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To comply with the Americans with Disabilities Act of 1990, Assistive Listening Devices (ALD) will be available for check out at the meeting; If you require special assistance to participate in this meeting, (e.g., a signer for the hearing impaired), you must call or submit your request in writing to the Office of the City Clerk at (323) 848-6409 at least 48 hours prior to the meeting. The City TDD line for the hearing impaired is (323) 848-6496.

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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(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, OCTOBER 15, 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, October 15, 2012 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, October 11, 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 October 1, 2012.

2.C. DEMAND REGISTER NO. 708, RESOLUTION NO. 12-4369:

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

RECOMMENDATION: Approve Demand Register No. 708 and adopt Resolution No. 12-4369, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 708".

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 claims of Saundra Renard and refer to the City's claims adjuster.

2.E. AMENDMENT TO THE PARKING DIVISION'S FY 12/13 FEE SCHEDULE TO CHANGE FROM A FIXED HOURLY RATE TO A MAXIMUM HOURLY RATE AT CERTAIN MUNICIPAL PARKING LOTS [O. DELGADO, J. ROCCO, D. NORTE]:

SUBJECT: The City Council will consider amending the FY 12/13 fee schedule for the Parking Division to allow the flexibility to adjust the fixed hourly rate to a maximum hourly rate as needed for certain lots.

RECOMMENDATION: Adopt Resolution No. 12-4370, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MASTER FEE RESOLUTION (RESOLUTION NO. 12-4332) AND RESCINDING RESOLUTION NO. 12-4338 BY CHANGING FIXED HOURLY RATES TO MAXIMUM PARKING RATES AT CERTAIN MUNICIPAL PARKING LOTS".

2.F. NOTIFICATION OF ADVISORY BOARD ABSENCES [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will receive notification that Suzanne Dietrich has exceeded the number of allowed absences for the Disabilities Advisory Board and Mayor Prang will receive notification that Karla Ferreira has exceeded the number of allowed absences for the Transgender Advisory Board.

RECOMMENDATIONS: 1) City Council to receive notification that Suzanne Dietrich has exceeded the number of allowed absences for the Disabilities Advisory Board, and determine not to vacate the seat; and 2) Mayor Prang to receive notification that Karla Ferreira has exceeded the number of allowed absences for the Transgender Advisory Board and determine not to vacate the seat.

2.G. REQUEST TO CONSOLIDATE THE PRIMARY NOMINATING ELECTION OF THE CITY OF LOS ANGELES WITH THE CITY'S GENERAL MUNICIPAL ELECTION TO BE HELD ON MARCH 5, 2013 [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will consider adopting a resolution consenting to the consolidation of the Los Angeles Primary Nominating Election with the City of West Hollywood's General Municipal Election to be held on Tuesday, March 5, 2013.

RECOMMENDATIONS: 1) Adopt Resolution No. 12-4371, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONSENTING TO AN ELECTION CONSOLIDATION WITH THE CITY OF LOS ANGELES, INCLUDING DISTRICT 4 OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT AND THE LOS ANGELES COMMUNITY COLLEGE DISTRICT AND ORDERING THAT THE THREE (3) SEATS ON THE BOARD OF TRUSTEES OF THE LOS ANGELES COMMUNITY COLLEGE DISTRICT AND ONE (1) SEAT OF DISTRICT 4 OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT APPEAR ON THE BALLOT OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2013"; and 2) Direct the City Clerk to take any and all steps necessary to hold the consolidated election.

2.H. AGREEMENT TO PROVIDE ELECTION SERVICES FOR THE MARCH 5, 2013 GENERAL MUNICIPAL ELECTION [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will consider approving an agreement with Martin and Chapman Company to provide election supplies and related services for the upcoming General Municipal Election to be held on Tuesday, March 5, 2013.

RECOMMENDATIONS: 1) Approve an agreement with Martin and Chapman Company in an amount not-to-exceed \$104,342.06 for Election Services for the General Municipal Election to be held on March 5, 2013; 2) Authorize the City Clerk to issue Change Orders not to exceed 10% of the original proposal; and 3) Authorize the City Manager to execute agreement.

