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Note: Any agenda item which has not been initiated by 11:00 p.m. may be continued to a subsequent City Council meeting.

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
AGENDA
MONDAY, MAY 21, 2012
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:00 P.M. - CLOSED SESSION: See attached Closed Session Agenda

6:30 P.M. – REGULAR MEETING

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

REPORT OF CLOSED SESSION AGENDA:

APPROVAL OF AGENDA:

ADJOURNMENT MOTIONS:

PRESENTATIONS:

1. PUBLIC COMMENT: The City Council values your comments; however, pursuant to the Brown Act, Council cannot take action on items not listed on the posted agenda. The public comment period is limited to 20 minutes, with 2 minutes allotted for each speaker. This public comment period is to address the City Council on Consent Calendar items, other agenda items (if the member of the public cannot be present at the time the item is considered) or items of general interest within the jurisdiction of the City Council. Another period is also reserved for general comment later in the meeting for those that could not be heard at this time. Public Hearing testimony will only be taken at the time of the hearing.

1.A. PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS WHICH HAVE NOT BEEN REMOVED FROM THE CONSENT CALENDAR:

1.B. PUBLIC COMMENTS, GENERAL INTEREST:

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS: This portion of the meeting is set aside for general comments, announcements, requests of staff, and/or other issues of concern from members of the City Council.

CITY MANAGER'S REPORT: This time is set aside for the City Manager to update the Council on important items initiated by staff or previously requested by the City Council.

FISCAL IMPACT ON CONSENT CALENDAR:

2. CONSENT CALENDAR: The following routine matters can be acted upon by one motion. Individual items may be removed by the Council for separate discussion. Items removed for separate discussion will be heard following New Business Items. The title is deemed to be read and further reading waived of any ordinance listed on the consent calendar for introduction or adoption.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, May 21, 2012 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 17, 2012.

RECOMMENDATION: Receive and file.

2.B. APPROVAL OF MINUTES:

SUBJECT: The City Council is requested to approve the minutes of prior Council meetings.

RECOMMENDATION: Approve the minutes of May 7, 2012.

2.C. DEMAND REGISTER NO. 698, RESOLUTION NO. 12-4302:

SUBJECT: The City Council is requested to approve payment of bills due as presented by the Director of Finance.

RECOMMENDATION: Approve Demand Register No. 698 and adopt Resolution No. 12-4302, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 698".

2.D. ORDINANCE NO. 12-887 (2ND READING), AMENDING THE PROVISIONS OF THE BUSINESS LICENSE CODE REGULATING VALETS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-887, amending the provisions of the Business License Code regulating valets and amending the West Hollywood Municipal Code.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 12-887, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 5.120.030 (OPERATING REQUIREMENTS) OF THE WEST HOLLYWOOD MUNICIPAL CODE PERTAINING TO THE REGULATION OF VALET OPERATORS."

2.E. ORDINANCE NO. 12-888 (2ND READING) AMENDING WEST HOLLYWOOD MUNICIPAL CODE SECTION 1.32.060 REGARDING AWARD OF ATTORNEY'S FEES AND COSTS IN NUISANCE ABATEMENT ACTIONS [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-888, amending West Hollywood Municipal Code ("WHMC") Section 1.32.060 to permit award of attorney's fees and costs to the prevailing party in an action for nuisance abatement.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 12-888, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING MUNICIPAL CODE SECTION 1.32.060 TO PERMIT AWARD OF ATTORNEY'S FEES AND COSTS TO THE PREVAILING PARTY IN AN ACTION FOR NUISANCE ABATEMENT."

2.F. ORDINANCE NO. 12-889 (2ND READING) AMENDING THE BUSINESS LICENSE ORDINANCE PERTAINING TO DANCE AND ENTERTAINMENT PROMOTERS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-889, amending the Business License Ordinance pertaining to dance and entertainment promoters and amending the West Hollywood Municipal Code.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 12-889, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 5.08.010 (BUSINESSES REQUIRED TO BE

LICENSED), CHAPTER 5.40 (DANCES AND DANCEHALLS), AND CHAPTER 5.44 (ENTERTAINMENT) AND ADDING CHAPTER 5.102 (PROMOTERS) TO TITLE V OF THE WEST HOLLYWOOD MUNICIPAL CODE PERTAINING TO REGULATION OF PROMOTERS.”

2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

SUBJECT: The City Council will receive reports from the Disabilities Advisory Board on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.H. TREASURER’S REPORT FOR DECEMBER 2011 [D. WILSON, G. SCHUCHARD, N. CORONADO]:

SUBJECT: The City Council will receive the Treasurer’s Report for the month ended December 2011 pursuant to Section 53646 of the Government Code of the State of California.

