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

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To comply with the Americans with Disabilities Act of 1990, Assistive Listening Devices (ALD) will be available for check out at the meeting. If you require special assistance to attend (e.g., transportation) or to participate in this meeting (e.g., a signer for the hearing impaired), you must call or submit your request in writing to the Office of the City Clerk at (323) 848-6409 at least 48 hours prior to the meeting. For information on public transportation, call 1-800-COMMUTE or go to www.mta.net. The City TDD line for the hearing impaired is (323) 848-6496.

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, FEBRUARY 7, 2011
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, February 7, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 3, 2011.

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 January 18, 2011.

2.C. DEMAND REGISTER NO 667, RESOLUTION NO. 11-4122:

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

RECOMMENDATION: Approve Demand Register No. 667 and adopt Resolution No. 11-4122, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 667"

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 claims of Dustin Smith, Marcus Osborne and Peter Park and refer to the City's claims adjuster.

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

RECOMMENDATION: Receive and file.

2.F. NOTICE OF COMPLETION FOR CIP 1101 CONCRETE REPAIR PROGRAM [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Notice of Completion for CIP 1101 Concrete Repair Program by CJ Construction.

RECOMMENDATION: 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.G. AWARD OF A CONSTRUCTION CONTRACT FOR SEWER REPAIR AND REHABILITATION – EAST SIDE, CIP 1104 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approval of a construction contract for Sewer Repair and Rehabilitation – East Side, CIP 1104.

RECOMMENDATIONS: 1) Accept the bid dated January 20, 2011, submitted by Southwest Pipeline and Trenchless Corp.; 2) Authorize the City Manager to enter into a contract with Southwest Pipeline and Trenchless Corp. in the amount of \$1,564,387.60 for the construction of CIP 1104, Sewer Repair and Rehabilitation – East Side; 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; 4) Authorize the Director of Finance to allocate \$53,000 from the unallocated reserves in the Sewer District Fund; 5) Authorize the Director of Finance to allocate \$118,000 from the unallocated reserves in the Sewer

Assessment Fund; and 6) Make a finding that pursuant to the provisions of the California Environmental Quality Act (CEQA-Public Resources Code, Section 21084 et. Seq.), Sewer Repair and Rehabilitation – East Side, CIP 1104 meets the requirements for a categorical exemption in compliance with Article 19, Section 15301, (Class 1- Existing Facilities).

2.H. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES ON CIP 1104, SEWER REPAIR AND REHABILITATION – EAST SIDE [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 1104 Sewer Repair and Rehabilitation – East Side.

RECOMMENDATION: Approve a professional services Agreement in an amount not to exceed \$147,623 with RBF Consulting for construction management and inspection services on CIP 1104 Sewer Repair and Rehabilitation –East Side, and authorize the City Manager to sign the Agreement.

2.I. AMENDMENT TO AGREEMENT FOR SERVICES WITH CIVITAS ADVISORS TO PROVIDE BUSINESS IMPROVEMENT DISTRICT (BID) CONSULTING SERVICES [P. AREVALO, J. HUFFER, M. LOUIE]:

The City Council will consider amending an agreement for services with Civitas Advisors increasing contract amount by an additional \$24,000 for a total not-to-exceed amount of \$49,000 to provide BID consulting services.

RECOMMENDATIONS: 1) Approve an amendment to an agreement for services increasing contract amount by \$24,000 for a total not-to-exceed amount of \$49,000; and 2) Authorize the City Manager to sign and execute any necessary documents or forms.

2.J. AMENDMENT TO AGREEMENT WITH AMPCO SYSTEM PARKING TO PROVIDE PARKING MANAGEMENT SERVICES AT NEW WEST HOLLYWOOD PARK PARKING STRUCTURE [O. DELGADO, J. ROCCO, R. MARQUEZ]:

The City Council will consider approval of an amendment to the agreement with Ampco System Parking to add the new parking structure located at 619 San Vicente Boulevard.

