades shall be of low-reflectivity. Metal surfaces shall be brush-polished, and shall not be highly reflective.

AES-3(b) Parking Lot Landscaping. Parking areas shall be landscaped such that the size, type and location of species reduce the glare from vehicles parked on-site.

AES-3(c) Lighting Plan. In order to ensure that new sources of light are compatible with existing residential and recreational development along Santa Monica State Beach and to avoid excessive nighttime lighting that is out of character with the land uses surrounding the project site, any exterior night lighting installed on the project site shall be of low intensity, low glare design, and shall be hooded to direct light downward onto the subject parcel and away from surrounding residential uses so that there is no lighting spill-over onto adjacent parcels. In addition, such lighting shall not blink, flash, or oscillate. The City shall develop a Lighting Plan incorporating these requirements which shall be reviewed and approved by the City's Landmark Commission, or City Council on appeal, prior to issuance of a building permit.

CON-1 Construction Impact Mitigation Plan. The City shall prepare and implement a Construction Impact Mitigation Plan to provide for traffic and parking capacity management during construction and demolition of the Locker Building. This plan shall be subject to review and approval by the Departments of Environmental and Public Works Management and Planning and Community Development, Transportation Management Division, at a minimum, and shall include the following:

- A public information program to advise motorists of impending construction activities (e.g., media coverage, portable message signs, and information signs at the construction site);
- Approval from the City, or Caltrans if required, for any construction detours or activity (e.g. haul routes);
- Timely notification of construction schedules to all affected agencies (e.g. Police Department, Fire Department, Department of Environmental and Public Works Management, and Department of Planning and Community Development);
- Coordination of construction work with affected agencies five to ten days prior to start of work;
- A traffic control plan for Pacific Coast Highway, which includes specific information regarding the project's construction and activities that will disrupt normal traffic flow;
- A pedestrian/bicyclists control plan for the beach pedestrian/bike path, which includes information regarding the project's construction and activities that will disrupt public use of the path;
- Minimizing dirt and demolition material hauling and construction material delivery during the morning and afternoon peak traffic periods and cleaning of streets and equipment as necessary;
- Scheduling and expediting of work to cause the least amount of disruption and interference to the adjacent vehicular and pedestrian traffic flow. Weekday daytime work on City streets shall primarily be performed between the hours of 9:00 AM and 3:00 PM;
- Limiting of queuing of trucks to on-site and prohibition of truck queuing on Pacific Coast Highway;
- Scheduling of preconstruction meetings with affected agencies to properly plan methods of controlling traffic through work areas;

- Storage of construction material and equipment within the designated work area and limitation of equipment and material visibility to the public; and
- Provision of off-street parking for construction workers, which may include the use of a remote location with shuttle transport to the site, if determined necessary by the City of Santa Monica.

CON-2(a) Dust Minimization. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site through implementation of the following measures recommended by the SCAQMD Rule 43 Handbook:

- During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to the extent necessary to prevent dust from leaving the site and to create a crust after each day's activities cease.
- During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, streets and sidewalks within 150 feet of the site perimeter shall be swept and cleaned a minimum of twice weekly.
- During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
- Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

CON-2(b) Construction Equipment Conditions. Construction equipment used on the site shall meet the following conditions in order to minimize NOx and ROC emissions:

- Diesel-powered equipment such as booster pumps or generators should be replaced by electric equipment to the extent feasible; and
- The operation of heavy-duty construction equipment shall be limited to no more than 5 pieces of equipment at any one time.

CON-3(a) Diesel Equipment Mufflers. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.

CON-3(b) Electrically-Powered Tools. Electrical power shall be used to run air compressors and similar power tools.

CON-3(c) Additional Noise Attenuation Techniques. For all noise-generating activity on the project site associated with the installation of new facilities, additional noise attenuation techniques shall be employed to reduce noise levels to City of Santa Monica noise standards. Such techniques may include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.

CON-3(d) Construction Sign Posting. In accordance with Santa Monica Municipal Code Section 4.12.120, the City shall be required to post a sign informing all workers and subcontractors of the time restrictions for the installation of new facilities. The sign shall also include the City telephone numbers where violations can be reported and complaints associated with noise associated with the installation of new facilities can be submitted.

GEO-2 Geotechnical Study. A geotechnical study shall be prepared for the project site prior to development. This report shall include, but is not limited to, an analysis of the liquefaction potential of the underlying materials. If the site is found to be prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. Suitable measures to reduce liquefaction impacts could include, but are not limited to: (1) specialized design of foundations by a structural engineer; (2) removal or treatment of liquefiable soils to reduce the potential for liquefaction; (3) in-situ densification of soils; and (4) other alterations to the ground characteristics. Any recommended measures to minimize liquefaction potential specified by the geotechnical study shall be fully implemented in accordance with the Uniform Building Code and California Building Code requirements.

HMM-3: As part of Mitigation Measure HR-1(a), as required in Final EIR Section 4.6 Historic Resources, a materials conservator would be required to evaluate the historic ceramic tiles in the pool and North House restrooms and provide appropriate methodology for repair and/or replacement in kind, if necessary. Implementation of Mitigation Measure HR-1(a) would ensure that the historic tiles are maintained in good condition and further reduce any risk of lead exposure.

HR-1(a) Final Rehabilitation Design. A historically compatible rehabilitation design for the North House, pool and bulkhead shall comply with the Secretary of Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings or the Secretary of Interior's Standards for Rehabilitation and Guidelines for Historic Buildings (Weeks and Grimmer, 1995). Prior to issuance of a building permit, plans with specific design details shall be prepared and submitted to the Landmarks Commission as part of its review of a Certificate of Appropriateness application which review shall ensure that the rehabilitation and adaptive reuse of the North House and swimming pool, and new construction within the vicinity of the historical resources does not significantly affect and is consistent with the historic character of the project site. As part of this review and any approval of the project, in accordance with the Secretary of the Interior's Standards, the Landmark Commission, or City Council on appeal, shall require the following:

- Alterations required for the conversion of the North House into a meeting facility, including the installation of mechanical equipment and alterations related to ADA accessibility, shall be designed so as to integrate, rather than obscure, alter, or remove, character-defining features.
- The architectural design of new facilities and landscaping shall be

“differentiated from the old,” and not detract from or overwhelm the original historic features.

- Signage shall be placed in a manner that is compatible with and does not obstruct character-defining features of the North House, pool, or bulkhead.
- Testing shall be performed where necessary to ensure that the safest and gentlest means possible are used to clean and repair materials. A materials conservator shall evaluate historic ceramic tiles in the pool and North House restrooms and provide appropriate methodology for repair and/or replacement in kind if necessary.
- New facilities, including the Event House, Pool House, Garden and children’s water play area shall be designed to maintain spatial relationships of the character-defining features as much as possible. New elements constructed on the site shall be designed to be reversible and to cause minimal impact on the historic fabric of the site.

HR-1(b) Mitigation Plan for Preservation of Historic Materials During Construction: The City shall prepare and implement a Mitigation Plan for Preservation of Historic Materials During Construction to protect historic materials during construction of the proposed project. This plan shall be subject to review and approval by the Planning and Community Development Department prior to issuance of a building permit. At a minimum, it shall include the following:

- Character-defining features of the property shall dictate the placement of new design components, as well as methods and design of new construction. Structural engineers, in consultation with a designated historian, shall evaluate the condition of extant historical resources to better understand the potential effects of excavation activities and foundation design.
- Engineers shall provide a shoring design solution, if necessary, to protect historical resources from construction procedures and mitigate the possibility of settlement due to the removal of adjacent soil. Structural engineers shall also evaluate what temporary seismic movement the new construction may have, and whether any measures need to be taken to allow for this movement.
- The removal of historic materials shall be minimized to the extent feasible. If any historic materials are removed, a materials conservator shall evaluate historic material and provide appropriate methodology for handling and/or preservation.

HWQ-3(a) Best Management Practices. The City shall include best management practices (BMPs), such as sand filters and grease traps, within the reconfigured surface parking lots to intercept and effectively prohibit pollutants, sediment, and debris from discharging offsite.

HWQ-3(b) Landscape Maintenance Plan. A landscaping maintenance plan shall be implemented that limits the use of herbicides and inorganic fertilizers applied to landscaping to quantities that are necessary to treat specific problems. The maintenance plan shall incorporate features from the City of Santa Monica’s

Integrated Pest Management Program, which include, but are not limited to the following: pest-resistant plants, provisions for mechanical weed control to be used wherever and whenever possible as the first choice; determination of the probable cause of a disease problem and correction as necessary (e.g. soil nutrient problems, irrigation, water quality, and plant type) prior to chemical use; provisions that herbicides are to be used only when necessary to cure a problem and not as a preventative measure or as a regular, periodic application; and, guidelines for use of chemical forms that have a low potential for leaching from the site.

T-2 Off-Site Parking. If events are scheduled during peak summer beach days (Mondays –Thursdays during June through September 1 PM – 4 PM and Fridays – Sundays during June through September 10 AM – 6 PM), and during other peak beach days (Saturday and Sunday during October, March, April, and May, 10 AM – 6 PM), the party booking the event shall secure off-site parking within 5 miles of the project site for the guests with a shuttle bus system to transport them to the site, unless the off-site parking is located within walking-distance of the site, and shall submit a Transportation and Parking Management Plan (Plan) to the operator of the site prior to issuance of a permit for use of the facility. The Plan shall include a description of the methodology of notifying guests of the location for the shuttle, if determined by the City to be needed; shall provide information regarding the number of guests and parking spaces needed to meet this demand; and shall include evidence demonstrating that 1) pre-paid parking has been secured; and 2) pre-paid shuttle service, if needed, has been hired between the site and the off-site parking lot.

T-1(c) PCH and Lot N Entrance/primary project access point. The applicant shall use its good faith reasonable efforts to obtain approval of a full signal at this location, including filing a Caltrans Encroachment Permit application or other application, plans, specification and studies that provide sufficient information and details to enable Caltrans to evaluate implementing the Mitigation Measure. These applications shall be submitted prior to issuance of building permits. If timely approved by Caltrans, such improvements shall be completed prior to issuance of a certificate of occupancy for the project. In submitting applications for this signal, the applicant will request that the signal be demand-actuated and be integrated into the signal progression on Pacific Coast Highway.

Monitoring of Conditions

39. Pursuant to the requirements of Public Resources Code Section 21081.6, the City Planning Division will coordinate a monitoring and reporting program regarding any required changes to the project made in conjunction with project approval and any conditions of approval, including those conditions intended to mitigate or avoid significant effects on the environment. This program shall include, but is not limited to, ensuring that the City Planning Division itself and other City divisions and departments such as the Building Division, the Environmental and Public Works Management Department, the Fire Department, the Police Department, the Community and Economic Development Department

and the Finance Department are aware of project requirements which must be satisfied prior to issuance of a Building Permit, Certificate of Occupancy, or other permit, and that other responsible agencies are also informed of conditions relating to their responsibilities. Project owner shall demonstrate compliance with conditions of approval in a written report submitted to the Planning Director and Building Officer prior to issuance of a Building Permit or Certificate of Occupancy, and, as applicable, provide periodic reports regarding compliance with such conditions.

Special Conditions

40. As shown on plans dated May 16, 2006, the following design elements are required: perimeter railings and fencing; gates at all parking lots; and gates at all entries to open space areas east of Beach Walk, including the public restroom entries.
41. As shown on plans dated May 16, 2006, the following design elements are required: an enclosed picnic area adjacent to pool.
42. Installation of security cameras shall be required on site prior to issuance of Certificate of Occupancy.
43. The site will be staffed with on-site personnel year-round including daytime ranger staffing at peak use periods and night-time security staffing.
44. The operation shall at all times be conducted in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking or other actions.
45. The size of individual meeting rooms shall not exceed 2,000 square feet.
46. A priority reservation system shall be established at peak use periods for use of the public pool and picnic area as noted on the plans dated May 16, 2006.
47. Parking lots shall close at dark for general public parking but remain open and available for event parking only. Parking lots will be staffed during events and parking permits shall be issued to event guests.
48. On site events shall end no later than 10 pm weekdays and 11 pm on Saturdays and Sundays, with the parking lots closing no later than 11 pm weekdays and midnight on Saturdays and Sundays.
49. Booked social functions or meetings where the primary activity includes sit-down meal service shall be limited to a total of 2,000 square feet at one time. Food service that is incidental to meetings or social functions shall be exempt from this requirement. The existing restaurant on-site is exempt from this requirement.

50. Organized food service shall be provided by on-site concessionaire and approved offsite caterers under contract with the City of Santa Monica.
51. Alcohol use shall be restricted to beer and wine only; staffed bar service only (caterer permit), for booked indoor events only; service of alcohol is required to end ½ hour before end of events.
52. No outside furniture rentals permitted for special functions or meetings. Furniture to be provided by site operator.
53. Amplified music shall be permitted outdoors during City sponsored day-time events only.
54. The operator shall direct guests visiting the site for meetings or social functions to park their vehicles in the central lot before use of the south or north parking lots.
55. The site east of the Beach Walk, and the public restrooms, as labeled on the plans dated May 16, 2006 shall close at dark year round except for booked uses.
56. During social functions staff shall be provided to patrol the premises east of the Beach Walk and including the parking lots to ensure that guests are not disruptive to adjoining residential properties and their residents.
57. The operator shall prohibit loitering and control noisy guests leaving the site.
58. A minimum 15" X 12" sign shall be posted at each parking lot requesting patrons exit the site in a manner that will not disturb nearby residential neighborhoods. This information shall also be provided in all marketing materials that are prepared for rental of facilities on the site for meetings and social functions.
59. No exterior activities such as deliveries, trash disposal or other maintenance activities, except in the case of an emergency shall be conducted between 11 pm and 7:00 am seven days per week.
60. The project shall at all times comply with the provisions of the Noise Ordinance (SMMC Chapter 4.12) unless more restrictive conditions are imposed by this permit.
61. To mitigate solid waste impacts associated with the project, the applicant shall prior to issuance of a Certificate of Occupancy submit a recycling plan to the Environmental and Public Works Management Department for approval. The recycling plan shall include 1) a list of recyclable material such as paper, plastic, metal aluminum and glass to be recycled; 2) the location of recycling bins 3) describe the nature and extent of pick up service 4) identify plans to inform visitors of the recycling program.

62. Exterior building, parking lot and landscape lighting shall be designed to shed light pools on the project site to enhance safety. All outdoor lighting shall be shielded and directed downward, and have sharp cutoff qualities at property lines to minimize light and glare impacts.
63. Architectural lighting shall be provided to the extent necessary to highlight architectural elements. Security lighting shall be installed as required to provide a secure environment for users of the site.
64. In the event that historic artifacts are exposed during grading operations, all earth-disturbing work within the subject property must be temporarily suspended or redirected until a historic consultant has evaluated the nature and significance of the find. After the find has been appropriately assessed and mitigated in accordance with the Secretary of the Interior's Standards, work within the area may resume.
65. Truck deliveries to the site shall be required to occur outside of the a.m. and p.m. peak hours, except in the case of an emergency.
66. The applicant shall include in its application to the California Coast Commission all operational conditions (Special Conditions #40-#63 and #65 and Mitigation Measure Condition #38 T-2 Off-Site Parking) contained in this Development Review Permit (06DR-002) as part of the project description to be reviewed by the California Coastal Commission for the rehabilitation and adaptive reuse of the property at 415 Pacific Coast Highway as a public, beach-oriented recreation facility.

