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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
CITY COUNCIL REORGANIZATION & INSTALLATION MEETING
AGENDA**

**MONDAY, APRIL 19, 2010
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

6:00 P.M. – REGULAR MEETING

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF AGENDA:

**LOS ANGELES COUNTY SUPERVISOR ZEV YAROSLAVSKY ADMINISTERS THE
OATH OF OFFICE TO THE NEWLY ELECTED MAYOR JOHN HEILMAN:**

**LOS ANGELES COUNTY SUPERVISOR ZEV YAROSLAVSKY ADMINISTERS THE
OATH OF OFFICE TO THE NEWLY ELECTED MAYOR PRO TEMPORE JOHN
DURAN:**

INTRODUCTION OF DIGNITARIES:

PRESENTATION TO OUTGOING MAYOR LAND:

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.

MAYOR PRO TEMPORE COMMENTS: Comments from Mayor Pro Tempore John Duran.

ADJOURNMENT MOTIONS:

PRESENTATIONS:

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, April 19, 2010 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, 15, 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 April 5, 2010.

2.C. DEMAND REGISTER NO. 648, RESOLUTION NO. 10-3977:

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

RECOMMENDATION: Approve Demand Register No. 648 and adopt Resolution No. 10-3977, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 648."

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 claim of Philip Haberman and refer to the City's claims adjuster.

2.E. ORDINANCE NO. 10-848 (2ND READING), IMPLEMENTING DISTRICT 11 PREFERENTIAL PARKING REGULATIONS ON THE 600 BLOCK OF SWEETZER [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 10-848, a proposed ordinance amending Title 10, Chapter 10.08.260 of the West Hollywood Municipal Code implementing District 11 Preferential Parking Regulations on the 600 block of Sweetzer Avenue.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 10-848, "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 600 BLOCK OF SWEETZER AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE"

2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Disabilities Advisory Board on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.G. ARTS & CULTURAL AFFAIRS COMMISSION 2010-2012 WORK PLAN [J. HUFFER, A. CAMPBELL]:

The City Council will receive and file the Arts and Cultural Affairs Commission 2010-2012 Work Plan.

RECOMMENDATION: Receive and file.

2.H. APPROVAL OF REVISED CLASSIFICATION SPECIFICATION AND THE RECLASSIFICATION OF ONE POSITION [V. LOVE, L. BOCK, S. SCHUMACHER]:

The City Council will consider the recommendation from the Human Resources Division for approval of one revised classification specification and reclassification of one position.

RECOMMENDATION: Approve the revised classification specification and reclassification for the Economic Coordinator position within the Economic Development Division. The salary difference has been included in the current budget.

2.I. AWARD OF CONSTRUCTION CONTRACT FOR SPAULDING AVE. AND FAIRFAX AVE SEWER CONSTRUCTION, CIP 1006 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider awarding a construction contract for Spaulding Ave. and Fairfax Ave. Sewer Construction, CIP 1006.

RECOMMENDATIONS: 1) Accept the bid dated March 25, 2010, submitted by Garcia Juarez Construction, Inc.; 2) Authorize the City Manager to enter into a contract with Garcia Juarez Construction, Inc. in the amount of \$79,475.00 for the construction of CIP 1006, Spaulding Ave. and Fairfax Ave. Sewer Construction; and 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 15% of the contract amount.

2.J. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES ON SPAULDING AVE. AND FAIRFAX AVE SEWER CONSTRUCTION, CIP 1006 [O. DELGADO. S. PERLSTEIN]:

The City Council will consider approving a professional service agreement with RBF Consulting for construction management and inspection services on CIP 1006 Spaulding Ave. and Fairfax Ave Sewer Construction.

RECOMMENDATION: Approve a professional services Agreement in an amount not to exceed \$53,165 with RBF Consulting for construction management and inspection services on CIP 1006 Spaulding Ave. and Fairfax Ave Sewer Construction, and authorize the City Manager to sign the Agreement.

2.K. AGREEMENT FOR SERVICES FOR AS-BUILT SURVEY OF OUTDOOR ADVERTISING SIGNS CITYWIDE [J. ENGLISH, L. BELSANTI]:

The City Council will consider authorizing an Agreement for Services with KDM Meridian Inc. for the purpose of preparing an As-Built Survey of Outdoor Advertising Signs Citywide.

RECOMMENDATIONS: 1) Approve an agreement with KDM Meridian Inc. in an amount not-to-exceed \$38,440; and 2) Authorize the City Manager to sign and execute all necessary documents.

2.L. CHRISTOPHER STREET WEST 40th ANNUAL LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PRIDE CELEBRATION AND PARADE IN WEST HOLLYWOOD [S. BAXTER, N. BEARD, C. SMITH]:

The City Council will consider this annual request from Christopher Street West relative to the 2010 Lesbian, Gay, Bisexual and Transgender Pride Celebration events held on June 11, 12 and 13, 2010.

