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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, JUNE 1, 2009
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

5:00 P.M. - CLOSED SESSION: See attached Closed Session Agenda

5:30 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, June 1, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 28, 2009.

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 May 13, 2009 and May 18, 2009.

2.C. DEMAND REGISTER NO. 627, RESOLUTION NO. 09-3830:

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

RECOMMENDATION: Approve Demand Register No. 627 and adopt Resolution No. 09-3830, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 627 ."

2.D. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive a report from the Project Advisory Committee and the Public Safety Commission on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.E. 2009-2010 OPERATING BUDGET AND CAPITAL WORK PLAN UPDATE [P. AREVALO, A. GANDHY, D. WILSON]:

The City Council will receive the City of West Hollywood Operating Budget and Capital Work Plan Update for Fiscal Year 2009-2010, which will be brought back for public comment and council adoption at the June 15, 2009 meeting.

RECOMMENDATIONS: Receive and file the City of West Hollywood Operating Budget and Capital Work Plan for Fiscal Year 2009-2010

2.F. AMENDMENTS TO THE GENERAL PLAN, ZONING ORDINANCE, AND ZONING MAP TO REPLACE THE INTERIM ZONING ORDINANCE WITH PERMANENT STANDARDS. (GENERAL PLAN AMENDMENT, ZONE TEXT AMENDMENT, AND ZONE MAP AMENDMENT) [M. RYCHLICKI, J. KEHO, D. DEGRAZIA]:

The City Council will consider a revised resolution amending the General Plan, Zoning Ordinance and Zoning Map to replace the current interim zoning ordinance.

RECOMMENDATIONS: 1) Adopt Resolution No. 3831, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD AMENDING THE GENERAL PLAN AND GENERAL PLAN MAP RELATING TO PERMITTED HEIGHTS IN THE R4 AND R3C ZONING DISTRICTS"; 2) Introduce on the first reading Ordinance No. 812, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 (ZONING ORDINANCE) AND THE ZONING MAP RELATING TO PERMITTED HEIGHTS AND MAXIMUM AVERAGE UNIT SIZES IN THE R4 AND R3 ZONING DISTRICTS, AND PARKING STRUCTURE DRIVEWAY SLOPE AND TRASH PLACEMENT STANDARDS CITY-WIDE"; AND 3) Adopt the urgency ordinance: Ordinance No. 813U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 (ZONING ORDINANCE) AND THE ZONING MAP RELATING TO PERMITTED HEIGHTS AND MAXIMUM AVERAGE UNIT SIZES IN THE R4 AND R3 ZONING DISTRICTS, AND PARKING STRUCTURE DRIVEWAY

SLOPE AND TRASH PLACEMENT STANDARDS CITY WIDE AND DECLARING THE URGENCY THEREOF.”

2.G. THE DESIGNATION OF THE PROPERTY LOCATED AT 1228 FLORES AVENUE AS A LOCAL CULTURAL RESOURCE [M. RYCHLICKI, J. KEHO, J. ALKIRE]:

The City Council will consider a revised resolution designating the single family home and garage located at 1228 Flores Street as a Local Cultural Resource.

RECOMMENDATION: Adopt Resolution No. 09-3832 : “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DESIGNATING THE EXTERIORS OF THE SINGLE FAMILY RESIDENCE AND DETACHED GARAGE LOCATED AT 1228 FLORES STREET AS A LOCAL CULTURAL RESOURCE (CULTURAL RESOURCE DESIGNATION 2007-001).”

2.H. AMENDMENT TO THE CONTRACT WITH THE CITY’S HEARING EXAMINER [V. LOVE, C. SCHROEDER]:

The City Council will consider the approval of an amendment to the contract for Judy A. Sherman for Hearing Examiner services.

RECOMMENDATIONS: 1) Approve Contract Amendment No. 3 with Judy A. Sherman which increases the hourly rate to \$55.00 and shall not exceed \$35,000; and 2) Authorize the City Manager to sign.

2.I. ONE-YEAR EXTENSION OF LAW ENFORCEMENT SERVICES AGREEMENT WITH COUNTY OF LOS ANGELES [M. JENKINS]:

The City Council is requested to consider a one-year extension of the law enforcement services agreement with the County of Los Angeles pending further negotiation of the dispute over the liability trust fund.

