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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, OCTOBER 3, 2011  
COUNCIL CHAMBERS, WEST HOLLYWOOD LIBRARY  
625 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:**

**COUNCIL CHAMBER AND AGENDA TECHNOLOGY DISCUSSION:**

**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:**

*SUBJECT: The agenda for the meeting of Monday, October 3, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, September 29, 2011.*

**RECOMMENDATION:** Receive and file.

2.B. **APPROVAL OF MINUTES:**

*SUBJECT: The City Council is requested to approve the minutes of prior Council meetings.*

**RECOMMENDATION:** Approve the minutes of September 19, 2011.

**2.C. DEMAND REGISTER NO. 683, RESOLUTION NO. 11-4231:**

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

RECOMMENDATION: Approve Demand Register No. 683 and adopt Resolution No. 11-4231, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 683"

**2.D. ORDINANCE NO. 11-876 (2<sup>ND</sup> READING), APPROVING A DEVELOPMENT AGREEMENT AND ZONE MAP AMENDMENT, CREATING A DEVELOPMENT AGREEMENT OVERLAY DISTRICT ON THE PROPERTY LOCATED AT 1264 N. HARPER AVENUE [C. SCHAFFER]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 11-876, a proposed ordinance approving a Development Agreement and Zone Map Amendment, creating a Development Agreement Overlay District on the property located at 1264 N. Harper Avenue.*

RECOMMENDATION: Waive further reading and adopt Ordinance No. 11-876, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, APPROVING A DEVELOPMENT AGREEMENT AND ZONE MAP AMENDMENT, CREATING A DEVELOPMENT AGREEMENT OVERLAY DISTRICT ON THE PROPERTY LOCATED AT 1264 N. HARPER AVENUE, WEST HOLLYWOOD, CALIFORNIA."

**2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

*SUBJECT: The City Council will receive reports from the Disabilities Advisory Board and the Public Safety Commission on actions taken at their recent meetings.*

RECOMMENDATION: Receive and file.

**2.F. PARKING RATES FOR NEW WEST HOLLYWOOD LIBRARY GARAGE LOCATED AT 625 N. SAN VICENTE BLVD. [S. BAXTER, J. HUFFER, O. DELGADO, J. ROCCO, R. MARQUEZ]:**

*SUBJECT: The City Council will consider adopting a resolution establishing the hours of operation and public parking rates for the West Hollywood Library Garage located at 625 North San Vicente Boulevard.*

RECOMMENDATIONS: 1) Adopt Resolution No 11-4232, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING THE HOURS OF OPERATION AND PARKING RATES FOR THE WEST HOLLYWOOD LIBRARY PARKING GARAGE LOCATED AT 625 N. SAN VICENTE BLVD"; and 2) Adopt Resolution No 11-4233, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MASTER FEE RESOLUTION (RESOLUTION NO. 11-4191) AND RESCINDING RESOLUTION NO. 11-4221 BY ESTABLISHING DAILY PARKING

RATES AND HOURS OF OPERATION FOR MUNICIPAL PARKING STRUCTURE #3- 625 N. SAN VICENTE BOULEVARD”.

**2.G. 25TH ANNIVERSARY CAPITAL PROJECT: APPROVAL OF AN AGREEMENT WITH FAST-TRACK CONSTRUCTION CORPORATION FOR THE RUSSIAN READING ROOM TENANT IMPROVEMENTS AND BOOK RELOCATION C.I.P 55-11/12-02 [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*SUBJECT: The City Council will consider approving an Agreement with Fast-Track Construction Corporation of Culver City, California, for the Russian Reading Room Tenant Improvements and Book Relocation Project C.I.P. 55-11/12-02 as part of the Plummer Park Project Mitigation Plan.*

**RECOMMENDATIONS:** 1) Accept the proposal dated September 19, 2011 and approve an Agreement with Fast-Track Construction Corporation for the tenant improvements and book relocation in the amount of \$66,221; 2) Authorize the Director of Human Services, or his designee, to negotiate and execute one or more change orders to the contract with Fast-Track Construction Corporation, for additional unforeseen work, which may develop during the project; the total value of which shall not exceed a project contingency of 15%; 3) Authorize the City Manager to execute an Agreement with Fast-Track Construction Corporation for the Russian Reading Room Tenant Improvements and Book Relocation C.I.P. 55-11/12-02; and 4) Reject all remaining proposals.

**2.H. 25TH ANNIVERSARY CAPITAL PROJECT: APPROVAL OF AN AGREEMENT WITH CALIFORNIA AVERLAND FOR THE WEST HOLLYWOOD PARK TINY TOT BUILDING INTERIOR AND EXTERIOR IMPROVEMENTS C.I.P 55-11/12-01 [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*SUBJECT: The City Council will consider approving an Agreement with California Averland for the West Hollywood Park Tiny Tot Building Interior and Exterior Improvements C.I.P. 55-11/12-01, as part of the Plummer Project Mitigation Plan.*

**RECOMMENDATIONS:** 1) Accept the proposal dated September 21, 2011 and approve an Agreement with California Averland Construction for the interior and exterior improvements of the West Hollywood Park Tiny Tot Building in the amount of \$82,490; 2) Authorize the Director of Human Services, or his designee, to negotiate and execute one or more change orders to the contract with California Averland Construction, for additional unforeseen work, which may develop during the project; the total value of which shall not exceed a project contingency of 15%; 3) Authorize the City Manager to execute an Agreement with California Averland Construction for the West Hollywood Park Tiny Tot Building Interior and Exterior improvements C.I.P. 55-11/12-01; and 4) Reject all remaining proposals.

