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Note: Any agenda item(s) not initiated by 11:00 p.m. may be continued to a subsequent City Council meeting. The City Council may direct staff to continue the item(s) to an already scheduled City Council meeting or may adjourn this meeting to an adjourned regular meeting to consider the item(s).

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
AGENDA
MONDAY, AUGUST 20, 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, August 20, 2012 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 16, 2012.

RECOMMENDATION: Receive and file.

2.B. APPROVAL OF MINUTES:

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

RECOMMENDATION: Approve the minutes of August 6, 2012.

2.C. DEMAND REGISTER NO. 704, RESOLUTION NO. 12-4349:

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

RECOMMENDATION: Approve Demand Register No. 704 and adopt Resolution No. 12-4349, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 704".

2.D. CLAIMS ADMINISTRATION:

SUBJECT: The City Council is asked to deny Claims filed against the City, as a routine administrative step in claims processing.

RECOMMENDATION: Deny the claim of Marisa Ritts and refer to the City's claims adjuster.

2.E. ORDINANCE NO. 12-898 (2ND READING) AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 15 OF THE WEST HOLLYWOOD MUNICIPAL CODE BANNING SINGLE-USE PLASTIC CARRYOUT SHOPPING BAGS AND IMPOSING A FEE ON RECYCLABLE PAPER BAGS [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-898, amending Title 15 of the West Hollywood Municipal Code banning single-use plastic carryout shopping bags and imposing a fee on recyclable paper bags.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 12-898, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, AMENDING TITLE 15 OF THE WEST HOLLYWOOD MUNICIPAL CODE BANNING SINGLE-USE PLASTIC CARRYOUT SHOPPING BAGS AND IMPOSING A FEE ON RECYCLABLE PAPER BAGS."

2.F. ORDINANCE NO. 12-899 (2ND READING) AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEVELOPMENT AGREEMENT AND ZONE MAP AMENDMENT, CREATING A DEVELOPMENT AGREEMENT OVERLAY DISTRICT ON THE PROPERTY LOCATED AT 1350 N. HAYWORTH AVENUE [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt ordinance No. 12-899, conditionally approving a Development Agreement and Zone Map amendment, creating a Development Agreement Overlay District on the property located at 1350 N. Hayworth Avenue.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 12-899, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD,

CONDITIONALLY APPROVING A DEVELOPMENT AGREEMENT AND ZONE MAP AMENDMENT, CREATING A DEVELOPMENT AGREEMENT OVERLAY DISTRICT ON THE PROPERTY LOCATED AT 1350 N. HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA.”

2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

RECOMMENDATION: Receive and file.

2.H. IMPLEMENTATION OF DISTRICT 11 PREFERENTIAL PARKING REGULATIONS ON THE 8300 AND 8400 BLOCKS OF CLINTON AVENUE [O. DELGADO, J. ROCCO, D. NORTE]:

SUBJECT: The City Council will consider a petition for preferential parking filed by residents representing a majority of the residential dwelling units on the 8300 and 8400 blocks of Clinton Avenue.

RECOMMENDATION: Introduce for first reading Ordinance No. 12-4350, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.260 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 11 PREFERENTIAL PARKING REGULATIONS ON THE 8300 AND 8400 BLOCKS OF CLINTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE”.

2.I. RAINBOW CROSSWALKS ON SAN VICENTE BOULEVARD AT SANTA MONICA BOULEVARD [O. DELGADO, S. CAMPBELL, H. COLLINS]:

SUBJECT: The City Council will consider the installation of permanent rainbow colors in the crosswalks located on San Vicente Boulevard at Santa Monica Boulevard.

RECOMMENDATION: Direct staff to proceed with the installation of permanent rainbow colors in the crosswalks located on San Vicente Boulevard at Santa Monica Boulevard.

2.J. AGREEMENT FOR SERVICES WITH WEST HOLLYWOOD CHAMBER OF COMMERCE FOR FISCAL YEAR 2012 – 2013 [P. AREVALO, J. HUFFER]:

SUBJECT: The City Council will consider approving an agreement between the City and the West Hollywood Chamber of Commerce to provide a range of business development services and programs for the City in Fiscal Year 2012-2013.

RECOMMENDATIONS: 1) Approve an agreement with the West Hollywood Chamber of Commerce in an amount not to exceed \$30,000 for fiscal year 2012-13 to provide a range of business development programs and services; 2) Authorize the Manager of Economic Development to approve on a case by case basis the sponsorship of Chamber activities in an amount not to exceed \$3,500; and 3) Authorize

the City Manager to sign and execute the agreement and approve any minor modifications to scope throughout the fiscal year.

