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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, MAY 3, 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 May 3, 2010 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, April 29, 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 19, 2010.

2.C. DEMAND REGISTER NO. 649, RESOLUTION NO. 10-3989:

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

RECOMMENDATION: Approve Demand Register No. 649 and adopt Resolution No. 10-3989, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 649".

2.D. TREASURER'S REPORTS FOR OCTOBER AND NOVEMBER 2009 [A. GANDHY, G. SCHUCHARD]:

The City Council will receive the Treasurer's Report for the months ended October 2009 and November 2009 pursuant to Section 53646 of the Government Code of the State of California.

RECOMMENDATION: Receive and file.

2.E. 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 Paul Flick and Neil Kohan and refer to the City's claims adjuster.

2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Human Services Commission, Lesbian and Gay Advisory Board, Public Facilities Commission, Public Safety Commission and the Senior Advisory Board on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.G. ORGANIZATION OF CITY ADVISORY BOARDS [T. WEST, C. SCHAFFER]:

The City Council will consider adopting a resolution to replace City Council Resolution 09-3914, regarding the organization, function and Council expectations of the City's Advisory Boards.

RECOMMENDATIONS: 1) Rescind Resolution No. 09-3914 and adopt Resolution No. 10-3990, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGARDING THE ORGANIZATION OF CITY ADVISORY BOARDS"; and 2) Adopt revised by-laws for the Disabilities Advisory Board, Lesbian and Gay Advisory Board, Russian Advisory Board, Senior Advisory Board, Transgender Advisory Board, and the Women's Advisory Board.

2.H. WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION SECOND AND THIRD QUARTER REPORT FOR 2009-2010 [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:

The City Council will receive the Second and Third Quarter Report of the West Hollywood Community Housing Corporation (WHCHC) for Fiscal Year 2009-2010.

RECOMMENDATION: Receive and file.

2.I. AMENDMENT TO AGREEMENT WITH KOA CORPORATION (FORMERLY CBM CONSULTING, INC.) TO PROVIDE DESIGN AND CONSTRUCTION MANAGEMENT SERVICES [O. DELGADO, J. ROCCO]:

The City Council will consider approving an amendment to the contract with KOA Corporation to provide the design and construction management for City parking project.

RECOMMENDATIONS: 1) Amend contract with KOA Corporation to provide design and construction management for ongoing City parking projects. Amend the current agreement to increase the "not-to-exceed" amount of \$134,860 by an additional \$50,000 for a total of \$184,860; 2) Authorize the Director of Finance to allocate \$50,000 from unallocated reserves in the Parking Improvement Fund; and 3) Authorize the City Manager to sign the Amendment.

2.J. SPONSORSHIP AND CITY SUPPORT OF THE GIBSON GUITARTOWN SUNSET STRIP PUBLIC ART PROJECT [J. HUFFER, A. CAMPBELL]:

The City Council will consider sponsorship of the Gibson GuitarTown Sunset Strip public art project to include the use of the City's logo and the waiving of permit fees associated with encroachment and extended hours permits.

RECOMMENDATIONS: 1) Approve sponsorship of the Gibson GuitarTown Sunset Strip Public Art project and authorize the use of the City name and logo in promotions and on invitations, programs and other collateral materials; 2) Authorize Economic Development and Public Information and Human Services Departments to work with the Sunset Strip Business Association and the public art consultant to organize and publicize the event; 3) Approve a waiver of encroachment and extended hours permit fees and other City-related fees for the Gibson Guitar Town project; and 4) Authorize the City Manager to sign and execute any documents or forms with the Sunset Strip Business Association that may be necessary for the successful implementation of this project.

2.K. 2010 RAINBOW KEY HONOREES AND EVENT [S. BAXTER, J. BOOK]:

The Lesbian and Gay Advisory Board recommends that the City Council honor the following persons and organizations with Rainbow Key awards at a brunch to be held Sunday, June 27, 2010, as described below.

RECOMMENDATION: Approve Rainbow Key awards for Wendy Averill and Marilee France; Oscar De La O; Lillian Faderman; Dana Miller; Karen Ocamb; Lisa Powell; Midge Costanza (posthumous); C.I.T.Y. x1; Gay & Lesbian Elder Housing; and ONE National Gay & Lesbian Archives, to be presented at the Rainbow Key luncheon to be held on Sunday, June 27, 2010.

