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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, DECEMBER 6, 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, December 6, 2010 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, December 2, 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 November 15, 2010.

2.C. DEMAND REGISTER NO. 663, RESOLUTION NO. 10-4105:

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

RECOMMENDATION: Approve Demand Register No. 663 and adopt Resolution No. 10-4105, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 663."

2.D. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

RECOMMENDATION: Receive and file.

2.E. 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.

RECOMMENDATIONS: 1) Review and approve the draft Legislative Priorities; and 2) 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.F. HYBRID VEHICLE PURCHASE [S. BAXTER, S. CAMPBELL. H. COLLINS]:

The City Council will consider authorizing the purchase of two hybrid vehicles.

RECOMMENDATIONS: Authorize the Finance Department to issue a Purchase Order to Theodore Robbins Ford, Costa Mesa, California in the amount of \$60,760.74 for the purchase of two 2011 Ford Escape Hybrid Sports Utility Vehicles (SUV).

2.G. APPROVAL TO AMEND THE CONTRACT FOR CLOSED CAPTIONING OF LIVE MEETING COVERAGE ON CITYCHANNEL 10 [H. GOSS, K. EGENBERGER]:

The City Council will consider approving an amendment to the contract with Total Recall Captioning, Inc. to change the original "Not to exceed" amount of \$10,000 to \$25,000 for closed captioning of live TV broadcasts of City meetings.

RECOMMENDATIONS: 1) Approve an amendment to the contract with Total Recall Captions, Inc. for Closed Captioning of City meetings; 2) Authorize the City Manager to sign the contract; and 3) Authorize the Director of Finance and Technology to allocate \$15,000 from unobligated General Fund reserves to account 100-1-09-09-531004.

2.H. 25TH ANNIVERSARY CAPITAL PROJECT – CITY HALL PARKING STRUCTURE: PUBLIC ART CONSULTANT CONTRACT APPROVAL [O. DELGADO, J. HUFFER, A. CAMPBELL]:

The City Council will consider approving the contract for a public art consultant to provide services in conjunction with the City Hall Parking Structure project.

RECOMMENDATION: Approve Rebecca Ansert of Green Public Art to provide public art consulting services on behalf of the City per the established civic art guidelines.

2.I. ADVANCEMENT OF THE ART AND ARTIST SELECTION PROCESS FOR THE CIVIC ART COMPONENT OF THE 25TH ANNIVERSARY CAPITAL PROJECT – PLUMMER PARK MASTER PLAN IMPLEMENTATION PHASE I [S. BAXTER, J. HUFFER, A. CAMPBELL]:

The City Council will review recommendations of the Art Process Team and provide comments on a draft art case statement reviewing the goals and parameters of the public art; recommended locations for the artwork(s); and the use of the “single artist” selection process

RECOMMENDATIONS: 1) Approve Civic Art Case Statement outlining the goals and parameters of the civic art; 2) Approve recommended location(s) for placement of the civic art on the project site; and 3) Approve recommendation for the Art Process Team to select an artist or artists to begin design concept development in conjunction with project architect and design team, public art consultant, Urban Art Subcommittee and City staff.

2.J. DENIAL OF CULTURAL RESOURCE DESIGNATION OF PROPERTY LOCATED AT 1201 NORTH CLARK STREET, WEST HOLLYWOOD, CALIFORNIA [A. MCINTOSH, J. KEHO, A. CASTILLO]:

The City Council will consider denying the cultural resource designation of a single-family dwelling constructed in 1913 and located at 1201 N. Clark Street in West Hollywood.

RECOMMENDATION: Adopt Resolution No. 10-4106: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING DESIGNATION OF THE PROPERTY LOCATED AT 1201 NORTH CLARK STREET, WEST HOLLYWOOD, CALIFORNIA, AS A LOCAL CULTURAL RESOURCE (CRD 009-003).”

2.K. DESIGNATION OF THE PROPERTY LOCATED AT 1275-1285 NORTH SWEETZER AVENUE AS A LOCAL CULTURAL RESOURCE [A. MCINTOSH, J. KEHO, A. CASTILLO]:

The City Council will consider designating the property located at 1275-1285 North Sweetzer Avenue as a local cultural resource.

RECOMMENDATION: Adopt Resolution No. 10-4107: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DESIGNATING THE PROPERTY LOCATED AT 1275-1285 NORTH

SWEETZER AVENUE, WEST HOLLYWOOD, AS A LOCAL CULTURAL RESOURCE (CRD 010-004).”

2.L. PUBLIC SAFETY EDUCATION CAMPAIGN AND UPDATE ON PUBLIC SAFETY DEPLOYMENT [L. HORVATH, I. PINE, J. PRANG, M. HAIBACH]:

The City Council will receive an update on public safety holiday deployment provided by Captain Kelley Fraser and reinforce the public safety education campaign.

RECOMMENDATIONS: 1) Direct staff to continue to work with local businesses, residents, and neighboring jurisdictions to promote crime prevention and neighborhood livability; 2) Continue to educate the community through Neighborhood Watch and the Public Safety Commission’s “Live, Work, Play, Be Safe” campaign on robbery prevention and theft prevention; and 3) Give additional direction to staff as necessary.

2.M. RESTRICTIONS ON SUPERSIZE LIMOUSINES [L. HORVATH, I. PINE, J. PRANG, M. HAIBACH]:

The City Council will consider directing Transportation Staff to work with Public Safety, Parking Services and the Office of the City Attorney to investigate restrictions on supersize limousines.