VOTE

Ayes: Bloom, Genser, McKeown, O'Connor, Shriver and Holbrook
 Nays: None
 Abstain:
 Absent: Katz

NOTICE

If this is a final decision not subject to further appeal under the City of Santa Monica Comprehensive and Zoning Ordinance, the time within which judicial review of this decision must be sought is governed by Code of Civil Procedures Section 1094.6, which provision has been adopted by the City pursuant to Municipal Code Section 1.16.010.

I hereby certify that this Statement of Official Action accurately reflects the final determination of the City Council of the City of Santa Monica.

Maria M. Stewart
MARIA M. STEWART, City Clerk

7-12-06
Date

Acknowledgement by Permit Holder

I agree to the above conditions of approval and acknowledge that failure to comply with any and all conditions shall constitute grounds for potential revocation of the permit approval.

Ky Barbara Stinchfield
Signature

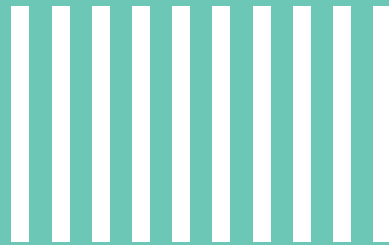
7-17-06
Date

BARBARA STINCHEFIELD
Print name here

Drivers License Number

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Attachment: STOA 05.25.06 (7465 : Emergency Extension of Security Services Contract at Annenberg Community Beach House)



Annenberg Community
Beach House
AT SANTA MONICA STATE BEACH

Operations Plan

Presented to the Annenberg Foundation
by the City of Santa Monica
February 20, 2009

Attachment: ACBH Operations Plan (7465 : Emergency Extension of Security Services Contract at Annenberg Community Beach House)

**Annenberg Community
Beach House**
AT SANTA MONICA STATE BEACH

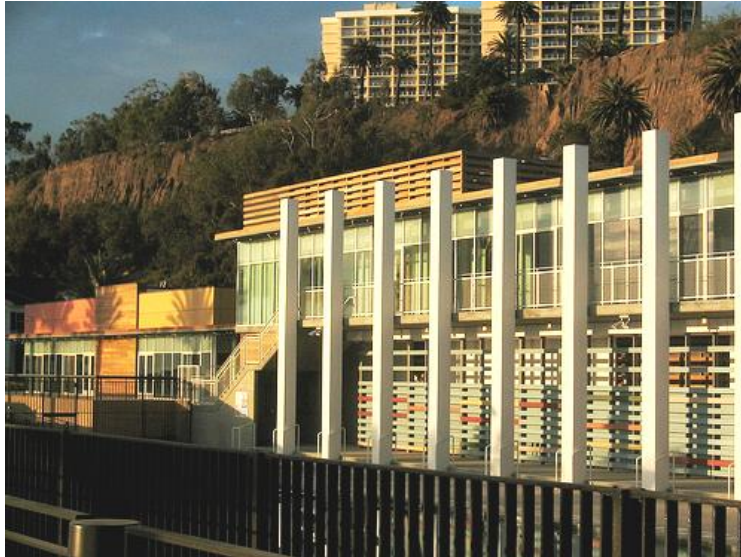
Operations Plan
Revised March 24, 2009

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Site Overview

Located at 415 Pacific Coast Highway in Santa Monica, the Annenberg Community Beach House sits on a magnificent five-acre parcel of Santa Monica State Beach. This property, originally developed by William Randolph Hearst for actress Marion Davies in the 1920s, has a vibrant and uniquely Californian history including life as the estate of a Hollywood movie star, the posh *Oceanhouse* hotel, the private Sand and Sea Club, and a public facility known simply as 415 PCH.



Event and Pool Houses at dusk

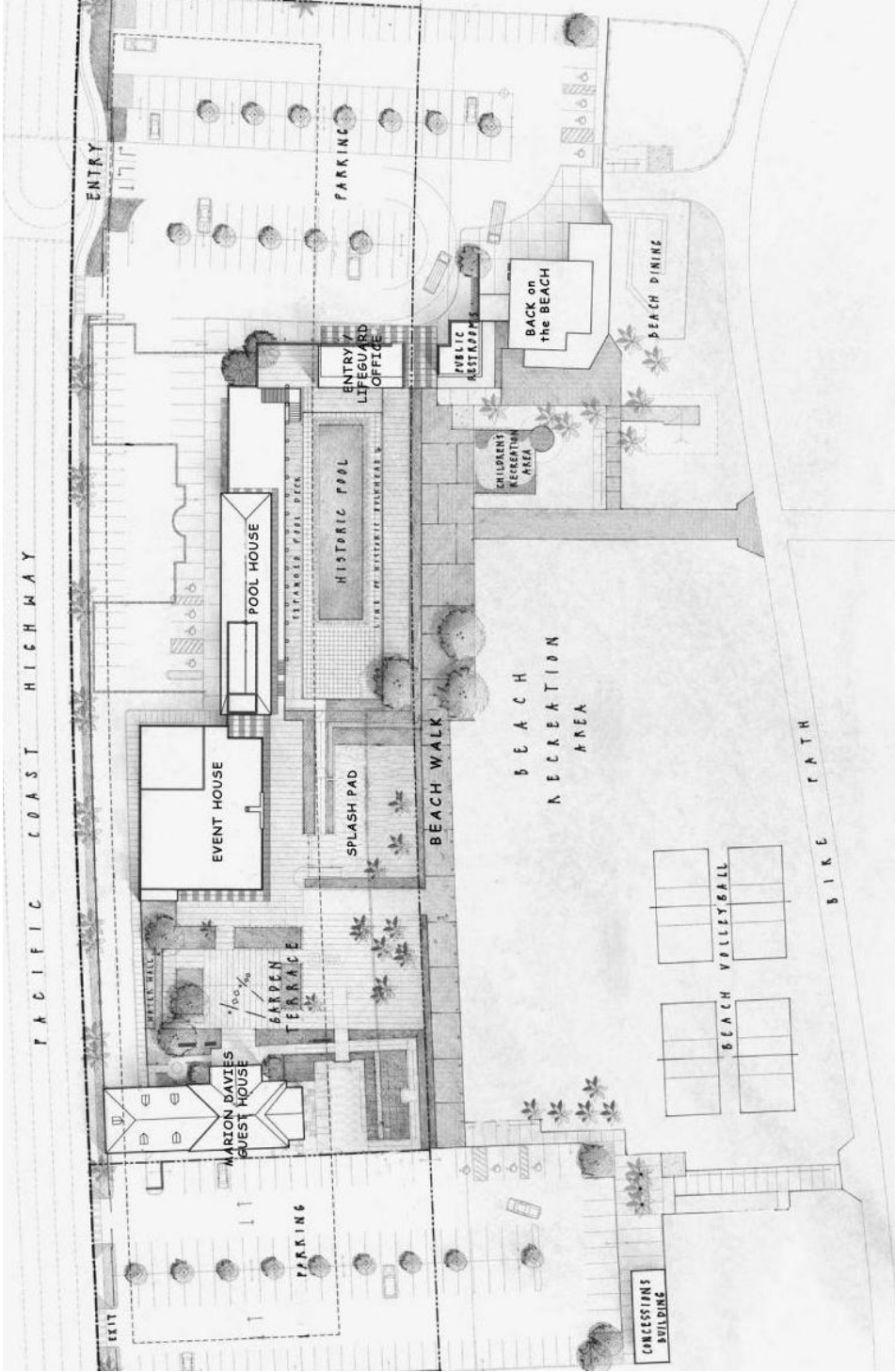
The Beach House provides the public with a rare opportunity to enjoy a quintessential Southern California beach experience in an unparalleled historic oceanfront setting. In the summer and other peak use periods, the Beach House promotes “A Great Day at the Beach” by providing traditional beach amenities and services such as showers, changing rooms, take-out and café-style food service, beach equipment rental, as well as access to the historic swimming pool, children’s play areas, and sand areas for beach volleyball,

tennis and picnicking. The winter months will focus on more contemplative pursuits such as indoor retreats, meetings, social functions and cultural programs as well as continued access to the sand, gardens and beach café.

In accordance with the City’s 1998 Re-Use Plan, the goal of the Beach House is to provide an exciting public community space that:

- Creates a community-oriented destination
- Provides public recreational activities
- Increases public access to the beach
- Creates a range of uses
- Encourages diverse users
- Provides for year-round use
- Links to the regional open space network
- Preserves the history of the site
- Encourages a “light touch” on the site

Site Map



Hours of Operation

Peak use Periods

Maximum public use of the Beach House will occur during peak use periods when Santa Monica's weather is optimal. The anticipated peak use periods are:

- Weekends: May and September
- Daily: June, July and August

Anticipated public access hours during peak use periods are:

	Parking Lot	Guest Services Office	Pool incl. Changing Rooms	Garden Terrace incl. Splash Pad	View Deck (Public Hours)		Beach Café	Beach Concession
Open	8:00 AM	8:30 AM	10 AM	8:30 AM	8:30 AM	6:00 PM	8:00 AM	9:00 AM
Close	Sunset*	6:00 PM	6:00 PM	Sunset*	10:00 AM	Sunset	Sunset	5:00 PM

*Except for Special Events

The Marion Davies Guest House will host cultural programs and docent tours on a scheduled basis. The Event House will be reserved for City cultural programs, youth camps, and limited private use rentals.

Non-Peak Use Periods

During non-peak use periods, the areas west of the Beach Walk will be open daily for the public's enjoyment. Other areas will prioritize private, revenue-generating events and more limited public activities such as pool use for a specified number of warm weather-activated days as well as access to garden areas when they are not booked for private events. The anticipated non-peak public use periods are:

- Weekdays: May and September
- Daily: October - April

Anticipated use hours during non-peak periods are:

	Parking Lot	Guest Services Office	Pool incl. Changing Rooms	Garden Terrace incl. Splash Pad	View Deck (Public Hours)	Beach Café	Beach Concession**
Open	8:00 AM	8:30 AM	None	8:30 AM	8:30 AM	8:00 AM	10:00 AM
Close	Sunset*	5:30 PM	None	Sunset*	Sunset*	Sunset	3:00 PM

*Except for Special Events

** Weekends only

Community Recreation

A majority of the site is available free to the public year-round for typical beach recreation – “A Great Day at the Beach.” Recreational facilities include gardens, beach boardwalks, children’s play areas, and beach volleyball and beach tennis courts. When the pool is not open, the View Deck is available to the public free of charge. Priority access to the Splash Pad by those using the pool may be established once use patterns become apparent. The six beach volleyball and tennis courts are available on a first come, first served basis free of charge. During peak use periods, three of these courts also are available by 3-day advance reservation for a fee.

Recreational Swim

The pool will be available primarily for recreational swimming during peak use periods. A Pool Pass set at affordable rates provides unlimited, all-day access to the holder for use of the pool and the pool deck, showers and lockers, and the View Deck. A Family Pass is also offered at a discounted rate. A specified number of Pool Passes are available by reservation up to three days in advance. Pool operations are staffed by the Community and Cultural Services Department, Community Programs Division.

Pool Dollar Days

To promote the Pool Pass as well as to ensure that lower-income families will have the opportunity to participate, a discounted entry of \$1 per person will be piloted during the inaugural summer, probably every Monday during the summer period. Dollar Day entries will be available to those entering the pool between 10 a.m. and noon and they will then be available to enjoy a full day there. Fees for later entries will not be discounted. Reservations will not be available on those dates.

Lap Swim

Based on community input, there may be adequate demand for a cost-covering lap swim option on summer weekday mornings from 8:30 to 10 a.m. It is estimated that the pool could accommodate approximately 16 swimmers at a time. Because lifeguard hours have not been budgeted for this option, an early morning lap swim program would need to be cost-covering. Accordingly an advance purchase system would be needed to ensure the receipt of adequate Pool Pass fees to cover direct lifeguard costs. Staff will continue to assess demand and the feasibility of providing this either during the inaugural season or in the future.

Private Pool Rental

The pool and deck will be available for rent outside of normal public hours, September through May.

Community Classes

During peak periods, informal, drop-in fitness and recreational classes will be scheduled based on visitor interest and demand. During non-peak seasons, classes may be offered over multiple weeks and provide more in-depth learning opportunities and activities. At all times of the year, programming will be targeted to the wide variety of youth, adults, and seniors expected to visit the Beach House.

Youth camps

The Club Room in the Event House will serve as the home base for City Youth Day Camps. These visits will be integrated into the day camp's overall program and curriculum and will afford opportunities for education about the history of the beach and the Beach House as well as to study contemporary issues related to the beach environment.

Cultural and Interpretative Programs

Cultural programs reflecting the site's three main interpretive themes will be scheduled throughout the year and may include docent-led tours, intimate concerts or performances, silent film screenings, culturally-oriented talks or lectures, and changing installations and exhibits. Various physical platforms have been designed into the Beach House site to accommodate changing exhibitions and the various "houses" onsite (i.e. the Guest House, Event House and its gallery, and the Pool House) will serve as a backdrop for a roster of cultural offerings to be developed by the City's Cultural Affairs Division in partnership with local non-profit organizations and other City departments.

Interpretative Themes

Three overarching themes will guide site interpretation.

- Three Remarkable Individuals: William Randolph Hearst, Marion Davies, and Julia Morgan shaped the site's historical legacy.
- A Beach Like No Other: The Southern California beach occupies a unique place within the physical and cultural landscape of America.
- A Public Place Henceforth: The site of the Beach House has seen an evolution from private ownership to public management and ownership leading to today's universal access.

An Interpretative Master Plan (see the attached exhibit) has been developed to be implemented over time. Elements of the plan include:

- An interactive electronic guest book rich with historic postcards and photographs.
- A display of historic photos in the Guest House.
- A multi-faceted installation at the south entry to the Beach House that provides a site overview and a glimpse of all the interpretative element and themes.
- Audio tours available by phone or podcast.
- A viewfinder that allows the viewer to see the site through time.

- An evocative installation of the Marion Davies era in the Guest House dining room.
- Website with additional content and stories.

Docent Tours

The City will partner with the Santa Monica Conservancy to develop and implement docent-guided interpretive tours that complement the site's three primary interpretive themes. Utilizing up to 100 volunteer docents, the Conservancy will provide approximately two tours per day during peak use periods, depending on demand. The Conservancy will be responsible for recruiting and training all volunteers. Daily tours will be free and open to the public. A fee may be charged for private tours or tours provided as part of a private rental.

Visitor Center

During peak use periods, the Marion Davies Guest House will be staffed by docents to provide visitor information about the site, Santa Monica and Santa Monica State Beach, and the Santa Monica Mountains National Recreation Area. Many of the site's interpretive design elements will be showcased in the Guest House and available to the public free of charge.

Concessions

The site is serviced by one concessionaire, Back on the Beach Food Company, Inc. This concessionaire provides sit-down and take-away food service from the beach café, and beach equipment rentals and retail sales from the concession building. The concessionaire may provide catering services for private rentals on site. Additional goods and services such as mobile food carts, pool-side orders and delivery, or Marion Davies Guest House tea service may be provided upon written authorization by the City.

At a minimum, the concessionaire is required to provide the following services:

- Plan, fund, and install all trade furnishings, fixtures, and equipment necessary for all concession facilities including the beach café and beach concession building to ensure first-class facilities;
- Equip and maintain high-quality, sit-down food service at the beach café;
- Equip and maintain high-quality, take-away food service;
- Make available high-quality catering services for special events and meetings on site. Note: the right to cater at the Beach House is not exclusive to the concessionaire.
- Promote healthy and sustainable food practices such as serving healthy, locally, and sustainably grown, organic foods, and organic ingredients whenever possible.
- Use recycled products that, at a minimum, are consistent with existing City regulations and modified as necessary to meet future regulations.
- Equip and maintain high-quality, beach-related equipment for rent and related items for sale at the beach concession building such as chairs, umbrellas, and boogie

boards, and various sundries that provide for the health, safety, and convenience of visitors.