2.I. LICENSE AGREEMENT WITH ABBEY RESTAURANTS AND BARS USA-LA, LLC [P. AREVALO, J. HUFFER, S. BAXTER]:

SUBJECT: The City Council will consider approving a revocable nonexclusive License Agreement with the Abbey Restaurants and Bars USA-LA, LLC. for emergency egress purposes and access to a trash container storage area located on City property at West Hollywood Park.

RECOMMENDATIONS: 1) Approve the revocable nonexclusive License Agreement dated October 15, 2012 between the City of West Hollywood and Abbey Restaurants and Bars USA-LA, LLC; and 2) Authorize the City Manager to execute the License Agreement.

- 2.J. APPROVAL OF MOU AGREEMENT WITH LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY (LACMTA) RELATED TO PROPOSITION A INCENTIVE FUNDS AND THE CITYLINE FIXED ROUTE SHUTTLE SERVICE [S. BAXTER, D. DENNIS, P. GOODMAN]:**
SUBJECT: The City Council will consider the approval of a two year agreement with the Los Angeles County Metropolitan Transit Authority (LACMTA) which will reimburse Proposition A incentive funds for reporting statistics to the National Transit Database (NTD) for the Cityline Shuttle Service.
RECOMMENDATIONS: 1) Approve and authorize the City Manager to execute MOU.PAIWEHO12 with the Los Angeles County Metropolitan Transit Authority (LACMTA) for Proposition A incentive funds for the reporting of statistical data to the National Transit Database; and 2) Authorize the Director of Finance to accept up to \$33,047 reimbursement to the Prop A Fund, Account No. 203-421001.
- 2.K. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP) TO SELECT A CONSULTANT TO EVALUATE ATHENS SERVICES' PROPOSAL FOR ENHANCED SERVICES AND EXTENDED TERM OF THE AGREEMENT FOR INTEGRATED SOLID WASTE MANAGEMENT SERVICES [O. DELGADO, S. PERLSTEIN]:**
SUBJECT: The City Council will consider authorizing staff to issue a Request for Proposals (RFP) to select a consultant to evaluate the request by Athens Services to enhance the scope of services and term of the Agreement for Integrated Solid Waste Management Services.
RECOMMENDATION: Authorize the City Engineer to issue a Request for Proposals to select a consultant to evaluate Athens Services' proposal for enhanced services and extended contract term.
- 2.L. AUTHORIZATION TO ISSUE A REQUEST FOR QUALIFICATIONS TO SELECT A CONSULTANT TO CONDUCT A COMMUNITY STUDY [S. BAXTER, D. DENNIS]:**
SUBJECT: The City Council will consider authorizing staff to issue a Request for Qualifications to select a consultant to conduct a Community Study for the City of West Hollywood.
RECOMMENDATION: Authorize the issuance of a Request for Qualifications for consultant services to conduct a Community Study.
- 2.M. RECOGNITION AND PROMOTION OF NOVEMBER AS TRANSGENDER AWARENESS MONTH [J. D'AMICO, M. REX]:**
SUBJECT: The City of West Hollywood will recognize November as Transgender Awareness Month.
RECOMMENDATION: 1) Recognize the month of November as Transgender Awareness Month; 2) Authorize the use of the City name and logo on invitations, programs, and other collateral materials; 3) 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; 4) Approve the Transgender Award of Appreciation for Christopher Street West to be presented at a televised meeting of the Transgender Advisory Board on Wednesday, November 7, 2012; 5) Approve the use of City venues for Transgender Awareness Month events and a waiver of event permits, parking validations and associated fees; 6) Authorize the 'Transgender 101' training to be presented for City staff and various City Commissions and Advisory Boards during the month of November; and 7) Authorize the Transgender flag to be flown over City Hall and outside the West Hollywood Library during the month of November and to be flown at half-staff on the Transgender Day of Remembrance, November 20, 2012.

2.N. CO-SPONSORSHIP OF A FUNDRAISING EVENT FOR THE JUNE L. MAZER LESBIAN ARCHIVES [S. BAXTER, D. DENNIS]:

SUBJECT: The City Council will consider co-sponsoring a fundraising event for the June L. Mazer Lesbian Archives on Sunday, November 4, 2012 in Fiesta Hall from 3 to 5 p.m.