2.L. 2010 PRIDE MONTH: ONE CITY/ONE PRIDE [J. HUFFER, A. CAMPBELL, S. BAXTER, J. BOOK]:

City Council will consider proclaiming June 2010 as Pride Month: One City/One.

RECOMMENDATIONS: 1) Proclaim June 2010 as Pride Month: One City/One Pride; and 2) Approve associated programming as outlined in the staff report.

2.M. CO-SPONSORSHIP OF THE FIRST INTERNATIONAL COURT COUNCIL TRANSGENDER SUMMIT [J. PRANG, M. HAIBACH, J. HEILMAN, F. SOLOMON]:

The City Council will consider co-sponsoring the First Annual International Court Council Transgender Summit: "Building Bridges and Breaking Barriers," a one-day conference, June 12, 2010, to be held at Great Hall in West Hollywood's Plummer Park. The International Court Council is a 501(c).

RECOMMENDATIONS: 1) Approve co-sponsorship of the First International Court Council of Transgender Summit: "Building Bridges and Breaking Barriers," for their one-day conference; 2) Authorize conference organizers to utilize City's name and logo on printed materials advertising the event and ask Public Information Office to assist with outreach efforts in our community; and 3) Authorize and waive fees for use of Plummer Park meeting facility on June 12 from 10AM – 4:30PM.

2.N. SUPPORT OF AB 1934 (SALDANA) OPEN CARRY BAN [A. LAND, C. PLANCK, L. HORVATH, I. PINE, A. GIROUX, C. LU]:

The City Council will consider adopting a resolution in support of the open and carry ban.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3991, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1934 (SALDANA) OPEN CARRY BAN"; and 2) Direct Staff to send copies of the signed resolution to: Assemblymember Lori Saldana, Assemblymember Mike Feuer and Governor Arnold Schwarzenegger.

2.O. OPPOSITION TO PROPOSITION 16, THE NEW TWO-THIRDS REQUIREMENT FOR LOCAL PUBLIC ELECTRICITY PROVIDERS ACT [L. HORVATH, I. PINE, J. DURAN, H. MOLINA, R. MARTINEZ]:

The City Council will consider opposing Proposition 16, the New Two-Thirds Requirement for Local Public Electricity Providers Act.

RECOMMENDATION: 1) Adopt Resolution No. 10-3992, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING PROPOSITION 16, THE NEW TWO-THIRDS REQUIREMENT FOR LOCAL PUBLIC ELECTRICITY PROVIDERS ACT"; and 2) Direct Staff to send copies of the adopted resolution to Senate President Pro Tempore Darrell Steinberg, Senators Mark Leno, Jenny Oropeza, Lois Wolk, Christine Kehoe, Alan Lowenthal, Gilbert Cedillo, Dean Florez, Fran Pavley, Assemblyman Mike Feuer and to The Utility Reform Network (TURN), League of Women Voters, San Francisco Bay Sierra Club, East Bay Local Clean Energy Alliance, Community Choice Energy Alliance and the Local Power and the Utility Reform Network.

2.P. SUPPORT (AB) 2743 (NAVA) [J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution supporting AB 2743, which, if enacted, will prohibit landlords from requiring dogs to be devocalized or cats declawed, as a condition of tenancy.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-3993 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF (AB) 2743"; and 2) Direct staff to send copies of the adopted resolution to Assembly Members Pedro Nava and Mike Feuer, and Senator Fran Pavley.

2.Q. A RESOLUTION IN OPPOSITION TO THE PROPOSED RESUMPTION OF COMMERCIAL WHALING AND TEN-YEAR QUOTAS FOR GRAY WHALES AS PROPOSED BY THE INTERNATIONAL WHALING COMMISSION (IWC) [J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution opposing the resumption of commercial whaling

RECOMMENDATIONS: 1) Adopt Resolution 10-3994 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE PROPOSED RESUMPTION OF COMMERCIAL WHALING AND TEN-YEAR QUOTAS FOR GRAY WHALES AS PROPOSED BY THE INTERNATIONAL WHALING COMMISSION (IWC); and 2) Direct staff to send copies of the adopted resolution President Barack Obama, and United States Senators Barbara Boxer and Dianne Feinstein

2.R. SUPPORT OF FIREFIGHTERS' "FILL THE BOOT" CAMPAIGN TO BENEFIT THE MUSCULAR DYSTROPHY ASSOCIATION [A. LAND, C. PLANCK]:

The City Council will consider supporting the "Fill the Boot" campaign conducted annually by firefighters throughout the country to benefit the Muscular Dystrophy Association, and in West Hollywood May 13-15, 2010.

