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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 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. The City TDD line for the hearing impaired is (323) 848-6496.

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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(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 (Revised 7-3-18)
MONDAY, JULY 9, 2018**

**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. – ADJOURNED 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, July 9, 2018 was posted at City Hall, Plummer Park, the Sheriff's Station, and at the West Hollywood Library on Wednesday, June 27, 2018.

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 June 18, 2018.

- 2.C. DEMAND REGISTER NO. 828, RESOLUTION NO. 18-5080:**
SUBJECT: The City Council is requested to approve payment of bills due as presented by the Director of Finance.
RECOMMENDATION: Approve Demand Register No. 828 and adopt Resolution No. 18-5080, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 828".
- 2.D. COMMISSION AND ADVISORY BOARD MEETING SYNOPSES [Y. QUARKER, M. CROWDER]:**
SUBJECT: The City Council will receive a Synopsis from the Transgender Advisory Board regarding actions taken at their recent meeting.
RECOMMENDATION: Receive and file.
- 2.E. HIV ZERO INITIATIVE YEAR TWO MIDYEAR EVALUATION REPORT [D. GIUGNI, D. MURRAY, C. ROSKIN]:**
SUBJECT: The City Council will receive the HIV Zero Initiative Year 2 Midyear Evaluation Report.
RECOMMENDATION: Receive and File.
- 2.F. FOUNTAIN AVENUE SAFETY IMPROVEMENTS UPDATE [O. DELGADO, H. DEMITRI]:**
SUBJECT: Receive an update from staff regarding various proposed safety enhancements on Fountain Ave. between La Cienega Blvd. and La Brea Ave.
RECOMMENDATION: Receive an update from City staff on various upcoming safety enhancements on Fountain Ave.
- 2.G. APPROVAL OF ANNUAL ARTS GRANT PROGRAM 2019 [M. LOUIE, A. CAMPBELL, P. BONDS]:**
SUBJECT: The Council will consider approving the Annual Arts Grant Program for 2019 as recommended by the Arts and Cultural Affairs Commission.
RECOMMENDATION: Approve the implementation of the 2019 Arts Grant Program as recommended by the Arts and Cultural Affairs Commission.
- 2.H. AWARD OF AGREEMENT COMMERCIAL AREA CLEANING SERVICES [S. CAMPBELL, H. COLLINS]:**
SUBJECT: The City Council will consider the award of an Agreement to Superior Property Services, Inc., for enhanced cleaning services.
RECOMMENDATIONS: 1) Approve an Agreement with the Superior Property Services, Inc. for enhanced cleaning services in an amount not-to-exceed \$2,434,000 for a term of two-years; 2) Approve Superior Property Services, Inc. to provide other related cleaning service at those costs established in the Agreement as required in an amount not to exceed \$250,000 per year for each year of the Agreement; and 3)

Authorize the City Manager or designee to execute all documents incident to the award of the Agreement.

2.I. PERMISSION TO ACCEPT \$75,000 PROP 56 TOBACCO GRANT AWARD [K. COOK, R. WINRADER]:

SUBJECT: The City Council will consider authorizing Public Safety staff to accept the \$75,000 grant awarded to the City of West Hollywood as a result of the application submitted for Prop 56 funds.

RECOMMENDATIONS: 1) Authorize staff to accept the \$75,000 Prop 56 grant awarded to the City of West Hollywood; 2) Authorize the City Manager or his designee to execute all documents incident to the grant award; 3) Upon receipt of grant funds, authorize the Director of Finance and Technology Services to increase revenues and expenditures by an equal amount of \$75,000; and 4) Authorize the expenditure of Prop 56 funds for the purposes specified in the grant application.

2.J. HOUSE OF SOCCER EVENT [M. LOUIE, C. SMITH, M. REATH, J. HEREDIA]:

SUBJECT: The City Council will consider the approval of a Permit to Use City Property between the City of West Hollywood and Authentic Agency, Inc. for the "House of Soccer" event to be held in West Hollywood Park on Thursday, July 19, 2018.

RECOMMENDATIONS: 1) Approve the Permit to Use City Property agreement between the City of West Hollywood and Authentic Agency, Inc.; 2) Authorize the City Manager or his designee to execute documents incident to the agreement; and 3) Authorize Authentic Agency, Inc. to serve beer, wine and spirits during the House of Soccer event in West Hollywood Park.

