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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, MARCH 15, 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, March 15, 2010 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 11, 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 March 1, 2010.

2.C. DEMAND REGISTER NO. 646, RESOLUTION NO. 10-3952:

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

RECOMMENDATION: Approve Demand Register No. 646 and adopt Resolution No. 10-3952, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 646."

2.D. CLAIMS ADMINISTRATION:

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 Ida Plotkin and Brandon Wishengrad and refer to the City's claims adjuster.

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Arts and Cultural Affairs Commission, Disabilities Advisory Board, Project Advisory Committee and Transportation Commission on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

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

The City Council will accept the resignation of Project Advisory Committee Member Richard Karat, Jr., effective February 18, 2010.

RECOMMENDATION: Accept with regret the resignation of Richard Karat, Jr. from the Project Advisory Committee.

2.G. 25th ANNIVERSARY CAPITAL CAMPAIGN PROJECT - REQUEST FOR AUTHORIZATION TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR AN AUTOMATED PARKING FACILITY BEHIND CITY HALL [O. DELGADO, J. ROCCO, S. BAILEY, A. GALLO]:

The City Council will consider granting approval for staff to issue a Request For Qualifications (RFQ), for an automated parking facility behind City Hall.

RECOMMENDATIONS: 1) Authorize staff to issue an RFQ for an automated parking facility behind City Hall; 2) Amend the LPA contract and increase the not to exceed amount for the contract by \$238,000 to \$293,000 to provide pre-design, schematic design and off-site civil engineering services for the automated parking facility; 3) Amend the Walker Parking Consultants contract and increase the not to exceed amount for the contract by \$85,000 to \$110,000 to provide building code interpretations, fire protection requirements and analysis of entry and exit movements as part of the request for qualifications; and 4) Authorize the City Manager to sign both Amendments.

2.H. 25TH ANNIVERSARY CAPITAL CAMPAIGN, WEST HOLLYWOOD PARK MASTER PLAN – PHASE 1B- DEMOLITION OF EXISTING LIBRARY AND NORTH PARK EXPANSION [P. AREVALO, J. ENGLISH, J. HUFFER]:

The City Council will review and consider an expanded alternative for development of Phase 1B of the West Hollywood Park Implementation Project including the demolition of the existing library building and north parking lot; the restoration and greening of the temporary parking lot; removal, replacement and relocation of the basketball courts; façade and other improvements to the existing auditorium; and relocation of the sidewalk to allow for additional green space.

RECOMMENDATIONS: 1) Confirm study elements related to Phase 1B of the West Hollywood Park Master Plan Implementation Project; 2) Approve an Agreement for Services with MDA Johnson Favaro for design-related architectural, engineering and other professional services in an amount not exceed \$744,900 (includes a not-to-exceed base amount of \$647,390, reimbursable expenditures of \$62,000 plus a 5% contingency to be used only upon the advanced written approval of the Manager of Economic Development and Special Projects; 3) Authorize expenditure for the design within the existing West Hollywood Park Phase 1 Implementation and New West Hollywood Library Project Budget (April 6, 2009); 4) Authorize the City Manager to sign and execute the Agreement and approve any minor modifications; 5) Authorize the City Manager to sign and execute a Contract Amendment with MDA Johnson Favaro to remove Phase 1B scope and budget from Contract #04279; and 6) Direct staff to return to City Council with final recommendations for implementation elements and project budget impacts prior to proceeding into the Schematic Design Phase.

2.I. CONSIDERATION OF A FEASIBILITY STUDY TO EVALUATE THE ESTABLISHMENT OF A CHARTER SCHOOL DISTRICT [J. PRANG, M. HAIBACH, J. DURAN, H. MOLINA]:

The City Council will consider directing staff to evaluate the feasibility of establishing a Charter School District (K-12) in the City of West Hollywood.

RECOMMENDATIONS: 1) Direct staff to investigate doing a feasibility study, including costs involved and the retention of appropriate resources and consultants, to evaluate the feasibility of establishing a Charter School District within the City of West Hollywood; 2) Request staff to include the allocation of funds needed for this project in 2010-2011 work program and budgeting process; and 3) Staff to report back to City Council in 90 days; report should include cost estimate for needed consultancy services.

