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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, DECEMBER 5, 2011  
WEST HOLLYWOOD LIBRARY - COUNCIL CHAMBERS  
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:**

**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, December 5, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, December 1, 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 November 21, 2011.

**2.C. DEMAND REGISTER NO. 687, RESOLUTION NO. 11- 4246:**

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

RECOMMENDATION: Approve Demand Register No. 687 and adopt Resolution No. 11-4246, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 687".

**2.D. CLAIMS ADMINISTRATION:**

*SUBJECT: The City Council is asked to deny Claims filed against the City, as a routine administrative step in claims processing.*

RECOMMENDATION: Deny the Leave to Present a Late Claim filed by State Farm Insurance as Subrogee of Sherry Klein and refer them to the City's Claims Adjuster for action.

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

*SUBJECT: The City Council will receive reports from various Commissions on actions taken at their recent meetings.*

RECOMMENDATION: Receive and file.

**2.F. ORDINANCE NO. 11-878 (2<sup>ND</sup> READING), AN ORDINANCE PERTAINING TO BUSINESS LICENSE TRANSFERS AND CHANGES [C. SCHAFFER]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 11-878, a proposed ordinance allowing businesses to change their name or location by updating their existing license(s).*

RECOMMENDATION: Waive further reading and adopt Ordinance No. 11-878, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUSINESS LICENSE ORDINANCE PERTAINING TO BUSINESS LICENSE TRANSFERS AND CHANGES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

**2.G. ORDINANCE NO. 11-879 (2<sup>ND</sup> READING), AN ORDINANCE RELATING TO CHANGES IN THE TERMS OF TENANCY REGARDING SMOKING [C. SCHAFFER]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 11-879, a proposed ordinance amending the Rent Stabilization provisions of the Municipal Code relating to changes in the terms of tenancy regarding smoking.*

RECOMMENDATION: Waive further reading and adopt Ordinance No. 11-879, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE RENT STABILIZATION PROVISIONS OF THE MUNICIPAL CODE RELATING TO CHANGES IN THE TERMS OF TENANCY REGARDING SMOKING AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

**2.H. ORDINANCE NO. 11-881 (2<sup>ND</sup> READING), APPROVING THE FIRST AMENDMENT TO A DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A NEW MIXED USE DEVELOPMENT PROJECT LOCATED AT 9001 SANTA MONICA BOULEVARD (PALM RESTAURANT DEVELOPMENT) [C. SCHAFFER]:**

*SUBJECT: The City Council will waive further reading and adopt Ordinance No. 11-881, a proposed ordinance approving the First Amendment to a Development Agreement by and between the City of West Hollywood and 9001 Santa Monica Boulevard LLC for the construction of a new mixed use development project located at 9001 Santa Monica Boulevard (Palm Restaurant Development).*

**RECOMMENDATION:** Waive further reading and adopt Ordinance No. 11-881, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING THE FIRST AMENDMENT TO A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF WEST HOLLYWOOD AND 9001 SANTA MONICA BOULEVARD LLC FOR THE CONSTRUCTION OF A NEW MIXED USE DEVELOPMENT PROJECT LOCATED AT 9001 SANTA MONICA BOULEVARD (PALM RESTAURANT DEVELOPMENT)."

**2.I. APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PLANNING SUMMARY AND BUDGET FOR FISCAL YEAR 2012- 2013 [A. WINDERMAN, R. BURNLEY]:**

*SUBJECT: The City Council will consider approving the Community Development Block Grant Program (CDBG) planning summary and budget for fiscal year 2012-2013.*

**RECOMMENDATIONS:** 1) Approve the 2012-2013 CDBG program budget and instruct staff to submit the CDBG program planning summary for approval to the Community Development Commission of the County of Los Angeles; 2) Authorize staff to adjust the 2012-2013 program budget as necessary to take into account the final CDBG allocation from the U.S. Department of Housing and Urban Development (HUD) and any amounts remaining unspent at the close of the current fiscal year; and 3) Adopt Resolution No. 11-4247, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, APPROVING THE PROGRAM PLANNING SUMMARY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2012-2013."

