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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, JANUARY 25, 2010
WEST HOLLYWOOD PARK
647 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:** This time has been set aside for members of the public to address the City Council on Consent Calendar items, other agenda items if the member of the public cannot be present later in the meeting at the time the item is heard by the Council and items of general interest within the subject matter jurisdiction of the Council. Although the City Council values your comments, pursuant to the Brown Act it generally cannot take any action on items not listed on the posted agenda. This comment period shall be limited to 20 minutes, with two minutes assigned for each speaker. Another period has been reserved for general public comment, later in the meeting, for those who could not be heard at this time. Testimony for public hearings 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: 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:**

The agenda for the meeting of Monday, January 25, 2010 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, January 21, 2010.

RECOMMENDATION: Receive and file.

- 2.B. **APPROVAL OF MINUTES:**

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

RECOMMENDATION: Approve the minutes of December 21, 2009.

2.C. DEMAND REGISTER NO. 641, RESOLUTION NO. 10-3930:

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

RECOMMENDATION: Approve Demand Register No. 641 and adopt Resolution No. 10-3930, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 641."

2.D. DEMAND REGISTER NO. 642, RESOLUTION NO. 10-3931:

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

RECOMMENDATION: Approve Demand Register No. 642 and adopt Resolution No. 10-3931, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 642."

2.E. TREASURER'S REPORT FOR SEPTEMBER 2009:

The City Council will receive the Treasurer's Report for the month ended September 2009 pursuant to Section 53646 of the Government Code of the State of California.

RECOMMENDATION: Receive and file.

2.F. SUBMITTAL OF THE CITY OF WEST HOLLYWOOD'S COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2009 [A. GANDHY, G. SCHUCHARD]:

The City Council will receive the Comprehensive Annual Financial Report for the City of West Hollywood for the fiscal year ending June 30, 2009.

RECOMMENDATION: Receive and file.

2.G. CLAIMS ADMINISTRATION:

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

RECOMMENDATIONS: 1) Deny the Claims of Melissa Vickers and Beverly Newman and refer them to the City's Claims Adjuster for action; and 2) Deny the Leave to Present a Late Claim of Daniel D. Franke.

2.H. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from various Commissions on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.I. ATTENDANCE REPORTS FOR CITY COMMISSIONS, ADVISORY BOARDS, AND THE PROJECT ADVISORY COMMITTEE [T. WEST, C. SCHAFFER]:

The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between November 2008 and November 2009.

RECOMMENDATION: Receive and file.

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

The City Council will accept the resignation of Lesbian and Gay Advisory Board Member Pat Langlois, effective December 8, 2009; and Women's Advisory Board Member Tami Kendra, effective January 12, 2010.

RECOMMENDATION: Accept with regret the resignations of Pat Langlois from the Lesbian and Gay Advisory Board and Tami Kendra from the Women's Advisory Board.

2.K. AGREEMENT FOR REAL ESTATE BROKER OF RECORD SERVICES [J. ENGLISH, L. BELSANTI]:

The City Council will consider authorizing an Agreement for Services with Ramsey-Schilling for the purpose of assisting the City with the sale, purchase, lease, transfer, exchange and analysis of real property.

RECOMMENDATIONS: 1) Approve an Agreement for Services with Ramsey-Schilling for real estate broker services from February 1, 2010 to January 31, 2011; and 2) Authorize the City Manager to sign and execute all necessary documents.

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

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 \$67,500 with John L. Hunter Associates and authorize the City Manager to sign the Agreement.

2.M. AWARD OF CONTRACT FOR UPGRADES OF THE PUBLIC MEN'S AND WOMEN'S RESTROOM AT PLUMMER PARK C.I.P. 55-09/10-11 [S. BAXTER, S. CAMPBELL, H. COLLINS]:

The City Council will consider awarding a contract to the lowest responsive and responsible bidder for Upgrades of the Public Men's and Women's Restroom at Plummer Park C.I.P. 55-09/10-11

RECOMMENDATIONS: 1) Accept the bid dated January 5, 2010, in the amount of \$16,061 for the original scope of work and accept the three additive bid alternates in the combined amount of \$10,010 for a total

award of \$26,071 as submitted by Tuscan Construction, North Hollywood, California; 2) Authorize the City Manager to sign an Agreement with Tuscan Construction in the amount of \$26,071 for Upgrades of Public Men's and Women's Restroom at Plummer Park C.I.P. 55-09/10-11; 3) Authorize the Director of Human Services, or his designee, to negotiate and execute one or more change orders to the contract with Tuscan Construction for additional but unforeseen work, which may develop during the project; the total value of which shall not exceed a project contingency of 15%; and 4) Reject all other bids and return associated Bid Bonds.

2.N. AWARD OF CONTRACT, PROPOSED IMPROVEMENTS FOR MAINTENANCE FACILITY AND OFFICES, 7317 ROMAINE STREET, C.I.P. 55-09/10-12 9 [S. BAXTER, S. CAMPBELL, H. COLLINS]:

The City Council will consider awarding a contract to the lowest responsive and responsible bidder for Proposed Improvements for Maintenance Facility and Offices, 7317 Romaine Street, C.I.P. 55-09/10-12.

