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(Article IV, Chapter 7, W.H.M.C.)**

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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, NOVEMBER 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, November 15, 2010 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Wednesday, November 10, 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 October 25 and November 1, 2010.

**2.C. DEMAND REGISTER NO. 662, RESOLUTION NO. 10-4101:**

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

RECOMMENDATION: Approve Demand Register No. 662 and adopt Resolution No. 10-4101 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 662."

**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 Andre Gergelyi and refer to the City's claims adjuster.

**2.E. 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.F. 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 August 2009 - August 2010. The Council will also consider excusing absences of a commissioner due to professional reasons.*

RECOMMENDATION: 1) Receive and file the attendance reports; and 2) Excuse absences, due to professional reasons, for: Brian Pendleton (Transportation Commission).

**2.G. LEGISLATIVE PRIORITIES 2011-2012 [V. LOVE, K. KRIETZMAN]:**

*The Council will consider approving the City of West Hollywood's draft Priority Issues for legislative focus in the 2011-2012 State legislative session.*

RECOMMENDATION: Review and approve the draft Legislative Priorities. Direct staff to submit the Legislative Priorities to the City's State Lobbyist, Helyne Meshar, California Assembly and Senate representatives, and the Governor of the State of California.

**2.H. DEPARTMENT OF PUBLIC WORKS PARKING VIOLATION FEE SCHEDULE [O. DELGADO, J. ROCCO, D. NORTE]:**

*The City Council will consider amending the fine amounts for parking violations as mandated by SB 857.*

RECOMMENDATION: Adopt Resolution No. 10-4102, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 8 OF RESOLUTION NO. 10-4046

ESTABLISHING FEES AND CHARGES FOR CERTAIN SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS PARKING VIOLATIONS SCHEDULE TO COMPLY WITH THE PROVISIONS OF SB 857".

**2.I. AGREEMENT WITH KOA CORPORATION TO PROVIDE DESIGN AND CONSTRUCTION MANAGEMENT SERVICES [O. DELGADO, J. ROCCO]:**

*The City Council will consider approving an agreement with KOA Corporation to provide the design and construction management for the City operated parking lot located at 9056 Sunset Boulevard.*

RECOMMENDATIONS: 1) Approve an agreement with KOA Corporation to provide the design and construction management for the City operated parking lot located at 9056 Sunset Boulevard in an amount "not-to-exceed" \$50,000; 2) Authorize the City Manager to sign the agreement; and 3) Authorize the Director of Finance and Technology to allocate \$50,000 from unobligated reserves in the Parking Improvement Fund to account 213-3-08-82-531005.

**2.J. AGREEMENT WITH HOLLYWOOD TOW SERVICE, INC. TO PROVIDE VEHICLE TOWING AND STORAGE SERVICES [O. DELGADO, J. ROCCO, D. NORTE]:**

*The City Council will consider an agreement with Hollywood Tow Service, Inc. to provide vehicle towing and storage services.*

RECOMMENDATION: 1) Authorize staff to negotiate an agreement with Hollywood Tow Service to provide vehicle towing and storage services for a four and a half (4 ½) year term, beginning January 1, 2011 through June 30, 2015; and 2) Authorize the City Manager to sign the agreement.

**2.K. AWARD OF CONTRACT, THE SAL GUARRIELLO VETERANS' MEMORIAL FOUNTAIN PROJECT, C.I.P. 55-10/11-01 [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*The City Council will consider awarding a contract for the construction of the Sal Guarriello Veterans' Memorial Fountain Project, C.I.P. 55-10/11-01.*

RECOMMENDATIONS: 1) Accept the bid dated October 26, 2010, in the amount of \$246,650 as submitted by Vido Samarzich, Inc. of Alta Loma, California for the Sal Guarriello Veterans' Memorial Fountain Project, C.I.P. 55-10/11-01; 2) Authorize the City Manager to sign an Agreement with Vido Samarzich, Inc., in the amount of \$246,650 for the construction of the Sal Guarriello Veterans' Memorial Fountain Project, C.I.P. 55-10/11-01; 3) Authorize the Director of Human Services, or his designee, to negotiate and execute one or more change orders to the contract with Vido Samarzich, Inc., for additional 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.L. FIRST CONTRACT AMENDMENT FOR SOCIAL VOCATIONAL SERVICES [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*The City Council will consider awarding an amendment to the Agreement with Social Vocational Services, for personnel leasing services.*