RECOMMENDATION: Approve the attached one-year extension of the law enforcement services agreement with the County of Los Angeles and authorize the City Manager to sign.

2.J. PURCHASE MOBILE COMPUTERS FROM CDCE INC. [O. DELGADO, B. GANLEY, J. AUBEL, D. MICK]:

The City Council will consider approving the purchase of 10 Mobile Computers and related hardware from CDCE Inc. The City Council will also consider approving an agreement with CDCE Inc. for maintenance and installation services.

RECOMMENDATIONS: 1) Approve the issuance of a purchase order by the Department of Finance for the purchase of 10 Mobile computers and related hardware in the amount of \$52,582.03; 2) Approve a contract with CDCE Inc. for installation and maintenance services in the amount of \$5,070.00; and 3) Authorize City Manager to sign the agreement.

2.K. CONTRACT AWARD FOR AS NEEDED GENERAL CONSTRUCTION/PROJECT CONSULTING SERVICES [L. LONG, S. BAXTER, D. GONZALEZ]:

The City Council will consider awarding a two year contract to Heery International Inc. for general construction consulting services.

RECOMMENDATIONS: 1) Authorize the City Manager to sign a two year Agreement with Heery International Inc, in a not to exceed amount of \$75,000 for as needed general construction consulting services; and 2) Authorize the contingency expenditure of an amount not to exceed 15% of the Agreement amount as approved by the Director of the Human Services Department.

2.L. 25th ANNIVERSARY CAPITAL PROJECT - NOTICE OF COMPLETION, HAZARDOUS MATERIAL ABATEMENT SERVICES WEST HOLLYWOOD PARK NEW LIBRARY PROJECT C.I.P. NO. 55-08/09-07: [R. REYNOLDS, J. HUFFER]

The City Council will consider approving a Notice of Completion for Hazardous Material Abatement Services West Hollywood Park/New Library Project C.I.P. NO. 55-08/09-07.

RECOMMENDATIONS: 1) Accept the work and authorize the following: a) Filing a Notice of Completion by the City; 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.M. NOTICE OF COMPLETION FOR CIP 0905 CONCRETE REPAIR PROGRAM [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Notice of Completion for CIP 0905 Concrete Repair Program by Kacey Construction.

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.N. GRANT APPLICATION FOR HAZARD MITIGATION PLAN [K. COOK, B. SMITH, S. BERRY]:

The City Council will consider authorizing staff to apply for and then accept, if applicable, a grant offered by the California Emergency Management Agency, DR-1810 Hazard Mitigation Grant Program.

RECOMMENDATIONS: 1) Authorize staff to apply for and accept, if applicable, a grant offered by the California Emergency Management Agency, DR-1810 Hazard Mitigation Grant Program; 2) If the grant is awarded, authorize the Director of Finance to adjust the budget in fiscal year 2009-10 to reflect the projected grant award of \$18,000 for a total of

\$24,000 in increased budgeted expenditures and grant revenues of \$18,000 and a transfer of \$6,000 from the Public Safety Administration budget; and 3) Authorize the expenditure of Hazard Mitigation Grant Program funds for the review and update of the City of West Hollywood's Hazard Mitigation Plan as required by the Federal Emergency Management Agency.

2.O. DISTRICT 8 PREFERENTIAL PARKING REGULATIONS [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider a petition for preferential parking filed by residents representing a majority of the residential dwelling units on Curson Avenue, between Lexington and Hampton Avenues.

RECOMMENDATION: Introduce for first reading Ordinance No. 09-814, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON CURSON AVENUE BETWEEN LEXINGTON AND HAMPTON AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

2.P. CO-SPONSORSHIP OF DOCUMENTARY [J. DURAN, H. MOLINA]:

The Council will consider co-sponsoring Nicholas Frangakis documentary focusing on LGBT families and adoption.

RECOMMENDATIONS: 1) Approve co-sponsorship of Nicholas Frangakis' documentary focusing on LGBT families and adoption, and the social network of parents that participate in Saturdays in the Park and Family Day In the Park; 2) Authorize issuance of a letter of support for the project; and 3) Authorize the City Manager to rescind co-sponsorship at any time deemed appropriate.

