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Note: Any agenda item(s) not initiated by 11:00 p.m. may be continued to a subsequent City Council meeting. The City Council may direct staff to continue the item(s) to an already scheduled City Council meeting or may adjourn this meeting to an adjourned regular meeting to consider the item(s).

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
AGENDA
MONDAY, NOVEMBER 5, 2012
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - 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: The City Council values your comments; however, pursuant to the Brown Act, Council cannot take action on items not listed on the posted agenda. The public comment period is limited to 20 minutes, with 2 minutes allotted for each speaker. This public comment period is to address the City Council on Consent Calendar items, other agenda items (if the member of the public cannot be present at the time the item is considered) or items of general interest within the jurisdiction of the City Council. Another period is also reserved for general comment later in the meeting for those that could not be heard at this time. Public Hearing testimony 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 AND MEETING ATTENDANCE REPORTS: 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, November 5, 2012 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, November 1, 2012.

RECOMMENDATION: Receive and file.

2.B. APPROVAL OF MINUTES:

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

RECOMMENDATION: Approve the minutes of October 15, 2012.

2.C. DEMAND REGISTER NO. 709, RESOLUTION NO. 12-4373:

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

RECOMMENDATION: Approve Demand Register No. 709 and adopt Resolution No. 12-4373, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 709".

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 claims of Marc A. Capalbo, Kristina Rogers, State Farm Insurance and Nair Haile and refer to the City's claims adjuster.

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

SUBJECT: The City Council will receive reports from the Arts and Cultural Affairs Commission, Public Safety Commission, Transportation Commission, Disabilities Advisory Board, Russian Advisory Board and Senior Advisory Board on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.F. ATTENDANCE REPORTS FOR CITY COMMISSIONS AND ADVISORY BOARDS [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between May 2011 - May 2012 and August 2011 - August 2012.

RECOMMENDATION: Receive and file the attendance reports.

2.G. TREASURER'S REPORT FOR JULY 2012 [D. WILSON, N. CORONADO]:

SUBJECT: The City Council will receive the Treasurer's Report for the month ended July 2012 pursuant to Section 53646 of the Government Code of the State of California.

RECOMMENDATION: Receive and File.

2.H. 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 2012 C.I.T.Y. x1 Thanksgiving event for LGBTQ youth, and authorizing an expenditure for it.

RECOMMENDATION: Approve co-sponsorship of 2012 C.I.T.Y. x1 Thanksgiving celebration for LGBTQ youth, and authorize reimbursement of up to \$500 for purchase of food for the event.

2.I. WEST HOLLYWOOD LIBRARY FUND STATUS REPORT [P. AREVALO, J. HUFFER]:

SUBJECT: The City Council will receive and file a status report by the West Hollywood Library Fund Board (WHLF) on the fundraising campaign for the West Hollywood Library and its organizational status and plans.

RECOMMENDATION: Receive and file report.

2.J. NOTICE OF COMPLETION FOR TRAFFIC SIGNAL UPGRADES FOR PEDESTRIANS, CIP 1205 [S. PERLSTEIN, O. DELGADO]:

SUBJECT: The City Council will consider approving the Notice of Completion for Traffic Signal Upgrades for Pedestrians, CIP 1205.

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.K. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1305, TRAFFIC SIGNAL MODIFICATIONS AT SAN VICENTE BLVD/CYNTHIA STREET [S. PERLSTEIN, O. DELGADO]:

SUBJECT: The City Council will consider awarding a construction contract for CIP 1305, Traffic Signal Modifications at San Vicente Blvd./Cynthia Street.

RECOMMENDATIONS: 1) Accept the bid dated October 17, 2012, submitted by KDC Inc. dba. Dynalectric; 2) Authorize the City Manager to enter into a contract with KDC Inc. dba. Dynalectric in the amount of \$37,660 for the construction of CIP 1305, Traffic Signal Modifications at San Vicente Blvd./Cynthia Street; 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; and 4) Approve Resolution 12-4374, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CIP 1305, TRAFFIC SIGNAL MODIFICATIONS AT SAN VICENTE BLVD./CYNTHIA STREET, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT".

2.L. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1307, EMERGENCY SEWER REPAIRS AT MELROSE AVE/SAN VICENTE BLVD [S. PERLSTEIN, O. DELGADO]:

SUBJECT: The City Council will consider awarding a construction contract for CIP 1307.