RECOMMENDATIONS: 1) Approve an amendment to the existing contract with Ampco System Parking to add the new parking structure located at 619 San Vicente Boulevard. Amend the current agreement to increase the “not-to-exceed” amount of \$405,169 by an additional \$78,000, for a total of \$483,169; 2) Authorize the Director of Finance to increase budgeted expenditures in account #213-3-08-82-531005 by \$78,000 and account 213-3-08-82-524040 by \$10,000 and budgeted revenues in account 213-442022 by \$88,000; 3) Authorize the City Manager to sign the contract amendment.

2.K. LEASE RIDER TO FACILITATE THE RELEASE OF \$3.79 MILLION IN STATE FUNDING FOR THE SIERRA BONITA APARTMENTS [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:

The City Council will consider approving a lease rider to the City's and Commission's lease for the Sierra Bonita Apartments. This will facilitate the release of approximately \$3.79 million in State Housing and Community Development Department (HCD) Multi-family Housing Program (MHP) funds as permanent project financing.

RECOMMENDATIONS: 1) Approve a lease rider to the City's and Commission's lease of the Sierra Bonita Apartments property, including the recordation of the HCD regulatory agreement and deed of trust against the Master Lease in compliance with the requirements of HCD MHP for the Sierra Bonita Apartments; and 2) Authorize the City Manager to execute the documents in substantially the attached form and take necessary related actions to facilitate the HCD release of funds.

2.L. ADVANCEMENT OF THE ART AND ARTIST SELECTION PROCESS FOR THE CIVIC ART COMPONENT OF THE 25th ANNIVERSARY CAPITAL PROJECT – CITY HALL PARKING STRUCTURE: CASE STATEMENT APPROVAL [O. DELGADO, J. HUFFER, A. CAMPBELL]:

The City Council will review recommendations of the Art Process Team for the City Hall Parking Structure civic art project including the Civic Art Case Statement outlining 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, parameters, and potential locations of the civic art; and 2) 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.M. ARTS AND CULTURAL PROGRAMMING UTILIZING EMPTY STOREFRONTS [J. HUFFER, A. CAMPBELL]:

The City Council will review recommendations of the Economic Development Division to waive temporary use permit fees for Arts Grant Recipients and City-sponsored arts and cultural programming utilizing empty storefronts for pop-up galleries and performance spaces.

RECOMMENDATION: Approve waiver of temporary use permit fees for Arts Grant Recipients and City-sponsored arts and cultural programming utilizing empty storefronts for pop-up galleries and performance spaces.

2.N. 2011 LA MARATHON STREET CLOSURES [S. BAXTER, O. WALKER, C. SMITH]:

The City Council will consider approving road closures on portions of Sunset Boulevard, San Vicente Boulevard, and Santa Monica Boulevard to accommodate the 2011 LA Marathon.

RECOMMENDATIONS: 1) Approve the closure of Sunset Boulevard between North Havenhurst Drive and Clark Street/North San Vicente Boulevard on Sunday, March 20, 2011 from 4:00 am to 12:00 pm.; 2) Approve the closure of North San Vicente Boulevard between Sunset Boulevard and Melrose Avenue on Sunday, March 20, 2011 from 4:00 am to 12:00 pm.; 3) Approve the closure of Santa Monica Boulevard between La Cienega Boulevard and North Doheny Drive on Sunday, March 20, 2011 from 4:00 am to 12:00 pm.; and 4) Approve the closure of North Doheny Drive between Santa Monica Boulevard and Beverly Boulevard on Sunday, March 20, 2011 from 4:00 am to 12:00 pm.

2.O. JOHN VARVATOS-STUART HOUSE EVENT CO-SPONSORSHIP AND ASSOCIATED STREET CLOSURE REQUEST [S. BAXTER, O. WALKER, C. SMITH]:

The City Council will consider co-sponsoring the John Varvatos Stuart House Benefit and consider approving a road closure on Melrose Avenue to accommodate the event.