RECOMMENDATIONS: 1) Co-sponsor a fundraiser for the June L. Mazer Archives; and 2) Waive the fee for the audio-visual technician and authorize the use of the City logo in event promotion and authorize the City's Public Information Office to include the event on the City calendar and website..

3. PUBLIC HEARINGS:

3.A. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1301, CONCRETE REPAIR PROGRAM [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will consider awarding a construction contract for the Concrete Repair Program, CIP 1301.

RECOMMENDATIONS: 1) Make a finding that the bid dated September 18, 2012, submitted by Frontline Engineering Co., is not responsive; 2) Accept the bid dated September 18, 2012, submitted by Ruiz Engineering Co.; 3) Authorize the City Manager to enter into a contract with Ruiz Engineering Co. in the amount of \$254,312.40 for the construction of CIP 1301, Concrete Repair Program; 4) 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 5) Approve Resolution 12-____, "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 1301, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT. "

4. UNFINISHED BUSINESS: None

5. NEW BUSINESS:

5.A. HISTORIC PRESERVATION COMMISSION RECOMMENDATION TO CONSIDER CREATION OF A NEW CRAFTSMAN GROUPING [J. KEHO, D. DEGRAZIA, E. STADNICKI]:

SUBJECT: The Historic Preservation Commission (HPC) recommends that the City Council direct staff to postpone the designation applications/hearings for individual Craftsman properties that were identified in the 2008 Historic Resources Survey Update and instead consider the creation of a new Craftsman grouping. Staff has reviewed the request and recommends continuing with the individual nomination hearings as directed by Council.

RECOMMENDATION: Direct staff to continue with the current procedure of re-assessing individual properties on a case-by-case basis. Identified properties that do not meet individual criteria would still be eligible as contributors to a City-initiated grouping or district in the future.

5.B. LOCAL CULTURAL RESOURCES ASSESSMENT (HISTORIC PROPERTIES) [J. PRANG, M. HAIBACH]:

SUBJECT: The City Council will consider directing staff to consider options regarding the maintenance, operations, and regulations of those properties designated as local cultural resources.

RECOMMENDATIONS: Council will consider directing staff to explore alternatives relative to the maintenance, operations, and regulations of designated local cultural resources (historic properties): 1) Direct staff and the Historic Preservation Commission to work with impacted property owners to study and make recommendations regarding potential regulatory and policy amendments; and 2) Direct staff to issue an RFQ/RFP and retain expert professional services necessary to analyze and make recommendations relative to the maintenance, operations, and regulations of designated local cultural resources (historic properties).

5.C. WEST HOLLYWOOD V-DAY 2013 [V. LOVE, L. FOOKS]:

SUBJECT: The City Council will consider a request from the West Hollywood Women's Advisory Board to sponsor programming for V-Day, a global awareness day to end violence against women.

RECOMMENDATIONS: 1) Approve sponsorship of West Hollywood V-Day 2013 and direct staff to coordinate the programming; 2) Authorize the Director of Finance to allocate \$5000.00 from unallocated General Fund Reserves in fiscal year 2012-13 for production expenditures; 3) Approve the use of the West Hollywood Library Complex City Council Chambers and community room February 15 -17, 2013 for a performance and writing workshop featuring the MEnding Monologues; 4) Direct staff to coordinate with the West Hollywood Domestic Violence Task Force and local anti-violence organizations for V-Day outreach and participation; and 5) Direct staff to promote and publicize West Hollywood V Day 2013.

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

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

RECOMMENDATION: Mayor Prang to make a Direct Appointment to the 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, November 5, 2012 at 6:30 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

UPCOMING MEETING SCHEDULE:

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

Date: November 19 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: December 3 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: December 17 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

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www.weho.org

**CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, OCTOBER 15, 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 LITIGATION54956.9(a)

WHWRA v. City of West Hollywood
Los Angeles County Superior Court Case No. BS188848

SoCal Mobile Food Vendors Assn v. City of West Hollywood
Los Angeles County Superior Court Case No. SC117692

2. THREATENED LITIGATION.....G.C. 54956.9(b)

One case