**2.I. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH KOA CORPORATION FOR TRAFFIC SIGNAL TIMING SERVICES FOR THE METRO RAPID BUS TRANSIT PRIORITY SYSTEM PROJECT [O. EDLGADO, S. PERLSTEIN]:**

*SUBJECT: The City Council will consider approving a professional services agreement with KOA Corporation for traffic signal timing services for the Metro Rapid Bus Transit Priority System Project.*

**RECOMMENDATION:** Authorize the City Manager to enter into a professional services agreement with KOA Corporation in an amount not to exceed \$65,000 for the Metro Rapid Bus Transit Priority System Project.

**2.J. AMENDMENT TO CONCESSION AGREEMENT WITH COAST PARKING, INC. FOR VALET PARKING SERVICES [O. DELGADO, J. ROCCO, D. NORTE]:**

*SUBJECT: The City Council will consider an amendment to the concession agreement with Coast Parking, Inc. for valet parking services.*

**RECOMMENDATIONS:** 1) Extend the term of the concession agreement by one (1) year, through June 30, 2012 with an option to extend the agreement by one (1) additional year; 2) Amend the scope of services to remove West Hollywood Park and add the El Tovar lot with a monthly rent paid to the City of \$1,600 for use on Friday and Saturday nights only from 6 p.m. to closing; 3) Incorporate clean up language in the scope of services to reflect that maximum valet rates are in accordance with the amount listed in the Department of Public Works Schedule of Fees and Charges rather than a specific amount; and 4) Authorize the City Manager to sign the amendment

**2.K. AUTHORIZATION TO AMEND A PROFESSIONAL SERVICES AGREEMENT WITH PROJECT PARTNERS, INC. FOR AS-NEEDED ENVIRONMENTAL COORDINATOR SERVICES [O. DELGADO, S. PERLSTEIN]:**

*SUBJECT: This item requests that the City Council authorize an amendment to the professional service agreement with Project Partners Inc. to increase the budget and contract term for as-needed Environmental Coordinator Services.*

**RECOMMENDATION:** Approve Amendment No. 3 to the professional services Agreement in an amount not to exceed \$30,000 with Project Partners for as-needed Environmental Coordinator Services, and authorize the City Manager to sign the Agreement.

**2.L. AGREEMENT AMENDMENT– JANITORIAL SERVICES [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*SUBJECT: The City Council will consider approving an amendment to the existing Agreement with Diversified Maintenance Services, Inc., for janitorial services at the new West Hollywood Library.*

**RECOMMENDATIONS:** 1) Approve the Fifth Amendment to the Agreement with Diversified Maintenance Services, Inc. for providing janitorial services for the new West Hollywood Library in the amount of \$195,399.33 for the remainder of fiscal year 2011/2012; 2) Approve Diversified Maintenance Services, Inc. to provide other related janitorial services at those unit costs included in Exhibit "A" as part of this amendment; 3) Authorize the City Manager to re-open and negotiate service levels and associated costs as warranted; and 4) Authorize the City Manager to execute the Fifth Amendment to the Agreement.

**2.M. SOCIAL SERVICES CONTRACT RENEWALS 2011-12 [S. BAXTER, D. DENNIS]:**

*SUBJECT: The City Council will consider recommending renewals of social services contracts for the second year of the three-year funding process from October 1, 2011 to September 30, 2012 with a 2% cost of living increase for all programs.*

**RECOMMENDATION:** Approve contract renewals for the social services programs summarized on the attached at funding levels indicated, which includes a 2% cost of living increase for all programs, and authorize the City Manager to sign the contract amendments.

**2.N. CO-SPONSORSHIP OF C.I.T.Y. x1 THANKSGIVING EVENT FOR LGBTQ YOUTH [S. BAXTER, J. BOOK]:**

*SUBJECT: The City Council will consider co-sponsoring the 2011 C.I.T.Y.x1 Thanksgiving event for LGBTQ youth, and authorizing an expenditure for it.*

**RECOMMENDATIONS:** 1) Approve co-sponsorship of 2011 C.I.T.Y.x1 Thanksgiving celebration for LGBTQ youth, and authorize reimbursement of up to \$500 for purchase of food for the event; and 2) Authorize waiver of fees for use of park facilities for this event.