RECOMMENDATION: Receive and File.

2.I. WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION SECOND AND THIRD QUARTER REPORT FOR 2011-2012 [E. SAVAGE, R. BURNLEY]:

SUBJECT: The City Council will receive the Second and Third Quarter Report or Fiscal Year 2011-2012 of the West Hollywood Community Housing Corporation (WHCHC).

RECOMMENDATION: Receive and file the Second and Third Quarter Report for 2011- 2012.

2.J. RESIGNATIONS FROM CITY COMMISSIONS, ADVISORY BOARDS, AND COMMITTEES [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will accept the resignations of Public Facilities Commissioner Richard Maggio, effective May 10, 2012 and Rent Stabilization Commissioner Eric Thompson effective May 11, 2012.

RECOMMENDATION: Accept with regret the resignation of Eric Thompson from the Rent Stabilization Commission.

2.K. A RESOLUTION ESTABLISHING A LIVING WAGE RATE FOR 2012-2013 OF \$11.66/HR WITH HEALTH BENEFIT CONTRIBUTIONS AND \$12.94/HR WITHOUT HEALTH BENEFIT CONTRIBUTIONS [V. LOVE, T. BROWN]:

SUBJECT: The City Council will consider adopting a resolution that establishes the living wage rate for 2012-2013 to be \$11.66/HR with health benefit contributions and \$12.94/HR without health benefit contributions effective July 1, 2012.

RECOMMENDATION: Adopt Resolution No. 12-4303, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING PURSUANT TO MUNICIPAL CODE SECTION 3.20.040 A LIVING WAGE RATE FOR 2012-2013 OF \$11.66/HR WITH HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR AND \$12.94/HR

WITHOUT HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR”.

2.L. STREET MAINTENANCE ASSESSMENT FOR FISCAL YEAR 2012-2013 [D. WILSON, B. ROSEN]:

SUBJECT: The City Council will consider adopting a resolution determining and imposing a street maintenance assessment within the 1996 Street Maintenance Assessment District for Fiscal Year 2012-2013. The assessment rate is unchanged from 2011-2012.

RECOMMENDATION: Adopt Resolution No. 12-4304, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 2012-2013 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2012-2013 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982, CHAPTER 6.4 OF PART 1 OF DIVISION 2 OF TITLE 5 OF THE CALIFORNIA GOVERNMENT CODE.”

2.M. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE AVENUES – ART, FASHION & DESIGN DISTRICT [P. AREVALO, J. HUFFER, M. LOUIE]:

SUBJECT: The City Council will consider adopting three resolutions as the first steps in the implementation process of establishing The Avenues – Art, Fashion & Design District West Hollywood for fiscal year 2012-2013; and set a public hearing on June 18, 2012.

RECOMMENDATIONS: 1) Adopt Resolution No. 12-4305, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2012-2013 IN CONNECTION WITH THE AVENUES ART, FASHION & DESIGN DISTRICT”; 2) Adopt Resolution No. 12-4306, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2012-2013 IN CONNECTION WITH AVENUES ART, FASHION & DESIGN DISTRICT”; 3) Adopt Resolution No. 12-4307, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE AVENUES ART, FASHION & DESIGN DISTRICT FOR FISCAL YEAR 2012-2013 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO”; and 4) Direct staff to notice a public hearing to be held on June 18, 2012 to hear protests or objections to the levy of the assessment for fiscal year 2012-2013.

2.N. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING & BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE) [P. AREVALO, J. HUFFER, M. LOUIE]:

SUBJECT: The City Council will consider renewing the Hotel Marketing Benefit Zone of the West Hollywood Business Improvement Area for fiscal year 2012-2013 that funds the visitor marketing activities of the West Hollywood Marketing and Visitors Business Bureau (MVB) by adopting three resolutions; and set a public hearing for June 18, 2012.

RECOMMENDATIONS: 1) Adopt Resolution No. 12-4308, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2012-2013 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA"; 2) Adopt Resolution No. 12-4309, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2012-2013 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA;" 3) Adopt Resolution No. 12-4310, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY A CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2012-2013 AND SETTING A TIME AND PLACE OF A HEARING TO CONSIDER SUCH A CHARGE"; and 4) Direct staff to notice a public hearing to be held on June 18, 2012 to hear protests or objections to the levy of assessment for fiscal year 2012-2013.