RECOMMENDATIONS: 1) Approve the use of West Hollywood Park and City property with a fee waiver, as outlined in Exhibit A, for the 2010 Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Celebration; 2) Authorize the City Manager to enter into an agreement/contract permitting the event outlined in Exhibit B; 3) Allow the Dyke March to take place along Santa Monica Blvd in westbound lanes to West Knoll and return in eastbound lanes on Santa Monica Boulevard to San Vicente Boulevard on Friday, June 11th 2010; 4) Approve Festival hours of 12pm to 11pm for Saturday, June 12th, 2010 and 11am to 10pm for Sunday, June 13th, 2010; and 5) Approve the use of Santa Monica Boulevard for the PRIDE Parade on Sunday, June 13, 2010.

2.M. SUPPORT AJR 15 (DE LEON) – AN ASSEMBLY JOINT RESOLUTION IN SUPPORT OF THE UNITING AMERICAN FAMILIES ACT (UAFSA) [J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution in support of AJR 15.

RECOMMENDATIONS: 1) Adopt Resolution No 10-3978 “A RESOLUTION IN SUPPORT OF AJR 15 (DE LEON) THE UNITING AMERICAN FAMILIES ACT”; and 2) Direct staff to send copies of the adopted resolution to Assemblymembers Kevin De Leon and Mike Feuer.

2.N. SUPPORT AJR 29 (FEUER) SAME-SEX COUPLES AND TAXATION BY THE INTERNAL REVENUE SERVICE [J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution in support of AJR 29

RECOMMENDATIONS: 1) Adopt Resolution No.10-3979 “A RESOLUTION IN SUPPORT OF AJR 29 (FEUER) ASKING THE INTERNAL REVENUES SERVICE TO TREAT SAME-SEX MARRIED COUPLES EQUALLY AND ALLOW THEM TO FILE JOINT TAX RETURNS”; and 2) Direct staff to send copies of the adopted resolution to Assemblymember Mike Feuer, and Internal Revenue Service authorities.

2.O. SUPPORT OF AB 939 (COMMITTEE ON JUDICIARY) FOR DISSOLUTION OF MARRIAGE, AND AB 967 (MA) FOR SOLEMNIZATION OF MARRIAGE [J. PRANG, M. HAIBACH, A. LAND, C. PLANCK]:

The City Council will consider adopting a resolution supporting AB 939 (Committee on Judiciary) for the Dissolution of Marriage; and a resolution supporting AB 967 (Ma) on the Solemnization of Marriage.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3980, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING AB 939 (COMMITTEE ON JURDICIARY) TO ENSURE THE COURTS ENTER SUMMARY DISSOLUTION SIX MONTHS AFTER A JOINT PEITITION IS FILED, UNLESS EITHER PARTY HAS FILED A REVOCATION OF THE JOINT PETITION"; 2) Adopt Resolution No. 10-3981, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING AB 967 (MA), TO EXTEND PERSONS AUTHORIZED TO SOLEMINIZE A MARRRIAGE CEREMONY TO THE MAYOR OF A CITY, WHILE THEY HOLD THE OFFICE"; and 3) Direct staff to send copies of signed resolutions to appropriate legislators.

2.P. A RESOLUTION IN SUPPORT OF AB 1680 – THE HATE CRIMES PROTECTION ACT [L. HORVATH, I. PINE]:

The City Council will consider adopting a resolution in support of AB 1680 – The Hate Crimes Protection Act which would strengthen civil rights.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3982, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1680 – THE HATE CRIMES PROTECTION ACT"; and 2) Direct staff to send copies of the adopted resolution to Assemblymember Lori Saldaña, Executive Director of Equality California Geoff Kors and West Hollywood staff lobbyists Helyne Meshar and Maxene Mantell.

2.Q. A RESOLUTION IN SUPPORT OF AB 1878 AS IT RELATES TO THE STATEWIDE FORMS MANAGEMENT PROGRAM [L. HORVATH, I. PINE]:

The City Council will consider adopting a resolution in support of AB 1878 which would require California to add questions about sexual orientation, gender identity and domestic partner status to the voluntary demographic section of California's government forms.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3983, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1878 AS IT RELATES TO THE STATEWIDE FORMS MANAGEMENT PROGRAM"; and 2) Direct staff to send copies of the adopted resolution to Assembly Member Ted Lieu, Executive Director of Equality California Geoff Kors and West Hollywood staff lobbyists Helyne Meshar and Maxene Mantell.

2.R. SUPPORT OF AB 2055 (DE LA TORRE) EXTENDING UNEMPLOYMENT BENEFITS TO REGISTERED DOMESTIC PARTNERS [J. PRANG, M. HAIBACH, A. LAND, C. PLANCK]:

The City Council will consider adopting a resolution supporting AB 2055 (De La Torre) to enable same-sex couples about to become domestic partners to receive unemployment benefits.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3984, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING AB 2055 (DE LA TORRE), TO ENABLE SAME-SEX COUPLES ABOUT TO BECOME DOMESTIC PARTNERS TO RECEIVE UNEMPLOYMENT BENEFITS"; and 2) Direct staff to send copies of signed resolutions to appropriate legislators.