RECOMMENDATIONS: 1) Approve the co-sponsorship of the March 13, 2011 John Varvatos Stuart House Benefit; 2) Approve the waiver of Special Event and Building Permit fees for the John Varvatos Stuart House Benefit including Special Event Permit Application fees (\$2,400.00), Encroachment fee (\$100.00), Street closure fee (\$350.00), Building Permit fee (\$177.71), and Electrical Permit fee (\$283.40) for a total of \$3,311.11; 3) Approve the closure of Melrose Avenue between Robertson Boulevard and La Peer Drive on Sunday, March 13, 2011 from 6:00 a.m. to 7:30 p.m.; and 4) Approve event set-up on Sunday, March 13, 2011 beginning at 6:00 a.m.

2.P. CO-SPONSORSHIP OF 2011 "RISE UP AND SHOUT!" PERFORMANCE BY GAY/LESBIAN YOUTH, TO BE HELD MAY 14, 2011 [S. BAXTER, J. BOOK]:

The City Council will consider co-sponsoring the 2011 edition of "Rise Up and Shout! – Voices of the Next Gay Generation" to be held May 14, 2011.

RECOMMENDATIONS: Approve City co-sponsorship for 2011 edition of "Rise Up and Shout! – Voices of the Next Gay Generation" to be held May 14, 2011.

2.Q. CO-SPONSORSHIP OF 16TH ANNUAL TOM OF FINLAND FOUNDATION EROTIC ART FAIR WEEKEND, MARCH 25-28, 2011 [S. BAXTER, J. BOOK]:

The City Council will consider co-sponsoring the 16th Annual Tom of Finland Foundation Erotic Art Fair Weekend, to be held March 25-28, 2011, in West Hollywood Park.

RECOMMENDATIONS: 1) Approve City co-sponsorship for 16th Annual Tom of Finland Foundation Erotic Art Fair Weekend, to be held March 25-28, 2011; and 2) Approve waiver of rental fees in the amount of \$1,849 and refundable deposit in the amount of \$350.

2.R. BROADCASTING PUBLIC SAFETY COMMISSION MEETINGS [L. HORVATH, I. PINE]:

The City Council will consider directing the PIO to work with the Public Safety Division and the Public Safety Commission to broadcast Public Safety Commission meetings.

RECOMMENDATION: Direct the PIO to work with the Public Safety Division and the Public Safety Commission to broadcast Public Safety Commission meetings when possible, with a goal of eventually broadcasting one meeting per quarter.

2.S. SUPPORT OF CLASSIFYING FAMILY PLANNING AS A PREVENTIVE SERVICE [A. LAND, C. PLANCK, E. BARRATT]:

The City Council will consider adopting a resolution in support of classifying family planning as a preventive service as defined by The Institute of Medicine.

RECOMMENDATIONS: 1) Adopt Resolution No. 11-4123, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF CLASSIFYING FAMILY PLANNING AS A PREVENTIVE SERVICE"; and 2) Direct staff to send copies of the signed resolution to U.S. Senators Barbara Boxer and Dianne Feinstein, U.S. Representative Henry A. Waxman, Department of Health and Human Services Secretary Kathleen Sebelius, The Institute of Medicine (IOM), and the IOM Panel for Women's Health Amendment, National Organization for Women (NOW), Planned Parenthood Federation of America, and the Center for Reproductive Rights.

2.T. CO-SPONSORSHIP OF THE LOS ANGELES GAY & LESBIAN CENTER'S "24 HOUR HOLLYWOOD RUSH" EVENT [J. DURAN, H. MOLINA]:

The City Council will consider approving a co-sponsorship of the LA Gay & Lesbian Center's event "24 HOUR HOLLYWOOD RUSH" aimed at raising funds for its crystal meth prevention and treatment programs.

RECOMMENDATIONS: 1) Approve co-sponsorship of the "24 HOUR HOLLYWOOD RUSH" event produced and presented by the Los Angeles Gay & Lesbian Center; and 2) Direct staff to assist with distribution of

information to local residents and media outlets as it relates to the event and the services for which the funds raised will be directed to (crystal meth prevention and treatment programs).