RECOMMENDATIONS: 1) Accept the bid dated January 7, 2010, in the amount of \$249,700 for the scope of work included in the base project and approve the addition of Additive Bid Alternate #1 in the amount of \$18,000 for a total project award of \$267,700 as submitted by L.A. Design Group, Encino, California; 2) Authorize the City Manager to sign an Agreement with L.A. Design Group in the amount of \$267,700 for Proposed Improvements for Maintenance Facility and Offices, 7317 Romaine Street, C.I.P. 55-09/10-12; 3) Authorize the Director of Human Services, or his designee, to negotiate and execute one or more change orders to the contract with L.A. Design Group for additional but unforeseen work which may develop during the project. The total value of potential change orders shall not exceed a project contingency of 15%; and 4) Reject all other bids and return associated Bid Bonds.

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

The City Council will consider approving a two-year extension to the existing Agreement for Street Sweeping Services.

RECOMMENDATIONS: 1) Approve the First Amendment (Attachment "A") 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 \$559,200 for fiscal years 2010/2011 and 2011/2012; 2) Authorize the City Manager to provide an increase in compensation for services beginning in year two of the First Amendment to the Agreement. Said increase shall become effective July 1, 2011 and be in accordance with the CPI as further explained in the body of the Staff Report; and 3) Authorize the City Manager to execute the First Amendment to Agreement.

2.P. REJECT ALL BIDS AND RE-ADVERTISE FOR ON-CALL SERVICES AS NEEDED FOR FACILITY REPAIR, REMODELING AND RENOVATION [S. BAXTER, S. CAMPBELL, H. COLLINS]:

The City Council will consider rejecting all bids for the On-Call Services as Needed for Facility Repair, Remodeling and Renovation and return respective Bid Bonds.

RECOMMENDATIONS: 1) Reject all bids for the On-Call Services as Needed for Facility Repair, Remodeling and Renovation as submitted on December 2, 2009 and return all associated Bid Bonds; and 2) Authorize staff to re-bid for On-Call Services as Needed for Facility Repair, Remodeling and Renovation.

2.Q. NOTICE OF COMPLETION FOR CIP 1002 SANTA MONICA BLVD. PAVEMENT REPAIR PROGRAM, CIP 1002 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Notice of Completion for Santa Monica Blvd. Pavement Repair Program, CIP 1002 by All American Asphalt.

RECOMMENDATION: Accept the work and authorize the following: a) Filing a Notice of Completion by the City Engineer; b) Final payment to the contractor at the end of the 35 day lien period; c) Release of the Performance Bond on the date of recordation of the Notice of Completion; and d) Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices.

2.R. NOTICE OF COMPLETION FOR CIP 1003 SANTA MONICA BLVD. GUTTER DRAIN IMPROVEMENTS [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Notice of Completion for Santa Monica Blvd. Gutter Drain Improvements, CIP 1003 by Padilla Paving.

RECOMMENDATIONS: Accept the work and authorize the following: a) Filing a Notice of Completion by the City Engineer; b) Final payment to the contractor at the end of the 35 day lien period; c) Release of the Performance Bond on the date of recordation of the Notice of Completion; and d) Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices.

2.S. WATER FEATURE DESIGN - SAL GUARRIELLO VETERANS' MEMORIAL [S. BAXTER, S. CAMPBELL, H. COLLINS]:

The City Council will consider approving the Design Development Phase for the proposed Water Feature to be located at the Sal Guarriello Veterans' Memorial; authorizing the preparation of associated construction documents; and, the bidding of the project.

RECOMMENDATIONS: 1) Approve the proposed Water Feature design for the Sal Guarriello Veterans' Memorial (Attachment "A"); 2) Authorize the City Manager to sign an Agreement with Campbell and Campbell in the amount of \$36,000 for construction design services and construction

observation for the Water Feature; 3) Authorize staff to solicit bids for construction and return to Council for award; and 4) Authorize the expenditure of an amount not to exceed \$5,000 for related design components and contingencies as approved by the Director of Human Services.

2.T. MINOR REVISION TO PERMIT POLICY WAIVING FEES FOR REHABILITATION PROJECTS AT AFFORDABLE HOUSING DEVELOPMENTS [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:

The City Council will consider a minor revision to the planning and building permit policy to waive fees for rehabilitation projects undertaken by nonprofit housing operators at affordable housing developments.

RECOMMENDATION: Revise permitting policy to waive normal City-imposed fees for nonprofit-sponsored rehabilitation projects at affordable housing developments.

2.U INTERGENERATIONAL PANEL DISCUSSION [S. BAXTER, J. BOOK]:

The Lesbian and Gay Advisory Board will hold an Intergenerational Panel Discussion from 1:00 to 4:00 p.m. on Saturday, Feb. 13, 2010, at West Hollywood Park Auditorium.