- Meet all health and safety codes, rules, and regulations as required.

Contract Terms

- The term of the Back on the Beach Food Company concession contract is ten years commencing December 1, 2008.
- The rent is \$100,000 per year or 10% of annual gross receipts, whichever is greater.
- The minimum annual rent of \$100,000 per year shall be adjusted for changes in the Consumer Price Index beginning with fiscal year 2009/10 and continuing every second fiscal year thereafter (e.g. FY 2011/12, FY 2013/14).
- During fiscal year 2008/09, the minimum annual rent is waived and only ten percent of gross sales will be due to account for start-up delays and other operational issues.

Private Rentals

During non-peak periods, specific Beach House facilities will be available for private rental for meetings and social functions as well as commercial filming. Rooms in the historic Marion Davies Guest House, the Event House, and Pool House, as well as the adjacent gardens and the pool deck, offer a wide variety of both small and large, and formal and informal gathering spaces. A summary of facilities follows:

Room	Square Footage
Event House	
All	3,590
Garden Terrace Room	1,978
Terrace Lounge	733
Club Room	879
All plus Garden Terrace	12,620
North House	
All	2,089
The Parlor	703
Veranda Room South	368
Veranda Room North	366
Retreat Room 1	231
Retreat Room 2	206
Retreat Room 3	214
2nd Floor, All	1,386
Pool House	
All	4,370
Sand and Sea Room	1,860
View Deck	1,670
Pool Deck	840
The Patio	
	1,974
Whole Site	22,474

Marketing and Sales

Marketing and sales initially will be provided by a marketing contractor. It is likely the Beach House will have an initial flood of interest, but a sales manager may be necessary to develop the full revenue potential of the facility following the public's initial curiosity and interest. The consultant will work with the City to assess current and emerging market segments and implement sales strategies. Initial marketing efforts will focus on the local market and early visitors to the Beach House, and will utilize partnerships with the Santa Monica Convention and Visitors Bureau and local hotels.

Booking

Private rental bookings and event coordination initially will be provided by City staff. Rentals will be based on booking policies developed by the Department of Community and Cultural Services. Discounted use of facilities by non-profit organizations will be offered for available facilities after an initial full-price booking period. Venues may be rented weekdays between 8 am and 11 pm and weekends between 8 am and midnight (inclusive of set-up, break-down, and clean-up). All events must conclude no later than one hour prior to closing. The parking lot will be closed by 11 pm weekdays and midnight weekends.

The private rental schedule will conform to the restrictions and transportation and parking requirements outlined in Exhibit 1, Settlement Agreement. In general, private rentals will be available as summarized below.

Facility	Peak Season	Shoulder Season	Low Season
Pool House	Limited Private Use	Limited Private Use	Priority Use
Event House	Limited Private Use	Priority Private Use, Weekdays	Priority Use
Guest House	Limited Private Use	Priority Private Use, Weekdays	Priority Use

Rental Rates

Rental rates will be established based on market conditions and comparable venues. Preliminary rental rates are summarized below. These rates are subject to change based on market fluctuations.

Room	Square Footage	Max # of People	Special Events		Meetings 2 hours min
			Half Day (5 hours)	Full Day (9 hours)	
Event House					
All	3,590	240	\$ 2,500	\$ 4,000	\$ 400
Garden Terrace Room	1,978	132	\$ 1,500	\$ 2,500	\$ 250
Terrace Lounge	733	49	\$ 350	\$ 700	\$ 200
Club Room	879	59	\$ 250	\$ 500	\$ 250
All plus Garden Terrace	12,620	240	\$ 3,500	\$ 5,300	na
Marion Davies Guest House					
All	3,510	234	\$ 1,800	\$ 3,500	\$ 600
The Parlor	2,124	142	\$ 1,000	\$ 2,000	\$ 150
Veranda North and South	735	49	\$ 350	\$ 700	\$ 250
Veranda Rooms plus Retreat Rooms 1-3	1,386	92	\$ 500	\$ 1,000	\$ 300
Pool House					
All	4,370	291	\$ 2,500	\$ 4,500	na
Sand & Sea Room plus View Deck	3,530	235	\$ 1,800	\$ 3,500	\$ 800
Pool Deck	840	56	\$ 600	\$ 900	na
The Patio	1,974	132	\$ 900	\$ 1,500	na
Entire Site	22,474	500	\$ 7,000	\$ 12,000	na

Caterers

All caterers must be pre-approved by the City. An approval process including qualifying criteria will be developed and made available to all interested parties. At a minimum, the criteria will include minimum insurance coverage with required endorsements, compliance with service and operational standards for the site, and completion of a site orientation class.

General Facility Rental Rules

Events will be governed by a set of rental rules that have been developed and guided by the numerous settlement agreement conditions as described in Exhibit 1. Key restrictions include:

- Beer and wine may be served by a properly-licensed and bonded caterer and in accordance with all applicable laws. No alcohol may be served outside. Service of alcohol must cease one-half hour prior to the end of an event.
- No amplified music for private events is permitted outside.
- Sit-down meal service may not exceed 2,000 square feet of space if not incidental to a meeting or social function at any one time.

Outside Vendors

It is anticipated that a range of special event and meeting support services, including event planning and coordination, audio/visual equipment and operation, and additional security or support staff, may be available at market rates. Outside caterers and other outside vendors will be required to share a percentage of their gross receipts with the City, consistent with other City beach concession agreements.

Reservations and FeesCommunity Use Reservations

Most fee-based services and amenities will be available by advanced reservation as a service for those visitors who desire a level of certainty about their use of specific Beach House amenities. Online, in-person and phone reservations will be available up to three days in advance with *full non-refundable* payment due at the time the reservation is made. An online credit card option will be offered. Reservations must be claimed by noon the day of the reservations. Unclaimed reservations will then be released to the public on a first come first served basis.

Reservations will be available for approximately 100 parking spaces, for 50% to 75% of the total capacity for the pool, and up to three beach volleyball/tennis courts. The maximum reservations that can be made by one person for any given day is for one parking space, six Pool Passes, and one court time of 1.5 hours.

Site Fees

Fees have been established for public access to facilities with limited capacity and high operational costs including parking and pool access. Fees were established based on fees for comparable City facilities as well as market rates for similar activities and services in the region.

Parking

Proposed fees for parking (up to \$10 per day) are commensurate with Council-approved rates for the Central Beach Parking Lots and the Pier Deck Lot, the highest demand lots on Santa Monica State Beach. To provide affordable access, both hourly and daily rates will be available. To maximize public access to the Beach House, use of beach and residential parking permits will be prohibited in the Beach House parking lots at least until public demand can be fully evaluated. Senior and disabled passes will be allowed.

Programs and Classes

All fees for programs and classes offered by the City or City contracted instructors will be set to cover the direct costs of providing the services at the Beach House. Specific fees for recreational and community classes and programs offered by City contractors will be established through a public bidding process. Financial assistance (partial reduction of fees) is available to qualifying Santa Monica resident youth from low and moderate-income families. Initial fees are as follows:

Pool Day Pass	
Adult	\$10.00
Child (under 18 years of age)	\$4.00
Senior (age 65 or older)	\$5.00
Family Pass (2 adults and 2 children)	\$24.00

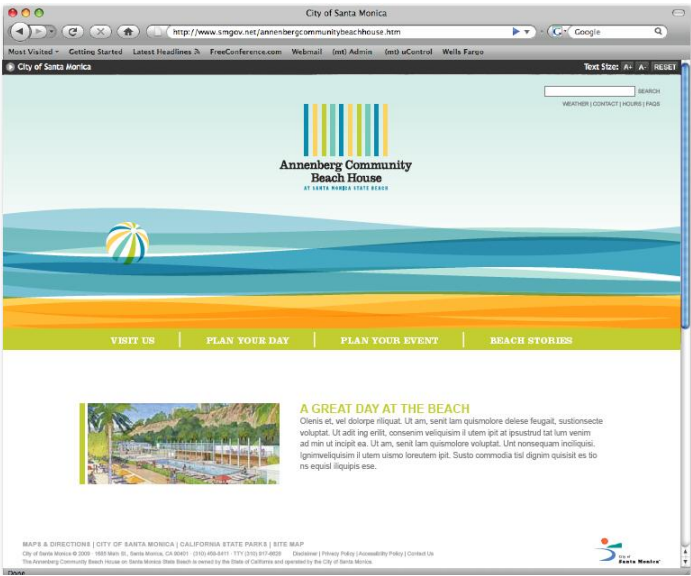
Beach Volleyball and Tennis Court Reservations	
Walk-up (first come, first served)	Free
Reservation	\$5.00

Private Facility Rental and Use

Facility Rental Charges for private events and commercial filming will be established based on comparable market rates. To provide opportunities for non-profit organizations and government agencies, a discount of up to 50% will be offered to a limited number of non-profit and governmental organizations each month.

Marketing

Planned outreach for the Beach House during its inaugural year is designed to educate people on the concept of a public beach club, while addressing challenges such as demand and community expectations. Outreach efforts will primarily be conducted online and seek to build upon positive word of mouth generated through opening events. The goal for the first year will be to reach as much of the local community as possible. Subsequent plans will expand focus to the tourist trade, both domestic and international.



Screen shot of Beach House website

Media

A series of timed, themed press releases will be issued throughout the inaugural period. Focus areas will include architecture and design, how to use the facility and 'The Beach House Story,' a look at the history of the site and how the facility came to be in existence. Working in conjunction with the Santa Monica Convention & Visitors Bureau, a media tour will be held prior to the public opening in April. New media such as online networking sites, reviews and blogs will also be utilized.

Website

The Beach House website will be the cornerstone of the City's ongoing marketing efforts. All communication materials on the Beach House will encourage interested parties to visit its website, beachhouse.smgov.net, for more information. The playful new website will appeal to a broad range of Beach House users in an easy to use format that will encourage visitors to plan their visit ahead of time by using the website as their guide. The site will coordinate with separate websites for the private events and interpretive components.

Cross-Promotion

Community outreach and education will be conducted in coordination with the Annenberg Foundation, California State Parks, the Santa Monica Convention & Visitors Bureau, Back on the Beach Café and the Santa Monica Big Blue Bus. Private event marketing will focus on establishing relations with the general managers and concierges of local hotels and regional caterers, and draw upon the considerable interest from local residents and professional associations.

Attachment: ACBH Operations Plan (7465 : Emergency Extension of Security Services Contract at Annenberg Community Beach House)

Brand Extension

The Beach House brand will be grown through development and production of saleable goods that feature the facility's graphic identity. Goods will be available for purchase through the on site concessionaire.

Parking and Transportation

The public may access the Beach House through multiple modes of transportation including by foot, bike, private vehicle, and public transportation.

Parking

For private vehicles, the Beach House contains three adjoining parking lots - the South, Central, and North Lots. The South Lot (415 PCH) serves as the main entrance and contains a public entrance lane, two public exit lanes, an emergency vehicle entrance/exit, and a drop-off area. The Central Lot is accessible via the South Lot and serves as the primary lot for private event guests and vendors. The North Lot (445 PCH) is accessible via the South and Central lots and contains a public exit and an emergency vehicle entrance/exit. The North Lot is primarily dedicated to staff and reserved parking.

Spaces

There are approximately 277 parking spaces in the three lots. Each lot contains several handicap accessible spaces adjacent to primary Beach House entry points, as well as five hybrid vehicle only parking spaces.

Equipment

The parking facility is equipped with three (3) pay-by-space machines. These machines can be programmed as self-serve or attendant operated. Patrons will park and pay at the machine by entering the parking stall number. The machines will accept cash and give cash change. Upgrades are being made to accept credit cards and the City's Meter Cash Card.

Hours

The parking lots are open to the public from 8 a.m. to one-half hour after sunset. The lots will remain open until 11 pm Monday-Friday and midnight Saturday-Sunday for guests of private events. In an effort to minimize the impact on neighbors, guests of private events will be issued special parking passes and be required to park in the Central Lot before utilizing the North and South Lots.

Fees

Both daily and hourly rates are available. Hourly rates are structured to provide value to visitors staying two hours or less. Parkers may select the preferred rate on the parking

machine after parking. Hourly and daily rates may be applied to any available parking space.

May - September		April and October		November - March	
Mon-Fri	Weekend	Mon-Fri	Weekend	Mon-Fri	Weekend
Daily					
\$8.00	\$10.00	\$6.00	\$8.00	\$6.00	\$7.00
Hourly					
\$4.00	\$4.00	\$3.00	\$4.00	\$3.00	\$3.00

Weekend rates apply on holidays

Staffing

The City’s parking contractor will provide primary staff for parking lot operations. During low-use periods, such as winter week days, the parking lot may be unattended.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
May - September						
Supervisor (9am-5 pm)	Supervisor (9am-5 pm)	Supervisor (9am-5 pm)	Supervisor (9am-5 pm)	Supervisor (9am-5 pm)	Supervisor (9am-5 pm)	Supervisor (9am-5 pm)
Attendant (8am-8pm)	Attendant (8am-8pm)	Attendant (8am-8pm)	Attendant (8am-8pm)	Attendant (8am-8pm)		
October - April						
		Supervisor (9am-5 pm)	Supervisor (9am-5 pm)	Supervisor (9am-5 pm)	Supervisor (9am-5 pm)	Supervisor (9am-5 pm)

During peak use periods, such as summer weekends, the City’s Beach House staff may supplement parking contractor operations to assist with reservation check-in and traffic direction.

Traffic Flow and Signage

During the summer, demand for this facility will be high. Due to the limitations imposed by PCH and the parking lot configuration, the lot can not be closed to incoming vehicles from the north bound turn lane. Vehicles unable to find a parking space will circulate through the parking lots and exit to PCH from the North Lot. The on-duty parking attendant or the traffic director will be responsible for keeping the cars moving through the lots and directing overflow cars to exit. To keep traffic moving, staff may install temporary “sandwich board” signage such as “waiting and stopping is prohibited” or “please keep traffic moving” signs with the citation of the appropriate Municipal Code Section, 03.12.270 (d).

Permit Parking

Beach Permit Parking including monthly, semi-annual, and annual parking permits and Residential Overnight Parking Permits will not be accepted at these lots unless and until staff determines that daily public parking demand is being met. Senior and Disabled Placards will be accepted for free daily parking year-round.

Staff Parking

Parking for on-site staff, including contractors, will be very limited during peak use periods. A special staff parking pass will be developed for use by authorized staff. The landscape maintenance contractor and Community Maintenance Department will each have one dedicated parking space. Beach House staff will coordinate by division to ensure minimum use of parking spaces at the Beach House and to coordinate car pooling and other alternatives when feasible. Alternative parking locations should be used when possible. Staff will be issued standard Beach Parking Permits for use in other north beach lots. Alternative modes of transportation such as bicycles, bus, and carpooling are encouraged. As space becomes available during low-use periods, all Beach House staff will be authorized to park in the Beach House lots.

Reserved Parking

The North Lot will be dedicated to Beach House staff, contractors, and reserved public parking. Parking reservations will be available to the public on regularly scheduled pool days. Reservations will not be available when the pool is closed or during winter pool openings. Reservations for up to 100 parking spaces will be accepted between one and three days prior to the reservation date. A reservation will guarantee the guest a parking space when they arrive between 9 am and noon.

The list of parking reservations will be printed out by Beach House staff and delivered to the parking attendant or supervisor by 9 am daily. A parking attendant will monitor use of the North Lot to ensure that spaces are used only by staff or those with reservations. Those with reservations not claimed by 12:30 pm will be assigned a parking space on a first come, first served basis. Late arrivals with reservations do not have to pay the daily parking rate again, but are not guaranteed a space.