2.K. COMMUNITY GARDEN PROGRAM [L. MEISTER, J. D'AMICO, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider directing staff to take steps to revive the community garden program, including reviewing the existing Community Garden Program Operating Guidelines and proactively searching for possible future community garden sites.

RECOMMENDATIONS: 1) Direct staff to review the existing Community Garden Program Operating Guidelines and return to City Council with recommendations for updates, if needed; and 2) Direct staff to proactively pursue potential locations for future community gardens, including private and public property.

2.L. SPONSORSHIP OF A PANEL DISCUSSION FEATURING AN UPDATE FROM WASHINGTON D.C. [J. DURAN, J. LEONARD, A. LOVANO]:

SUBJECT: The City Council will consider sponsoring a panel discussion featuring Michael Avenatti, attorney and leader in the resistance to the Trump administration, and others discussing current events in Washington D.C. on Thursday, July 26, 2018 in Fiesta Hall.

RECOMMENDATIONS: 1) Authorize sponsorship of the panel discussion featuring Michael Avenatti on Thursday, July 26, 2018 in Fiesta Hall; 2) Authorize the use of the City name and logo on invitations, programs, and other collateral materials; 3) Approve the use of City facilities and waive facility use fees for attendees of the event (estimated \$312 in waived fees); 4) Direct the Communications Department to utilize all appropriate communications tools to promote the event such as the City's website, press release, and social media tools, and direct staff to film the event; and 5) Authorize the Director of Finance & Technology Services to allocate \$1,000 from budgeted funds in the Special Council Programs account number 100-1-01-00-531001 for costs associated with the event.

3. PUBLIC HEARINGS:

3.A. TRANSPORTATION DEMAND MANAGEMENT ORDINANCE [J. KEHO, B. SIEGL, B. CHEUNG, R. DIMOND]:

SUBJECT: The City Council will consider amendments to the Municipal Code to adopt an updated Transportation Demand Management Ordinance.

RECOMMENDATION: Staff recommends that the City Council hold the public hearing, consider all pertinent testimony, and introduce on first reading the following: Ordinance No. 18-____: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A MUNICIPAL CODE AMENDMENT TO REVISE CHAPTER 10.16, TRANSPORTATION DEMAND MANAGEMENT, AND AMENDING TITLE 19, ZONING ORDINANCE, TO ESTABLISH A NEW TRANSPORTATION DEMAND MANAGEMENT PROGRAM FOR CERTAIN DEVELOPMENT AND EMPLOYERS, IN WEST HOLLYWOOD, CALIFORNIA (ATTACHMENT A).

3.B. APPEAL OF A PLANNING COMMISSION DECISION TO UPHOLD ZONING INTERPRETATION 17-0001, AND DE NOVO HEARING FOR CITY COUNCIL CONSIDERATION AND DECISION WHETHER MARKET-RATE DWELLING UNITS LOCATED IN THE WEST TOWER OF 8500 SUNSET BOULEVARD, WEST HOLLYWOOD (A) ARE BEING USED AS A "HOTEL", (B) ARE NOT BEING RENTED ON A "LONG-TERM BASIS" AND/OR (C) ARE NOT BEING USED AS APPROVED, IN CONTRAVENTION OF THE ZONING ORDINANCE, THE APPLICABLE DEVELOPMENT AGREEMENT AND PROJECT ENTITLEMENTS [J. KEHO, D. DEGRAZIA, R. DIMOND]:

SUBJECT: The City Council will consider an appeal of a Planning Commission decision to uphold Zoning Interpretation 17-0001 and de novo hearing for consideration and decision whether market-rate dwelling units located in the west tower of 8500 Sunset Boulevard, West Hollywood (a) are being used as a "hotel", (b) are not being rented on a "long-term basis" and/or (c) are not being used as approved, in

contravention of the Zoning Ordinance, the applicable development agreement and project entitlements.