**2.O. RESOLUTION SUPPORTING INCLUSIONARY HOUSING (SB 184 - LENO) [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON]:**

*SUBJECT: The City Council will consider a resolution supporting SB 184, authored by State Senator Mark Leno, clarifying that the Costa Hawkins Act, which gives rental housing owners the right to set the initial and all subsequent rental rates for a unit built after February 1, 1995, does not apply to inclusionary housing programs.*

**RECOMMENDATION:** Adopt Resolution No. 11-4234, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING STATE SENATOR MARK LENO'S BILL THAT WOULD PROTECT INCLUSIONARY HOUSING BY CLARIFYING THAT THE COSTA HAWKINS ACT DOES NOT APPLY TO INCLUSIONARY HOUSING PROGRAMS (SB 184)".

**2.P. A RESOLUTION IN SUPPORT OF SB 747 (KEHOE): LGBT CULTURAL COMPETENCY FOR HEALTH CARE PROVIDERS BILL [A. LAND, C. PLANCK, C. LOPEZ]:**

*SUBJECT: The City Council will consider adopting a resolution in support of SB 747 (Kehoe): LGBT Cultural Competency for Health Care Providers Bill.*

RECOMMENDATIONS: 1) Adopt Resolution No. 11-4235, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 747 (KEHOE): LGBT CULTURAL COMPETENCY FOR HEALTH CARE PROVIDERS BILL; and 2) Direct staff to send copies of the signed resolution to State Senator Christine Kehoe (D-San Diego), Governor Jerry Brown, and Equality California.

**3. PUBLIC HEARINGS: None**

**4. UNFINISHED BUSINESS:**

**4.A. PERMANENT FINANCING COMMITMENT FOR AFFORDABLE HOUSING AT 1145-1151 NORTH LA BREA AVENUE [A. WINDERMAN, J. SKORNECK, R. BURNLEY]:**

*SUBJECT: The City Council will consider authorizing the City Manager to sign a letter committing an additional \$3.5 million in permanent financing for a 32-unit affordable housing development at 1145-1151 North La Brea Avenue known as the Courtyards at La Brea.*

RECOMMENDATIONS: 1) Authorize the City Manager to sign a commitment letter in substantially the form attached, pledging an additional \$3.5 million from the Affordable Housing Trust Fund for permanent project financing, bringing the total City commitment to \$6.25 million; and 2) Authorize the Director of Finance and Technology to loan \$3.5 million from General Fund Reserves to the Affordable Housing Trust Fund for the purposes of funding this project; and 3) Authorize the Director of Finance and Technology to allocate \$3.5 million to expenditure account 216-4-06-65-703057 in the Affordable Housing Trust Fund.

**5. NEW BUSINESS:**

**5.A. ARTS AND CULTURAL AFFAIRS COMMISSION SPECIAL EVENT RECEPTION FOR LIBRARY ARTISTS SHEPARD FAIREY AND DAVID WISEMAN [P. AREVALO, J. HUFFER, A. CAMPBELL]:**

*SUBJECT: The City Council will consider approving the use of the West Hollywood Library Campus on Tuesday, October 18, 2011 for a reception sponsored by the Arts and Cultural Affairs Commission to celebrate the library artists and promote arts programming at the New West Hollywood Library.*

RECOMMENDATIONS: 1) Approve use of the West Hollywood Library auto court and Council Chambers for the event; 2) Allow alcohol (beer, wine, champagne) to be served as part of event; 3) Authorize a ticket price

of \$50 per person; 4) Authorize the Director of Finance to increase the Arts and Beautification Fund revenue budget in account 209-461001 and the expenditure budget in account 209-1-01-10-535013 by \$7,500 for fiscal year 2011-12; and 5) Authorize the City Manager to approve final event concept.

**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 FUR APPAREL PRODUCTS WITHIN THE CITY [P. AREVALO, M. JENKINS]:**

*SUBJECT: The City Council will consider on First Reading an ordinance originally introduced on September 19, 2011 that would prohibit the sale of fur apparel products within the City of West Hollywood with minor modifications as drafted by the City Attorney, or alternatively, introducing on First Reading an ordinance with those same minor modifications and in addition, including an exemption for vintage garments.*

RECOMMENDATIONS: 1) Re-introduce on 1<sup>st</sup> reading Ordinance No. 11-877 "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADDING CHAPTER 9.51 TO THE WEST HOLLYWOOD MUNICIPAL CODE TO PROHIBIT THE SALE OF FUR APPAREL PRODUCTS WITHIN THE CITY" with minor modifications as drafted by the City Attorney; OR 2) Re-introduce on First Reading an amended Ordinance No. 11-877 (Amended to include an exemption for vintage clothing retailers that sell fur apparel and the additional modifications to the original ordinance as drafted by the City Attorney).

**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, October 17, 2011 at 6:30 P.M. in Council Chambers at West Hollywood Library, 625 N. San Vicente Boulevard.

**UPCOMING MEETING SCHEDULE:**

Date: October 17 – Monday – 6:30 PM – Regular Meeting – Council Chambers, West Hollywood Library.

Date: November 5 – Saturday – 8:30 AM – Annual Congress of Boards and Commissions, West Hollywood Library.



Date: November 7 – Monday – 6:30 PM – Regular Meeting – Council Chambers, West Hollywood Library.

Date: November 21 – Monday – 6:30 PM – Regular Meeting – Council Chambers, West Hollywood Library.

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