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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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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, FEBRUARY 04, 2013
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, February 4, 2013 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, January 31, 2013.

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 January 22, 2013.

2.C. DEMAND REGISTER NO. 715, RESOLUTION NO. 13-4393:

SUBJECT: The City council shall approve or reject the Demand Register for period ending January 28, 2013 pursuant to Sections 37201 to 37210 of the Government Code of the State of California.

RECOMMENDATION: Approve Demand Register No. 715 and adopt Resolution No. 13-4393, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 715".

2.D. ORDINANCE NO. 13-905 (2ND READING) AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 1200 BLOCK OF SPAULDING AVENUE BETWEEN FOUNTAIN AND LEXINGTON AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 13-905, Amending Title 10, Chapter 10.08.230 of the West Hollywood Municipal Code Implementing District 8 Preferential Parking Regulations on the 1200 block of Spaulding Avenue between Fountain and Lexington Avenues and amending the West Hollywood Municipal Code.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 13-905, "AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 1200 BLOCK OF SPAULDING AVENUE BETWEEN FOUNTAIN AND LEXINGTON AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

2.E. ORDINANCE NO. 13-906 (2ND READING) AMENDING SECTION 15.36.050 OF THE WEST HOLLYWOOD MUNICIPAL CODE PERTAINING TO CONTAINERS FOR CONSTRUCTION AND DEMOLITION WASTE [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 13-906, amending Section 15.36.050 of the West Hollywood Municipal Code pertaining to containers for construction and demolition waste.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 13-906, "AMENDING SECTION 15.36.050 OF THE WEST HOLLYWOOD MUNICIPAL CODE PERTAINING TO CONTAINERS FOR CONSTRUCTION AND DEMOLITION WASTE."

2.F. SUBMITTAL OF THE CITY OF WEST HOLLYWOOD'S COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2012 [D. WILSON, L. QUIJANO]:

SUBJECT: The City Council will receive the Comprehensive Annual Financial Report for the City of West Hollywood for the fiscal year ending June 30, 2012.

RECOMMENDATION: Receive and file the City of West Hollywood's Comprehensive Annual Financial Report and related documents for the fiscal year ending June 30, 2012.

2.G. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH KOA CORPORATION FOR WIRELESS COMMUNICATION DESIGN SERVICES FOR THE METRO RAPID TRANSIT PRIORITY SYSTEM PROJECT [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will consider approving a professional services agreement with KOA Corporation for wireless communication design services for the Metro Rapid Transit Priority System Project.

RECOMMENDATION: Authorize the City Manager to enter into a professional services agreement with KOA Corporation in an amount not to exceed \$35,000 for wireless communication design services for the Metro Rapid Transit Priority System Project.

2.H. APPROVAL OF AMENDMENT NO. 3 TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WEST HOLLYWOOD AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR THE METRO RAPID TRANSIT PRIORITY SYSTEM PROJECT [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will consider the approval of an amendment to the Memorandum of Understanding for grant funding on the Metro Rapid Transit Priority System Project to extend the term of the project.

RECOMMENDATION: Authorize the City Manager to sign Amendment No. 3 to the Memorandum of Understanding between the City of West Hollywood and the Los Angeles County Metropolitan Transportation Authority for the Metro Rapid Transit Priority System.

2.I. JOHN VARVATOS STUART HOUSE BENEFIT CO-SPONSORSHIP AND ASSOCIATED STREET CLOSURE REQUEST [J. D'AMICO, M. REX]:

SUBJECT: The City Council will consider co-sponsoring the John Varvatos Stuart House Benefit and consider approving a road closure on Melrose Avenue to accommodate the event.

RECOMMENDATIONS: 1) Approve the co-sponsorship of the March 10, 2013 John Varvatos Stuart House Benefit; 2) Approve in-kind support in the form of a waiver of special event permit fees, encroachment fee, street closure fee, and other associated fees; 3) Approve the closure of Melrose Avenue between Robertson Boulevard and Almont Drive on

Sunday, March 10, 2013 from 3:00 a.m. to 10:00 p.m.; and 4) Approve event set-up on Sunday, March 10, 2013 beginning at 3:00 a.m.