Electronic Car Count System

Electronic counters are located at the main entrance of the North and South Lots to enable real time parking availability to be reported to the City's website, radio broadcast, telephone recording, or other media.

Transportation

Bicycle and Pedestrian Access

The Beach House is accessible from the South Bay Bicycle Trail, which, along this section, is available to bicyclists, joggers, skaters, wheelchair riders, and pedestrians. The trail stretches 22 miles from Will Rogers State Beach to Torrance County Beach and provides easy access from most of Santa Monica. Pedestrians can access the South Bay Bicycle Trail from any of the beach parking lots, as well as the pedestrian overpasses at the Santa Monica Pier and Palisades Park at Broadway, Arizona, and California Streets, and Montana Avenue.

Parking for 181 bicycles will be provided at racks located at key locations on the site. In addition, dependant on demand, the Beach House concessionaire will offer a bike valet

service for a nominal fee during peak use periods. An effort will be made to prevent potential user conflicts on the South Bay Bicycle Trail through signage and other design options.

Tide Shuttle

The Big Blue Bus will provide shuttle service to the Beach House via the *Tide Ride* during peak use periods. The shuttle will service a one-way loop through the city, including Bernard Way, Ocean Park Blvd, Fourteenth Street, and Montana Avenue. This route will provide for two trips to the Beach House hourly and take approximately 30 minutes to complete. Depending on funding availability, the service is proposed for weekends May through September from 9:30 a.m. to 8:00 p.m. and will cost \$.50 each way (\$.25 for seniors and persons with a disability).



Big Blue Bus Route 9

Big Blue Bus Line 9 currently stops approximately one-half mile north of the Beach House at West Channel Road where there is an existing pedestrian tunnel under the Pacific Coast Highway with access to the beach and the Beach House via the South Bay Bicycle Trail, which may be used by pedestrians as well as bicyclists in that location.

Attachment: ACBH Operations Plan (7465 : Emergency Extension of Security Services Contract at Annenberg Community Beach House)

Paratransit Services

The City's Dial-a-Ride service will also be available for residents 60 years of age or older and disabled persons 18 years of age and older.

Site Accessibility*Facility Access*

The Beach House is fully compliant with the requirements of the Americans with Disabilities Act (ADA), providing access for all throughout the site. New facilities are fully accessible, including the children's play area, restrooms, parking lot, and Event and Pool Houses. Historic facilities have been made accessible to the extent possible and in compliance with ADA and applicable historic codes. In the Marion Davies Guest House, an elevator has been installed to provide second floor access, and two accessible restrooms have been added. At the pool, an elevator and ramp are available for access to the pool and pool deck as well as the second floor of the Pool House including the View Deck. A portable lift can provide access into the historic pool.

Beach Access

The Beach Recreation Area, providing a range of informal beach recreation opportunities, is defined by a series of boardwalks and concrete pathways. The Beach Walk traverses the site from north to south while the Ocean Walk traverses the sand from the Beach Walk west, across the South Bay Bicycle Trail and towards the ocean. Together these walks provide universal access and pedestrian circulation from the parking lots, pool, gardens, and closer to the surf than any other location on the beach. In addition, a beach wheel chair will be available at the Beach House concession stand, free of charge, to provide access to anywhere on the sand.

Program Access

Program access includes effective and accessible signage and communication materials. Site signage and informational materials comply with ADA requirements. Appropriate auxiliary aids and services will be provided upon request. Auxiliary aids include large print materials, sign language interpreters, and other forms audio and visual media. The Guest Services Coordinator is the designated employee to serve as contact for concerns or grievances and other aspects of program services that physical accessibility does not fulfill.

Service Animals

A person with a disability or a trainer of a guide, signal, or service dog has the right to be accompanied by a guide, signal, or service dog. If with a trainer, the dog must be on a leash and tagged as a guide, signal, or service dog (Civil Code Section 54.1(b)(6)(A) and 54.2; Food and Agr. Code Section 308550 and 30852).

Staffing Plan

Administration and Guest Services

Beach House Manager (Permanent)

The Beach House Manager is responsible for overall management and operation of the Beach House including daily operations, community programs and activities, guest services, special events, community relations, marketing and promotions.

Administrative Analyst (Permanent)

The Administrative Analyst is responsible for management and oversight of contracts and agreements, developing and monitoring the Beach House budget for the Community and Cultural Services and Community Maintenance Departments, overseeing accounts receivable and accounts payable, supervising the Guest Services Coordinator and Guest Services Assistants and assisting the Beach House Manager as needed.

Guest Services Coordinator (Permanent)

The Guest Services Coordinator is the essential “go to” person at the Beach House. This position is responsible for coordinating the functions of the Guest Services Office and performing a wide variety of duties including insuring delivery of an exceptional level of service to guests, creating outreach and marketing materials and performing clerical and accounting duties.

Guest Services Assistant (Seasonal)

The Guest Services Assistant works seasonally during peak use periods to provide the first impression to Beach House guests. The Guest Services Assistants are responsible for taking reservations, collecting fees, checking-in guests and providing public information.

Recreation

Beach Recreation Supervisor (Permanent)

The Beach Recreation Supervisor is responsible for the development and oversight of recreational programs at Santa Monica State Beach, including the Beach House, Muscle Beach, Chess Park, other beach parks and beach tennis and volleyball courts. This position serves as operational back-up to the Beach House Manager.

Recreation Coordinator (Seasonal)

The Recreation Coordinator is responsible for coordinating the daily recreational activities at the Beach House including use of the swimming pool and amenities, courts, and classroom space. The position is responsible for monitoring the aquatics program

and class instructors. The Recreation Coordinator works seasonally during peak use periods and serves as back-up to the Beach Recreation Supervisor.

Beach Recreation Leader (Seasonal)

The Beach Recreation Leader is the eyes, ears, and voice of the Beach House, interacting with guests utilizing the various amenities available on site. This position is responsible for developing and implementing cultural and recreational programming, acting as a site ambassador, assisting guests, and monitoring and security the facility. This position works seasonally during peak use periods.

Chief Lifeguard (Seasonal)

The Chief Pool Lifeguard monitors and coordinates the daily operation and maintenance of the Beach House pool, including assisting with the training and monitoring of pool lifeguards and other aquatics staff. This position works seasonally during peak use periods.

Pool Lifeguard (Seasonal)

The Pool Lifeguard ensures the safety of the public and other users at the Beach House pool performing emergency care as necessary and pool maintenance duties. This position works seasonally and assists the Chief Pool Lifeguard in pool operation activities, as required.

Custodial

Aquatic Maintenance Worker

The Aquatic Maintenance Worker is the lead custodian on site. This position is responsible for maintaining and repairing the aquatic facilities and leading the site's custodial crew.

Custodian I

The Custodian I's provide custodial services to the facility including cleaning and restocking restrooms and kitchens; collecting and removing trash; cleaning, dusting, and polishing furniture and other woodwork; and sweeping, vacuuming, and mopping floors.

Custodian II

The custodian II leads, schedules, and assists custodial crews and provides custodial services as necessary.

Facility Attendant (Seasonal)

The Facility Attendant assists in preparing facilities for events and programs including set-up and break-down of tables and chairs. This position also is responsible for providing basic custodial services before, during and after an event or program.

Landscaping

Landscaping services including sand grooming will be provided by the City's landscape maintenance contractor and overseen by the City's Public Landscape Division.

Maintenance

The City is committed to providing the site with the highest level of maintenance possible through a combination of City and contracted staff. A range of vendors will provide routine maintenance and prompt emergency response for facility needs that can't be met by City staff.

Custodial

Custodial services will be provided by the City's Community Maintenance Department. One to two custodians led by an Aquatic Maintenance Worker will provide daily cleaning and maintenance services to the site's buildings and water feature. One Facility Attendant will assist daily with light custodial duties while preparing for and breaking down equipment and furnishings associated with programs, activities, and private rentals. Custodial shifts will run from approximate 6 am to 1 am year-round, ensuring the facility is maintained to the highest standards at all times and that maintenance needs that may impact visitor use, such as floor cleaning, can occur outside of public hours.

Landscaping

Daily landscaping needs will be met by a landscaping contractor. One contractor will be on site eight hours a day, seven days a week, excluding holidays. The contractor will provide daily sand grooming, litter patrol, and sweeping of all outdoor areas. In addition, the contractor will be responsible for maintaining all landscaping including weeding, trimming, cultivating, and irrigating.

Pool and Splash Pad

The site's Aquatics Maintenance Worker will provide daily maintenance to the pool and splash pad. An aquatics contractor will provide regular service to the pumps and chemical feed systems and be available at all times to address unforeseen functional and maintenance needs.

Security

At peak, a total of 12 staff will provide site supervision during daylight hours, including staff with specific training in and responsibility for site monitoring and coordination with the Santa Monica Police Department. All staff will be trained by the City's Police Department to deal with basic safety and security issues and on when and how to properly report an incident to police dispatch.

Alarm and Security Systems

Security cameras, mounted in key outdoor locations, will be periodically monitored by on site City staff. All buildings are equipped with an alarm system that is activated when a door or window is broken or opened. Only key City staff will have the alarm codes to disable the system. The alarm system will be tested and maintained regularly by a contractor.

Keys

Master facility keys will be limited to senior staff and custodial leads. In addition, a master key will be provided either in an on-site lock box or directly to the Fire and Police Departments for emergency access purposes. Keys with limited access will be distributed as necessary to lower level staff. Contract staff is not likely to have keys to any part of the facility.

Security Guards

Overnight security services will be provided by a contract security service daily. Daytime security services also may be provided on holidays or other low-staff periods. Using "Smart Card" technology, electronic "check points" have been established across the site to record security patrols and ensure that guards cover the entire facility on a regular basis throughout the night. Security guards will carry cell phones to contact police dispatch as necessary. They will not carry weapons of any kind. Additional security may be required for private events depending on the size and nature of the event.

Emergency Response

A dedicated access point into both the South and North Lots has been created for emergency vehicle access. Combination locks will be used to secure access gates and combinations will be provided to the Police and Fire Departments.

Sustainability

LEED Rating

The sustainable design goals and objectives developed for the Beach House are based on the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. The project includes achievement of LEED New Construction (NC) Silver

rating; however, the design will incorporate measures that go beyond the scope of LEED and the Silver rating. Under LEED NC Silver a minimum of 33 points is required. For added assurance, the project aim is to achieve 38 points total. Due to its historic status, the Marion Davies Guest House does not fit into the LEED credit program.

Key Sustainable Features

Sustainable Site

- Hazardous Materials Abatement: Removal of lead-based paint, asbestos insulation, and wooden piles containing preservatives.
- Erosion and Sedimentation Control (during construction)
- Alternate Transportation: Shuttle service
- Storm Water Design: Water retention ponds to return rainwater back into the ground.
- Heat Island Effect
 - Tree shaded parking lots.
 - White roofing materials for reduction in heat gain on roofs.
 - Coated parking lots to reduce stored heat in pavement.
- Light Pollution Reduction: Full-cutoff lamps to reduce light pollution, lighting contained within property.

Water Efficiency

- Water Efficient Landscaping:
 - Drip irrigation system.
 - Native and drought tolerant plants and trees.
- Water saving devices including shower spray heads.
- Reduction in wastewater treatment by using waterless urinals and dual flush toilet valves.

Energy and Atmosphere

- Building Commissioning by an independent agency to ensure mechanical systems are operating correctly and efficiently.
- Green Power electricity produced by alternate sources of energy.
- Solar powered water heater system for swimming pool.
- Non-heat transferring (reflective) glazing on all exterior windows (excluding the Marion Davies Guest House). Also, many windows contain an additional top section of ceramic frit silkscreen, another form of solarban.

Materials and Resources

- Building Reuse: Reuse existing structures that have been cleaned and free of hazardous materials.
- Construction Waste: Divert construction waste from landfill; instead recycle materials.

- Local/Regional Materials: Incorporate post-consumer materials into new materials, concrete, plastics, insulation, and cabinetry. New decking made of recycled plastic products. New building siding made of recycled concrete products

Indoor Air Quality

- Air filtration system and clean air program during construction.
- Low-emitting materials, paints, adhesives and sealants.
- Thermo Comfort: Building management system for efficient heating and cooling.

Innovation and Design

- Educational Outreach Program
 - On-site recycling and composting available.
 - Interpretive/Informational materials on LEED certification and related topics.
- Website with LEED educational information.

Settlement Agreement

Specified conditions for the Beach House are set forth in Exhibits A and B of a Settlement Agreement entered into by the City of Santa Monica and the Palisades Beach Property Owners Association Inc., et al. The conditions that must be in place for at least 10 years and those that must be in place for at least 7.5 years from issuance of the Certificate of Occupancy are included in Exhibit 1 of this Operating Plan, and incorporated herein by reference.

Exhibits

Settlement Agreement

Conditions of the Settlement Agreement between the City of Santa Monica and the Palisades Beach Road Property Owners Association.

State Operating Agreement

Agreement between the State of California, Department of Parks and Recreation, and the City of Santa Monica, granting the City authority to operate the site of the Beach House through 2105.

Interpretive Master Plan

Comprehensive plan for the development and installation of interpretive exhibits throughout the site.

Graphic Standards

Standards for the use of the Beach House graphic identity including templates for various materials and collateral.



CITY OF SANTA MONICA OAKS INITIATIVE NOTICE

NOTICE TO APPLICANTS, BIDDERS, PROPOSERS AND OTHERS SEEKING DISCRETIONARY PERMITS, CONTRACTS, OR OTHER BENEFITS FROM THE CITY OF SANTA MONICA

Santa Monica's voters adopted a City Charter amendment commonly known as the Oaks Initiative. The Oaks Initiative requires the City to provide this notice and information about the Initiative's requirements. You may obtain a full copy of the Initiative's text from the City Clerk.

This information is required by City Charter Article XXII—Taxpayer Protection. It prohibits a public official from receiving, and a person or entity from conferring, specified personal benefits or campaign advantages from a person or entity after the official votes, or otherwise takes official action, to award a "public benefit" to that person or entity. The prohibition applies within and outside of the geographical boundaries of Santa Monica.

All persons or entities applying or receiving public benefits from the City of Santa Monica shall provide the names of trustees, directors, partners, and officers, and names of persons with more than a 10% equity, participation or revenue interest. An exception exists for persons serving in those capacities as volunteers, without compensation, for organizations exempt from income taxes under Section 501(c)(3), (4), or (6), of the Internal Revenue Code. However, this exception does not apply if the organization is a political committee or controls political committees. Examples of a "public benefit" include public contracts to provide goods or services worth more than \$25,000 or a land use approval worth more than \$25,000 over a 12-month period.

In order to facilitate compliance with the requirements of the Oaks Initiative, the City compiles and maintains certain information. That information includes the name of any person or persons who is seeking a "public benefit." If the "public benefit" is sought by an entity, rather than an individual person, the information includes the name of every person who is: (a) trustee, (b) director, (c) partner, (d) officer, or has (e) more than a ten percent interest in the entity. Therefore, if you are seeking a "public benefit" covered by the Oaks Initiative, you must supply that information on the Oaks Initiative Disclosure Form. This information must be updated and supplied every 12 months.



CITY OF SANTA MONICA OAKS INITIATIVE DISCLOSURE FORM

In order to facilitate compliance with the requirements of the Oaks Initiative, the City compiles and maintains certain information. That information includes the name of any person or persons who is seeking a "public benefit." If the "public benefit" is sought by an entity, rather than an individual person, the information includes the name of every person who is: (a) trustee, (b) director, (c) partner, (d) officer, or has (e) more than a ten percent interest in the entity.