**2.J. WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION FOURTH QUARTER REPORT FOR 2010-2011 AND FIRST QUARTER REPORT FOR 2011-12 [A. WINDERMAN, R. BURNLEY]:**

*SUBJECT: The City Council will receive the Fourth Quarter Report for Fiscal Year 2010-11 and the First Quarter Report for Fiscal Year 2011-12 of the West Hollywood Community Housing Corporation (WHCHC).*

**RECOMMENDATION:** Receive and file the Fourth Quarter Report for 2010-2011 and the First Quarter Report for 2011-12.

**2.K. BICYCLE TASK FORCE REPORT AND RECOMMENDATIONS [A. MCINTOSH, M. ANTOL, M. BARNEY]:**

*SUBJECT: The City Council will receive a report and consider recommendations from the Bicycle Task Force (BTF).*

RECOMMENDATIONS: 1) Receive and file Bicycle Task Force Recommendations Report; 2) Direct staff to return to Council in the next two months with a list of three to five projects recommended by the BTF with identified fiscal impacts that can be implemented within eight months or less; and 3) Direct staff to return in two months with a cost estimate for an integrated update of 2003 Bicycle and Pedestrian Plan.

**2.L. SPONSORSHIP OF C.I.T.Y x1 HOLIDAY EVENT FOR LGBTQ YOUTH [J. DURAN, H. MOLINA, J. PRANG, M. HAIBACH, D. MEGERDICHIAN]:**

*SUBJECT: The City Council will consider approving the use of Plummer Park's Rooms 5 and 6 for the 2011 C.I.T.Y x1 Holiday Event for LGBTQ youth to be held on Saturday, December 17, 2011.*

RECOMMENDATIONS: 1) City Council to approve the use of Plummer Park Rooms 5 and 6 for the 2011 C.I.T.Y. x1 Holiday Event on Saturday, December 17, 2011; 2) Authorize waiver of fees for use of park facilities for this event; and 3) Authorize the waiver of parking regulations within Plummer Park during event hours.

**2.M. REVISE THE 2010-2011 BUDGET FOR THE EASTSIDE DEBT SERVICE FUND [A. GANDHY, D. WILSON, A. JORGENSON]:**

*SUBJECT: The City Council will consider revising the 2010-2011 operating budget for the Eastside Debt Service Fund in order to ensure compliance with State fiscal guidelines.*

RECOMMENDATION: Authorize the Director of Finance to re-allocate \$1,511,390.32 to revise budgeted amounts to match actual pass-through payments in the Eastside Redevelopment Agency Debt Service Fund. Funds will be allocated to the following accounts: \$71,316.10 to account 404-1-03-33-537202, \$921,662.04 to account 404-1-03-33-537205, \$278,238.77 to account 404-1-03-33-537208 and \$240,173.41 to account 404-1-03-33-537209. Net fiscal impact will be \$0 as this represents a re-allocation of funds rather than new expenditures.

**2.N. AGREEMENT WITH RON RAKICH & ASSOCIATES TO REVIEW THE CITY'S INSURANCE COVERAGE OPTIONS [A. GANDHY, D. HATCHER, D. WILSON, A. JORGENSON]:**

*SUBJECT: The City Council will consider approving a contract in the amount of \$35,799.50 to Ron Rakich & Associates in order to obtain the consulting services of this firm to review the City of West Hollywood's insurance coverage options. This firm was selected after a competitive Request for Proposal process in which 3 firms responded.*

RECOMMENDATIONS: 1) Approve the selection of Ron Rakich & Associates as the City's insurance coverage consultant based on the

submitted proposal; and 2) Authorize the City Manager to execute the agreement and any related documents with Ron Rakich & Associates in a not-to-exceed amount of \$35,799.50 to provide consulting services.