2.J. RUSSIAN CULTURAL WEEK AND COMMUNITY AWARDS PRESENTATION [K. COOK, B. SMITH, T. RODZINEK, D. DENNIS, O. GRACE WALKER]:

SUBJECT: The City Council will consider authorizing staff to coordinate Russian Cultural Week that will include the Community Awards Presentation on Wednesday, May 15, 2013 at the Auto Court of the West Hollywood Library, and a number of Russian Cultural events during the week of May 13 through May 19, 2013. Russian Cultural Week will culminate with a Russian Style Festival on Sunday, May 19, 2013, at Plummer Park in the City of West Hollywood.

RECOMMENDATIONS: 1) Authorize staff to solicit and receive sponsorships and donations to support Russian Cultural Week. Approve the booth and exhibitor fees that vendors are charged for the event, as referenced in the fiscal impact (Attachment A); 2) Authorize the Director of Finance and Technology Services to increase budgeted revenues in account 100-463007 and budgeted expenditures in the account 100-3-05-51-535012 by the amount of sponsorships, donations and vendor fees received; 3) Waive all city fees, including building and safety permits (approximately \$650.00), encroachment permits (approximately \$100.00), the special event permit fee (approximately \$2,640.00), and waive Plummer Park facility fees for the week of May 13 through May 19, 2013 for the events associated with Russian Cultural Week (approximately \$3,000.00); 4) Waive permitted parking on Vista Street and Fuller Avenue from 7:00 a.m. until Midnight on Sunday, May 19, 2013; 5) Provide parking validation for approximately 250 people at the 5 story parking garage on Wednesday, May 15, 2013 from 5:30 p.m. until 10:00 p.m. for the Russian Community Awards Presentation; 6) Approve the use and closure of the Auto Court from 3:00 p.m. until 11:00 p.m. on Wednesday, May 15, 2013 for set up and break down of the Russian Community Awards Presentation; 7) Approve use of Council Chambers from 3:00 p.m. until 11:00 p.m. on Wednesday, May 15, 2013 for the Russian Community Awards Presentation; and 8) Authorize staff to negotiate event sponsorship agreements in consultation with the City Attorney, and authorize the City Manager to execute event sponsorship agreements. (Attachment B)

2.K. 2013 LA MARATHON STREET CLOSURES [D. DENNIS, C. SMITH, B. SMITH]:

SUBJECT: The City Council will consider approving road closures on portions of Sunset Boulevard, North San Vicente Boulevard, Santa Monica Boulevard and North Doheny Drive to accommodate the 2013 LA Marathon.

RECOMMENDATIONS: 1) Approve the closure of Sunset Boulevard between North Havenhurst Drive and Clark Street/North San Vicente

Boulevard on Sunday, March 17, 2013 from 4:00 a.m. to 2:00 p.m.; 2) Approve the closure of North San Vicente Boulevard between Sunset Boulevard and Melrose Avenue on Sunday, March 17, 2013 from 4:00 a.m. to 2:00 p.m.; 3) Approve the closure of Santa Monica Boulevard between La Cienega Boulevard and North Doheny Drive on Sunday, March 17, 2013 from 4:00 a.m. to 2:00 p.m.; and 4) Approve the closure of North Doheny Drive between Santa Monica Boulevard and Beverly Boulevard on Sunday, March 17, 2013 from 4:00 a.m. to 2:00 p.m.

2.L. CO-SPONSORSHIP OF THE 2013 OVARIAN CANCER CIRCLE/INSPIRED BY ROBIN BABBINI FUNDRAISER EVENT [J. HEILMAN, F. SOLOMON, J. SCHWEIGERT]:

SUBJECT: The City Council will consider co-sponsoring the third "Ovarian Cancer Circle/Inspired by Robin Babbini Fundraiser" event to be held on Wednesday, April 24, 2013, at The Comedy Store.

RECOMMENDATIONS: 1) Approve the City of West Hollywood's co-sponsorship of "The Ovarian Cancer Circle/Inspired by Robin Babbini Fundraiser" event; 2) Approve use of the City's name and logo on printed materials advertising and promoting the event; and 3) Direct staff to assist with promoting the event.

2.M. "GET OUT THE VOTE" MONTH [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will proclaim February 2013 as "Get Out The Vote" Month.

RECOMMENDATION: The City Council of the City of West Hollywood will proclaim February 2013 "Get Out The Vote" Month.