RECOMMENDATIONS: 1) Accept the written quote dated October 8, 2012, submitted by Garcia Juarez Construction Inc.; 2) Authorize the City Manager to enter into a contract with Garcia Juarez Construction, Inc. in the amount of \$39,000 for the construction of CIP 1307, Emergency

Sewer Repairs at Melrose Ave/San Vicente Blvd.; 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 20% of the contract amount; and 4) Approve Resolution 12-4375, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CIP 1307, EMERGENCY SEWER REPAIRS AT MELROSE AVE/SAN VICENTE BLVD, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT".

2.M. RESULTS OF AN ECONOMIC IMPACT STUDY OF PREVIOUSLY APPROVED ORDINANCE PROHIBITING THE SALE OF FUR APPAREL PRODUCTS WITHIN THE CITY [P. AREVALO, M. LOUIE, J. HUFFER]:

SUBJECT: The City Council will receive a report on the results of an economic impact study of an ordinance prohibiting the sale of fur apparel products within the city approved at a regularly scheduled Council meeting on November 7, 2011.

RECOMMENDATIONS: Receive and file the report.

2.N. CONDEMNATION OF DISCRIMINATION AGAINST TRANSGENDER INDIVIDUALS GLOBALLY [A. LAND, K. HASHMI, J. HEILMAN, F. SOLOMON, J. ERICKSON]:

SUBJECT: The City Council will consider adopting a resolution condemning discrimination against transgender individuals globally.

RECOMMENDATIONS: 1) Adopt Resolution No. 12-4376, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING DISCRIMINATION AGAINST TRANSGENDER INDIVIDUALS GLOBALLY"; and 2) Send copies of the signed resolutions to Boris Dittirch, Advocacy Director for LGBT Rights, Human Rights Watch; Jessica Stern, Executive Director, International Gay and Lesbian Human Rights Commission; Suzanne Nossel, Executive Director, Amnesty International USA; and Hillary Clinton, U.S. Secretary of State.

2.O. SUPPORT OF TRANSGENDER DAY OF REMEMBRANCE [K. COOK, B. SMITH, D. ESCOBEDO]:

SUBJECT: The City Council will consider supporting the Transgender Day of Remembrance to be held on November 20, 2012 co-sponsored by the West Hollywood Transgender Advisory Board.

RECOMMENDATIONS: 1) Direct staff to work with the West Hollywood Transgender Advisory Board to support the Transgender Day of Remembrance ceremony to be held November 20, 2012; 2) Waive parking fees for use of the West Hollywood - 5 story parking lot from 6:30 p.m. to 10:00 p.m. on November 20, 2012; 3) Approve the closure of the West Hollywood Library auto court from 3:00 p.m. to 10:00 p.m. on November 20, 2012; and 4) Waive special event permit fees of \$800.

2.P. CREATING AN AMENDMENT TO THE HISTORIC PRESERVATION ORDINANCE REQUIRING PROPERTY OWNER TO PROVIDE FINANCIAL DISCLOSURES DEMONSTRATING ECONOMIC HARDSHIP AND TO PROVIDE A BUSINESS PLAN IF THE PROPERTY IS TO BE CONVERTED FROM RESIDENTIAL TO COMMERCIAL [J. HEILMAN, F. SOLOMON, J. HARRIS]:

SUBJECT: The City Council will consider creating an amendment to the Historic Preservation Ordinance requiring property owners to provide financial disclosures of debt service costs, estimates of various improvements and other expenses demonstrating economic hardship. Additionally, a business plan would be required if the property is being converted from residential to commercial.

RECOMMENDATIONS: 1) Direct the City Attorney and Community Development Department Staff to draft language for an amendment to the Historic Preservation Ordinance requiring financial disclosures demonstrating economic hardship and to provide a business plan if the property is to be converted from residential to commercial; and 2) Return to the City Council within 60 days with a draft ordinance.

2.Q. CREATING AN ORDINANCE REQUIRING MOTION-DETECTING LIGHTS IN STAIRWELLS OF ALL NEWLY ERECTED OR MODIFIED HOTELS, RESIDENTIAL BUILDINGS, AND COMMERCIAL BUILDINGS [J. HEILMAN, F. SOLOMON, J. HARRIS]:

SUBJECT: The City Council will consider establishing guidelines requiring motion-detecting lights in stairwells of all newly erected or modified hotels, residential buildings, and commercial buildings and permitting existing buildings to install motion-detecting lights in such stairwells.