2.Q. RENAMING OF HOLLOWAY PARK VETERAN'S MEMORIAL IN HONOR OF SAL GUARRIELLO [J. PRANG, J. STEVENS, L. HORVATH, D. SAUR]:

The City Council will consider directing the Public Facilities Commission, in cooperation with city staff and the Arts & Cultural Affairs Commission, to initiate City procedures required to rename the Holloway Park Veteran's Memorial in honor of former Mayor and Councilmember Sal Guarriello.

RECOMMENDATIONS: 1) Direct the Public Facilities Commission, in cooperation with city staff and the Arts & Cultural Affairs Commission, to initiate City procedures required to rename the Holloway Park Veteran's Memorial in honor of former Mayor and Councilmember Sal Guarriello; and 2) Direct the City Manager to authorize expenditures for design modifications to the existing Veteran's Memorial, pending design approval by the City Council.

2.R. RESOLUTION IN SUPPORT OF SB 158 (WIGGINS) REGARDING PREVENTIVE HEALTH CARE SERVICES [A. LAND, C. PLANCK, R. MARTINEZ]:

The City Council will consider adopting a resolution in support of SB 158 (Wiggins).

RECOMMENDATIONS: 1) Adopt Resolution 09-3833 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 158 (WIGGINS) REGARDING PREVENTIVE HEALTH CARE SERVICES THAT INCLUDES COVERAGE OF THE HUMAN PAPIILLOMAVIRUS VACCINE"; 2) Direct staff to send copies of signed resolution to California State Senator Patricia Wiggins, American College of Obstetrics and Gynecologists, American Cancer Society, California Medical Association, Medical Oncology Association of Southern California, Planner Parenthood Affiliates, American Academy of Pediatrics, CA NOW, Senator Fran Pavley and Assemblymember Mike Feuer; and 3) Direct staff to be involved with public health outreach to social service and health programs of West Hollywood to urge their support of access to the HPV as part of women's annual cervical cancer screening test.

2.S. RESOLUTION IN SUPPORT OF REDEVELOPMENT REVENUE EXCHANGE, SB 93 (KEHOE) [P. AREVALO, H. MESHAR, K. KRIETZMAN]:

The City Council will consider adopting a resolution in support of Redevelopment Revenue Exchange, SB 93 (Kehoe).

RECOMMENDATIONS: 1) Adopt Resolution No. 09-3824, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF REDEVELOPMENT REVENUE EXCHANGE, SB 93 (KEHOE)"; and 2) Send copies of the signed resolutions to State Senator Fran Pavley, Assemblymember Mike Feuer, and Senator Christine Kehoe.

2.T. 2010 LA MARATHON EVENT REQUEST [L. LONG, N. BEARD]:

Council will consider a request to close portions of city streets to accommodate the 2010 Los Angeles Marathon.

RECOMMENDATION: Approve the event request in concept and allow the City Manager to negotiate with the Los Angeles Marathon committee for passage thru the City of West Hollywood.

2.U. SUPPORT TO JOIN THE CALIFORNIA PRODUCT STEWARDSHIP COUNCIL [A. LAND, C. PLANCK, L. HORVATH, D. SAUR]:

The City Council will consider participating in a health care forum, "West Hollywood Cares About Health Care," a community discussion about the current state of health care in the United States.

RECOMMENDATION: Direct staff to provide support and outreach for "West Hollywood Cares About Health Care," including community communication through our Public Information Office.

- 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.

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, June 15, 2009 at 6:30 P.M. at Fiesta Hall in Plummer Park, 1200 N. Vista Street.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
June 15	Monday	6:30 PM	Regular Meeting	Plummer Park
July 13	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
July 20	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
August 3	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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are available on-line at

CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, JUNE 1, 2009
5:00 P.M.

REVISED
5/28/09

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 NEGOTIATORS... ..G.C. 54956.8**
Property: 417 Norwich Avenue (aka: Norwich Community Garden)
Agency Negotiator: Paul Arevalo or designee
Party's negotiator: Michael Garrison for the Family of Nasim Fares, Jr.
Under Negotiation: Price and terms of payment of lease

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

Save Tara v. City of West Hollywood
Los Angeles Superior Court Case No. BS090402

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

3. **ANTICIPATED LITIGATION.....G.C. 54956.9(b)**

One case