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If you would like additional information on any item appearing on this agenda, please contact the Office of the City Clerk at (323) 848-6409.

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, JUNE 4, 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, June 4, 2012 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 31, 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 21, 2012.

2.C. DEMAND REGISTER NO. 699, RESOLUTION NO. 12-4325:

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

RECOMMENDATION: Approve Demand Register No. 699 and adopt Resolution No. 12-4325, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 699".

2.D. ORDINANCE NO. 12-892 (2ND READING) 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 [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-892, 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.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 12-892, "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."

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

SUBJECT: The City Council will receive reports from the Russian Advisory Board, the Public Safety Commission and the Transportation Commission on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.F. ATTENDANCE REPORTS FOR CITY COMMISSIONS, ADVISORY BOARDS, AND THE PROJECT ADVISORY COMMITTEE [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between February 2011 - February 2012. The Council will also consider excusing absences of a commissioner due to personal reasons.

RECOMMENDATIONS: 1) Receive and file the attendance reports; and 2) Excuse absences, due to personal reasons, for: Sofia Komskaya (Public Safety Commission)

2.G. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN L. HUNTER ASSOCIATES [O. DELGADO, S. PERLSTEIN]:

SUBJECT: This item requests that the City Council approve a professional service agreement with John L. Hunter Associates for professional services to assist the City to implement programs for compliance with the National Pollutant Discharge Elimination System (NPDES) Permit.

RECOMMENDATION: Approve a professional services Agreement in an amount not to exceed \$43,000 with John L. Hunter Associates and authorize the City Manager to sign the Agreement.

2.H. AGREEMENT EXTENSION – STREET SWEEPING [S. BAXTER, S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider approving a one-year extension to the Agreement with CleanStreet for street sweeping services.

RECOMMENDATIONS: 1) Approve the Second Amendment to the Agreement with CleanStreet for the provision of street sweeping services including commercial, residential, alley, median, parking lot and special event sweeping in the amount of \$279,600 for fiscal years 2012-2013; 2) Approve CleanStreet to provide other related services in-line with the unit costs established in the Agreement as said services are required and funding is available; 3) Authorize the City Manager to re-open and negotiate service levels and associated costs as warranted by budgetary constraints; and 4) Authorize the City Manager to execute the Second Amendment to Agreement.

2.I. AWARD OF CONTRACT, CITYWIDE JANITORIAL SERVICES [S. BAXTER, S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider awarding a contract for Citywide Janitorial Services to Diversified Maintenance Services, Incorporated of Monrovia, California.

RECOMMENDATIONS: 1) Accept the proposal dated May 1, 2012, and award a three-year contract for regular janitorial services, special events and urgency/emergency services in the amount of \$806,436.16 for FY 2012-2013, \$829,826.33 for FY 2013-2014 and \$854,727.88 for FY 2014-2015 as submitted by Diversified Maintenance Services, Incorporated; 2) Approve Diversified Maintenance Services, Incorporated to provide other related maintenance services and urgency/ emergency maintenance services at those unit costs established in the Agreement as said services are required and funding is available; 3) Authorize the City Manager to re-open and negotiate service levels and associated costs as warranted by budgetary constraints; 4) Authorize the City Manager to sign an Agreement with Diversified Maintenance Services, Inc. for Citywide Janitorial Services; and 5) Reject all remaining proposals and return associated Bid Bonds.

2.J. ADDITIONAL INFORMATION RELATED TO THE 2013 IMPLEMENTATION OF THE 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 receive additional information as requested at its meeting of May 21, 2012 as it relates to 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). A public hearing has been set for June 18, 2012.

RECOMMENDATION: Receive and file report.

2.K. 2012-2014 OPERATING BUDGET AND CAPITAL WORK PLAN [P. AREVALO, D. WILSON, D. HATCHER]:

SUBJECT: The City Council will receive the City of West Hollywood Operating Budget and Capital Work Plan for Fiscal Years 2012-2014, which will be brought back for public comment and council adoption at the June 18, 2012 meeting.

RECOMMENDATIONS: Receive and file the City of West Hollywood Operating Budget and Capital Work Plan for Fiscal Year 2012-2014.

2.L. SPONSORSHIP AND CITY SUPPORT FOR PRODUCTION OF POP-LUCK CLUB'S "SOMETHING TO SAY" EVENT [J. DURAN, H. MOLINA]:

SUBJECT: The City Council will consider sponsorship of the West Hollywood Pop Luck Club's Family Festival and Community Blood Drive, in partnership with Recreation Services and the American Red Cross on Friday, August 10, 2012 from 2:00 to 8:00 p.m. in West Hollywood Park.

RECOMMENDATIONS: 1) Approve sponsorship of the Pop Luck Club's "Something to Say" event, authorizing the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve in-kind support in the form of fee waivers for the event totaling a not-to-exceed amount of \$188; 3) Authorize Recreation Services to partner with the Pop Luck Club and the American Red Cross to support the event logistically and programmatically; 4) Authorize parking validation for a not-to-exceed amount of \$3,000 for attendees of the event; 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.M. RAINBOW CROSSWALKS FOR GAY PRIDE MONTH AT SAN VICENTE & SANTA MONICA BOULEVARDS [J. PRANG, M. HAIBACH, J. DURAN, H. MOLINA]:

SUBJECT: The City Council will consider having the crosswalks at the intersection of Santa Monica and San Vicente Boulevards painted in rainbow colors in celebration of Pride Month in West Hollywood.

RECOMMENDATION: Direct staff to proceed with the installation of the rainbow painting of the brick pattern area of the two crosswalks crossing on San Vicente Boulevard at Santa Monica Boulevard.