RECOMMENDATIONS: 1) Direct the City Attorney and Community Development Department Staff to draft language for an ordinance requiring motion-detecting lights in stairwells of all newly erected or modified hotels, residential buildings, and commercial buildings; and 2) Return to the City Council within 60 days with a draft ordinance.

2.R. CO-SPONSORSHIP OF THE ANNUAL TOY BOX HOLIDAY CHARITY FUNDRAISER [J. PRANG, M. HAIBACH, A. LAND, K. HASHMI]:

SUBJECT: The City Council will consider co-sponsorship of the 17th Annual Toy Box Party, hosted by Frontiers IN LA, the Abbey, HERE Lounge and the all volunteer Toy Box Committee. Toys will be distributed for free to families affected by HIV/AIDS. This is the 17th annual community centered grass roots event to be held on Saturday, December 8, 2012.

RECOMMENDATION: Authorize co-sponsorship of the Toy Box Party, which includes: a) Authorize the use and closure of the City Parking Lot on El Tovar between 12 p.m. – 11 p.m. Saturday, December 8, 2012, for the 2012 Toy Box Party; b) Authorize the waiver of all applicable City of West Hollywood Special Event Permit, Encroachment Fees, and use of

the El Tovar parking lot; and c) Authorize event producer use of the City logo as a co-sponsor, and additionally direct City's PIO to assist with the promotion of the event.

2.S. CO-SPONSORSHIP OF THE WEST HOLLYWOOD AUTO SHOW 2012 [J. DURAN, I. OWENS]:

SUBJECT: The City Council will consider approving the co-sponsorship of the West Hollywood Auto Show 2012 in conjunction with Frontiers Media.

RECOMMENDATIONS: 1) Approve the City of West Hollywood's co-sponsorship of the Auto Show; authorizing the use of the City logo on printed materials advertising the event; 2) Approve waiver of special event permit fees in the amount of \$354; and 3) Direct the Public Information Office to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media outlets.

3. PUBLIC HEARINGS:

3.A. SUNSET SPECIFIC PLAN AMENDMENT AND ZONE TEXT AMENDMENT RELATING TO THE DESIGN OF BANKS ALONG SUNSET BLVD. [J. KEHO, M. ANTOL, B. SIEGL]:

SUBJECT: The City Council will hold a public hearing to consider amendments to the Sunset Specific Plan (SSP) and Zoning Ordinance to limit the frontage width and require pedestrian-friendly design for ground-floor banks and ATMs along Sunset Boulevard.

RECOMMENDATIONS: Staff recommends that the City Council hold the public hearing, consider all pertinent testimony, and adopt on first reading the following: 1) Resolution No. 12-____: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION FOR THE SUNSET SPECIFIC PLAN AMENDMENT AND ZONE TEXT AMENDMENT RELATING TO BANKS AND FINANCIAL INSTITUTIONS ON SUNSET BOULEVARD." (ATTACHMENT A); 2) Ordinance No. 12-____: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING ZONE TEXT AMENDMENT 2012-007 RELATING TO THE DESIGN OF BANKS ALONG SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT B); and 3) Ordinance No. 12-____: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING SUNSET SPECIFIC PLAN AMENDMENT 2012-002 RELATING TO THE DESIGN OF BANKS ALONG SUNSET BOULEVARD." (ATTACHMENT C)

4. UNFINISHED BUSINESS:

4.A. IMPROVEMENTS TO THE CITYLINE SHUTTLE SERVICE [S. BAXTER, D. DENNIS, M. ANTOL, P. SLOANE]:

SUBJECT: Staff will present an overview of proposed improvements to the Cityline shuttle service.

RECOMMENDATION: 1) Approve the proposed route changes; 2) Adopt a six-month pilot to provide Thursday evening service for the Sunset Strip Farmer's Market and increase the current Prop A budget by \$10,000 for this purpose; 3) Discontinue the 25 cent fare for Cityline; and 4) Convert meter space #SM 8525 on Santa Monica Boulevard near West Knoll to a Cityline stop.

5. NEW BUSINESS:

5.A. CO-SPONSORSHIP OF WEST HOLLYWOOD'S "END OF THE WORLD" CELEBRATION IN CONJUNCTION WITH LOCAL BUSINESSES [J. DURAN, I. OWENS, J. HEILMAN, F. SOLOMON]:

SUBJECT: The City Council will consider co-sponsoring West Hollywood's "End of the World" Celebration in conjunction with local businesses around the City.