2.J. SUPPORTING AB 1650 TO ASSERT FINANCIAL PRESSURE TO STOP IRAN'S NUCLEAR AMBITION [J. PRANG, M. HAIBACH, A. LAND, C. PLANCK]:

The City Council will consider adopting a resolution supporting AB 1650 (Feuer, Blumenfield), which would prohibit companies with specified operations in Iran's energy sector from contracting with the State of California or its subdivisions.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3953, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING AB 1650 (FEUER, BLUMENFIELD) TO ASSERT FINANCIAL PRESSURE TO STOP IRAN'S NUCLEAR AMBITION BY PROHIBITING COMPANIES WITH SPECIFIED OPERATIONS IN IRAN'S ENERGY SECTOR FROM CONTRACTING WITH THE STATE OF CALIFORNIA OR ITS SUBDIVISIONS"; and 2) Direct staff to send copies of signed resolutions to appropriate legislators.

2.K. SUPPORT OF SB. 1029 (YEE), THE CLEAN NEEDLE BILL [J. DURAN, H. MOLINA, C. LU]:

The City Council will consider adopting a resolution in support of SB. 1029 (YEE), The Clean Needle Bill but will raise the concern of adding options for safe needle disposal to the bill.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3954, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB. 1029 (YEE), THE CLEAN NEEDLE BILL"; 2) Direct Staff to send copies of the signed resolution to State Senator Leland Yee, State Senator Fran Pavley, Assembly member Mike Feuer, Governor Arnold Schwarzenegger, Pharmacists Planning Service, Coalition for Safe Community Needle Disposal, and Clean Needles Now; and 3) Propose the addition of EPA recommendations for disposal options outside the healthcare setting to address safe disposal of used needles to protect solid waste and janitorial workers and the public.

2.L. CO-SPONSORSHIP OF V-DAY EVENT [A. LAND, C. PLANCK, L. HORVATH, I. PINE, E. BARRETT]:

The City Council will consider co-sponsoring a production of the Vagina Monologues with Hollywood NOW.

RECOMMENDATIONS: 1) Approve the City co-sponsorship of the Vagina Monologues with Hollywood's Chapter of the National Organization for Women (NOW) and the use of the City's name and logo on printed materials advertising the event; and 2) Direct appropriate staff to assist with the promotion of the event.

2.M. SUPPORT OF HR 947, RECOMMITTING THE U.S. TO THE PRINCIPLES OF THE “CAIRO CONSENSUS” OF 1994 [A. LAND, C. PLANCK, R. MARTINEZ]:

The City Council will consider adopting a resolution in support of HR 947 which illustrates an effort to recommit the U.S. to promises stipulated in the “Program of Action” at the Cairo conference.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3955, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF HR 947 THAT ”RECOMMITTS THE U.S. TO THE PRINCIPLES OF THE ‘CAIRO CONSENSUS’ OF 1994”; and 2) Direct Staff to send copies of the signed resolution to Rep. Barbara Lee (D-CA), Rep. Raul M. Grijalva (D-AZ), Rep. Sheila Jackson-Lee (D-TX), Rep. Louise Slaughter (NY-28), Rep. Bobby L. Rush, Rep. Hank Johnson (D-GA), and Rep. Diana Degette (D-CO).

2.N. SIERRA BONITA APARTMENTS GRAND OPENING CO-SPONSORSHIP AND ASSOCIATED STREET CLOSURE REQUEST FOR APRIL 3, 2010 [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:

The City Council will consider co-sponsoring the Sierra Bonita Apartments Grand Opening to be held on April 3, 2010.

RECOMMENDATIONS: 1) Approve city co-sponsorship for the Sierra Bonita Apartments Grand Opening to be held on Saturday, April 3, 2010; 2) Approve the closure of Sierra Bonita Avenue between Santa Monica Boulevard and the alley south of the apartment building; and 3) Approve waiver of special event permit fees including encroachment in the amount of \$2,400.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSION’S DECISION TO AMEND A CONDITION OF APPROVAL TO ALLOW THE REMOVAL OF THE TWO LARGE FICUS TREES ON LA PEER DRIVE [A. MCINTOSH, J. KEHO, A. GALLO]:

The City Council will hold a public hearing to consider an appeal by Carol Paulus regarding the Planning Commission’s approval to amend one of the conditions placed on the construction of a mixed-use development (originally approved in 2006), to allow the removal of two mature ficus trees at the southeast corner of Beverly Boulevard and La Peer Drive in the public right-of-way. The mixed-use project, referred to as Beverly Place, is currently under construction and is located at 8900 Beverly Boulevard.