2.O. LEVY OF ANNUAL ASSESSMENT FOR SANTA MONICA BOULEVARD MAINTENANCE DISTRICT [P. AREVALO, J. HUFFER, M. LOUIE]:

SUBJECT: The City Council will consider adopting resolutions for the proposed levy of assessments for the Santa Monica Boulevard Maintenance District for fiscal year 2012-2013 which provides for holiday decorations, sidewalk steam cleaning and trash can and bus bench cleaning and repair; and set a public hearing for June 18, 2012.

RECOMMENDATIONS: 1) Adopt Resolution No. 12-4311, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2012-2013 FISCAL YEAR PURSUANT TO PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE"; 2) Adopt Resolution No. 12-4312, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ENGINEER FOR THE 2012-2013 FISCAL YEAR IN CONNECTION WITH THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT"; 3) Adopt Resolution No. 12-4313, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2012-2013 FISCAL YEAR PURSUANT TO PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO"; and 4) Direct staff to notice a public hearing to be held on June 18, 2012 to hear protests or objections to the levy of the assessment for fiscal year 2012-2013.

2.P. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT [P. AREVALO, J. HUFFER, M. LOUIE]:

SUBJECT: The City Council will consider adopting three resolutions as the first steps in the annual implementation process of the Sunset Strip Business Improvement District for fiscal year 2012-2013; and set a public hearing for June 18, 2012.

RECOMMENDATIONS: 1) Adopt Resolution No. 12-4314, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2012-2013 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT"; 2) Adopt Resolution No. 12-4315, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2012-2013 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT"; 3) Adopt Resolution No. 12-4316, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2012-2013 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO"; and 4) Direct staff to notice a public hearing to be held on June 18, 2012 to hear protests or objections to the levy of the assessment for fiscal year 2012-2013.

2.Q. SUPPORT FOR SB 1172 (LIEU) INFORMED CONSENT OF SEXUAL ORIENTATION CHANGE EFFORTS [A. LAND, C. PLANCK, J. PRANG, M. HAIBACH, J. HARRIS]:

SUBJECT: The City Council will consider adopting a resolution in support of SB 1172 (LIEU), which requires psychotherapists to obtain informed consent prior to conducting sexual orientation change efforts.

RECOMMENDATIONS: 1) Adopt Resolution 12-4317, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING SB 1172 (LIEU) INFORMED CONSENT OF SEXUAL ORIENTATION CHANGE EFFORTS"; and 2) Direct staff to send copies

of signed resolutions to state State Senators Ted Lieu and Fran Pavley, State Assemblymember Mike Feuer and other key legislators.

2.R. HYBRID VEHICLE PURCHASES [S. BAXTER, S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider authorizing the purchase of three hybrid vehicles.

RECOMMENDATIONS: 1) Authorize the Finance Department to issue a Purchase Order to Winner Chevrolet formerly Coalinga Motors of Elk Grove, California in an amount of \$37,438.33 for the purchase of one base model white 2013 Chevrolet Silverado 1500 hybrid pick-up truck, to include dealer sprayed in bed liner, taxes, fees and delivery; 2) Authorize the Finance Department to issue a Purchase Order to Wondries Fleet Group of Alhambra, California in an amount of \$53,694.22 for the purchase of two 2012 Toyota Prius hybrid, base model 5-door hatchbacks to include tax, delivery, fees and additional keys; and 3) Authorize the Finance Department to issue a Purchase Order for an administrative fee equal to 1.98% (\$1,804.42) of the total vehicle purchase amount to the State of California, Department of General Services.

2.S. AGREEMENT FOR SERVICES WITH SUNSETEMPS, LLC. FOR TEMPORARY STAFFING SERVICES [V. LOVE, L. BOCK, Y. MAURIS]:

SUBJECT: The City Council will consider approving an agreement with Sunsetemps, LLC, to provide temporary staffing services citywide.

RECOMMENDATIONS: 1) Approve a two-year Contract Agreement with Sunsetemps, LLC, in an amount not to exceed \$300,000 (three hundred thousand dollars and no/cents) for temporary staffing services to provide temporary staffing as needed citywide; and 2) Authorize the City Manager to execute the agreement.

2.T. AGREEMENT FOR SERVICES TO PREPARE AN UPDATE TO THE HOUSING ELEMENT IMPLEMENTATION STRATEGIES FOR THE PLANNING PERIOD 2014-2021 [E. SAVAGE, R. BURNLEY, J. LEONARD]:

SUBJECT: The City Council will consider the approval of an Agreement for Services with Veronica Tam and Associates to prepare an update to the Housing Element implementation strategies for the planning period 2014-2021.