RECOMMENDATIONS: 1) Approve the First Amendment to Agreement with Social Vocational Services for personnel leasing services to extend the contract expiration date to June 30, 2011; 2) Approve the First Amendment to Agreement with Social Vocational Services for personnel leasing services and increase the contract, by a not to exceed amount of \$80,801; 3) Approve the First Amendment to the Agreement with Social Vocational Services for personnel leasing services to amend the Exhibit A1 to include two additional crews; and 4) Authorize the City Manager to execute the First Amendment to Agreement.

**2.M. 25<sup>th</sup> ANNIVERSARY CAPITAL PROJECT – SECOND AMENDMENT TO AGREEMENT FOR SERVICES WITH TWINING LABORATORIES FOR INSPECTION SERVICES RELATED TO THE WEST HOLLYWOOD PARK PHASE 1 IMPLEMENTATION AND NEW LIBRARY PROJECT [J. ENGLISH, J. HUFFER, S. BAXTER]:**

*The City Council will consider approving an amendment to an agreement for services related to on-site inspections related to the West Hollywood Park Phase 1 Implementation and new Library Project increasing the contract amount by \$35,000 for Twining Laboratories.*

RECOMMENDATIONS: 1) Approve an amendment to an agreement for services with Twining Laboratories Inc. in an amount not to exceed \$35,000 for a new contract total of \$124,240 for roofing and waterproofing inspection services for the new West Hollywood Library project; and 2) Authorize the City Manager to execute the amendment and approve any minor modifications that may be required.

**2.N. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) FOUR BUSINESS-FRIENDLY PRINCIPLES [J. DURAN, H. MOLINA]:**

*The City Council will consider adopting a resolution in support of SCAG's four business-friendly principles.*

RECOMMENDATIONS: 1) Adopt Resolution 10-4103, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) FOUR BUSINESS-FRIENDLY PRINCIPLES; and 2) Direct staff to send copies of adopted resolutions to SCAG.

**2.O. WAIVE PERMIT FEES FOR THE THIRD ANNUAL AVENUES HOLIDAY WALK 2010 [P. AREVALO, J. HUFFER, M. LOUIE]:**

*The City Council will consider a recommendation to waive city-related event permit fees in The Avenues: Art, Fashion & Design District (The*

*Avenues), the evening of Friday, December 10, and afternoon of Saturday, December 11, 2010 for the third annual Holiday Walk.*

RECOMMENDATIONS: 1) Waive all City fees associated with the Avenues Holiday Walk 2010; and 2) Direct the Public Information Office to promote the event utilizing city communication tools including but not limited to the City's website and social media tools.

**2.P. ARTS AND CULTURAL AFFAIRS COMMISSION 2011 ARTS GRANT PROGRAM ANNUAL AWARDS [J. HUFFER, A. CAMPBELL]:**

*The Council will consider the Arts and Cultural Affairs Commission recommendations to award annual Arts Grant Program grants to 13 arts organizations in accordance with guidelines previously adopted by City Council.*

RECOMMENDATION: Approve recommendations of the Arts and Cultural Affairs Commission to award 2011 annual Arts Grant Program grants and technical assistance totaling \$53,000 as outlined in Exhibit A.

**2.Q. CITY CO-SPONSORSHIP OF TAX AND ESTATE PLANNING FOR SAME-SEX COUPLES PROGRAM [J. HEILMAN, F. SOLOMON, E. BARRATT]:**

*The City Council will consider co-sponsoring the Tax and Estate Planning for Same-Sex Couples Program to be held on November 18, 2010 at Plummer Park.*

RECOMMENDATIONS: 1) Approve the City of West Hollywood's co-sponsorship of the "Tax and Estate Planning for Same-Sex Couples" Program with the Williams Institute and other organizational co-hosts. Approve use of the City's name and logo on printed materials advertising the event; 2) Approve the use of Plummer Park by the Williams Institute and the UCLA School of Law on Thursday, November 18, 2010 from 6:00 pm-8:00 pm and waive all fees associated with the event; and 3) Direct staff to assist with the coordination and promotion of the event.