2.K. AMENDMENT TO AGREEMENT FOR RECRUITMENT SERVICES WITH BOB MURRAY AND ASSOCIATES [V. LOVE, L. BOCK]:

SUBJECT: The City Council will consider approval of an amendment to the agreement for services with Bob Murray and Associates to provide recruitment services for the recruitments of Assistant City Manager and Accounting Services Manager.

RECOMMENDATIONS: 1) Approve an Amendment to Agreement for Services through June 30, 2013 in an additional amount of \$22,500 and a total not-to-exceed amount of forty six thousand and eight hundred dollars (\$46,800) with Bob Murray and Associates for recruitment services; and 2) Authorize the City Manager to sign and execute all necessary documents.

2.L. CO-SPONSORSHIP OF 17TH ANNUAL TOM OF FINLAND FOUNDATION EROTIC ART FAIR WEEKEND, SEPTEMBER 28-30, 2012 [S. BAXTER, J. BOOK]:

SUBJECT: The City Council will consider co-sponsoring the 17th Annual Tom of Finland Foundation Erotic Art Fair, to be held September 28-30, 2012, in Fiesta Hall, Plummer Park.

RECOMMENDATIONS: 1) Approve City co-sponsorship for 17th Annual Tom of Finland Foundation Erotic Art Fair Weekend, to be held September 28-30, 2012 in Fiesta Hall; 2) Approve waiver of rental fees in the amount of \$1,623, and refundable deposit in the amount of \$350; and 3) Permit the Tom of Finland Foundation to serve beer and wine in Fiesta Hall during the open hours of the Erotic Art Fair, in compliance with Alcoholic Beverage Control standards, and consistent with the regular permitting process.

2.M. APPROVAL OF ONE REVISED CLASSIFICATION SPECIFICATION OF AQUATICS COORDINATOR [V. LOVE, L. BOCK, S. SCHUMACHER]:

SUBJECT: The City Council will consider approval of the revised classification specification of Aquatics Coordinator.

RECOMMENDATION: Approve the revised classification specification of Aquatics Coordinator.

2.N. HOME BOX OFFICE (HBO) 2012 EMMY EVENT SAN VICENTE BOULEVARD ROAD CLOSURE REQUEST [S. BAXTER, C. SMITH]:

SUBJECT: The City Council will consider a street closure request from Home Box Office, Incorporated for the 2012 Home Box Office Emmy Event held at the Pacific Design Center's Plaza on Sunday, September 23, 2012.

RECOMMENDATION: Approve the closure of San Vicente Boulevard between Melrose Avenue and Santa Monica Boulevard from 2:00 pm on Sunday, September 23, 2012 to 3:00 am on Monday, September 24, 2012.

2.O. CO-SPONSORSHIP OF THE 2013 ELTON JOHN AIDS FOUNDATION OSCAR EVENT AND ASSOCIATED OSCAR EVENT STREET/LANE CLOSURES [S. BAXTER, C. SMITH]:

SUBJECT: The City Council will consider co-sponsoring the 2013 Elton John AIDS Foundation Oscar Viewing Event, approving an associated road closure on San Vicente Boulevard and approving a partial lane closure on Sunset Boulevard for the Vanity Fair Oscar Event.

RECOMMENDATIONS: 1) Approve co-sponsorship of the 2013 Elton John AIDS Foundation Oscar Viewing Event to be held in West Hollywood Park on Sunday, February 24, 2013; 2) Authorize the City Manager to negotiate a use agreement and associated facility use fees with Elton John AIDS Foundation, for use of a portion of West Hollywood Park as identified in Attachment A and use of the 5 Story Parking Garage, Plinth Parking Garage, Melrose Parking Lot and the El Tovar Parking Lot; 3) In relation to the Elton John AIDS Foundation Oscar Viewing Event, approve the closure of San Vicente Boulevard between Santa Monica Boulevard and Melrose Avenue between the approximate hours of 2:00 pm, Sunday, February 24th, and 5:00 am, Monday, February 25th, with the specific hours being adjusted dependent on public safety requirements; 4) In relation to the Elton John AIDS Foundation Oscar Viewing Event approve the waiver of related fees totally \$4,012, comprised of the Special Event Permit Fee \$2,400.00, Encroachment Permit Fee \$100.00, Parking Meter Fees \$700.00, Street Closure Fee \$350.00, Building Permit Fee \$178.00 and Generator Fees \$284.00; and 5) In relation to the Vanity Fair Oscar Event, approve a partial lane closure at 8358 Sunset Boulevard.

2.P. AMENDMENT TO PREVIOUSLY APPROVED 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 amending the previously approved sponsorship of The Avenues of Art, Fashion & Design (The Avenues) "Fashion's Night Out" (FNO) West Hollywood event on Thursday, September 6, 2012.