RECOMMENDATION: Authorize the City Manager to execute an Agreement for Services with Veronica Tam and Associates for \$39,970.

2.U. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1206, CONCRETE REPAIR PROGRAM [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will consider awarding a construction contract for the Concrete Repair Program, CIP 1206.

RECOMMENDATIONS: 1) Accept the bid dated May 8, 2012, submitted by Civil Works Corp.; 2) Authorize the City Manager to enter into a

contract with Civil Works Corp. in the amount of \$76,938.50 for the construction of CIP 1206, Concrete Repair Program; 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 10% of the contract amount; and 4) Approve Resolution 12-4318, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CONCRETE REPAIR PROGRAM, CIP 1206, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT. "

2.V. AMENDMENT TO CONTRACT WITH XEROX STATE & LOCAL SOLUTIONS, INC. [O. DELGADO, J. ROCCO, D. NORTE]:

SUBJECT: The City Council will consider increasing the budgeted expenditures for FY 11/12 for the agreement with Xerox State & Local Solutions, Inc. and an amendment to allow for unanticipated increases.

RECOMMENDATIONS: 1) Approve the second amendment to the agreement to allow for unanticipated increases in volume for items to which the contractor is compensated by the established unit contract price, without an annual not to exceed amount, as such increases in volume generate corresponding increases in revenue; 2) Authorize the Director of Finance to increase budgeted expenditures in account 100-3-08-82-531004 by \$30,000 and to increase budgeted revenues in parking fines account 100-451001 by 30,000 for FY 11/12; and 3) Authorize the City Manager to sign the amendment.

2.W. CHRISTOPHER STREET WEST'S 42nd ANNUAL LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PRIDE CELEBRATION AND PARADE IN WEST HOLLYWOOD [S. BAXTER, O. WALKER, C. SMITH]:

SUBJECT: The City Council will consider waiving permit parking beginning at 4:00 pm on Friday, June 8, 2012, in relation to the 2012 Lesbian, Gay, Bisexual, and Transgender Pride Event. By previous action, Council waived permit parking in the City from 7:00 am on Saturday, June 9, 2012, through 7:00 am on Monday, June 11, 2012, for the Pride Event.

RECOMMENDATION: Authorize the waiver of permit parking, beginning at 4:00 pm on Friday, June 8, 2012, in relation to the 2012 Lesbian, Gay, Bisexual, and Transgender Pride Event.

2.X. 2012 BOOK FAIR CONSULTING SERVICES CONTRACT AWARD [S. BAXTER, O. WALKER]

SUBJECT: The City Council will consider awarding a contract for 2012 Book Fair Consulting Services.

RECOMMENDATIONS: 1) Approve an Agreement for 2012 Book Fair coordination services to Authentic Agency, Incorporated of West Hollywood in the not to exceed amount of \$150,000.00; 2) Authorize the City Manager to execute the Agreement; and 3) Authorize a contingency

amount equal to the actual cash sponsorships received by the City for the use towards enhanced Book Fair programming/production as approved by the City Manager.

2.Y. AMEND BICYCLE RACK DESIGN STANDARDS IN THE CITYWIDE STREET FURNITURE PROGRAM [A. MCINTOSH, M. ANTOL, B. CHEUNG, R. DUARTE]:

SUBJECT: City Council will consider approval to include the Inverted-U bicycle rack (square-tubed design) as the preferred bicycle rack design as part of the adopted Citywide Street Furniture Program.

RECOMMENDATION: Approve amendment to include the Inverted-U bicycle rack in the Citywide Street Furniture Program.

2.Z. SECOND AMENDMENT TO THE AGREEMENT WITH OMEGA CONSTRUCTION COMPANY, INC. [S. BAXTER, S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider approving the Second Amendment to the Agreement with Omega Construction Company, for On-Call Services as Needed for Facility Repair, Remodeling and Renovation.

RECOMMENDATIONS: 1) Approve the Second Amendment to the Agreement with Omega Construction Company, Inc. for On-Call Services as Needed for Facility Repair, Remodeling and Renovation to increase the not to exceed amount of the agreement by \$175,000; 2) Approve the Second Amendment to the Agreement with Omega Construction Company, Inc. for On-Call Services as Needed for Facility Repair, Remodeling and Renovation to extend the term of the agreement to October 31, 2012; and 3) Authorize the City Manager to execute the Second Amendment to the Agreement.

2.AA. AGREEMENT EXTENSION – GRAFFITI CONTROL SYSTEMS [S. BAXTER, S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider approving a two-year extension to the Agreement with Graffiti Control Systems for graffiti abatement services.