**2.R. TOY BOX HOLIDAY CHARITY FUNDRAISER SPONSORSHIP [J. PRANG, M. HAIBACH, A. LAND, C. PLANCK]:**

*The City Council will consider co-sponsorship of the 15<sup>th</sup> Annual Toy Box Party, hosted by Frontiers IN LA, Micky's, East West Lounge, District Grill & Eleven Nightclub, and Trunks. Toys will be distributed for free to families affected by HIV/AIDS. This is the 15th annual event and the fourth in a row held in the heart of West Hollywood, on Sunday, December 12, 2010.*

RECOMMENDATIONS: Authorize co-sponsorship of the Toy Box Party, which includes: 1) Authorize the use and closure of Larrabee Street between Santa Monica Boulevard and Cynthia Street between 12 p.m – 9 p.m. Sunday, December 12<sup>th</sup> as outlined in Exhibit A for the 2010 Toy Box Party; and 2) Authorize the waiver of all applicable City of West Hollywood Special Event-Permit and Encroachment Fees, and additionally direct City

Recreation Services Staff to coordinate street closure, event set up and tear down with event organizers.

**2.S. SUPPORT OF S. RES 664 AND H. RES 1670: CONGRESSIONAL RESOLUTIONS IN OPPOSITION TO SOCIAL SECURITY CUTS [C. PLANCK, L. FOOKS, P. KOEHLER]:**

*The City Council will consider adopting a resolution in support of S. RES 664 and H. RES 1670, regarding the Social Security Act."*

RECOMMENDATION: 1) Adopt Resolution No. 10-4104, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S. RES 664 AND H. RES 1670: CONGRESSIONAL RESOLUTIONS IN OPPOSITION TO SOCIAL SECURITY CUTS"; and 2) Direct staff to send copies of the signed resolution to US Senator Bernie Sanders, US Senator Barbara Boxer, US Senator Diane Feinstein, Rep. Gabrielle Giffords, Rep. Henry Waxman, and the National Organization for Women.

**2.T. APPROVE CONTRACT WITH GOVPARTNER TO PROVIDE CODE COMPLIANCE, WORK ORDER AND CUSTOMER RELATIONSHIP MANAGEMENT SERVICES AND IMPLEMENTATION [V. LOVE, O. DELGADO]:**

*The City Council will consider approving a contract with GovPartner to provide Code Compliance, Work Order and Customer Relationship Management Services and implementation.*

RECOMMENDATIONS: 1) Approve an agreement with GovPartner in an amount not to exceed \$95,000 for services and implementation; and 2) Authorize the City Manager to sign and execute all necessary documents.

**2.U. BICYCLE TASK FORCE UPDATE [P. AREVALO, A. McINTOSH]:**

*The City Council will receive and file an update on the Bicycle Task Force. As directed by the City Council on July 19, 2010, the staff report includes a list of recommended appointees to the Bicycle Task Force and a preliminary scope of work and schedule.*

RECOMMENDATIONS: 1) Approve the City Manager's list of recommended appointees to the Bicycle Task Force; and 2) Approve the preliminary scope of work and timeline.

**THE CITY COUNCIL WILL RECESS AND RECONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION:** (see attached Community Development Commission Agenda)

**THE COMMUNITY DEVELOPMENT COMMISSION WILL RECESS AND RECONVENE AS THE CITY COUNCIL:**

**3. PUBLIC HEARINGS:**

**3.A. PROPOSED HEARING SCHEDULE FOR COMPREHENSIVE GENERAL PLAN UPDATE, CLIMATE ACTION PLAN, AND FINAL ENVIRONMENTAL IMPACT REPORT [A. MCINTOSH, J. KEHO, B. SIEGL, C. CORRAO]:**

*The City Council will review a proposed hearing schedule regarding the Draft West Hollywood General Plan 2035, Draft Climate Action Plan, and Final Environmental Impact Report (FEIR).*

**RECOMMENDATION:** Consider the proposed hearing schedule for Council review of the Draft General Plan, Draft Climate Action Plan, and Final Environmental Impact Report.