2.N. SUPPORT S. 47 AND HR 11 REAUTHORIZING THE VIOLENCE AGAINST WOMEN ACT (VAWA) OF 1994 [A. LAND, K. HASHMI, J. HEILMAN, F. SOLOMON, L. FOOKS]:

SUBJECT: The City Council will consider support for S. 47 and HR 11, bills reauthorizing the Violence Against Women Act (VAWA) of 1994.

RECOMMENDATIONS: 1) Adopt Resolution No. 13-4394, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S. 47 (LEAHY AND CRAPO) AND HR 11, (MOORE) REAUTHORIZING THE VIOLENCE AGAINST WOMEN ACT (VAWA) OF 1994"; and 2) Send copies of the signed resolutions to U.S. Senators Dianne Feinstein, Barbara Boxer and Patrick Leahy, and U.S. Representatives Adam Schiff and Gwen Moore.

2.O. RESOLUTION IN SUPPORT OF FEDERAL LEGISLATION ON GUN CONTROL REGULATIONS [A. LAND, K. HASHMI, J. SCHWEIGERT]:

SUBJECT: The City Council will consider adopting a resolution in support of introduced federal legislation on gun control regulation, including S.150 (Feinstein), HR 332 (Schiff), and HR 137, HR 138, HR 141, HR 142 (McCarthy).

RECOMMENDATIONS: 1) Adopt Resolution No. 13-4395, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING S.150 (FEINSTEIN) THE ASSAULT WEAPONS BAN OF 2013"; 2) Adopt Resolution No. 13-4396, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING HR 332 (SCHIFF) THE EQUAL ACCESS TO JUSTICE FOR VICTIMS OF GUN VIOLENCE ACT"; 3) Adopt Resolution No. 13-4397, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING HR 137 (MCCARTHY) THE FIX GUN CHECKS ACT; HR 138 (MCCARTHY) THE EQUAL ACCESS TO JUSTICE FOR VICTIMS OF GUN VIOLENCE ACT; HR 141 (MCCARTHY) THE GUNSHOW LOOPHOLE CLOSING ACT; HR 142 (MCCARTHY) THE STOP ONLINE AMMUNITION SALES ACT"; and 4) Direct staff to send copies of signed resolution to President Obama, Governor Jerry Brown, Senator Dianne Feinstein, Senator Barbara Boxer, Congressman Adam Schiff, Congressman Carolyn McCarthy, State Senator Ted Lieu, Assembly member Richard Bloom, Women Against Gun Violence, and the Brady Campaign to Prevent Gun Violence.

2.P. APPROVAL OF CONTRACT AMENDMENT WITH COMMERCIAL AQUATICS, INC. FOR POOL MAINTENANCE & CHEMICAL DELIVERY [D. DENNIS, O. WALKER]:

SUBJECT: The City Council will consider approving a contract amendment with Commercial Aquatics, Inc. to continue providing equipment maintenance and chemical delivery for the West Hollywood Pool, while the City conducts a competitive bid process for these services.

RECOMMENDATIONS: 1) Approve a contract amendment with Commercial Aquatics, Inc. extending the existing contract beyond the \$24,000 limit in an amount not to exceed \$8,500, for a total contracted amount of \$32,500, while the City conducts a competitive bid process for these services; and 2) Authorize the City Manager to sign the amended Agreement.

2.Q. PUBLIC PARTICIPATION FOR THE HOUSING ELEMENT 2014-2021 UPDATE [D. DENNIS, E. SAVAGE, R. BURNLEY]:

SUBJECT: The City Council will receive and file an update on public participation efforts for the Housing Element 2014-2021 Update.

RECOMMENDATION: Receive and file.

2.R. ARTS AND CULTURAL PROGRAMMING AT THE NEW WEST HOLLYWOOD LIBRARY [P. AREVALO, J. HUFFER, A. CAMPBELL, MIKE CHE]:

SUBJECT: The City Council will consider authorizing the use of the West Hollywood Library Public Meeting Room (Council Chambers) for upcoming arts and culture events.

RECOMMENDATIONS: Approve the use of the West Hollywood Library Public Meeting Room (Council Chambers) for two arts and culture events as outlined in this report and waive associated fees.