Public benefits include:

1. Personal services contracts in excess of \$25,000 over any 12-month period;
2. Sale of material, equipment or supplies to the City in excess of \$25,000 over a 12-month period;
3. Purchase, sale or lease of real property to or from the City in excess of \$25,000 over a 12-month period;
4. Non-competitive franchise awards with gross revenue of \$50,000 or more in any 12-month period;
5. Land use variance, special use permit, or other exception to an established land use plan, where the decision has a value in excess of \$25,000;
6. Tax "abatement, exception, or benefit" of a value in excess of \$5,000 in any 12-month period; or
7. Payment of "cash or specie" of a net value to the recipient of \$10,000 in any 12-month period.

Name(s) of persons or entities receiving public benefit:

Name(s) of trustees, directors, partners, and officers:

Name(s) of persons with more than a 10% equity, participation, or revenue interest:

Prepared by: Moe Galal Title: Vice president

Signature:  Date: 12/15/25

Email: accounting@capanther.com Phone: 3106415555

FOR CITY USE ONLY:

Bid/PO/Contract # _____

Permit # _____

Melissa Zak

From: Teresa Villa
Sent: Thursday, January 8, 2026 8:36 PM
To: Melissa Zak
Cc: Nan Friedman; Angela VonSlomski; Sofia Klatzker; Tina Saloutos; Katie Doerr; Nicole Hurd
Subject: RE: Emergency Procurement Approval for Extension of CT# 11120 (Security Service at ACBH)

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: 11120

Hi Melissa,

This qualifies as an emergency purchase and you have my approval to utilize the Emergency purchase clause, for these security services, as noted below. To address the administrative requirements, you will have to follow the steps per the clause, most importantly submitting a staff report to Council, within 30 days, detailing the need to circumvent normal procurement procedures. I've sent examples of an emergency purchase memo and staff report in another email thread. Since the services are needed immediately, your projected Council meeting date is ideal. Kindly let me know if you have any follow up questions or if any conditions change.

Emergency: Security Services
 Amount: \$215,000
 Duration: 9 months or less
 Instrument: Contract Modification



Teresa M. Villa, C.P.M., CPPB,

Procurement Manager

(310) 458-8242

santamonica.gov

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From: Melissa Zak <Melissa.Zak@santamonica.gov>

Sent: Friday, December 19, 2025 5:10 PM

To: Teresa Villa <Teresa.Villa@santamonica.gov>

Cc: Nan Friedman <Nan.Friedman@santamonica.gov>; Angela VonSlomski <Angela.VonSlomski@santamonica.gov>; Sofia Klatzker <Sofia.Klatzker@santamonica.gov>; Tina Saloutos <Tina.Saloutos@santamonica.gov>; Katie Doerr <Katie.Doerr@santamonica.gov>

Subject: Emergency Procurement Approval for Extension of CT# 11120 (Security Service at ACBH)

Hi Teresa,

Per our recent conversations, please confirm that you approve Agreement 11120 (CCS) to be modified (extended) via the emergency procurement process as per SMMC, section 2.24.240.

Under Agreement 11120, AG Coast Corp. (dba Panther Security Inc., “Panther”) provides unarmed, 24/7 security service at the Annenberg Community Beach House (“ACBH”). The agreement term is December 23, 2020, through January 14, 2026, with no extension options.

An RFB for a new security service contract has been underway for some time but will not be complete prior to the termination of Panther’s contract. (The scope of the RFB is evolving and expanding as additional departments join to request security services for newly announced major events coming to the City over the next few years.)

In the interest of public safety and site security, it is essential that ACBH maintains 24/7 security presence, 365 days a year. It is vital that Panther remains in place at ACBH until the new security contract is awarded and the contractor is onboarded. Panther has knowledge of the site, procedures, and staff and cannot be replaced with a temporary solution or without a competitive procurement process. **Further justification is provided in ECB # 341.**

ACBH requests the extension of Panther’s contract through March 31, 2026, with the option of maintaining service on a month-to-month basis through September 30, 2026.

Budget:

- Contract Extension (January 15 - March 31, 2026): **\$65,000**
- Month-to-Month (April-Sept): \$25,000 per month, average
 - Up to \$150,000 for the six-month period
- Total spend potential for January 15 – September 30, 2026 (\$65,000 + \$150,000): **\$215,000 NTE**
- FY25-26 funds will come from Contractual Services accounts 11430003.550010 (\$86K available) and 11430001.550010 (\$82,4K can be relieved from requisition 12601711 if needed). FY26-27 funds, if needed, will be from 11430001.550010.

ACBH has a placeholder to bring the contract extension before **City Council on February 10, 2026.**

If needed all current contract extension information is available to view in the Citywide contracts folder for 11120: [First Modification](#)

Let me know if any further details or justifications are required. Thank you again for your help with this.

Happy Holidays!



Melissa Zak
Senior Administrative Analyst
Annenberg Community Beach House
Recreation & Arts Department
310.458.2201 x5144

annenbergbeachhouse.com
[Facebook](#) | [X](#) | [Instagram](#)

Attachment: Procurement Mgr Approval- Emergency (7465 : Emergency Extension of Security Services Contract at Annenberg Community



**CITY OF SANTA MONICA
CALIFORNIA LEVINE ACT DISCLOSURE**

The Levine Act prohibits City Officers from participating in any action related to a contract, license, permit, or entitlement if such Officer received campaign contributions totaling more than \$500 within the previous twelve months, and for twelve months following the date of a final decision, from a party or participant to the proceeding, or their agent.

Section 84308(a)(4) of the Levine Act defines an "Officer" as follows: "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency. The term "Officer" is further defined 2 Cal. Code Regs. Section 18438.1, which states:

An officer of an agency includes only those persons who make, participate in making, or in any way attempt to use their official position to influence a decision in the license, permit, or entitlement for use proceeding, or who exercise authority or budgetary control over the agency or officers who may do so, and:

- (1) Serve in an elected position, including an official appointed to an elected position due to an interim vacancy or an election otherwise canceled because the official was the sole candidate for the position;
- (2) Serve as a member of a board or commission;
- (3) Serve as the chief executive of a state agency, or county, city or district of any kind; or
- (4) Have decision making authority with respect to the proceeding involving a license, permit, or other entitlement for use and is also a candidate for elected office or has been a candidate for elective office in the 12 months prior to the proceeding.

A list of Santa Monica Elected Officials and members of boards and commissions can be found at the following links. The party making this certification is responsible for determining whether a recipient of a political contribution is a City Officer prior to completing this form.

- <https://www.smgov.net/departments/council/>
- <https://www.santamonica.gov/departments/rent-control>
- <https://www.smgov.net/boards/>

Have you, your company, or any agent on behalf of you or your company, made any political contributions of more than \$500 to any City Officer in the twelve months preceding the date of the submission of your application or proposal?

YES NO

Name of Councilmember or City Officer: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s) _____

Please specify below and/or add additional sheet(s) to identify additional Councilmembers or City Officers to whom you and/or your agents made campaign contributions.

Attachment: LEVINE ACT DISCLOSURE (7465 : Emergency Extension of Security Services Contract at Annenberg Community Beach House)



Answering YES does not preclude the City of Santa Monica from awarding a contract, license, permit, or entitlement or taking any subsequent action related to the item. It does, however, preclude the identified City Officer from participating in any actions related to such item.

By signing below, you certify you also agree to disclose to the City any future contributions made to Councilmembers or other City Officers by you or your agent(s) after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested contract, license, permit, or entitlement.

I HEREBY CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

Signed: [Signature] Date: 2/3/2026

Print Name: Moe Galal Title: Vice President

Company: _____

Additional Disclosures:

Please note this form is a public record and subject to a California Public Records Act request.

Attachment: LEVINE ACT DISCLOSURE (7465 : Emergency Extension of Security Services Contract at Annenberg Community Beach House)



TO: Public
 FROM: City Attorney's Office
 RE: Levine Act Disclosure Form

The Levine Act (Government Code 84308) is a California law aimed at preventing "pay to play" practices by prohibiting parties, participants, and their agents in a proceeding involving a license, permit, or other entitlement from contributing more than \$500 to an officer of the City during a 12-month period. The prohibition applies to any 12-month period while the proceeding is pending and for 12 months following the date a final decision is rendered in the proceeding.

State law requires a party to a proceeding to disclose any contributions exceeding an aggregate \$500 that the party and their agents have made to an officer of the City within the preceding 12 months. The Disclosure Form is intended to assist City officials with recognizing when they have an obligation to disclose and recuse themselves, and to aid parties with their disclosure obligations.

1. To what sort of proceedings is the disclosure form applicable?

The Levine Act applies to all discretionary entitlements and contracts, with the exception of labor contracts, personal employment contracts, and contracts that must be awarded to the lowest responsive/responsible bidder. It does not apply to ministerial approvals. For instance, the Levine Act applies to the following:

- Building and development permits
- Conditional use permits
- Contracts generally (unless an exception applies):
 - Real property contracts for purchase, sale, lease
 - Contract amendments
 - Settlement agreements
 - Contracts for goods, services, professional services that are not awarded pursuant to a competitive process
- Public street abandonments
- Private development plans
- Professional license revocations
- Rezoning of specific real estate parcels
- Event permits
- Rulemaking procedures affecting a particular industry where only a small number of businesses are affected
- Special district formation proceedings involving the creation of a special use or benefit to the person in the district
- Tentative subdivision and parcel maps

- Zoning variances
- Vacation of a public easement across private property
- Pre-applications, such as for General Plan Amendment, considered by the legislative body prior to filing of formal application
- Contracts entered under the City Manager's Authority
- Closed session items that may result in a contract/settlement agreement approved by Council (real estate or litigation)

It does not apply to:

- Contracts under \$50,000
- Contracts where no party receives financial compensation
- Contracts between two or more public agencies
- Competitively bid contracts that are required by law, agency policy, or agency rule to be awarded pursuant to a competitive process
- Purely ministerial decisions
- General policy decisions or rules where the interests affected are many and diverse
- Ordinances and resolutions (except items like development agreements adopted by ordinance)
- Ballot measures
- Departmental policies
- Council rules
- Labor contracts and project labor agreements
- Personal employment contracts
- Allocation of resources in the City budget

2. Who is required to disclose?

A “**party**” to a proceeding is any person who files an application for, or is the subject of, a proceeding. In general, a person or company who applies for a permit, license, or right to use property in a particular way, which requires the City’s discretionary approval, will qualify as a party.

Parties are also required to disclose contributions by their agents. An “**agent**” is someone who (1) represents a party to a proceeding for compensation; and (2) appears before or otherwise communicates with the City for the purpose of influencing the pending proceeding. This can include law firms, architects, engineers, consultants, and similar entities. Both the individual and their employer or firm are considered “agents.”

A party should also disclose contributions of other entities majority owned by the party, as well as contributions of any other entity whose contributions it directs or controls.

3. What must be disclosed?

A party must disclose campaign contributions over \$500 made in the prior twelve months. A “**contribution**” is anything of value for which the party has not received full consideration, including money, nonmonetary items, payments made for advertising or

other expenses coordinated with a candidate or committee, loans, tickets to political fundraisers, etc.

4. Who is considered an officer of the City?

An “**officer**” is anyone who may make, participate in making, or attempt to influence a decision in the proceeding or who exercises authority over officers who may do so. This includes elected officials, members of appointed boards and commissions, the City Manager, and any individual who is a candidate for elected office or who has been a candidate in the twelve months prior to the decision. This definition is included on the Disclosure Form.

5. When should the disclosure occur?

The Disclosure Form must be completed (1) by a party to a contract with the City (or that party’s agent) at the time the party submits a response to a Request for Proposal or other competitive solicitation, enters into contract negotiations with the City, or executes a contract with the City, whichever is earliest; or (2) by a party to a license, permit, or other entitlement proceeding before the City at the time the party (or their agent) submits the license, permit, or entitlement application to the City. The party (or their agent) must submit a supplemental form if they make any new reportable contributions while the same contract, license, permit, or other entitlement is being considered. The party (or their agent) must also use the form if they need to correct any previously submitted form.

Parties are solely responsible for completing the form accurately, and could face penalties for failure to do so. The California Fair Political Practices Commission (FPPC) is the body who enforces violations of the Levine Act. If a party is uncertain about whether they are required to report or combine a contribution, they should consult with their attorney.

Nothing herein constitutes legal advice and individuals are urged to consult with their own attorney regarding the requirements of the law. To the extent there is any inconsistency, the language of the Levine Act and FPPC Regulations govern over this notice. Resources for officers, parties, participants, and agents, are available on the FPPC’s website at <https://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html>



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 4.L

To: Mayor and City Council
From: Heidi Von Tongeln, Interim City Attorney, City Attorney's Office, Administration
Subject: Second Reading and Adoption, or, in the Alternative, Reintroduction and First Reading of an Ordinance to Amend Santa Monica Municipal Code Chapter 4.66 to Provide for Recall of Workers at Hotels on City-Owned Property and Hospitality Businesses on the Santa Monica Pier and Adding Chapter 4.69 to Provide for Retention of Workers at Hospitality Businesses on the Santa Monica Pier

Recommended Action

Staff recommends that the City Council:

1. Adopt the attached Ordinance; or
2. Reintroduce the attached Ordinance on first reading with changes directed by the City Council.

Executive Summary

At its meeting on January 27, 2026, the City Council introduced for first reading an Ordinance to amend Santa Monica Municipal Code Chapter 4.66 to provide for recall of workers at hotels on City-owned property and hospitality businesses on the Santa Monica Pier and adding Chapter 4.69 to provide for retention of workers at hospitality businesses on the Santa Monica Pier. During its discussion on January 27, Council requested additional information on the potential impacts of the scope as presented, including the number of businesses that would be subject to the new regulations based on a threshold of 5 workers. Staff is in the process of gathering that information, which will be available prior to Council consideration.

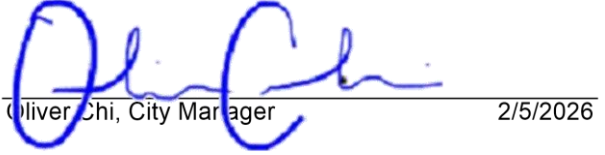
The ordinance is now presented to the City Council for adoption. In the alternative, Council could reintroduce the ordinance on first reading with changes.