RECOMMENDATIONS: 1) Approve amending the previously approved sponsorship of Fashion's Night Out event to include a street closure on Robertson Blvd. south of Beverly Blvd. to the city limit; 2) Authorize the use of the City name and logo for recognition purposes on collateral materials, media, etc.; and 3) Authorize the City Manager to sign and execute any necessary documents or forms.

3. PUBLIC HEARINGS:

3.A. PROPOSED RESOLUTION FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) [J. KEHO, M. ANTOL, B. CHEUNG]:

SUBJECT: The City Council will hold a public hearing to consider adopting a resolution finding the City to be in conformance with the Los Angeles County Congestion Management Program (CMP).

RECOMMENDATION: Adopt Resolution No. 12-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN CONFORMANCE WITH THE LOS ANGELES COUNTY CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089."

3.B. CONSTRUCTION OF A COMMERCIAL DEVELOPMENT AT 8801 SUNSET BOULEVARD [J. KEHO, D. DEGRAZIA, A. GALLO]:

SUBJECT: The City Council continued this item and directed staff to re-notice and reopen the public hearing to consider demolishing a commercial structure to construct a 47,690 sq. ft. commercial development containing retail, and office space. The project also integrates large screen video sign into the building facades and includes a development agreement and zoning map amendment.

RECOMMENDATIONS: 1) Receive the staff report and consider the material presented; 2) Reopen the public hearing, receive input from the project representative; take additional public comments; close the public hearing; and 3) After deliberation and decision, direct staff to prepare a resolution(s) reflecting the City Council's determination.

4. UNFINISHED BUSINESS:

4.A. AMENDMENT TO THE ZONING ORDINANCE ESTABLISHING THE AVENUES BONUS OVERLAY DISTRICT AND COMMERCIAL PROJECTS AT 8564-8590, AND 8711 MELROSE AVE [J. KEHO, D. DE GRAZIA, F. CONTRERAS, A. GALLO]:

SUBJECT: At its July 16, 2012 meeting, the City Council continued these matters to August 20, 2012. The Council will consider the creation of the Avenues Overlay Zone and application of the overlay to the specific parcel and development projects located at 8564-8590 Melrose Avenue and 8711 Melrose Avenue through the proposed zone map amendments and permits. These items were originally brought forward as three separate items; however, to simplify the final proceedings, they will be considered together.

RECOMMENDATIONS: Consider all pertinent testimony received at the separate public hearings on all three items, deliberate, approve the

application requests and: 1) Introduce on first reading Draft Ordinance No. 12-890: "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. 12-891: "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 8564 – 8590 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT B); 3) Draft Resolution No. 12-4341: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING A DEMOLITION PERMIT, DEVELOPMENT PERMIT, AND A LOT LINE ADJUSTMENT FOR THE DEMOLITION OF SIX COMMERCIAL STRUCTURES TO CONSTRUCT A TWO-STORY, 29,445-SQUARE-FOOT COMMERCIAL STRUCTURE, FOR THE PROPERTIES LOCATED AT 8564-8590 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT C); 4) Introduce on first reading Draft Ordinance No. 12-895: "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." (ATTACHMENT D); and 5) Draft Resolution No. 12-4342: "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." (ATTACHMENT E)

4.B. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will discuss the City Council meeting schedule and consider scheduling an additional meeting in September.

RECOMMENDATION: Direct the City Clerk to schedule an additional meeting on one of the following dates below: a) Monday, September 10, 2012; b) Monday, September 24, 2012; and c) Alternate date decided upon by Council.

5. NEW BUSINESS:

5.A. AGREEMENT FOR SERVICES WITH CODE FOR AMERICA [P. AREVALO, J. HUFFER, M. LOUIE]:

SUBJECT: The City Council will consider approving an agreement for services with Code for America to host its technology fellowship program at the city of West Hollywood and authorize \$180,000 from general fund reserve to participate in the program.

RECOMMENDATIONS: 1) Authorize the City Manager to negotiate terms of the Agreement with Code for America; 2) Authorize the City Manager to sign and execute any necessary documents or forms; and 3) Authorize the Finance Director to allocate \$180,000 from unallocated General Fund Reserves to account 100-1-01-01-531005 to be used as the City's participation fee to host up to three Code for America fellows.

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

SUBJECT: The City Council will consider making a direct appointment to the Lesbian and Gay Advisory Board.

RECOMMENDATION: Councilmember D'Amico to make a Direct Appointment to the Lesbian and Gay Advisory Board.

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 Tuesday, September 4, 2012 at 6:30 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

UPCOMING MEETING SCHEDULE:

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

Date: October 1 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: October 15 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: November 5 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, AUGUST 20, 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)**

One case.