RECOMMENDATION: Receive and file.

2.V. SPONSORSHIP OF FAT TUESDAY/MARDI GRAS CELEBRATION [J. DURAN, H. MOLINA]:

The City Council will consider approving a special event permit for the celebration of Fat Tuesday/Mardi Gras in West Hollywood.

RECOMMENDATIONS: 1) Approve, in concept, a special event permit for Fat Tuesday/Mardi Gras celebration on Tuesday, February 16, 2010, contingent upon nightclub and other business owners meeting certain permit conditions, including the provision of security services, coordination with Sheriff Department, parking and street maintenance staff; event to end at 2:00 AM; 2) Approve the closure of Larrabee Street between Santa Monica Blvd and the alley north of the Blvd, and enclosure of the sidewalk along Santa Monica Blvd from Trunks to Micky's following Alcohol Beverage Control (ABC) standards for identification requirements to ensure that only adults are served alcoholic beverages; 3) Approve waiver of the encroachment and special event fees; and 4) Direct Special Events and Public Safety staff to meet with business owners to discuss logistics and mitigations.

2.W. WEST HOLLYWOOD WOMEN'S HEART HEALTH CAMPAIGN 2010 AND AMERICAN HEART MONTH [A. LAND, C. PLANCK, J. DURAN, H. MOLINA, C. LU]:

The City Council will consider approving the annual participation in the West Hollywood Women's Heart Health Campaign 2010 and American Heart Month.

RECOMMENDATIONS: 1) Approve programming for the City's expanded participation in American Heart Month featuring National Wear Red Day activities West Hollywood Goes Red and the Heart Dance; and 2) Direct staff to promote the West Hollywood Women's Heart Health Campaign 2010, American Heart Month and heart health awareness education during February and throughout the year.

2.X. HARVEY MILK DAY – MAY 22, 2010 [L. HORVATH, I. PINE, J. DURAN, H. MOLINA]:

The City Council will consider directing staff to plan a public speaker's forum for this year's Harvey Milk Day.

RECOMMENDATIONS: 1) Support California SB 572 by declaring Saturday, May 22, 2010 "Harvey Milk Day"; and 2) Direct Special Event staff and the Public Information Office to work with Councilmember Horvath's office in the planning, logistics and promotion of "Harvey Milk Day," a public speaker's forum featuring elected officials, community leaders and noteworthy guests.

2.Y. SUPPORT OF THE CONTINUATION OF THE HOLLYWOOD/WEST HOLLYWOOD AND FAIRFAX DASH ROUTES OPERATED BY THE CITY OF LOS ANGELES, DEPARTMENT OF TRANSPORTATION (LADOT) [S. BAXTER, D. DENNIS, J. ROONEY]:

The City Council will consider authorizing the Mayor to write a letter to the City of Los Angeles Department of Transportation to urge continued operation of the Hollywood/West Hollywood DASH and Fairfax DASH routes.

RECOMMENDATION: Authorize the Mayor to write a letter to the City of Los Angeles Department of Transportation (LADOT) in support of West Hollywood and Fairfax DASH services.

3. PUBLIC HEARINGS: None

4. UNFINISHED BUSINESS:

4.A. JOINT STUDY SESSION REGARDING TRANSPORTATION POLICIES, PARKING POLICIES, AND THE CLIMATE ACTION PLAN TO BE ADDRESSED IN THE GENERAL PLAN UPDATE [A. MCINTOSH, J. KEHO, T. SLIMMER, B. SIEGL]:

City Council, Planning Commission, and Transportation Commission will hear a presentation and hold a discussion regarding transportation policies, parking policies, and the Climate Action Plan to be addressed in the General Plan Update.

RECOMMENDATIONS: 1) Staff recommends that City Council, Planning Commission, and Transportation Commission hear presentations on transportation policies, parking policies, and the Climate Action Plan, hold a discussion of the issues and information presented therein, and make comments to staff and consultants; and 2) Consider adoption of one of a

provisional greenhouse gas (GHG) emissions reduction target of 15 percent below current emissions levels by the year 2020 as part of the General Plan and Climate Action Plan (CAP).

5. NEW BUSINESS: None

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

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.

6. LEGISLATIVE: None

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, February 1, 2010 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
February 1	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
February 16	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
March 1	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
March 15	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, JANUARY 25, 2010
6:00 P.M.**

WEST HOLLYWOOD PARK AUDITORIUM, STUDIO ROOM

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. CONFERENCE WITH REAL PROPERTY NEGOTIATORG.C. 54956.8

Property:	8445 Santa Monica Boulevard
City Negotiator:	City Manager
Negotiating parties:	8445 SMB, Inc.
Under Negotiation:	Lease price and terms of payment

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

Morgan v. City of West Hollywood
Los Angeles County Superior Court, Case No. BS 123600

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

3. INITIATION OF LITIGATION..... G.C. 54956.9(c)

Two cases