Prepared By: Bradley Michaud, Legal Administrative Services Officer

Approved

Forwarded to Council


Heidi Von Tongeln, Interim City Attorney 2/5/2026


Oliver Chi, City Manager 2/5/2026

Attachments:

- A. Amendments to Chapter 4.66 2d (Worker Recall and Retention) 02.10.26

City Council Meeting: February 10, 2026

Santa Monica, California

ORDINANCE NUMBER _____ (CCS)
(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SANTA MONICA TO AMEND CHAPTER 4.66 TO PROVIDE FOR RECALL OF
WORKERS AT HOTELS ON CITY-OWNED PROPERTY AND AT HOSPITALITY
BUSINESSES ON THE SANTA MONICA PIER AND ADDING CHAPTER 4.69 TO
PROVIDE FOR RETENTION OF WORKERS AT HOSPITALITY BUSINESSES ON THE
SANTA MONICA PIER

WHEREAS, the City of Santa Monica, host to millions of visitors annually, has a long history of supporting its tourism and hospitality industries as well as supporting the wellbeing and rights of workers in those establishments; and

WHEREAS, on December 11, 2001, the City Council adopted Ordinance Number 2031 (CCS), adding Chapter 4.66, Recall of Workers, to the Santa Monica Municipal Code, which created requirements for the recall from the layoff of workers of certain businesses located in the Coastal Zone and extended Downtown Core that had gross receipts of \$5 million for that location in the year 2000; and

WHEREAS, on September 10, 2019, the City Council adopted Ordinance Number 2614 (CCS), adding Santa Monica Municipal Code Chapter 4.67, Hotel Worker Protections, which, among other things, provides retention protections for hotel workers in the event of a change of hotel ownership or control; and

WHEREAS, the COVID-19 pandemic resulted in a sudden 26.8% decline in General Fund revenue in FY 2020-21; and

WHEREAS, the City has faced challenges achieving its revenue, expenditures, and General Fund reserve targets during the past several years; and

WHEREAS, the recent financial forecasts anticipate that the City will continue to operate a structural deficit for several years; and

WHEREAS, the federal government has discussed or implemented several economic policies, including tariffs, mass deportations, tax cuts, and deregulation, which may impact the national and local economy; and

WHEREAS, some economists predict that the national economy will continue to be an inflationary economic environment with rising costs of goods and labor; and

WHEREAS, on September 9, 2025, the City Council adopted Resolution Number 11698 (CCS), identifying local fiscal distress due to the current financial condition of the City, including the significant drawdown of reserves and interfund payment obligations, coupled with uncertain revenues and increasing costs and liabilities warrants; and

WHEREAS, on October 28, 2025, the City Council adopted the Santa Monica Realignment Plan, predicated around restoring safety, revitalizing key civic spaces, growing economic activity, rebuilding City organizational strength, and returning the City to fiscal balance; and

WHEREAS, over the next several years, the Los Angeles region will become a global stage for some of the world's most watched sporting and cultural events, which will draw millions of visitors, concentrate international media attention, and generate significant economic activity across Southern California; and

WHEREAS, on December 16, 2025, the City Council discussed the City's participation in these upcoming events, beginning with activities on the Pier to support the FIFA World Cup in June and July 2026; a collaboration to produce a new music and cultural festival series on Santa Monica beach in the Fall of 2026; a week of fan-focused

programming and broadcast activity on the Pier as part of Super Bowl LXI, which is scheduled to return to SoFi Stadium in February 2027; and summer 2028, when the Olympic and Paralympic Games will bring global audiences, cultural festivals, and hospitality activations to venues throughout the region; and

WHEREAS, the Realignment Plan's goals are furthered by protecting the City's investments in hotels located on City-owned land and hospitality businesses located on the Santa Monica Pier ("Pier"); and

WHEREAS, the success of the upcoming major events is strengthened with a stable workforce to support local businesses; and

WHEREAS, although there is reason for optimism as the City implements the Realignment Plan and prepares for upcoming major events, forecasts for the local and national economy threaten hospitality and tourism businesses, which could lead to layoffs; and

WHEREAS, recall rights for workers ensure fair employment practices during times of economic difficulty and reduce the demand for government-funded social services; and

WHEREAS, changes in ownership, control, or operation of hospitality businesses on the Pier can trigger mass layoffs and displace employees who are skilled, knowledgeable, and experienced in providing a safe, clean, and enjoyable experience for the millions of visitors who come to the Pier each year; and

WHEREAS, ensuring that workers for hospitality businesses on the Santa Monica Pier have an opportunity to continue working for a business upon change in ownership, control, or operation will prevent both unnecessary disruption to the labor market and increased demands on social services provided by the City, and thereby maintain the

stability and high level of service in the hospitality businesses in the City, which promotes the public welfare; and

WHEREAS, given that tourism is one of the largest industries in the City and in the entire region, establishing the worker recall and retention standards set forth in this Ordinance will not only improve worker working conditions but also benefit the local and regional economy overall, and thereby promote the public health, safety, and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Santa Monica Municipal Code Chapter 4.66 is hereby amended to read as follows:

Chapter 4.66 RECALL OF WORKERS

4.66.010 Definitions. For purposes of this Chapter, the following words or phrases shall have the following meanings:

a. “Business” means a Coastal Zone business, extended downtown core business, hotel, or a Pier business. For purposes of this Chapter, “business” does not include nonprofit entities.

b. “Coastal Zone” means that area bounded by the Pacific Ocean on the west, by the City borders on the south and north, and on the east by the Lincoln Boulevard centerline south of Pico Boulevard and Fourth Street north of Pico Boulevard. Properties adjacent to the east side of Fourth Street between Pico Boulevard and Colorado Boulevard are included within the area defined by this subsection; otherwise the Fourth Street boundary shall be at the centerline.

c. “Coastal Zone business” means a business operating within the Coastal Zone with gross receipts over five million dollars in the year 2000 for that location.

d. “Coastal Zone employer” means any person who owns, controls, or operates a Coastal Zone business, and includes any person, contractor, or subcontractor who, in a managerial, supervisory, or confidential capacity, employs extended Coastal Zone workers to provide services at a Coastal Zone business in conjunction with the business’s purpose.

e. “Coastal Zone worker” means any person who is employed by a Coastal Zone business. “Extended downtown core worker” does not include a managerial, supervisory or confidential employee.

f. “Employer” means a Coastal Zone employer, extended downtown core employer, hotel employer or Pier employer.

g. “Extended downtown core” means that area bounded by Ocean Avenue on the west, Wilshire Boulevard on the north, Fifth Street on the east and Colorado Boulevard on the south. Properties on both sides of the boundary streets shall be included within this definition.

h. “Extended downtown core business” means a business operating within the extended downtown core with gross receipts over five million dollars in the year 2000 for that location.

i. “Extended downtown core employer” means any person who owns, controls, or operates an extended downtown core business, and includes any person, contractor or subcontractor who, in a managerial, supervisory, or confidential capacity,

employs extended downtown core workers to provide services at an extended downtown core business in conjunction with the business's purpose.

j. "Extended downtown core worker" means any person who is employed by an extended downtown core business. "Extended downtown core worker" does not include a managerial, supervisory or confidential employee.

k. "Hotel" means an establishment that provides temporary lodging in the form of overnight accommodations in guest rooms to transient patrons who maintain a permanent place of residence elsewhere for payment for periods of thirty consecutive calendar days or less, and may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the general public. "Hotel" includes motor lodges, motels, apartment hotels, and tourist courts meeting the definition set forth above. "Hotel" also includes any contracted, leased or sublet premises operated in conjunction with a hotel or that is used for the primary purpose of providing services at a hotel. "Hotel" does not include a hostel, which is a lodging facility primarily characterized by dormitory-style accommodations, shared bathrooms, and reservations of beds rather than rooms. "Hotel" also does not include corporate housing, rooming houses, boarding houses, or private residential clubs, single-room occupancy housing, vacation rentals, or bed and breakfast establishments within a single-unit residence.

l. "Hotel employer" means any person who owns, controls, or operates a hotel, and includes any person, contractor or subcontractor who, in a managerial, supervisory, or confidential capacity, employs hotel workers to provide services at a hotel in conjunction with the hotel's purpose.

m. “Hotel worker” means any person who is employed by a hotel employer to provide services at a hotel. “Hotel worker” does not include a managerial, supervisory or confidential employee.

n. “Laid off worker” means any worker who, in a particular week, performs at least two hours of work within the geographical boundaries of the City for an employer, was employed by an employer for six months or more, and whose most recent separation was due to lack of business, a reduction in force or other economic, non-disciplinary reason. Laid off workers includes Coastal Zone and extended downtown core workers with a separation from active service occurring after September 11, 2001, and hotel and Pier workers with a separation from active service occurring after September 9, 2025.

o. “Length of service” means the total of all periods of time during which a worker has been in active service, including periods of time when the worker was on leave or on vacation.

p. “Pier” means Santa Monica Pier, consisting of both the Newcomb Pier and the Municipal Pier, protruding from the Santa Monica State Beach at the southwesterly terminus of Colorado Avenue, and extending for approximately two thousand one hundred thirty-five feet into the Santa Monica Bay.

q. “Pier business” means a business that provides hospitality services on the Pier, including eating and drinking establishments, as defined by Santa Monica Municipal Code Section 9.51.020(B)(8), large-scale facilities, as defined by Santa Monica Municipal Code Section 9.51.020(B)(7)(d) and small-scale facilities, as defined by Santa Monica Municipal Code Section 9.51.020(B)(7)(e) and employs 5 or more Pier workers.

r. “Pier employer” means any person who owns, controls, or operates a Pier business, and includes any person, contractor or subcontractor who, in a managerial, supervisory, or confidential capacity, employs Pier workers to provide services at a Pier business in conjunction with the business’s purpose.

s. “Pier worker” means any person who is employed by a Pier employer to provide services at the Pier. “Pier worker” does not include a managerial, supervisory or confidential employee.

t. “Worker” means a Coastal Zone worker, extended downtown core worker, hotel worker or a Pier worker.

4.66.020 Applicability of requirements.

The requirements of this chapter shall apply to Coastal Zone employers, extended downtown core employers, hotel employers operating on City-owned property, and Pier employers.

4.66.030 Right of recall.

a. **Preference for Laid Off Workers.** An employer shall offer in writing, to the last known address of laid off workers, all positions which are or become available after the effective date of this Chapter for which the laid off workers are qualified. A laid off worker is qualified for a position if the worker: (1) held the same or similar position at the same site of employment at the time of the worker’s most recent separation from active service with the employer; or (2) is or can be qualified for the position with the same training that would be provided to a new worker hired into that position. The employer shall offer positions to laid off workers in an order of preference corresponding to categories (1) and (2) in the preceding sentence. Where more than one worker is entitled

to preference for a position, the employer shall offer the position to the worker with the greatest length of service with the employer at the employment site.

b. **Time Limit.** A laid off worker who is offered a position pursuant to this Chapter shall be given no less than ten days in which to accept or decline the offer.

4.66.040 Supersession by collective bargaining agreement.

All of the provisions of this Chapter, or any part thereof, may be waived pursuant to a bona fide collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous written terms. Neither party to a collective bargaining agreement relationship may waive or supersede any provision of this Chapter by means of unilaterally imposed terms and conditions of employment.

4.66.050 Retaliatory Action Prohibited

No employer shall refuse to employ, terminate, reduce in compensation, or otherwise take any adverse action against any person for seeking to exercise or enforce his or her rights under this Chapter by any lawful means, for participating in proceedings related to this Chapter, for opposing any practice proscribed by this Chapter, or for otherwise asserting rights under this Chapter. There shall be a rebuttable presumption that an adverse employment action taken against a worker within ninety days of the worker's exercise of rights under this Chapter was taken in retaliation for the exercise of such rights. This Section shall also apply to any laid off worker who mistakenly, but in good faith, alleges noncompliance with this Chapter.

4.66.060 Remedies

a. **Civil Action.** The City or any aggrieved person may enforce the provisions of this Chapter by means of a civil action.

b. Injunction. Any person who commits an act, proposes to commit an act, or engages in any pattern or practice that violates this Chapter may be enjoined therefrom by a court of competent jurisdiction. An action for injunction under this subsection may be brought by any aggrieved person, by the City Attorney, or by any person or entity who will fairly and adequately represent the interests of an aggrieved person or persons.

c. Damages and Penalties. Any person who violates the provisions of this Chapter is liable for any actual damages suffered by any aggrieved person or for statutory damages up to the amount of one hundred dollars per aggrieved person per day. For willful violations, the amount of monies and penalties to be paid under this subsection shall be trebled.

d. Cumulative Remedies. The remedies set forth in this Chapter are cumulative. Nothing in this Chapter shall be interpreted as restricting, precluding, or otherwise limiting a separate or concurrent criminal prosecution under this Code or State law.

e. The provisions of this Chapter shall not be construed as creating a cause of action against the City.

SECTION 2. Santa Monica Municipal Code Chapter 4.69 is hereby added and shall read as follows:

Chapter 4.69 RETENTION OF WORKERS

4.69.010 Definitions. For purposes of this Chapter, the following words or phrases shall have the following meanings:

a. “Affected business” means: (1) in the event of a change in control as defined in subsection (c)(1) below, the business or discrete portion of the business that has been

the subject of the change in control and remains in operation following the change in control; or (2) in the event of a change in control as defined in subsection (c)(2) or (c)(3) below, the business that remains in operation following the change in control of that business.

b. “Business” means a Pier business. For purposes of this Chapter, “business” does not include nonprofit entities.

c. “Change in control” means: (1) any sale, assignment, transfer, contribution, or other disposition of all or substantially all of the assets used in the operation of a business or a discrete portion of the business that continues in operation; (2) any sale, assignment, transfer, contribution, or other disposition of a controlling interest (including by consolidation, merger, or reorganization) of an employer or any person who controls an employer; or (3) any other event or sequence of events (including a purchase, sale, lease, or termination of a management contract or lease) that causes the identity of the employer at a business to change. For purposes of this Chapter, a change in control shall be defined to occur on the date of execution of the document effectuating the change in control, or, if there is no single document effectuating the change in control, on the date of the document that culminates in the sequence of events comprising the change in control.

d. “Eligible worker” means a worker employed by an incumbent Pier employer at the time of a change in control and who has been so employed for at least two months prior to the change in control, or, if there is no single document effectuating the change in control, a worker employed by an incumbent Pier employer at the beginning of the sequence of events that comprises the change in control and who as so employed for at

least two months prior to the beginning of the sequence of events that comprises the change in control.

i. “Incumbent Pier employer” means a Pier employer who owns, controls, or operates a Pier business prior to a change in control of the Pier business or of a discrete portion of the Pier business that continues to operate after the change in control.

j. “Pier” means Santa Monica Pier, consisting of both the Newcomb Pier and the Municipal Pier, protruding from the Santa Monica State Beach at the southwesterly terminus of Colorado Avenue, and extending for approximately two thousand one hundred thirty-five feet into the Santa Monica Bay.

k. “Pier business” means a business that provides hospitality services on the Pier, including eating and drinking establishments, as defined by Santa Monica Municipal Code Section 9.51.020(B)(8), large-scale facilities, as defined by Santa Monica Municipal Code Section 9.51.020(B)(7)(d) and small-scale facilities, as defined by Santa Monica Municipal Code Section 9.51.020(B)(7)(e) and employs 5 or more workers.

l. “Pier employer” means any person who owns, controls, or operates a Pier business, and includes any person or contractor who, in a managerial, supervisory, or confidential capacity, employs Pier workers to provide services at a Pier business in conjunction with the business’s purpose.

m. “Pier worker” means any person who is employed by a Pier employer to provide services at the Pier. “Pier worker” does not include a managerial, supervisory or confidential employee.

n. “Successor Pier employer” means a Pier employer who: 1) owns, controls, or operates a Pier business after a change in control; or 2) owns, controls, or operates a

Pier business that operates at the same location and provides the same or substantially similar hospitality services as an incumbent Pier employer.

- o. “Worker” means a Pier worker.
- p. “Worker retention period” means the period of time beginning on the date of a change in control and extending to 90 days from the first date that an affected business is open to the public after a change in control; or, if the successor Pier employer is not known at the time the incumbent Pier employer ceases operations, the period of time beginning on the date the incumbent Pier employer commences operations that are open to the public and extending for a period of 90 days.

4.69.020 Pier Worker Retention

a. **Notice of change in control.** Within five days of a change in control of a Pier business, a successor Pier employer shall post written notice of the change in control at the location of the affected Pier business.

1. This written notice shall remain posted during any closure of the affected Pier business and for six months following the first date on which the affected Pier business is open to the public under the successor Pier employer.

2. This written notice shall include, but not be limited to, the name and contact information of the incumbent Pier employer, the name and contact information of the successor Pier employer, and the effective date of the change in control.

3. This written notice shall be posted in a conspicuous place at the affected Pier business and shall be readily visible to eligible Pier workers, other employees, and applicants for employment.

b. **Incumbent Pier employer responsibilities.**

1. Within fifteen days of a change in control, an incumbent Pier employer shall provide a successor Pier employer with a list of eligible workers. This list shall include the name, date of hire, and job classification of each eligible worker.