RECOMMENDATIONS: Staff has found that the information brought forth in the City Council appeal statement and supporting documentation (provided in Attachment B) do not provide new evidence, document errors or identify unsupported findings that would justify overturning the Planning Commission decision. Staff recommends that the City Council hold a public hearing, consider all pertinent testimony, deny the appeal, affirm the Planning Commission decision, and adopt the following resolution: Draft Resolution No. CC 18-XXXX: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, (A) DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO UPHOLD THE DIRECTOR'S ZONING INTERPRETATION 17-0001, AND (B) FINDING ON A DE NOVO BASIS THAT, IN CONTRAVENTION OF THE ZONING ORDINANCE, THE APPLICABLE DEVELOPMENT AGREEMENT AND PROJECT ENTITLEMENTS, THE MARKET-RATE (NON-AFFORDABLE) DWELLING UNITS LOCATED IN THE WEST TOWER OF 8500 SUNSET BOULEVARD (1) ARE BEING USED AS A "HOTEL", (2) ARE NOT BEING RENTED ON A "LONG-TERM BASIS" AND/OR (3) ARE NOT BEING USED AS APPROVED."

3.C. AMENDMENTS TO THE CITY'S THE MASTER FEE RESOLUTION (RESOLUTION NO. 18-5049) BY ADDING A NEW SHARED MOBILITY DEVICE IMPOUND FEE TO THE SCHEDULE OF FEES AND CHARGES FOR THE CODE COMPLIANCE DIVISION AND INCLUDING CHAPTER 11.30 IN SCHEDULE C OF THE ADMINISTRATIVE CITATION FEE SCHEDULE [O. DELGADO, J. AUBEL, D. MICK]:

SUBJECT: The City Council will consider amendments to the City's Master Fee Schedule, adding a Shared Mobility Device impound fee to the Code Compliance Fee Schedule and adding Chapter 11.30 to Schedule C of the Administrative Citation Fee Schedule.

RECOMMENDATION: Staff recommends that the City Council Adopt RESOLUTION NO. 18-_____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MASTER FEE RESOLUTION (RESOLUTION NO. 18-5049) BY ADDING A NEW SHARED MOBILITY DEVICE IMPOUND FEE TO THE SCHEDULE OF FEES AND CHARGES FOR THE CODE COMPLIANCE DIVISION AND INCLUDING CHAPTER 11.30 IN SCHEDULE C OF THE ADMINISTRATIVE CITATION FEE SCHEDULE."

4. UNFINISHED BUSINESS:

4.A. STAR COMMUNITIES RATING SYSTEM FEASIBILITY ASSESSMENT [J. KEHO, B. SIEGL, R. EASON, S. TAYLOR]:

SUBJECT: The City Council will receive an update on the STAR Communities Rating System and the results of a feasibility assessment for West Hollywood to become a STAR-certified community. The City Council

will also consider authorizing staff to pursue STAR Communities Certification.

RECOMMENDATIONS: 1) Receive an update on the STAR Communities Rating System Feasibility Assessment for West Hollywood; and 2) Direct staff to prepare and submit a STAR Communities Rating System application for certification.

4.B. TRANSIT SERVICES UPDATE AND AGREEMENT FOR SERVICES WITH MV TRANSPORTATION [D. GIUGNI, P. SLOANE GOODMAN, F. GOMEZ]:

SUBJECT: The City Council will receive an update on the status of the City's transit services and will consider approving a seven-year agreement for services with MV Transportation to provide Cityline, Cityline X, Dial a Ride and TLC Door to Door services.

RECOMMENDATIONS: 1) Approve an agreement for services with MV Transportation for the provision of Fixed Route, Demand Response and Door to Door services through June 30, 2025 in an amount not to exceed \$15,735,074, with an option to renew the contract for three (3) additional years; and 2) Authorize the City Manager or designee to execute documents incident to the agreement.

5. NEW BUSINESS:

5.A. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will consider revising the City Council Regular Meeting Schedule for the month of August 2018.

RECOMMENDATION: Consider cancelling the August 6, 2018 City Council meeting.

5.B. COMMISSION AND ADVISORY BOARD APPOINTMENTS [Y. QUARKER, M. CROWDER]:

SUBJECT: The City Council will consider making direct appointments to the Public Facilities Commission and the Lesbian and Gay Advisory Board.