RECOMMENDATION: 1) Approve the City of West Hollywood's support for the "Fill the Boot" campaign conducted annually by firefighters

throughout the country to benefit the Muscular Dystrophy Association; 2) Approve the use of the intersection at Sunset Boulevard and Doheny on May 13-15, 2010 and waive special event permit fees; and 3) Direct staff to assist with the coordination and promotion of the event.

2.S. A RESOLUTION DENOUNCING ARIZONA'S ANTI-IMMIGRATION LAW AND CALLING UPON THE CITY MANAGER TO IMMEDIATELY SUSPEND OFFICIAL TRAVEL TO THE STATE OF ARIZONA AND DEVELOP ADDITIONAL FINANCIAL SANCTIONS UNTIL SUCH TIME AS THE NEW LAW IS REVOKED [L. HORVATH, I. PINE]:

The City Council will consider adopting a resolution denouncing Arizona's anti-immigration law which calls on the City Manager to immediately suspend official travel to the State of Arizona and directs the City Attorney and City Clerk to review current and likely future contracts with Arizona-based businesses in order to examine the feasibility of ascertaining such products and services elsewhere until such time as the new law is revoked.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-_____, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENOUNCING ARIZONA'S ANTI-IMMIGRATION LAW WHICH CALLS UPON THE CITY MANAGER TO IMMEDIATELY SUSPEND OFFICIAL TRAVEL TO THE STATE OF ARIZONA AND DEVELOP ADDITIONAL FINANCIAL SANCTIONS UNTIL SUCH TIME AS THE NEW LAW IS REVOKED"; 2) Direct City Manager to immediately suspend official travel to the State of Arizona; 3) Direct City Attorney and City Clerk to review all current and likely future contracts with Arizona-based businesses in order to examine the feasibility of ascertaining such products and services elsewhere; 4) Direct Staff to send copies of the adopted resolution to President Barack Obama; Arizona Governor Jan Brewer; Arizona Representative Raul Grijalva; Arizona State Senator Russell Pearce; Phoenix Mayor Phil Gordon; Members of the California Latino Legislative Caucus; Members of the National Governor's Association; Patricia Madrid, Chairman of the Board of MALDEF; Juan Marcos Gutierrez-Gonzalez, Mexican Consul General in Los Angeles and others as deemed appropriate by the City Manager; and 5) Continue to monitor anti-immigration efforts in Arizona with updates on status and impact of City efforts.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE A REQUEST TO DEMOLISH THREE BUILDINGS AND CONSTRUCT A FIVE-STORY, 14-UNIT BUILDING WITH NINE CONDOMINIUMS AND FIVE AFFORDABLE HOUSING UNITS [A. MCINTOSH, J. KEHO, J. ALKIRE]:

The City Council continued this item from the meeting of February 16, 2010 regarding an appeal of the Planning Commission's approval of a request to demolish three buildings consisting of four residential units and construct in its place a 20,536 square foot, 14-unit structure consisting of condominiums and affordable rental units at 1216 North Flores Street, West Hollywood, California.

RECOMMENDATIONS: Staff recommends that the Council hold a public hearing, consider all pertinent testimony, deny the appeal, and adopt the following two resolutions: 1) Adopt Resolution No. 10-____: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD UPHOLDING THE PLANNING COMMISSION'S DECISION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2008-24 AND DEVELOPMENT PERMIT 2008-38 FOR THE DEMOLITION OF THREE EXISTING RESIDENTIAL STRUCTURES AND THE CONSTRUCTION OF A NEW 20,536 SQUARE FOOT 14-UNIT CONDOMINIUM STRUCTURE LOCATED AT 1216 N. FLORES STREET, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A); and 2) Resolution 10-___: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, UPHOLDING THE PLANNING COMMISSION'S DECISION AND CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2009-05 (MAJOR LAND DIVISION NO. 69443), FOR THE PROPERTY LOCATED AT 1216 N. FLORES STREET, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT B)

4. UNFINISHED BUSINESS:

4.A. RFP PROCESS FOR SOCIAL SERVICES PROGRAMS [S. BAXTER, D. DENNIS]:

The City Council will approve release of an RFP for social services programming.