RECOMMENDATIONS: 1) Direct Transportation Staff to work with Public Safety, Parking Services and the Office of the City Attorney to investigate restrictions against supersize limousines; and 2) Report findings and potential solutions to Council.

2.N. CREATION OF A FREE BUSINESS E-WASTE RECYCLING PROGRAM THROUGH CALIFORNIA RECYCLES, INC. [A. LAND, C. PLANCK, P. KOEHLER]:

The City Council will consider directing staff to initiate a program with California Recycles, Inc. that would provide businesses within West Hollywood a free opportunity to recycle their electronic waste.

RECOMMENDATIONS: 1) Direct staff in the Department of Public Works to initiate an electronic waste recycling program with California Recycles, Inc. for businesses within West Hollywood; and 2) Direct staff to outreach to the business community, including the West Hollywood Chamber of Commerce and the Business Improvement Districts in order to facilitate their participation.

3. PUBLIC HEARINGS:

3.A. REVISIONS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGET [A. WINDERMAN, R. BURNLEY]:

The City Council will consider adopting a resolution approving revisions to the fiscal year 2010-2011 Community Development Block Grant (CDBG) budget.

RECOMMENDATIONS: 1) Approve revisions to the 2010-2011 CDBG Budget, and instruct staff to submit the revised budget for approval to the Community Development Commission of the County of Los Angeles; 2) Authorize the Finance Director to increase the CDBG Fund Revenue and Expenditures budgets by \$965,132; and 3) Adopt Resolution No. 10- _____
“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, APPROVING REVISIONS TO THE FISCAL YEAR 2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET.”

3.B. AMENDMENT TO THE ZONING ORDINANCE CLARIFYING GREEN BUILDING STANDARDS, SOLAR ACCESS AND SOLAR EQUIPMENT STANDARDS, AFFORDABLE HOUSING INCENTIVES, IRRIGATION AND WATER CONSERVATION STANDARDS, AND PERMIT TIME LIMITS AND EXTENSIONS CITY WIDE [A. MCINTOSH, J. KEHO, D. DEGRAZIA]:

The Council will consider amendments of the City of West Hollywood Zoning Ordinance clarifying green building standards, solar access and solar equipment standards, affordable housing incentives, irrigation and water conservation standards, and permit time limits and extensions city wide.

RECOMMENDATION: Hold a public hearing, consider all pertinent testimony and introduce on first reading Ordinance No. _____ “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING ZONE TEXT AMENDMENT 2010-002 CLARIFYING GREEN BUILDING STANDARDS, SOLAR ACCESS AND SOLAR EQUIPMENT STANDARDS, AFFORDABLE HOUSING INCENTIVES, IRRIGATION AND WATER CONSERVATION STANDARDS, AND PERMIT TIME LIMITS AND EXTENSIONS CITY WIDE.” (EXHIBIT A)

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

The City Council will hold a continued public hearing regarding the Draft West Hollywood General Plan 2035; Draft Climate Action Plan; and Final Environmental Impact Report, Mitigation Monitoring and Reporting Program, and a Statement of Overriding Considerations.

RECOMMENDATIONS: 1) Staff recommends that City Council hold a discussion of specific issues and information presented in the Land Use and Urban Form chapter of the Draft General Plan and provide direction to staff regarding these policies; and 2) Continue the public hearing to a date certain of December 20, 2010.

4. UNFINISHED BUSINESS:

4.A. ADVANCEMENT OF THE ART AND 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 review recommendations of the Art Process Team and Arts and Cultural Affairs Commission for the selection of artists to design, fabricate and install public art works for the new West Hollywood Library.

RECOMMENDATIONS: 1) Approve David Wiseman as public artist to design, fabricate and install a public art work in the interior stairway and airspace above the interior stairway of the new West Hollywood Library in an amount not to exceed \$240,000 including fees and reimbursables; 2) Approve Shepard Fairey as public artist to design, fabricate and install a public art work at a location to be determined in an amount not to exceed \$100,000 including fees and reimbursables; 3) Direct staff to work with Shepard Fairey, the art consultant, the project design team and the Arts and Cultural Affairs Commission to initiate concepts and locations for the art and return to Council for review and approval of location; and 4) Authorize City Manager to negotiate, sign and execute the agreements for services for the two artists, and any documents or forms necessary for the successful implementation of this process and approve any minor modifications..

5. NEW BUSINESS:

5.A EVALUATION STUDY OF CITY-SUBSIDIZED TRANSPORTATION PROGRAMS [J. HEILMAN, F. SOLOMON, L. HORVATH, I. PINE, S. BAXTER, D. DENNIS, D. GIUGNI]:

The City Council will authorize staff to conduct an evaluation study of the City's subsidized transportation programs for Seniors and people living with disabilities.

RECOMMENDATION: Approve staff recommendations for the scope and timeline of the study.

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, December 20, 2010 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
December 20	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
January 18	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
February 7	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
February 22	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, DECEMBER 6, 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. PENDING LITIGATION.....G.C. 54956.9(a)**

Heidy v. City of West Hollywood
Los Angeles Superior Court Case No. BS129436.

Isenberg v. City of West Hollywood
Los Angeles Superior Court Case No. 129220

Toorvald v. City of West Hollywood
2nd District Court of Appeal, Case No. B225583

West Hollywood v. 852 Hilldale, LLC
Los Angeles Superior Court Case No. SC108910

KLEAN West Hollywood et al. v. City of West Hollywood
United States District Court, Case No. CV10-8145