RECOMMENDATION: Staff recommends that the Council hold a public hearing, consider all pertinent testimony, deny the appeal, and adopt the following resolution: 1) Adopt Resolution No. 10-____: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, UPHOLDING THE PLANNING COMMISSION’S

DECISION AND AMENDING DEMOLITION PERMIT 2004-026 AND DEVELOPMENT PERMIT 2004-035, TO ALLOW THE REMOVAL OF TWO FICUS TREES AT THE SOUTHEAST CORNER OF BEVERLY BOULEVARD AND LA PEER DRIVE FOR THE MIXED-USE DEVELOPMENT LOCATED AT 8900 BEVERLY BOULEVARD, WEST HOLLYWOOD, CALIFORNIA" (EXHIBIT A)

4. UNFINISHED BUSINESS:

4.A. DRAFT RECOMMENDATIONS FOR ACCESSORY DWELLING UNITS (GRANNY FLATS) [A. WINDERMAN, A. MCINTOSH]:

The City Council will review the Draft Recommendations for Accessory Dwelling Units and consider sending them to the Planning Commission for further study and community outreach.

RECOMMENDATIONS: 1) Review the Draft Recommendations for Accessory Dwelling Units; 2) Comment on the discussion items outlined in the report, and 3) Consider sending the Draft Recommendations to the Planning Commission for further study and community outreach.

4.B. A REQUEST TO CONSTRUCT A 268,805 SQUARE FOOT MIXED-USE HOTEL PROJECT INCLUDING AMENDMENTS TO THE GENERAL PLAN, SUNSET SPECIFIC PLAN, AND ZONING MAP TO PERMIT INCREASED HEIGHT AND DENSITY IN A NEW EXPANDED TARGET SITE [A. MCINTOSH, J. KEHO, D. DEGRAZIA]:

The Council will consider a mixed use hotel project including amendments to the General Plan, Sunset Specific Plan and Zoning Map to permit increased height and density at 9040-9056 Sunset Boulevard, 1018-1022 N. Doheny Drive, and 9031-9041 Harratt Street. On February 1, 2010 the City Council continued the public hearing to the meeting of March 1, 2010. At the March 1, 2010 meeting the Council tabled the item to the March 15, 2010 meeting.

RECOMMENDATIONS: Approve the application request and adopt: 1) Resolution No. _____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A MITIGATION MONITORING PROGRAM AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A); 2) Resolution No. _____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING GENERAL PLAN AMENDMENT 2006-001 IN CONJUNCTION WITH THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA."

(ATTACHMENT B); 3) Introduce on first reading Ordinance No. _____ “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING MAP AMENDMENT 2009-008 IN CONJUNCTION WITH THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT C); 4) Resolution No. _____ “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING SUNSET SPECIFIC PLAN AMENDMENT 2006-001 IN CONJUNCTION WITH THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT D); 5) Introduce on first reading Ordinance No. _____ “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING MAP AMENDMENT 2009-005, IN CONJUNCTION WITH THE PROPOSED DEVELOPMENT AGREEMENT 2006-001, FOR THE PROPERTY LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT E); 6) Introduce on first reading Ordinance No. _____ “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT 2006-001 IN CONJUNCTION WITH THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT F); and 7) Resolution No. _____ “A RESOLUTION OF CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEMOLITION PERMIT 2006-008, DEVELOPMENT PERMIT 2006-010, CONDITIONAL USE PERMIT 2006-007, MINOR CONDITIONAL USE PERMIT 2009-005, ADMINISTRATIVE PERMIT 2006-006 AND VESTING TENTATIVE TRACT MAP NO. 064782 (AKA TENTATIVE TRACT MAP 2006-004) FOR THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT G)

5. NEW BUSINESS:

5.A. COMMISSION AND ADVISORY BOARD APPOINTMENTS [T. WEST, C. SCHAFFER]:

The City Council will consider making at-large appointments to City Commissions and Advisory Boards.

RECOMMENDATION: The Council will make appointments to Boards and Commissions as detailed in the Staff Report.

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, April 5, 2010 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
April 5	Monday	6:30 PM	Joint Session with the Planning Commission	W.H. Park Aud.
April 19	Monday	6:30 PM	Mayoral Installation	W.H. Park Aud.
May 3	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
May 17	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, MARCH 15, 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 NEGOTIATOR G.C. 54956.8

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

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

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)

Three cases

4. CONFERENCE WITH LABOR NEGOTIATOR G.C. 54957.6

City Negotiator: Vivian Love; Peter Brown, Leibert Cassidy Whitmore
Employee Organization: West Hollywood Municipal Employees
AFSCME Local 3339