**4. UNFINISHED BUSINESS:**

**4.A. ORDINANCE AMENDING THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE TO PROHIBIT SMOKING IN OUTDOOR DINING AND OTHER PUBLIC AREAS [P. AREVALO, J. HUFFER, M. LOUIE]:**

*The City Council will provide additional direction to staff regarding the formation of an ordinance.*

**RECOMMENDATIONS:** 1) Provide staff with direction on remaining items for incorporation into the draft ordinance; 2) Schedule first reading of the ordinance for December 6, 2010; 3) Direct Public Information Office to work with Social Services and health service providers to develop an education campaign to inform the public of the dangers of smoking and resources in the community available to help them quit, including harm reduction models and return to the Council within 90 days with a plan and proposed budget; and 4) Direct Economic Development to work with the City's business partners to explore an incentive plan that would encourage businesses that are exempt from the ordinance to prohibit smoking in their establishments and report back to the City Council in 90 days after ordinance becomes effective.

**4.B. INITIATIVE MEASURE REGARDING A TAX ON OFF-SITE ADVERTISING AND ALLOWING TALL WALL ADVERTISING SIGNS TO BE PLACED ON BUILDINGS ON SANTA MONICA AND BEVERLY BOULEVARDS [T. WEST, C. SCHAFFER]:**

*The City Council will receive a report from the City Attorney regarding a proposed tax on off-site advertising and allowing tall wall advertising signs on Santa Monica and Beverly Boulevards, and will take one of the recommended actions provided in the report.*

**RECOMMENDATION:** Receive the attached report from the City Attorney regarding a proposed tax on off-site advertising and allowing tall wall advertising signs on Santa Monica and Beverly Boulevards, and select one of the recommended legal actions provided in the report: 1) Place the initiative on the ballot; 2) Refuse to place the initiative on the ballot; or 3)



direct the City Attorney to bring an action for declaratory relief to challenge the initiative.

**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 the Annual Congress, which will be on Monday, November 29, 2010 at 6:30 P.M. at Fiesta Hall in Plummer Park, 7377 Santa Monica Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
November 29	Monday	6:30 PM	Annual Congress	Fiesta Hall
December 6	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
December 20	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
January 18	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY OF WEST HOLLYWOOD  
COMMUNITY DEVELOPMENT COMMISSION  
AGENDA**

**MONDAY, NOVEMBER 15, 2010**

**6:30 P.M.**

**WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

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- 1. CALL TO ORDER:**
- 2. ROLL CALL:**
- 3. APPROVAL OF THE AGENDA:**
- 4. PUBLIC COMMENTS:** This time has been set aside for members of the public to address the Community Development Commission on items of general interest within the subject matter jurisdiction of the Commission. Although the Commission values your comments, pursuant to the Brown Act it generally cannot take any action on items not listed on the posted agenda. Two minutes are assigned for each speaker.
- 5. CONSENT CALENDAR:**
  - 5.A. APPROVAL OF MINUTES:**

*The Community Development Commission is requested to approve the minutes of prior Community Development Commission meetings.*

RECOMMENDATION: Approve the minutes of the meeting on October 18, 2010.
- 6. PUBLIC HEARING: None**

**7. UNFINISHED BUSINESS: None.**

**8. NEW BUSINESS:**

**8.A. FINANCING COMMITMENT FOR AFFORDABLE SENIOR HOUSING TO BE DEVELOPED BY ALTERNATIVE LIVING FOR THE AGING AT 937 NORTH FAIRFAX AVENUE [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:**

*The Community Development Commission will consider approving a financing commitment letter for an amount not to exceed \$2.5 million to support Alternative Living for the Aging (ALA) in its application to various other governmental agencies to develop a 17-unit affordable senior housing project at 937 North Fairfax Avenue.*

**RECOMMENDATIONS:** 1) Approve a financing commitment letter committing the CDC for up to \$2.5 million in gap financing to support of ALA applications for Department of Housing and Urban Development (HUD) and County of Los Angeles affordable housing program funding; 2) Authorize the City Manager to sign the commitment letter; and 3) Affirm that the project being proposed by ALA, as an all-affordable housing project, will be exempt from all normal City-imposed fees.

**9. COMMUNITY DEVELOPMENT COMMISSIONER 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 Community Development Commission.

**10. ADJOURNMENT:**

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
CLOSED SESSION AGENDA  
MONDAY, NOVEMBER 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. INITIATION OF LITIGATION..... G.C. 54956.9(c)**

One case

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