2.S. SUPPORT ASSEMBLY BILL (AB) 2254 (AMMIANO) THE MARIJUANA CONTROL, REGULATION AND EDUCATION ACT [J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution supporting AB 2254, which if enacted, will regulate cultivation and sales of marijuana.

RECOMMENDATIONS: 1) ADOPT RESOLUTION 10-3985 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF ASSEMBLY BILL (AB) 2254 (AMMIANO)"; and 2) Direct staff to send copies of the adopted resolution to Senator Fran Pavely and Assemblymembers Tom Ammiano and Mike Feuer.

2.T. A RESOLUTION IN SUPPORT OF SB 906 – THE CIVIL MARRIAGE RELIGIOUS FREEDOM ACT [L. HORVATH, I. PINE]:

The City Council will consider adopting a resolution in support of SB 906 – The Civil Marriage Religious Freedom Act, which if enacted, will allow clergy that support marriage equality to perform such ceremonies while also protecting clergy that do not support marriage equality.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3986, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 906 – THE CIVIL MARRIAGE RELIGIOUS FREEDOM ACT"; and 2) Direct staff to send copies of the adopted resolution to Senators Mark Leno, Christine Kehoe and Darrell Steinberg, Assembly Members Tom Ammiano and Dave Jones, and Geoff Kors, Executive Director of Equality California, Rev. Rick Schlosser, Executive Director of California Council of Churches, Samuel M. Chu, Executive Director—CA Faith For Equality and West Hollywood staff lobbyists Helyne Meshar and Maxene Mantell.

2.U. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENOUNCING CORRECTIVE RAPE AND THE OVERALL TREATMENT OF MEMBERS OF ZIMBABWE'S LGBT COMMUNITY [L. HORVATH, I. PINE]:

The City Council will consider adopting a resolution denouncing corrective rape and the overall treatment of members of Zimbabwe's LGBT community.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3987, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENOUNCING CORRECTIVE RAPE AND THE OVERALL TREATMENT OF MEMBERS OF ZIMBABWE'S LGBT COMMUNITY"; and 2) Direct staff to send copies of the adopted resolution to Secretary of State Hillary Rodham Clinton, Assistant Secretary Michael Posner – Secretary of State's Bureau of Democracy, Human Rights and Labor, Amanda Porter, Political Officer – US Embassy and West Hollywood staff lobbyists Helyne Meshar, Maxene Mantell and Jennifer McGee.

2.V. WEST HOLLYWOOD FASHION EVENT [J. HEILMAN, F. SOLOMON]:

The City Council will consider a recommendation to endorse and support continued efforts to promote West Hollywood as a fashion center.

RECOMMENDATIONS: 1) Receive and file the February 24, 2010 fashion working group report. (Exhibit A); and 2) Endorse the themes identified by the working group and authorize Economic Development staff to continue to work with the group to develop concepts to promote West Hollywood as a center of fashion.

2.W. AUTHORIZATION TO ESTABLISH A PILOT PROJECT TO CREATE TWO NEW FILM PERMIT CATEGORIES TO REDUCE FILM FEES FOR LOW-IMPACT FILMING ON PRIVATE PROPERTY (ECONOMIC HARDSHIP PACKAGE) [H. GOSS, T. HOUSE. J. HUFFER, M. LOUIE]:

The City Council will consider establishing a pilot project to create two new film permit fee categories to reduce film permit fees for low-impact filming on private property in an effort to encourage more location filming in the commercial areas of West Hollywood.

RECOMMENDATIONS: Authorize the establishment of a pilot program to create two new film permit fee categories to reduce fees for low-impact filming on private property as part of the 2010 -2011 fee resolution which will go into effect on July 1, 2010.

2.X. OPPOSE AB 2590 (LOWENTHAL) DISCLOSURE OF HIV CONFIDENTIAL DATA TO CONTRACTORS OF MEDI-CAL [S. BAXTER, D. GIUGNI]:

The City Council will consider adopting a resolution in opposition to AB 2590 (LOWENTHAL)

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3988, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST

HOLLYWOOD OPPOSING AB 2590 DISCLOSURE OF HIV CONFIDENTIAL PATIENT DATA TO CONTRACTORS OF MEDI-CAL”; and 2) Direct staff to send copies of adopted resolution to Senator Fran Pavley, and Assemblymembers Bonnie Lowenthal and Mike Feuer.

3. **PUBLIC HEARINGS:** None

4. **UNFINISHED BUSINESS:** None

5. **NEW BUSINESS:** None

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

MAYOR COMMENTS: Comments from Mayor John Heilman.

ADJOURNMENT: The City Council will adjourn immediately to a Closed Session. Please see the attached Closed Session agenda.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
May 3	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
May 17	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
June 7	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
June 21	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, APRIL 19, 2010
CLOSED SESSION WILL BEGIN IMMEDIATELY AFTER REGULAR SESSION**

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. INITIATION OF LITIGATIONG.C. 54956.9(c)

Two cases