**2.O. DESIGNATION OF APPLICANT'S AGENT FOR THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY [K. COOK, S. BERRY, B. SMITH]:**

*SUBJECT: The City Council will consider updating its designation of authorized agents for the California Emergency Management Agency.*

RECOMMENDATIONS: 1) Adopt Resolution No. 11-4248 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING AUTHORIZED AGENTS AUTHORIZED TO EXECUTE FOR AND ON BEHALF OF THE CITY OF WEST HOLLYWOOD FOR FINANCIAL ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY" (Cal EMA) FOR RECOVERING COSTS ASSOCIATED WITH DECLARED EMERGENCIES"; and 2) Rescind Resolution No. 05-3218.

**3. PUBLIC HEARINGS:**

**3.A. APPEAL OF THE PLANNING COMMISSION'S APPROVAL TO CONSTRUCT A PARKING STRUCTURE AND ISSUE A CONDITIONAL USE PERMIT TO AN EXISTING NON-CONFORMING RELIGIOUS FACILITY LOCATED AT 1317 CRESCENT HEIGHTS BOULEVARD [A. MCINTOSH, J. KEHO, A. GALLO]:**

*SUBJECT: The City Council will hold a public hearing to consider an appeal filed by Jerry Ptashkin, neighboring residential property owner, and Abdy Khorramian, project applicant, regarding the Planning Commission's decision to approve the construction of a 101-space parking structure to replace the existing on-site 51-space surface parking lot and issue a conditional use permit to an existing non-conforming use located at 1317 Crescent Heights Boulevard.*

RECOMMENDATIONS: Staff recommends that the City Council hold a public hearing, consider additional pertinent testimony, deny the appeal, and conditionally approve the project by adopting Resolution No. 11-\_\_\_\_: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE APPEALS OF JERRY PTASHKIN, AND ABDY KHORRAMIAN AND CONDITIONALLY APPROVING DEVELOPMENT PERMIT 2010-004, TO CONSTRUCT A PARKING STRUCTURE, AND CONDITIONAL USE PERMIT 2010-001 TO BRING A NON-CONFORMING RELIGIOUS FACILITY INTO CONFORMANCE, FOR THE PROPERTY LOCATED AT 1317 N. CRESCENT HEIGHTS BOULEVARD, WEST HOLLYWOOD, CALIFORNIA. (IRANIAN AMERICAN JEWISH CENTER)." (ATTACHMENT A)

**4. UNFINISHED BUSINESS: NONE**

**5. NEW BUSINESS:**

**5.A. CONSIDERATION OF REMOVING THE WERLE BUILDING FROM THE WEST HOLLYWOOD PARK MASTER PLAN AND DEVELOPMENT OF A FEASIBILITY STUDY FOR A PHASE II, WEST HOLLYWOOD PARK MASTER PLAN IMPLEMENTATION PROJECT [J. PRANG, M. HAIBACH]:**

*SUBJECT: The City Council will consider officially removing the Werle Building, located at 626 N. Robertson Boulevard from the West Hollywood Park Master Plan, re-designating it as a stand-alone municipal facility to be used to support various non-profits and directing staff to return to Council within 60 (sixty) days regarding a feasibility study for Phase II, West Hollywood Park Master Plan Implementation Project.*

**RECOMMENDATIONS:** 1) Discuss and provide staff with any additional direction regarding officially removing the Werle Building from the West Hollywood Park Master Plan and re-designating it as a stand-alone municipal facility; and 2) Direct staff to return to Council within 60 (sixty) days regarding the scope of a feasibility study for a Phase II, West Hollywood Park Master Plan Implementation Project as described in this report and appoint Mayor Duran and Councilmember Heilman to be Council's representatives regarding the feasibility 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 19, 2011 at 6:30 P.M. in Council Chambers at West Hollywood Library, 625 N. San Vicente Boulevard.

**UPCOMING MEETING SCHEDULE:**

December 19, 2011 – Monday – 6:30 PM – Regular Meeting – West Hollywood Library - Council Chambers.

January 17, 2012 – Tuesday – 6:30 PM – Regular Meeting – West Hollywood Library - Council Chambers.

February 6, 2012 – Monday – 6:30 PM – Regular Meeting – West Hollywood Library - Council Chambers.

February 21, 2012 – Monday – 6:30 PM – Regular Meeting – West Hollywood Library - Council Chambers.

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[www.weho.org](http://www.weho.org)