2. A successor Pier employer shall be required to maintain and hire from this list during the worker retention period.

3. In the event the successor Pier employer is not known at the time the incumbent Pier employer ceases operations, the provisions of this subparagraph (b) shall apply, provided that the successor Pier employer provides the same or substantially similar hospitality services as an incumbent Pier employer. When the successor Pier employer is not known at the time the incumbent Pier employer ceases operations, the incumbent Pier employer shall provide the City with a list of eligible workers consistent with the requirements set forth in subparagraph 1, above. The City shall provide the successor Pier employer with the list of eligible workers within fifteen days of City entering into an agreement with the successor Pier employer.

c. **Successor Pier employer responsibilities.** A successor Pier employer shall, during the worker retention period, offer each eligible worker employment for no less than ninety days, except that if a successor Pier employer determines during the worker retention period that it requires fewer workers than were required by the incumbent Pier employer, the successor Pier employer shall retain eligible workers pursuant to the

terms of a relevant collective bargaining agreement, if any, or by seniority and experience within each job classification to the extent that comparable job classifications exist.

d. An eligible worker retained pursuant to this Section shall be employed under terms and conditions established by the successor Pier employer as required by law and shall not be discharged except for good cause based on individual performance or conduct.

e. An offer of employment made pursuant to subsection (c) shall be made in writing and shall remain open for at least ten business days from the date of the offer.

f. A successor Pier employer shall retain written verification of each offer of employment made pursuant to subsection (c). This verification shall include the name, address, date of hire, and job classification of the eligible worker to whom the offer was made. A successor Pier employer shall retain the required verification for no less than three years from the date the offer is made.

g. At the end of the worker retention period, a successor Pier employer shall provide each worker retained pursuant to this Section with a written performance evaluation. If the worker's performance was satisfactory, the successor Pier employer shall consider offering the worker continued employment under the terms and conditions established by the successor employer and as required by law. A successor Pier employer shall retain the written performance evaluation required under this subsection for no less than three years from the date it is issued.

h. The rights to retention set forth in this Section do not apply to any managerial, supervisory, or confidential employee and do not include the right to retain any supervisory or management responsibility.

4.69.030 Supersession by collective bargaining agreement.

All of the provisions of this Chapter, or any part thereof, may be waived pursuant to a bona fide collective bargaining agreement, but only if the waiver is explicitly set forth in such agreement in clear and unambiguous written terms. Neither party to a collective bargaining agreement relationship may waive or supersede any provision of this Chapter by means of unilaterally imposed terms and conditions of employment.

4.69.040 Retaliatory Action Prohibited

No employer shall refuse to employ, terminate, reduce in compensation, or otherwise take any adverse action against any person for seeking to exercise or enforce his or her rights under this Chapter by any lawful means, for participating in proceedings related to this Chapter, for opposing any practice proscribed by this Chapter, or for otherwise asserting rights under this Chapter. There shall be a rebuttable presumption that an adverse employment action taken against a worker within ninety days of the worker's exercise of rights under this Chapter was taken in retaliation for the exercise of such rights. This Section shall also apply to any worker who mistakenly, but in good faith, alleges noncompliance with this Chapter.

4.69.050 Remedies

- a. Civil Action. The City or any aggrieved person may enforce the provisions of this Chapter by means of a civil action.
- b. Injunction. Any person who commits an act, proposes to commit an act, or engages in any pattern or practice that violates this Chapter may be enjoined therefrom by a court of competent jurisdiction. An action for injunction under this subsection may be

brought by any aggrieved person, by the City Attorney, or by any person or entity who will fairly and adequately represent the interests of an aggrieved person or persons.

c. Damages and Penalties. Any person who violates the provisions of this Chapter is liable for any actual damages suffered by any aggrieved person or for statutory damages up to the amount of one hundred dollars per aggrieved person per day. For willful violations, the amount of monies and penalties to be paid under this subsection shall be trebled.

d. Cumulative Remedies. The remedies set forth in this Chapter are cumulative. Nothing in this Chapter shall be interpreted as restricting, precluding, or otherwise limiting a separate or concurrent criminal prosecution under this Code or State law.

e. The provisions of this Chapter shall not be construed as creating a cause of action against the City.

SECTION 3. Any provision of the Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not

declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

APPROVED AS TO FORM:

HEIDI VON TONGELN
Interim City Attorney



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 5.A

To: Mayor and City Council
 From: Heidi Von Tongeln, Interim City Attorney, City Attorney's Office
 Subject: Conference with legal counsel - existing litigation - Gov. Code § 54956.9(d)(1):

John U.N.B. Doe, et al. v. City, et al.; LASC # 23STCV12746; John Doe 1, et al. v. City, et al.; LASC # 23STCV15009; Hector Orozco v. John Doe: Does 1-2; LASC # 23SMCV03120; John JPC Doe v. Doe City, et al.; LASC # 23STCV22020; John AD Doe, et al. v. City, et al.; LASC # 23STCV26548; John CW Doe, et al. v. City, et al.; LASC # 23STCV29623; John Doe (A.G.) v. Santa Monica Police Activities League, et al.; LASC # 23SMCV06066; John GA DOE, et al. v. City, et al.; LASC # 24STCV06484; John U.L.W. Doe, et al. v. City, et al.; LASC # 24STCV06768; Joseph Garcia v. Santa Monica Police Activities League, et al.; LASC # 24SMCV01368; John Doe 15, et al. v. City, et al.; LASC # 24STCV07647; John Doe 18, et al. v. City, et al.; LASC # 24STCV0239; John RR Doe, et al. v. City, et al.; LASC # 24STCV09398; John Doe 33, et al. v. City, et al.; LASC # 24STCV15580; John Doe 48 v. City, et al.; LASC # 24STCV15420; John Doe 49 v. City, et al.; LASC # 24STCV19296; John DD Doe v. City, et al.; LASC # 24SMCV04421; Jane EB Doe, et al. v. City, et al.; LASC # 24STCV24146; John Doe (V.D.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05049; John Doe (D.F.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05050; John Doe (D.G.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV05051; Jane Doe 13, et al. v. City, et al.; LASC # 24STCV27233; John AM Doe, et al. v. City, et al.; LASC # 24STCV28433; John Doe v. City, et al.; LASC # 24SMCV05527; John Doe 53 v. City, et al.; LASC # 24STCV31763; John Doe (Y.M.) v. Santa Monica Police Activities League, et al.; LASC # 24SMCV06355; Jane Doe 16, et al. v. a Public Entity, et al.; LASC # 25STCV02235; John Doe 62, et al. v. City, et al.; LASC # 25STCV04414; John Doe 23 v. City, et al.; LASC # 25STCV05850; John Doe (E.B.) v. Santa Monica Police Activities League, et al.; LASC # 25STCV06354; Jane PB Doe, et al. v. City, et al.; LASC # 25STCV06880; John Doe 67 v. City, et al.; LASC # 25STCV10142; John Doe 68 v. City, et al.; LASC # 25STCV12089; John Doe 69, et al. v. City, et al.; LASC # 25STCV14031; John OR Doe, et al. v. City, et al.; LASC # 25STCV16251; John RD Doe, et al. v. City, et al.; LASC # 25STCV24158

Prepared By: Andrew Cabello, Legal Assistant

Approved _____ **Forwarded to Council** _____



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 5.K

To: Mayor and City Council
From: Heidi Von Tongeln, Interim City Attorney, City Attorney's Office
Subject: Conference with real estate negotiator - Gov. Code § 54956.8; property:

1333 4th/1324 5th Street ("4th/5th/Arizona") and 1234 4th Street ("Parking Structure 1"), Santa Monica, California; City negotiators: Natalie Verlinich, Housing Manager, and Agustin Aleman, Senior Development Analyst; owner of record: City of Santa Monica; persons to be negotiated with: Mee Heh Risdon, Director of Housing, A Community of Friends; Jeff Edgren, Director of Acquisitions, Affirmed Housing; Frank Chang, Vice President of Acquisitions, Linc Housing; Gary Steinhardt, Metropolitan Pacific Real Estate Group; Jay Stark, Principal, The Pinyon Group; Bill Witte, CEO, Related California; David Grunwald, Executive Vice President, RMG Housing; Steven Spielberg, Senior Vice President, Alliant Communities; Andrew Bueno, Bueno Group; Charles Cohen, Project Manager, EAH, Inc.; Daniel Hanasab, Principal, Orum Capital; Luis de la Rosa, Pacific Urbanism; Shant Samuelian, Samuelian Group; Jason Yap, Director of Acquisitions, Sola Impact; Anup Patel, Director of Real Estate Development, West Hollywood Community Housing Corporation; Hunter Simmons, Partner, Bridge Realty Advisors; Mike Lanza, Project Manager, People Assisting the Homeless; Ian Fishburn, Managing Director, Vitruvian Development; under negotiation: disposition of property, price and terms of payment

Prepared By: Andrew Cabello, Legal Assistant

Approved

Forwarded to Council



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 12.A

To: Mayor and City Council
From: Jing Yeo, Director, Administration
Subject: Introduction and First Reading of an Interim Zoning Ordinance to Extend Interim Zoning Regulations Related to Outdoor Dining and Seating on Sidewalks, to Promote Economic Recovery by Simplifying the City's Outdoor Dining Program

Recommended Action

Staff recommends that the City Council:

1. Adopt a finding of no possibility of significant environmental effects pursuant to Section 15061(b)(3) (Common Sense Exemption) and findings of categorical exemptions pursuant to Sections 15301 and 15305 of the California Environmental Quality Act (CEQA) Guidelines; and
2. Introduce for First Reading an Interim Zoning Ordinance (IZO) Extending IZO Number 2837 Amending Santa Monica Municipal Code Section 9.31.200, Outdoor Dining and Seating on Sidewalks, to Promote Economic Recovery by Simplifying the City's Outdoor Dining Program.

Summary

Following Council's November 18, 2025 adoption of an Interim Zoning Ordinance to promote economic recovery by simplifying the City's outdoor dining program, the Interim Zoning Ordinance must be adopted again to extend the ordinance from its original 60 days for an additional 180 days to enable the process to permanently change the zoning ordinance.

Background

On [November 18, 2025](#), the City Council adopted Interim Zoning Ordinance (IZO) Number 2837, which amended Santa Monica Municipal Code (SMC) Section 9.31.200, Outdoor Dining and Seating on Sidewalks, to promote economic recovery by

simplifying the City’s outdoor dining program.

IZO Number 2837 made limited amendments to SMMC Section 9.31.200 by deleting redundant design standards and consolidating them within the Sidewalk Dining Guidelines. This streamlining improves clarity and allows design standards to be updated administratively while maintaining safety, accessibility, and consistency in the public right-of-way.

IZO Number 2837 became effective 30 days after adoption and expires 60 days after its effective date. Staff recommends extending IZO Number 2837 for 180 days to allow the proposed amendments to move through the typical Zoning Amendment and codification process. Staff presented the proposed amendments to the Planning Commission at its [January 21, 2026](#), regular meeting, and the proposed amendments are anticipated to return to City Council on February 24, 2026.

Past Council Actions:

Meeting Date	Description
October 28, 2025	Introduce for First Reading an Interim Zoning Ordinance Amending Santa Monica Municipal Code Section 9.31.200, Outdoor Dining and Seating on Sidewalks, to Promote Economic Recovery by Simplifying the City’s Outdoor Dining Program (<i>Part of Santa Monica Realignment Plan</i>)
November 18, 2025	Second Reading and Adoption of an Interim Zoning Ordinance Amending Santa Monica Municipal Code Section 9.31.200, Outdoor Dining and Seating On Sidewalks, to Promote Economic Recovery by Simplifying the City’s Outdoor Dining Program

Environmental Review

The proposed IZO extension is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3), 15301, and 15305 of the CEQA Guidelines. Section 15061(b)(3) states that CEQA does not apply “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” The IZO extension is administrative in nature. Therefore, it can be seen with certainty that the proposed modification would not

result in adverse physical impacts on the environment, and as such, is exempt from CEQA. Additionally, the IZO extension is exempt pursuant to Section 15301 of CEQA Guidelines (Class 1 Existing Facilities), which provides an exemption for the operation, repair, maintenance, permitting, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Projects that fall into this class of exemption include alterations to existing streets, sidewalks, gutter, bicycle facilities, and other similar facilities and additions of safety or health protection during for use in conjunction with existing facilities. The IZO extension is also exempt pursuant to Section 15305 of the CEQA Guidelines (Class 5 Minor Alterations in Land Use Limitations), which exempts minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. The proposed amendments would allow for flexibility for sidewalk dining by deleting redundant design standards and consolidating them within the Sidewalk Dining Guidelines. No expansion of the existing land uses is proposed. Therefore, the proposed amendments qualify under the Class 1 and Class 5 exemptions.

Financial Impacts and Budget Actions

No immediate financial impacts or budget actions are necessary as a result of the recommended action. Staff will return to Council if specific budget actions are required in the future.

Prepared By: Ross Fehrman, Acting Planning Manager

Approved

Forwarded to Council



Jing Yeo, Director

2/2/2026

Oliver Chi, City Manager

2/3/2026

Attachments:

- A. 2026.02.10 - Sidewalk Dining IZO Extension

City Council Meeting: February 10, 2026

Santa Monica, California

ORDINANCE NUMBER _____ (CCS)

(City Council Series)

AN INTERIM ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA EXTENDING INTERIM ZONING ORDINANCE NUMBER 2837 AND AMENDING SANTA MONICA MUNICIPAL CODE SECTION 9.31.200, OUTDOOR DINING AND SEATING ON SIDEWALKS, TO PROMOTE ECONOMIC RECOVERY BY SIMPLIFYING THE CITY'S OUTDOOR DINING PROGRAM

WHEREAS, outdoor dining and seating have long been fixtures in Santa Monica's commercial districts; and

WHEREAS, sidewalk dining repurposes the sidewalk abutting a dining establishment into an extension of the business where food may be served; and

WHEREAS, sidewalk dining activates sidewalks, promotes restaurants, and generates foot traffic that benefits nearby businesses; and

WHEREAS, on March 13, 2020, the City Manager, as the Director of Emergency Services ("Director of Emergency Services"), proclaimed the existence of a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability of mutual aid and effectuate the City's response to the novel coronavirus ("COVID-19"), and this local emergency was restated on March 14, 2020, through a revised declaration of local emergency to ensure compliance with all digital signature requirements (the "Executive Order")' and

WHEREAS, on March 16, 2020, the Director of Emergency Services issued a Third Supplement to the Executive Order, requiring the closure of a wide range of businesses including bars, nightclubs, on-premises restaurant service, movie theatres, live

performance venues, gyms, fitness centers, spas, hair salons, massage parlors, and nail salons; and

WHEREAS, on March 19, 2020, California Governor Gavin Newsom issued Executive Order N-33-20 directing all residents of the State of California to heed directives issued by the State Health Officer on the same date instructing all Californians to stay home except as needed to maintain continuity of operations of the federal critical infrastructure sectors; and

WHEREAS, on March 19, 2020, the Los Angeles County Department of Public Health issued an enhanced Health Officer Order, the Safer at Home Order for Control of COVID-19, amending and superseding its earlier March 16, 2020 Order, closing all nonessential businesses, and limiting gatherings to 9 people or less; and

WHEREAS, after March 19, 2020, the Los Angeles Department of Public Health, on multiple occasions, amended and modified its Health Officer Order, recognizing the issues posed by community transmission of COVID-19 in Los Angeles County, and, in response, maintaining public health measures that have, at differing times, included strict limitations on public gatherings, required closures of certain businesses, and strict limitations and protocols for the operations of businesses permitted to remain open; and