2.U. SPONSORSHIP OF FAT TUESDAY/MARDI GRAS CELEBRATION [J. DURAN, H. MOLINA]:

The City Council will consider approving a special event permit for the celebration of Fat Tuesday/Mardi Gras in West Hollywood.

RECOMMENDATIONS: 1) Approve, in concept, a special event permit for Fat Tuesday/Mardi Gras celebration on Tuesday, March 8, 2011; 2) Approve the closure of Larrabee Street between Santa Monica Blvd and the alley north of the Blvd, between San Vicente and Palm Avenue; 3) Approve waiver of the encroachment and special event fees; 4) Direct Special Events and Public Safety staff to meet with business owners to discuss logistics and mitigations; and 5) Authorize the Director of Finance to increase budgeted expenditures in account 100-2-04-04-534320 by \$3,900 from unallocated reserves in the General Fund.

2.V. SUPPORT OF U.S. TOUR BY RUSSIAN LGBT LEADER NIKOLAI ALEKSEEV [J. DURAN, H. MOLINA, J. HEILMAN, F. SOLOMON, P. KOEHLER]:

The City Council will consider supporting the US Tour of Nikolai Alekseev and co-sponsoring a tour event in West Hollywood on March 5, 2011.

RECOMMENDATION: 1) Authorize the Public Information Office/CATV to cover this event; 2) Authorize use of the City logo and direct staff to assist with the promotion of the event; and 3) Request that the City's Russian Advisory Board (RAB) and the Lesbian and Gay Advisory Board (LGAB) to support the event and assist with community outreach.

2.W. CONDEMNATION OF VIOLENCE AGAINST THE TRANSGENDER COMMUNITY IN HONDURAS [J. HEILMAN, F. SOLOMON, L. HORVATH, I. PINE, P. KOEHLER]:

The City Council will consider adopting a resolution condemning the epidemic of violence against the Transgender community in Honduras.

RECOMMENDATIONS: 1) Adopt Resolution No. 11-4124, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING VIOLENCE AGAINST THE TRANSGENDER COMMUNITY IN HONDURAS"; and 2) Send copies of the signed resolutions to U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, Representative Henry Waxman, U.S. Secretary of State Hillary Clinton, U.S. Ambassador to Honduras Hugo Llorens, Honduran Attorney General Luis Alberto Rubí, Honduran Minister of Justice and Human Rights Ana Pineda, Honduran Minister of Public Security Oscar Alvarez, Honduran Special Attorney of Human Rights Sandra Ponce, Human Rights Watch, Amnesty International, International Gay and Lesbian Human Rights Commission, General Assembly of the

Organization of American States, Unidad Color Rosa (Honduran NGO) and Red Cattrachas.

2.X. RENT STABILIZATION OUTREACH PLAN [L. HORVATH, I. PINE]:

The City Council will consider directing the Rent Stabilization Department and PIO to work with the Rent Stabilization Commission to create a new outreach plan for Rent Stabilization.

RECOMMENDATION: 1) Direct Rent Stabilization Department, PIO and Rent Stabilization Commission to review current outreach efforts and then create a new plan which specifically aims to re-educate renters about their rights and landlords about their responsibilities; and 2) Beyond communications, consider other means by which the City could interface with tenants and landlords including, but not limited to, regular on-site inspections, a confidential hotline, Neighborhood Watch, etc

2.Y. CO-SPONSORSHIP OF THE GAY ADULT CONFERENCE [J. DURAN, H. MOLINA, E. BARRATT]:

The City Council will consider co-sponsoring "The Gay Adult: Calling Ourselves Into Being" Conference to be held on February 26, 2011 at The Center's Village at Ed Gould Plaza in Los Angeles.

RECOMMENDATIONS: 1) Approve the City of West Hollywood's co-sponsorship of "The Gay Adult: Calling Ourselves into Being" Conference with the non-profit 100 Gay Men and other organizational co-hosts. Authorizing the use of the City's name and logo on printed materials advertising the event; and 2) Direct staff to assist with the promotion of the event.