RECOMMENDATIONS: 1) Approve the First Amendment to the Agreement with Graffiti Control Systems to extend the term for a period of two years including fiscal years 2012/2013 and 2013/2014; 2) Approve the First Amendment to the Agreement with Graffiti Control Systems, for the provision of graffiti abatement in the not to exceed amount of \$160,000 for fiscal years 2012/2013 and 2013/2014; and 3) Authorize the City Manager to execute the First Amendment to the Agreement.

2.BB. APPROVAL OF REVISED CLASSIFICATION SPECIFICATIONS FOR URBAN DESIGNER AND COMMERCIAL CODE COMPLIANCE OFFICER [S. SCHUMACHER, L. BOCK, V. LOVE]:

SUBJECT: The City Council will consider the recommendation from the Human Resources Division for the revision of the classification specifications for Urban Designer (including compensation adjustment) and Code Compliance Officer (including the addition of one [1] Code Compliance Officer position and the elimination of the Business License Officer position).

RECOMMENDATIONS: 1) Approve the revised classification specification of Urban Designer; 2) Authorize salary placement for the Urban Designer classification from Grade 5290 to Grade 5300; 3) Approve the elimination of the Business License Officer (Grade 5220) and the addition of one (1) Code Compliance Officer (Grade 5230) in the Code Compliance Division of the Public Works Department; and 4) Approve the revised classification specification of Code Compliance Officer.

2.CC. DENIAL OF CULTURAL RESOURCE DESIGNATION OF PROPERTY LOCATED AT 1243 NORTH FULLER AVENUE [A. MCINTOSH, J. KEHO, A. CASTILLO]:

SUBJECT: The City Council will consider denying the designation of a Craftsman-style, single-family dwelling located at 1243 N. Fuller Avenue as a local cultural resource.

RECOMMENDATION: Adopt Resolution No. 12-4319, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING DESIGNATION OF THE PROPERTY LOCATED AT 1243 NORTH FULLER AVENUE, WEST HOLLYWOOD, CALIFORNIA, AS A LOCAL CULTURAL RESOURCE." (EXHIBIT A)

2.DD. EDUCATION WORKSHOP: HOW TO SECURE GOVERNMENT CONTRACTS [P. AREVALO, J. HUFFER, M. LOUIE]:

SUBJECT: The City Council will receive an update on the development of an effort to educate local businesses on how to do business and seek contracts with the City.

RECOMMENDATION: Receive and file.

2.EE. SPONSORSHIP AND CITY SUPPORT FOR PRODUCTION OF WEST HOLLYWOOD FASHION'S NIGHT OUT EVENT [P. AREVALO, J. HUFFER, M. LOUIE]:

SUBJECT: The City Council will consider sponsorship of The Avenues of Art, Fashion & Design (The Avenues) "Fashion's Night Out" West Hollywood event on Thursday, September 6, 2012.

RECOMMENDATIONS: 1) Approve sponsorship of the Avenues of Art, Fashion & Design District "Fashion's Night Out" West Hollywood event in a not-to-exceed amount of \$8,000; 2) Approve in-kind support in the form of fee waivers for the event totaling a not-to-exceed amount of \$2,800; 3) Authorize the use of the City name and logo on invitations, programs, and

other collateral materials; 4) Authorize the Department of Public Works to reserve encroachment of parking meters throughout the City for official Fashion's Night Out events on Thursday, September 6, 2012 from 3 p.m. to midnight; 5) Authorize the Public Information Office to utilize all appropriate communications tools to promote the event, including, but not limited to the City's website, and social media tools; and 6) Authorize the City Manager to sign and execute any necessary documents or forms.

2.FF. SUPPORT OF H.R. 4609 (SANCHEZ) THE "SOCIAL SECURITY EQUALITY ACT OF 2012" TO END DISCRIMINATION IN SOCIAL SECURITY AGAINST SAME-SEX COUPLES [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON, D. MEGERDICHIAN]:

SUBJECT: The City Council will consider supporting H.R. 4609, the "Social Security Equality Act of 2012," introduced by U.S. Congresswoman Linda Sanchez, to end discrimination in Social Security against same-sex couples.

RECOMMENDATIONS: 1) Adopt Resolution No. 12-4320, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE SOCIAL SECURITY EQUALITY ACT OF 2012"; and 2) Direct staff to send copies of the signed resolution to U.S. Senators Barbara Boxer and Dianne Feinstein, U.S. Congressmembers Henry Waxman, Adam Schiff and Linda Sanchez, Services and Advocacy for Gay, Lesbian, Bisexual and Transgender Elders (SAGE), the L.A. Gay & Lesbian Center, and the National Gay and Lesbian Task Force.