RECOMMENDATIONS: 1) Approve the co-sponsorship of the "End of the World" Celebration to be held on Friday December 21st, 2012 in collaboration with local businesses and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve in-kind support in the form of a waiver of special event permit fees and other City-related fees for the "End of the World" Celebration; 3) Direct the Public Information Office to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media tools; 4) Authorize the Economic Development, Public Safety, Public Information, and Recreation Services Divisions to work with the event producers to discuss logistics and mitigations, organize, and publicize the event; 5) Authorize the Director of Finance to allocate \$7,500 from unallocated General Fund Reserves in Fiscal year 2012-13 to account number 100-1-01-00-531001, Special Council Programs, for expenditure related to West Hollywood's "End of the World" Celebration; and 6) Authorize the City Manager to sign and execute any documents or forms that may be necessary for the successful implementation of this event.

5.B. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2013 AND SCHEDULING DATES FOR ELECTION AND INSTALLATION OF NEW MAYOR AND MAYOR PRO TEMPORE FOR 2013: [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will consider approving the City Council Regular Meeting Schedule for Calendar Year 2013, canceling or rescheduling several meetings throughout the year that conflict with holidays, and scheduling the dates for the election and installation of the new Mayor and Mayor Pro Tempore in 2013.

RECOMMENDATIONS: 1) Consider cancelling the meeting of January 7, 2013; 2) Reschedule the meeting of January 21, 2013 to January 22, 2013; 3) Reschedule the meeting of February 18, 2013 to February 19, 2013; 4) Reschedule the meeting of September 2, 2013 to September 3, 2013; 5) Schedule the election of the new Mayor and Mayor Pro Tempore for March 18, 2013; 6) Schedule the installation of the new Mayor and Mayor Pro Tempore for April 15, 2013; and 7) Approve the City Council Regular Meeting Schedule for Calendar Year 2013.

5.C. DISABILITIES ADVISORY BOARD APPOINTMENTS [C. SCHAFFER, Y QUARKER]:

SUBJECT: The City Council will consider making direct and at-large appointments to the Disabilities Advisory Board.

RECOMMENDATIONS: 1) Mayor Pro Tempore Land to make a direct appointment to the Disabilities Advisory Board; and 2) Call for nominations for the at-large appointment to the following Board: Disabilities Advisory Board - 1 at-large appointment.

5.D. GRANT FOR REPAIRS AT VAN NESS RECOVERY HOUSE [J. DURAN, I. OWENS, A. LAND, K. HAMSHI, D. DENNIS]:

SUBJECT: The City Council will consider making a \$10,000 grant to Van Ness Recovery House for plumbing repairs to its residential drug and alcohol treatment facility in exchange for that value in services for West Hollywood community members.

RECOMMENDATION: 1) Approve a \$10,000 grant to Van Ness Recovery House for repairs to plumbing at its residential drug and alcohol treatment facility; 2) Authorize the Director of Finance to allocate \$10,000 from unallocated General Fund reserves in fiscal year 2012-13 to Social Services contracts; and 3) Authorize staff to negotiate a scope of services which provides that amount in service to West Hollywood community members.

EXCLUDED CONSENT CALENDAR: Items removed from the Consent Calendar for separate discussion are considered at this time.

6. LEGISLATIVE: None

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.

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, November 19, 2012 at 6:30 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

UPCOMING MEETING SCHEDULE:

Date: November 19 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: December 3 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: December 17 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: January 7 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, NOVEMBER 5, 2012
6:00 P.M.**

**COUNCIL CHAMBERS, CLOSED SESSION ROOM
625 N. SAN VICENTE BOULEVARD**

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 54956.9(a)

WHWRA v. City of West Hollywood
Los Angeles County Superior Court Case No. BS188848

City of West Hollywood v. Kihagi
Los Angeles County Superior Court Case No. SC100392

2. THREATENED LITIGATION.....G.C. 54956.9(b)

One case

AFFIDAVIT OF POSTING

State of California)
County of Los Angeles)
City of West Hollywood)

I declare under penalty of perjury that I am employed by the City of West Hollywood in the Administrative Services Department in the Office of the City Clerk and that I posted this agenda on:

Date: Oct. 30, 2012

Signature Catherine Ross