2.Z. AUTHORIZATION TO TELEVISION ONE ADDITIONAL CITY COUNCIL CANDIDATE FORUM [H. GOSS, K. EGENBERGER]:

The City Council will consider authorizing West Hollywood Citychannel 10 to televise one additional Candidate Forum as part of the March 8, 2011 City Council election.

RECOMMENDATION: Authorize the CATV Division of the Public Information and Prosecution Services Department to provide live and replay coverage of a 90-minute Candidate Forum co-sponsored by a coalition of resident associations and neighborhood watch groups, if the forum meets the following requirements: 1) The co-sponsoring coalition of resident associations and neighborhood watch groups include a broad geographic cross-section of the entire West Hollywood community; 2) The format as well as the candidate questions are coordinated by an independent and non-partisan organization such as the League of Women Voters of Los Angeles; and 3) The forum is moderated by an independent and impartial moderator.

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. PUBLIC HEARING TO SOLICIT COMMENTS ON THE ISSUANCE OF TAX-EXEMPT BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO BE REPAID BY MONARCH LA BREA VENTURE LP [A. WINDERMAN, A. GANDHY, G. SCHUCHARD]:

The City Council will hold a public hearing to consider approval of a resolution granting the California Statewide Communities Development Authority (CSCDA) authorization and direction to issue tax exempt bonds on behalf of Monarch La Brea Venture LP for the development of a multifamily rental housing development that includes affordable apartments at 1216, 1222, and 1234 North La Brea Avenue known as Monarch Fountain & La Brea ("Project"). The adoption of the resolution will not require the City to be financially obligated nor liable, nor provide any financing to acquire, construct, finance or refinance the Project.

RECOMMENDATIONS: 1) Conduct a public hearing under the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") in connection with the proposed issuance of tax-exempt bonds by the California Statewide Communities Development Authority in an amount not to exceed \$70,000,000 for the purpose of financing the acquisition, construction, and equipping of Monarch Fountain & La Brea, a 187 unit multifamily rental housing development located at 1216, 1222, and 1234 North La Brea Avenue, West Hollywood, California (the "Project"); and 2) Adopt Resolution No. 11-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE ISSUANCE OF TAX-EXEMPT MULTIFAMILY HOUSING BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO BE REPAID BY MONARCH LA BREA VENTURE LP."

3.B. DISCUSSION OF DRAFT CLIMATE ACTION PLAN PREPARED AS PART OF THE COMPREHENSIVE GENERAL PLAN UPDATE [A. MCINTOSH, J. KEHO, B. SIEGL, C. CORRAO]:

The City Council will discuss the measures, implementation and greenhouse gas reduction targets contained in the Draft Climate Action Plan; and 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 Climate Action Plan and provide direction to staff regarding these policies; and 2) Continue the public hearing to a date certain of February 22, 2011.

4. UNFINISHED BUSINESS:

4.A. 25TH ANNIVERSARY CAPITAL PROJECT: PHASE I - PLUMMER PARK MASTER PLAN IMPLEMENTATION PROJECT CONFIRMATION OF DESIGN DEVELOPMENT PHASE AND AUTHORIZATION TO PROCEED INTO THE CONSTRUCTION DOCUMENT PHASE [S. BAXTER, S. CAMPBELL, H. COLLINS]:

The City Council will consider the Design Development Phase of the Phase I Plummer Park Master Plan Implementation Project and provide direction to staff.

RECOMMENDATION: 1) Approve the Phase I Plummer Park Master Plan Implementation Project's Design Development Phase as presented to Council and described in this report; 2) Authorize staff to proceed with the Construction Drawing Phase of the Phase I Plummer Park Master Plan Implementation Project; 3) Direct staff to return to City Council at the completion of the Construction Drawing Phase for authorization to bid the Project; and 4) Reaffirm the Project's budget and associated cost estimate.

4.B. 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.