2.GG. SUPPORT FOR 'JUST ONE DAY' EVENT [J. D'AMICO, M. REX]:

SUBJECT: The City Council will consider supporting the 'Just One Day' event on June 11, 2012 in asking animal shelters across the USA to take a pledge not to kill any savable animals on just that one day.

RECOMMENDATIONS: 1) Approve the City of West Hollywood's participation as a community collaborator of the 'Just One Day' event and authorize the use of the City's name and logo on printed materials advertising the event; and 2) Direct the Public Information Office to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media tools.

2.HH. APPROVE AN AMENDMENT TO THE AFFORDABLE HOUSING LOAN AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD, ACTING AS THE HOUSING SUCCESSOR AGENCY TO THE FORMER COMMUNITY DEVELOPMENT COMMISSION, AND JANET L. WITKIN CENTER, LLC [E. SAVAGE, R. BURNLEY, J. LEONARD]:

SUBJECT: The City Council, acting as the Housing Successor Agency to the former West Hollywood Community Development Commission, will consider an amendment to the Affordable Housing Loan Agreement previously entered into with Janet L. Witkin Center, LLC.

RECOMMENDATIONS: 1) Approve the Amendment to the Affordable Housing Loan Agreement with the Janet L. Witkin Center, LLC; and 2) Authorize the City Manager to take any additional actions as needed to implement the Amendment.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION TO DESIGNATE THE PROPERTY AT 1422 NORTH SWEETZER AVENUE AS A LOCAL CULTURAL RESOURCE [A. MCINTOSH, J. KEHO, A. CASTILLO]:

SUBJECT: The City Council will consider an appeal by Edwin Silver regarding the Historic Preservation Commission's recommendation to designate the property at 1422 North Sweetzer Avenue as a local cultural resource.

RECOMMENDATION: Continue the public hearing to a date uncertain to allow staff to further evaluate the appeal request. The appellant has agreed to continue the public hearing.

3.B. REVIEW OF THE CITY SEWER SERVICE CHARGE FOR FISCAL YEAR 2012-13 [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will consider approving the City Sewer Service Charge rates for the FY 2012-13 program.

RECOMMENDATIONS: 1) Make a finding that there is no majority protest by property owners within the assessment area; and 2) Approve Resolution No. 12-_____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SEWER SERVICES FOR FISCAL YEAR 2012-2013 PURSUANT TO CHAPTER 15.12 OF ARTICLE 1 OF TITLE 15 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE".

3.C. REVIEW OF THE CITY SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE CHARGE FOR FISCAL YEAR 2012-13 [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will consider approving the Solid Waste and Recyclable Material Collection and Disposal Service Charge rates for FY 12-13.

RECOMMENDATIONS: 1) Make a finding that there is no majority protest by property owners within the assessment area; 2) Approve Resolution No. 12-_____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SOLID WASTE AND RECYCLING SERVICES FOR FISCAL YEAR 2012-13 PURSUANT TO TITLE 15, CHAPTER 15.48 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE"; and 3) Approve Resolution No. 12-_____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE CONSUMER PRICE INDEX FOR ALL URBAN

CUSTOMERS (CPI-U) INCREASE TO RATES FOR SOLID WASTE SERVICES FOR COMMERCIAL AND MULTI UNIT (OVER FOUR UNITS) RESIDENTIAL PROPERTIES.”

3.D. COMMERCIAL PROJECT AT 8564-8590 MELROSE AVE [A, MCINTOSH, J. KEHO, A. GALLO]:

SUBJECT: The Council will consider a commercial development known as Melrose & Westmount. The proposed project is the construction of an approximately 30,163-square-foot commercial structure (wholesale and furnishing showrooms) with two levels of underground parking. The project involves a Zone Text Amendment and Zone Map Amendment to establish The Avenues Bonus Overlay Zoning District and include the property within the Overlay. The project also codifies The Avenues height and density bonus as established by the General Plan 2035.