2.S. SUPPORT FOR SENATE BILL SB 59 (EVANS) AND ASSEMBLY BILL AB 65 (ACHADJIAN) TO AMEND CALIFORNIA PENAL CODE TO EXPAND THE DEFINITION OF RAPE [A. LAND, K. HASHMI, K. ENDOW]:

SUBJECT: The City Council will consider adopting a resolution in support of Senate Bill SB 59 (EVANS) and Assembly bill AB 65 (ACHADJIAN), which would amend Penal Code section 261(a)(5) to expand the definition of rape to include a sexually intimate partner.

RECOMMENDATIONS: 1) Adopt Resolution 13-4398, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SENATE BILL SB 59 (EVANS) AND ASSEMBLY BILL AB 65 (ACHADJIAN) TO AMEND PENAL CODE SECTION 261(a)(5) TO EXPAND THE DEFINITION OF RAPE TO INCLUDE A SEXUALLY INTIMATE PARTNER"; and 2) Direct staff to send copies of signed resolutions to Senator Noreen Evans, Assemblymember Katcho Achadjian, Senator Ted Lieu, President ProTem Senator Darrell Steinberg, Speaker John Perez, Assemblymember Richard Bloom, Senate and Assembly Committees on Public Safety.

2.T. RESOLUTION TO DESIGNATE SPECIFIC ON-STREET PARKING SPACES FOR PILOT CAR SHARING PROGRAM [S. DEWOLFE, M. ANTOL, B. CHEUNG, D. NORTE]:

SUBJECT: The City Council will consider adopting a resolution per California Vehicle Code to designate specific on-street parking spaces for the Zipcar pilot car-share program.

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 13-4399, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING CERTAIN PARKING SPACES FOR THE EXCLUSIVE USE OF ZIPCAR INC. FOR A CAR SHARE VEHICLE PILOT PROGRAM." (ATTACHMENT A)

3. PUBLIC HEARINGS:

3.A. None.

4. UNFINISHED BUSINESS:

4.A. None.

5. NEW BUSINESS:

5.A SPONSORSHIP OF GAY MEN'S DISCUSSION GROUP AND LESBIAN DISCUSSION GROUP [J. D'AMICO, M. REX]:

SUBJECT: The City Council will consider continued sponsorship of a series of moderated group discussions on topics relevant to Gay Men and Lesbians, respectively.

RECOMMENDATIONS: 1) Approve sponsorship of the Gay Men's Discussion Group and the Lesbian Discussion Group and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve the use of a City venue for such events and a waiver of event permits and associated fees; 3) Authorize the Director of Finance & Technology Services to allocate \$5,000.00 from unallocated General Fund reserves to account 100-3-05-05-531001, Special Council Programs, for promotion, literature and other expenses for the discussion groups; and 4) 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.

5.B. ADVISORY BOARD APPOINTMENTS [C. SCHAFFER, Y. QUARKER]:

SUBJECT: *The City Council will consider making direct and at-large appointments to the Disabilities Advisory Board.*

RECOMMENDATIONS: 1) Councilmember Heilman to make a *direct* appointment to the Disabilities Advisory Board; and 2) Call for nominations for an *at-large* appointment to the following Board: Disabilities Advisory Board: 1 at-large appointment.

5.C. EASTSIDE TASK FORCE APPOINTMENTS [C. SCHAFFER, Y. QUARKER]:

SUBJECT: *The City Council will consider making direct and at-large appointments to the Eastside Task Force.*

RECOMMENDATION: Appoint nine (9) members to the East Side Task Force as follows: a) each Councilmember will make a Direct appointment, and b) Councilmembers will make (4) At-Large appointments.

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

6. LEGISLATIVE:

6.A. 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, February 19, 2013 at 6:30 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

UPCOMING MEETING SCHEDULE:

Date: February 19, 2013 – Tuesday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: March 4, 2013 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: March 18, 2013 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: April 1, 2013 – 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, FEBRUARY 4, 2013
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):

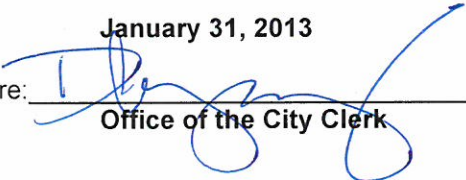
616 Croft Ave. LLC v. City of West Hollywood, Los Angeles Superior Court Case No. BC 498004

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: **January 31, 2013**

Signature:  _____
 Office of the City Clerk