RECOMMENDATION: 1) Adopt and introduce on first reading Ordinance No. 11-____ "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO PROHIBIT SMOKING IN OUTDOOR DINING AND OTHER PUBLIC AREAS AND ELIMINATE EXISTING REGULATIONS THAT ARE DUPLICATIVE OF STATE LAW" and set second reading for February 22, 2011; and 2) Per the adopted ordinance, authorize the Community Development Director to receive, review, and approve Smoking Operations Plans.

5. NEW BUSINESS:

5.A. WEST HOLLYWOOD RECOVERY CENTER [J. HEILMAN, F. SOLOMON]:

The City Council will consider collaborating with the West Hollywood Recovery Center to assist them in determining their future space and parking needs.

RECOMMENDATION: Direct the City Manager to work with the West Hollywood Recovery Center to help analyze their future space and parking needs with a goal of accommodating the Center either in Phase 2 of the West Hollywood Park Plan or in another suitable structure in West Hollywood.

5.B. APPOINTMENTS FOR COMMISSIONS, ADVISORY BOARDS, COMMITTEES, AND THE LOS ANGELES COUNTY WEST VECTOR ABATEMENT CONTROL DISTRICT [T. WEST, C. SCHAFFER]:

The City Council will consider making at-large appointments to City Commissions, Advisory Boards, Committees, and an appointment of a representative to the Board of Trustees of the Los Angeles County West Vector Abatement Control District.

RECOMMENDATION: The Council will make appointments to Boards and Commissions, as well as an appointment of a representative to the Board of Trustees of the Los Angeles County West Vector Abatement Control District, as detailed in the Staff Report.

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:

6.A. PROPOSED ORDINANCE PROHIBITING THE SALE OF TOBACCO NEAR SCHOOLS [J. PRANG, M. HAIBACH, L. HORVATH, I. PINE]:

The City Council will consider adopting an ordinance prohibiting the sale of tobacco near schools, exempting retailers in operation prior to January 1, 2011.

RECOMMENDATION: Introduce for first reading Ordinance No.11-____
AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING THE SALE OF TOBACCO PRODUCTS WITHIN 600 FEET OF SCHOOLS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.

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 Tuesday, February 22, 2011 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
February 22	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
March 7	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
March 21	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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

MONDAY, FEBRUARY 7, 2011

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 January 18, 2011.

5.B. LEASE RIDER TO FACILITATE THE RELEASE OF \$3.79 MILLION IN STATE FUNDING FOR THE SIERRA BONITA APARTMENTS [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:

The Community Development Commission will consider approving a lease rider to the City's and Commission's lease for the Sierra Bonita Apartments. This will facilitate the release of approximately \$3.79 million in State Housing and Community Development Department (HCD) Multi-family Housing Program (MHP) funds as permanent project financing.

RECOMMENDATIONS: 1) Approve a lease rider to the City's and Commission's lease of the Sierra Bonita Apartments property, including the recordation of the HCD regulatory agreement and deed of trust against the Master Lease in compliance with the requirements of HCD MHP for the Sierra Bonita Apartments; and 2) Authorize the Executive Director to execute the documents in substantially the form attached and take necessary related actions to facilitate the HCD release of funds.

6. PUBLIC HEARING: None

7. UNFINISHED BUSINESS: None

8. NEW BUSINESS: None

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, FEBRUARY 7, 2011
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 REAL PROPERTY NEGOTIATOR..... G.C. 54956.8

Property:	8445 Santa Monica Boulevard
City Negotiator:	Paul Arevalo, Joan English or designee
Negotiating parties:	Santa Ritts, LLC, A California Limited Liability Company/8445 SMB, Inc. or designee
Under Negotiation:	Price and Terms of Payment (Purchase)

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

The Urban Wildlands Group v. City of Los Angeles
California Court of Appeal Case No. B222696
Request for amicus support from No Kill Advocacy Center and Stray Cat Alliance

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

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

3. INITIATION OF LITIGATION G.C. 54956.9(c)

One case