RECOMMENDATIONS: Hold a public hearing, consider all pertinent testimony, approve the application request and adopt: 1) Introduce on first reading Draft Ordinance No. 12-_____, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A ZONE TEXT AMENDMENT THAT ESTABLISHES THE AVENUES BONUS OVERLAY DISTRICT, ADDING A NEW CHAPTER [19.14.100] TO TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE, AND AMENDING CHAPTERS 19.04.020 AND 19.10.050” (ATTACHMENT A); 2) Introduce on first reading Draft Ordinance No. 12-_____, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A ZONING MAP AMENDMENT IN CONJUNCTION WITH A PROPOSED ZONE TEXT AMENDMENT, FOR THE PROPERTIES LOCATED AT 8564 – 8590 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT B); and 3) Draft Resolution No. 12-_____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND APPROVING A DEMOLITION PERMIT, DEVELOPMENT PERMIT, MODIFICATION PERMIT, AND A LOT LINE ADJUSTMENT, FOR THE DEMOLITION OF SIX COMMERCIAL STRUCTURES TO CONSTRUCT A TWO-STORY, 30,163-SQUARE-FOOT COMMERCIAL BUILDING, FOR THE PROPERTIES LOCATED AT 8564-8590 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT C)

3.E. APPEAL OF THE PLANNING COMMISSION’S DECISION TO DENY THE SALE OF FULL ALCOHOL FOR OFF-SITE CONSUMPTION AT TARGET (7100 SANTA MONICA BOULEVARD) [A. MCINTOSH, J. KEHO, A. CASTILLO]:

SUBJECT: The City Council will hold a public hearing to consider an appeal by Target Corporation regarding the Planning Commission’s denial of a request to amend Conditional Use Permit 004-013 to allow the sale of full alcohol in addition to the existing sale of beer and wine for off-site

consumption at Target located at 7100 Santa Monica Boulevard within the West Hollywood Gateway.

RECOMMENDATION: Adopt Resolution No. 12-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, GRANTING AN APPEAL FILED BY TARGET CORPORATION AND CONDITIONALLY APPROVING AN AMENDMENT TO A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF FULL ALCOHOL IN ADDITION TO THE EXISTING SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION AT TARGET, A RETAIL STORE LOCATED AT 7100 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A)

4. UNFINISHED BUSINESS:

4.A. 25TH ANNIVERSARY CAPITAL PROJECT: PHASE I - PLUMMER PARK MASTER PLAN IMPLEMENTATION PROJECT CONFIRMATION OF CITY COUNCIL SUBCOMMITTEE RECOMMENDATIONS [J. ENGLISH, J HUFFER, L. BELSANTI, S. BAXTER, D. WILSON]:

SUBJECT: The City Council will consider recommendations of the City Council Subcommittee (John D'Amico and Abbe Land) regarding the Phase I Plummer Park Master Plan Implementation Project and provide direction to staff.

RECOMMENDATIONS: 1) Direct staff to seek public input into the redesign of Plummer Park that does not include the addition of an underground parking garage and keeps the existing surface lot in its current location; 2) Direct staff to seek public input into the redesign of Plummer Park that aims to preserve as many of the significant growth trees as practicable and how the relationships of program elements (landscaping, pathways, building) may be modified in order to keep these trees in place; 3) Direct staff to seek public input into the architectural features (design, massing, materials, etc.) of the Fiesta Hall bandshell; 4) Direct staff to seek public input into the architectural features of the Pre-School building while maintaining all programmatic elements of the current plan (square footages, relationships, etc.); 5) Direct staff to seek public input into the redesign of Plummer Park that informs the Council as to the expectations (preservation, relocation, demolition, reuse) of Great Hall/Long Hall; 6) Direct staff to seek public input into redesign elements of the Plummer Park Project that Council has provided direction to reconsider; and 7) Reconfirm all other design elements of the Plummer Park Project as previously approved by Council.

4.B. APPOINTMENT OF CITY COUNCILMEMBERS AS DELEGATES AND ALTERNATES TO VARIOUS ORGANIZATIONS, COMMITTEES AND SUB-COMMITTEES [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will consider appointments as delegates and alternates to various organizations, committees and sub-committees.

RECOMMENDATIONS: Appoint Delegates and Alternates to the following committees as outlined in Attachment A: A) California Contract Cities Association – Voting Delegate / Alternate; B) League of California Cities – Delegate / Alternate Delegate; C) Los Angeles County City Selection Committee – Delegate / Alternate; D) National League of Cities – Delegate / Alternate Delegate; E) Santa Monica Bay Watershed Council – Delegate / Alternate; F) Westside Cities Council of Governments (WSCCOG) – Delegate / Alternate; and G) Finance & Budget Sub-Committee – 2 Sub-Committee Members.

4.C. EXPANSION OF CREDIT CARD METERS CITYWIDE [O. DELGADO, J. ROCCO, D. NORTE]:

SUBJECT: The City Council will consider authorizing the purchase of approximately 1,783 parking meters that accept credit cards as an additional payment option to coins.