3. PUBLIC HEARINGS:

3.A. ASSESSMENT OF DELINQUENT SOLID WASTE FEES OWED TO ATHENS SERVICES ONTO THE PROPERTY TAX BILL OF ONE DELINQUENT ACCOUNT HOLDER [S. PERLSTEIN, O. DELGADO]:

SUBJECT: The City Council will consider whether or not to request the County Auditor to assess the property tax bill of one delinquent solid waste account holder.

RECOMMENDATION: Direct the Director of Finance to submit the required information to the County Auditor for the purpose of assessing the delinquent solid waste amount, plus a \$120.00 administrative fee, onto the property tax bill of the delinquent account holder.

3.B. COMMERCIAL PROJECT AT 8711 MELROSE AVENUE [A. MCINTOSH, J. KEHO, F. CONTRERAS]:

SUBJECT: The proposed project is the construction of an approximately 23,045-square-foot, two-story (with partial third story) commercial structure designed as retail and wholesale design showrooms. The project would also include a 9,677-square-foot outdoor terrace that would be designated as wholesale design showroom for outdoor furnishings. The project requires a Zone Map Amendment to include the property within the Avenues Bonus Overlay Zoning District.

RECOMMENDATIONS: Hold a public hearing, consider all pertinent testimony, and approve the proposed project by the following actions: 1) Introduce for first reading Ordinance No. CC 12-___: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A ZONING MAP AMENDMENT TO INCLUDE THE SUBJECT PROPERTY WITHIN THE AVENUES BONUS OVERLAY ZONING DISTRICT, IN CONJUNCTION WITH THE PROPOSED COMMERCIAL PROJECT AT 8711 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A); and 2) Adopt Resolution No. CC 12-___: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING A DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF AN APPROXIMATELY 23,045-SQUARE-FOOT THREE-STORY COMMERCIAL STRUCTURE (RETAIL AND

WHOLESALE DESIGN SHOWROOM), FOR THE PROPERTY LOCATED AT 8711 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA.” (EXHIBIT B)

3.C. A REQUEST TO MAKE AMENDMENTS TO A 268,805 SQUARE FOOT MIXED-USE HOTEL PROJECT INCLUDING AMENDMENTS TO THE SUNSET SPECIFIC PLAN (9040-9056 SUNSET BLVD.) [A. MCINTOSH, J. KEHO, D. DEGRAZIA, B. CHEUNG]:

SUBJECT: The applicant is requesting amendments to a hotel Conditional Use Permit, Development Permit, Development Agreement, and the Sunset Specific Plan. They are also requesting a new Conditional Use Permit for a nightclub.

RECOMMENDATIONS: Hold a public hearing, consider all pertinent testimony, and approve the proposed project by the following actions: 1) Adopt Resolution No. CC 12-____: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING SUNSET SPECIFIC PLAN AMENDMENT (SPA) 2012-001 IN CONJUNCTION WITH THE PROPOSED AMENDMENTS TO A MIXED USE HOTEL PROJECT LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.” (EXHIBIT A); 2) Introduce for first reading Ordinance No. CC 12-____: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT AMENDMENT (DVA) 2012-013 IN CONJUNCTION WITH THE PROPOSED AMENDMENTS TO A MIXED USE HOTEL PROJECT LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.”(EXHIBIT B); and 3) Adopt Resolution No. CC 12-____: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AMENDMENTS TO A MIXED USE HOTEL PROJECT LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA” (EXHIBIT C)

3.D. APPEAL OF THE PLANNING COMMISSION’S DECISION TO DENY PARCEL MAP 71807 (TTM 011-004) TO ALLOW A PREVIOUSLY APPROVED FOUR-UNIT APARTMENT PROJECT TO BE SOLD AS CONDOMINIUMS AT 500 N. ORLANDO AVENUE, WEST HOLLYWOOD [A. MCINTOSH, J. KEHO, D. DEGRAZIA, E. VALENCIA]:

SUBJECT: The City Council will hold a public hearing to consider an appeal by DMS, LLC regarding the Planning Commission’s denial of parcel map 71807 (TTM 011-004) to allow a previously approved four-unit apartment project to be sold as condominiums at 500 N. Orlando Avenue.

RECOMMENDATION: Adopt Draft Resolution No. 12-____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, GRANTING AN APPEAL FILED BY DMS, LLC APPROVING PARCEL MAP 71807 (TTM 011-004) TO ALLOW A

PREVIOUSLY APPROVED FOUR-UNIT APARTMENT PROJECT TO BE SOLD AS CONDOMINIUMS AT 500 N. ORLANDO AVENUE, WEST HOLLYWOOD." (EXHIBIT A)

4. **UNFINISHED BUSINESS: None**

5. **NEW BUSINESS:**

5.A. **COMMISSION APPOINTMENT [C. SCHAFFER, Y. QUARKER]:**

SUBJECT: The City Council will consider making an appointment to the Public Facilities Commission.

RECOMMENDATION: Make a direct appointment to the following Commission: **Councilmember D'Amico**: Public Facilities Commission.

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 18, 2012 at 6:30 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

UPCOMING MEETING SCHEDULE

Date: June 18 – 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.

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

Date: August 20 – 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, JUNE 4, 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. PENDING LITIGATION..... G.C. 54956.9(a)

Hoffman Street et al v. City of West Hollywood
Los Angeles Superior Court, Case No. BS 111413

Fellas vs. City of West Hollywood et al
Los Angeles Superior Court, Case No. BC475413

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 31, 2012

Signature 
Catherine Ross, Deputy Clerk