RECOMMENDATIONS: 1) Councilmember Meister to make one (1) direct appointment to the Public Facilities Commission; 2) Councilmember Meister to make one (1) direct appointment to the Lesbian and Gay Advisory Board – (Female); and 3) Councilmember Heilman to make one (1) direct appointment to the Lesbian and Gay Advisory Board – (Female).

5.C. ENERGY EFFICIENCY UPGRADES USING THE SOUTHERN CALIFORNIA EDISON ON-BILL FINANCING PROGRAM [S. CAMPBELL, V. GUARINO, H. COLLINS, D. GONZALEZ]:

SUBJECT: The City Council will consider authorizing Finance & Technology Services Department to issue a Purchase Order in an amount not-to-exceed \$324,969.30 to Express Energy Services, Inc.,

through a Collaborative Agreement to complete energy efficiency upgrades at the West Hollywood Park Parking Structure and the Kings Road Parking Structure; and, incorporating the use of the On-Bill Financing Program available through Southern California Edison.

RECOMMENDATIONS: 1) Approve the use of an On-Bill Financing Agreement with Southern California Edison; 2) Authorize the Finance & Technology Services Department to issue a Purchase Order to Express Energy Services, Inc., pursuant to the Sourcewell (formerly National Joint Powers Alliance) Collaborative Agreement for electrical services in an amount not-to-exceed \$282,582 plus a 15% contingency amount of \$42,388 for a total not-to-exceed amount of \$324,970; 3) Authorize the City Manager or designee to execute all documents incident to the completion of the project; 4) Authorize the Director of Finance & Technology Services to establish a revenue account in the amount of \$205,267 in the Parking Improvement Fund to receive the Southern California Edison incentives and rebates associated to this project; and 5) Authorize the Director of Finance & Technology Services to allocate \$260,880 from unallocated capital reserves in the Parking Improvement Fund to establish a Project Budget to install energy efficient LED lighting fixtures at West Hollywood Park Parking Structure and the Kings Road Parking Structure.

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

6. LEGISLATIVE:

6.A. PERMIT BY PLATE PARKING [S. CAMPBELL, V. GUARINO, B. BORTFELD]:

SUBJECT: The City Council will consider updating the municipal code to include a Permit-by-Plate parking permit system.

RECOMMENDATION: Introduce on first reading Ordinance No. 18-_____"AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08 OF THE WEST HOLLYWOOD MUNICIPAL CODE PERTAINING TO PREFERENTIAL PARKING DISTRICTS."

6.B. PROHIBITING SHARED ON-DEMAND PERSONAL MOBILITY DEVICES [J. KEHO, B. SIEGL, T. WORDEN, O. DELGADO, J. AUBEL, D. MICK]:

SUBJECT: The Council will consider adoption of revised ordinance language that bans the operations of shared on-demand personal mobility services citywide, eliminating the reference to permits.

RECOMMENDATION: 1) Council introduce on the first reading: Ordinance No. 18-_____: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 11 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO DEEM THE OPERATIONS

OF AN UNPERMITTED SHARED ON-DEMAND PERSONAL MOBILITY SERVICE UNLAWFUL, CITYWIDE.” (ATTACHMENT A)

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 its next regular meeting, which will be on Monday, July 16, 2018 at 6:30 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
July 16	Monday	6:30 PM	Regular Meeting	West Hollywood Park Council Chambers
August 6	Monday	6:30 PM	Regular Meeting	West Hollywood Park Council Chambers
August 20	Monday	6:30 PM	Regular Meeting	West Hollywood Park Council Chambers
September 17	Monday	6:30 PM	Regular Meeting	West Hollywood Park Council Chambers

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are available on-line at
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CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, JULY 9, 2018
6:00 P.M.

COUNCIL CHAMBERS, CLOSED SESSION ROOM,
625 N. SAN VICENTE BLVD.
WEST HOLLYWOOD, CA 90069

1. PUBLIC COMMENT ON THE CLOSED SESSION AGENDA

2. LITIGATION

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:

a. **ANTICIPATION OF LITIGATION: Gov't Code section 54956.9(d)(4)**

Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation

Number of Potential Cases: One matter

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 Office of the City Clerk and that I
posted this agenda on:

Date: July 3, 2018

Signature: [Handwritten Signature]