RECOMMENDATIONS: 1) Authorize staff to negotiate an agreement with the IPS Group to purchase one thousand seven hundred eighty three (1783) single-space credit card parking meters for an amount not to exceed \$1,099,280; and 2) Approve issuance of a purchase order by the Department of Finance.

5. NEW BUSINESS:

5.A. DISCUSSION ITEM ON PARKING REQUIREMENTS AS IT PERTAINS TO THE GRANDFATHERING OF PARKING FOR GALLERY, RETAIL, AND OTHER USES CITYWIDE [A. MCINTOSH, M. ANTOL, C. CORRAO]:

SUBJECT: The City Council will discuss the potential solutions laid out in this staff report and provide direction to staff to proceed with a Zone Text Amendment from one of the solutions, give staff alternate direction, or take no action.

RECOMMENDATION: Staff recommends that the City Council discuss the proposed solutions contained within this staff report and provide staff direction on which solution to move forward with.

5.B. EXTENSION TO CURRENT TAXICAB FRANCHISE AGREEMENT [R. WINRADER, J. ROCCO, O. DELGADO]:

SUBJECT: The City Council shall consider a five year extension to the current Taxicab Franchise Agreement and additional allocation of 25 vehicles to Yellow Cab, 7 additional vehicles to Bell Cab, and 7 additional vehicles to ITOA.

RECOMMENDATIONS: 1) Approve a five year extension to the current Taxicab Franchise Agreement with an additional allocation of 25 vehicles to Yellow Cab, 7 additional vehicles to Bell Cab, and 7 additional vehicles to ITOA; and 2) Introduce on first reading Ordinance No. 12-____. "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 5, CHAPTER 5.108. OF THE WEST HOLLYWOOD MUNICIPAL CODE

COVERING TERM EXTENSIONS OF TAXICAB FRANCHISE AGREEMENTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.”

5.C. COMMISSION APPOINTMENTS [C. SCHAFFER]:

SUBJECT: The City Council will consider making appointments to the Public Facilities Commission and Rent Stabilization Commission.

RECOMMENDATIONS: 1) Make direct appointments to the following Commissions: A) Councilmember D'Amico: Public Facilities Commission; and B) Councilmember D'Amico: Rent Stabilization Commission.

5.D. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE FOR SUMMER 2012 [C. SCHAFFER]:

SUBJECT: The City Council will consider revising the City Council Regular Meeting Schedule for the summer months of 2012.

RECOMMENDATION: Consider rescheduling or cancelling City Council meetings from the July, August and September Council meeting schedule.

EXCLUDED CONSENT CALENDAR: Items removed from the Consent Calendar for separate discussion are considered at this time.

6. LEGISLATIVE: None.

PUBLIC COMMENT: This time is set aside for the public to address the Council on any item of interest within the subject matter jurisdiction of the Council that could not be heard under Item 1 at the beginning of the meeting.

COUNCILMEMBER COMMENTS: Additional general comments, announcements, requests of staff and/or other issues of concern to Councilmembers are briefly presented at this time.

ADJOURNMENT: The City Council will adjourn to their next regular meeting, which will be on Monday, June 4, 2012 at 6:30 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

UPCOMING MEETING SCHEDULE:

Date: June 4 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: June 18 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: July 2 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: July 16 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

City Council Agendas and Staff Reports are available on-line at:

www.weho.org

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, MAY 21, 2012
6:00 P.M.**

**COUNCIL CHAMBERS, CLOSED SESSION ROOM
625 N. SAN VICENTE BOULEVARD**

CONFERENCE WITH LEGAL COUNSEL

The City Council finds, based on advice from the City Attorney, that discussion in open session of the following described matters will prejudice the position of the City in existing and anticipated litigation.

1. THREATENED LITIGATION.....G.C. 54956.9(b)(3)(B)

One case: Request from Councilmember John Duran for defense of possible criminal prosecution pursuant to Government Code section 995.8.

2. EXISTING LITIGATION.....G.C. 54956.9(a)

Pack v. City of Long Beach (request for amicus participation in medical marijuana case pending in California Supreme Court)

AFFIDAVIT OF POSTING

State of California)
County of Los Angeles)
City of West Hollywood)

I declare under penalty of perjury that I am employed by the City of West Hollywood in the Administrative Services Department in the Office of the City Clerk and that I posted this agenda on:

Date: May 16, 2012

Signature C. Ross
Catherine Ross, Deputy Clerk