RECOMMENDATIONS: Approve the attached RFP for social services programming for the community; approve the recommended schedule for release and review of applications; and extend the funding cycle from two years to three years.

4.B. CONDUCT A FEASIBILITY STUDY OF THE ESTABLISHMENT OF A CHARTER SCHOOL DISTRICT [S. BAXTER, D. DENNIS]:

The City Council asked Social Services staff to return to the Council with a plan for a feasibility study of the establishment of a K-12 charter school district in the City of West Hollywood.

RECOMMENDATIONS: Approve a contract with Abby Arnold Consulting in an amount not to exceed \$6,000 for a feasibility study of the establishment of a K-12 charter school district in the City of West Hollywood and authorize the City Manager to sign.

4.C ARTIST SELECTION PROCESS FOR THE CIVIC ART COMPONENT OF THE 25th ANNIVERSARY CAPITAL PROJECT - WEST HOLLYWOOD PARK AND NEW LIBRARY [J. HUFFER, A. CAMPBELL]:

The City Council will consider approving a process for selecting the public artist(s) for the civic art component of the 25th Anniversary Capital Project - West Hollywood Park Phase 1 Implementation and New West Hollywood Library Project.

RECOMMENDATIONS: 1) Approve a process to implement and advance the civic art component of the 25th Anniversary Capital Project – West Hollywood Park Phase 1 Implementation and New West Hollywood Library; 2) Approve Merry Norris as Art Consultant working on behalf of the City per the established civic art guidelines; 3) Approve an Agreement for Services with Merry Norris in amount not to exceed \$30,000 including fees and reimbursables for public art consulting services in association with this Project including authorization of an additional \$2,850 for contingency and reimbursables; 4) Authorize the City Manager to sign and execute Contract Amendment #2 with MDA Johnson Favaro removing scope and remaining budget associated with sub-consultant, Public Art Consultant, Merry Norris from Contract #04279; 5) Authorize additional expenditure of \$6755 for add-services with MDA Johnson Favaro for architectural and design services associated with this project and approve as part of Amendment #2 to Contract #04279 to add budget and scope associated with new civic art process; and 6) Authorize City Manager to sign and execute all documents or forms necessary for the successful implementation of this process and approve any minor modifications.

5. NEW BUSINESS:

5.A. APPOINTMENT OF CITY COUNCILMEMBERS AS DELEGATES AND ALTERNATES TO VARIOUS ORGANIZATIONS, COMMITTEES AND SUB-COMMITTEES [T. WEST, C. SCHAFFER]:

The City Council will consider appointments as delegates and alternates to various organizations, committees and sub-committees.

RECOMMENDATIONS: Appoint Delegates and Alternates to the following committees as outlined in Attachment A: A) Sanitation District

No. 4 – Alternate Director; Adopt Resolution No. 10-_____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ALTERNATE DIRECTOR TO THE BOARD OF DIRECTORS OF LOS ANGELES COUNTY SANITATION DISTRICT NO. 4”; B) California Contract Cities Association – Voting Delegate / Alternate; C) California Joint Powers Insurance Authority (CJPIA) – Director / Alternate; D) League of California Cities – Delegate / Alternate Delegate; E) Los Angeles County City Selection Committee – Delegate / Alternate; F) National League of Cities – Delegate / Alternate Delegate; G) Santa Monica Bay Watershed Council – Delegate / Alternate; H) Westside Cities Council of Governments (WSCCOG) – Delegate / Alternate; and I) Finance & Budget Sub-Committee – 2 Sub-Committee Members.

5.B. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE FOR SUMMER 2010 [T. WEST, C. SCHAFFER]:

The City Council will consider revising the City Council Regular Meeting Schedule for the summer months of 2010.

RECOMMENDATIONS: 1) Consider cancelling the July 6, 2010 Council meeting; and 2) Consider August and September Council meeting schedule.

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, May 17, 2010 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
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.
July 6	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, MAY 3, 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 LABOR NEGOTIATOR.....G.C. 54957.6

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

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

Santa Ritts v. 8445 SMB, Inc., City of West Hollywood
Los Angeles County Superior Court, Case No. BC 416502

3. INITIATION OF LITIGATIONG.C. 54956.9(c)

Two cases