WHEREAS, as of March 31, 2023, the local, state, and federal COVID-19 emergency declarations have concluded; and

WHEREAS, life-threatening, destructive, widespread windstorm and extreme fire weather system commenced on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of Santa Monica and the County and City of Los

Angeles, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, based upon these events, by reason of its magnitude, and the need to protect the health, safety, and welfare of the residents and property of the City of Santa Monica, and aid in the assistance of those affected by the Regional Fires, these events created conditions beyond the control of the normal services, personnel, equipment, and facilities of the regularly constituted branches and departments of the City Government, and such emergency conditions required the mobilization of mutual aid resources and the ability to coordinate a multiagency response; and

WHEREAS, on January 7, 2025, as a result of the widespread windstorm and extreme fire weather, the Los Angeles County Board of Supervisors proclaimed a Local Emergency in the County of Los Angeles; and

WHEREAS, on January 7, 2025, the Mayor of the City of Los Angeles declared the existence of a Local Emergency throughout the City of Los Angeles to take such steps that are necessary for the protection of life and property; and

WHEREAS, on January 7, 2025, the Governor of the State of California declared a state of emergency to make additional resources available; and

WHEREAS, on January 7, 2025, the City activated its Emergency Operations Center to support ongoing emergency actions in response to the spread of the Regional Fires; and

WHEREAS, on January 8, 2025, the City Manager, in his role as the Director of Emergency Services, (“Executive Director of Emergency Services”) issued an Executive Order of the Director of Emergency Services of the City of Santa Monica Declaring the

Existence of a Local Emergency (“Palisades Fire Executive Order”) declaring a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability an effective response to the Regional Fires; and

WHEREAS, pursuant to the Emergency Order, the Executive Director of Emergency Services further: 1) relaxed permitting requirements for schools and child care and early education facilities that were displaced; 2) suspended preferential parking rules and enforcement of Santa Monica Municipal Code Chapters 6.20, Home-Sharing and Vacation Rentals, and 6.22, Residential Leasing Regulations for persons who provide alternative accommodations to persons displaced; 3) triggered prohibitions on price-gouging under the Santa Monica Municipal Code and the California Penal Code; 4) prohibited landlords from evicting residential tenants based on the presence of unauthorized occupants or pets, if the occupant or pet has been displaced due to an evacuation order or poor air quality conditions; 5) imposed a curfew in all areas subject to a mandatory evacuation order; 6) suspended all previously-issued building permits for areas subject to mandatory evacuation orders and evacuation warnings; 7) triggered emergency procurement and expenditure provisions under Chapter 2.16; and 8) permitted bed and breakfasts and hotels and motels to allow stays beyond 30 days; and

WHEREAS, since January 8, 2025, the City has issued Seven Supplements to that Palisades Fire Executive Order; and

WHEREAS, these Supplements have included, but are not limited to, provisions that: 1) relax permitting requirements for small businesses and nonprofit organizations that were operating in Los Angeles County and have been impacted by the Regional Fires; 2) waive or reduce license fees for outdoor dining areas, sidewalk dining, parklets,

and pier deck extended dining; and 3) suspend certain provisions of Santa Monica Municipal Code 9.31.280, Restaurants, Limited-Service and Take-Out Only, and 9.31.290, Restaurants with Entertainment, and specific alcohol-related standards and conditions of approval established pursuant to any Alcohol Determination, Alcohol Exemption, or Conditional Use Permit entitlements to allow for additional flexibility in alcohol sales and service; and

WHEREAS, although the immediate COVID-19 and fire dangers have subsided, local businesses have reported that they are still experiencing economic impacts from these incidents and continue to face resulting economic uncertainty; and

WHEREAS, as the commercial and economic landscape evolves, the City's economic recovery and competitive advantage will depend on its ability to deliver on a diverse range of unique dining, retail, and entertainment uses; and

WHEREAS, as restaurant and entertainment environments across the region and county continue to evolve, there is a need to adjust allowed uses and dining and entertainment options to enable economic recovery and provide increased flexibility to minimize vacancies throughout the City; and

WHEREAS, the City has an important governmental interest in maintaining a thriving business community and protecting the health, safety, and economic welfare of its citizens and businesses; and

WHEREAS, vacancy rates, in addition to economic impacts, threaten the health, safety, and economic welfare of the City's citizens and businesses; and

WHEREAS, in connection with the City's economic recovery efforts and to support flexibility for new and existing businesses, on November 18, 2025, City Council adopted Interim Zoning Ordinance ("IZO") Number 2837; and

WHEREAS, IZO Number 2837 includes proposed amendments to Santa Monica Municipal Code Section 9.31.200 ("Section 9.31.200") to remove duplicative design standards and consolidate them into the Sidewalk Design Guidelines in order to promote economic recovery by simplifying the City's Outdoor Dining Program; and

WHEREAS, this IZO removes certain design-related standards, specifically Section 9.31.200, subsections F (barriers), G (fixtures), and H (fixtures), in favor of the existing Sidewalk Design Guidelines already authorized by the same Code section; and

WHEREAS, removal of these design guidelines from the Section 9.31.200 avoids potential conflicts between the Municipal Code and the Sidewalk Design Guidelines, will not result in substantial changes to the design of sidewalk dining, consolidates the standards in one place, and allows for minor modifications going forward to provide flexibility for businesses considering sidewalk dining opportunities; and

WHEREAS, the City has an important government interest in maintaining a thriving business community and protecting the health, safety, and economic welfare of its citizens and businesses; and

WHEREAS, allowing businesses to utilize outdoor space has shown to be important for business retention; and

WHEREAS, the City has a significant public interest in maintaining flexibility for business while ensuring these outdoor spaces do not negatively impact the City's property or other surrounding locations; and

WHEREAS, the IZO amendments amending standards and requirements for outdoor dining supports local business retention and promotes new business opportunities citywide, addressing needs of the business community and residents; and

WHEREAS, on January 21, 2026, the Planning Commissioner adopted Resolution of Recommendation Number 26-001 (PCS), which recommended that the City Council:

- (1) Permanently Adopt Economic Recovery Interim Zoning Ordinance 2825 (CCS); and
- (2) Amend the Text of Article 9 of the Santa Monica Municipal Code to Promote Economic Recovery and Increase Land Use Flexibility in the City's Downtown and Citywide areas by Streamlining, Simplifying, and Modifying Land Uses and Limitations, Updating Standards for Specific Uses and Activities, Including, But Not Limited to, Alcohol Permits and Review, Modifying Definitions, Adding Flexibility for Certain Non-Conforming Uses, Adjusting Standards Regarding the Applicability of Resource Recovery and Recycling Requirements and Trash Enclosure Dimensional Standards, and Making Other Minor Changes, Corrections, Clarifications, and Clerical Amendments; and

WHEREAS, included in Resolution of Recommendation Number 26-001 are proposed amendments to Santa Monica Municipal Code Section 9.31.200, Outdoor Dining on Sidewalks, to promote economic recovery by simplifying the City's Outdoor Dining Program proposed in IZO Number 2837; and;

WHEREAS, the proposed amendments are currently set to be presented to City Council on or about February 24, 2026; and

WHEREAS, to ensure consistency of application of the requirements for Outdoor Dining on Sidewalks, City Council now desires to extend IZO Number 2837 as the proposed Zoning Ordinance amendments move through the City's codification process; and

WHEREAS, the City Council finds and declares that a current and immediate threat to the public health, safety, and general welfare exists due to the devastating impact that the COVID-19-mandated closures and the Palisades Fire Emergency have had on the City's restaurants and dining establishments, such that compliance with the current potentially conflicting standards in Section 9.31.200 would result in a threat to public health, safety, and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Santa Monica Municipal Code Section 9.31.200 is hereby amended to read as follows:

§ 9.31.200. Outdoor Dining and Seating on Sidewalks.

Outdoor dining and seating on sidewalks shall be designed, located, and operated consistent with the following standards:

A. Purpose. The purpose of this Section is to permit outdoor dining and seating that enhances the pedestrian ambiance of the City while not adversely impacting adjacent properties or surrounding neighborhoods consistent with the goals, objectives, and policies of the General Plan.

B. Applicability. The provisions of this Section shall apply to all new outdoor dining and seating areas on public rights-of-way, such as sidewalks, and to all existing outdoor dining and seating areas that are expanded.

C. Procedure. The establishment of an outdoor dining and seating area requires Zoning Conformance Review, pursuant to the procedures of Chapter 9.38, Zoning Conformance Review, to ensure consistency with all of the standards of this Section unless such review has been conducted in conjunction with discretionary review of the associated commercial use and issuance of a Sidewalk Dining Permit.

D. Accessory Use. Permanent outdoor dining and seating shall be conducted as an accessory use to a legally established eating and drinking establishment located on the public right-of-way immediately adjacent to the tenant space.

E. License Agreement. A license agreement for outdoor dining and seating on the public right-of-way shall be approved in a form required by the City.

F. Compliance with Design Guidelines. Outdoor dining and seating shall comply with all applicable adopted design standards and guidelines, including, but not limited to:

1. The Citywide Sidewalk Dining Guidelines;
2. The Sidewalk Dining Standards for the Third Street Promenade; and
3. The Sidewalk Dining Standards for Ocean Avenue.

The Planning Director or designee may promulgate guidelines, which may include, but are not limited to, eligible uses and sites, outdoor dining configuration, design standards, and operational standards to implement the provisions of this Chapter.

No person shall fail to comply with any such regulation.

G. Refuse Storage Area. No structure or enclosure to accommodate the storage of trash or garbage shall be erected or placed on, adjacent to, or separate from, the sidewalk café on the public sidewalk or public right-of-way. Sidewalk dining and seating areas shall remain clear of litter at all times.

H. Hours of Operation. The hours of operation of the outdoor dining and seating shall be limited to the hours of operation of the associated restaurant, other eating and drinking establishment, or commercial use.

I. Parking. Parking shall not be required for outdoor dining and seating on sidewalks permitted pursuant to this Section.

SECTION 2. Any provision of the Santa Monica Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

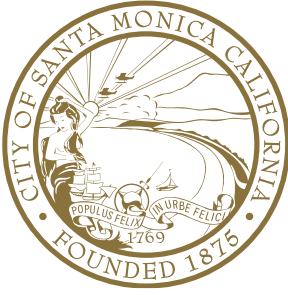
SECTION 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption.

SECTION 5. This Ordinance is effective as of February 16, 2026 and shall be of no further force and effect 180 days from its effective date, unless it is otherwise extended pursuant to Santa Monica Municipal Code Section 9.46.090(C).

APPROVED AS TO FORM:

Heidi von Tonglen
Interim City Attorney

Attachment: 2026.02.10 - Sidewalk Dining IZO Extension [Revision 1] (7484 : Extension of Interim Zoning Ordinance Amending the City's



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 16.A

To: Mayor and City Council
From: Denise Anderson Warren, Interim City Clerk, Records and Election Services Department
Subject: Recommendation to appoint new Housing Authority Board member due to Belinda L. Phillips ineligibility from the City's voucher program, and authorize the City Clerk to publish the vacancy

Prepared By: David Yakobson, Staff Assistant III

Approved

Forwarded to Council

Attachments:

A. Email

David Yakobson

From: Patrick Komesu
Sent: Wednesday, February 4, 2026 1:24 PM
To: David Yakobson
Subject: Housing Authority Board Member

Hello David

I am reaching out to request the appointment of a new Housing Authority Board member to replace Belinda Phillips, as she is no longer an active participant in our voucher programs.

Please let me know the next steps for moving forward with this update.

 **City of
Santa
Monica**
Housing Authority Programs Manager
Patrick Komesu
(310) 458-2201 Ext. 6025

santamonica.gov
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Attachment: Email (7552 : 16.A. Rescind Housing Authority Board Appointment - Belinda L Phillips (5 mins))



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 16.B

To: Mayor and City Council
From: Oliver Chi, City Manager, City Manager's Office
Subject: Request of Councilmember Raskin, Mayor Torosis, and Councilmember Hall to direct that the City Manager Deprioritize and Pause Analysis on Mills Act and Structure of Merit Revision Considerations, and to align Landmarks work plans with the implementation of the Landmarks Commission's recommendations in "A Place for Everyone in Santa Monica's History."

Prepared By: Sergio Ramirez, Chief of Staff

Approved

Forwarded to Council

Attachments:

- A. 20260210- 16 Item - Deprioritize and Pause on Mills Act and Structure of Merit Revisions

Council Meeting: February 10, 2026

16 ITEM BY COUNCILMEMBER RASKIN, MAYOR TOROSIS, AND COUNCILMEMBER HALL

Request of Councilmember Raskin, Mayor Torosis, and Councilmember Hall to direct that the City Manager Deprioritize and Pause Analysis on Mills Act and Structure of Merit Revision Considerations, and to align Landmarks work plans with the implementation of the Landmarks Commission’s recommendations in “A Place for Everyone in Santa Monica’s History.”

On February 11, 2025, the Landmarks Commission presented the report to City Council titled “A Place for Everyone in Santa Monica’s History” and Council passed direction to Staff to begin implementation of all recommendations. This was followed by direction from the City Council on March 11, 2025 to return within one year with direction to implement recommendation Nos. 2 and 3.

On October 28, 2025, the City Council directed staff to identify potential options for revising the City’s Mills Act program, including possible changes to financial incentives associated with historic preservation.

Subsequent discussion and community feedback have highlighted the need to provide stability and predictability in the City’s historic preservation framework, at least for the remainder of the current year, given the timelines associated with processing Mills Act property tax adjustments. Further, taking into account recent Council direction identifying new workplan priorities for staff, we are requesting that the City Council direct the City Manager to pause and deprioritize work efforts related to possible revisions for the City’s Mills Act program and Structure of Merit designation criteria, and to extend any applicable deadlines to implement Landmarks Commission recommendations Nos. 2 and 3.



City Council Report

City Council Meeting: February 10, 2026
Agenda Item: 16.C

To: Mayor and City Council
From: Oliver Chi, City Manager, City Manager's Office
Subject: Request of Mayor Torosis, Mayor Pro Tempore Zwick, and Councilmember Hall, in light of the city's failure to reduce traffic injuries and fatalities in the ten years following its "Vision Zero" commitment in 2016, that the City Council direct the City Manager to work with staff on a reimagined plan that prioritizes human life over vehicle throughput in design and engineering decisions regarding the city right-of-way.

Prepared By: Sergio Ramirez, Chief of Staff

Approved

Forwarded to Council

Attachments:

A. 20260210- 16 Item - Vision Zero Direction

Council Meeting: February 10, 2026

16 ITEM BY MAYOR TOROSIS, MAYOR PRO TEMPORE ZWICK AND COUNCILMEMBER HALL

Request of Mayor Torosis, Mayor Pro Tempore Zwick, and Councilmember Hall, in light of the city's failure to reduce traffic injuries and fatalities in the ten years following its "Vision Zero" commitment in 2016, that the City Council direct the City Manager to work with staff on a reimagined plan that prioritizes human life over vehicle throughput in design and engineering decisions regarding the city right-of-way.

Specifically, staff should return within six months with a plan that is responsive to the following requests:

1. Assesses and presents options for reduced citywide Design Speeds for commercial and residential streets to be used in all street design and engineering decisions, including the rebalancing of signal timing.
2. Develops new streamlined processes for gathering input on mobility projects to increase efficiency in project delivery and ensure Vision Zero and mode shift guide decision making.
3. Reorients parking and bike lanes via restriping and other quick-build tools during the planned repaving of any street that is slated for improvements via the existing Bike Action Plan.
4. Invests in new tools and processes that analyze every severe injury and fatal crash and implement any applicable quick-build safety enhancements within three months of the incident.