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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, MAY 17, 2010  
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, May 17, 2010 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 13, 2010.*

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 May 3, 2010.

**2.C. DEMAND REGISTER NO. 650, RESOLUTION NO. 10-3999:**

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

RECOMMENDATION: Approve Demand Register No. 650 and adopt Resolution No. 10-3999, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 650."

**2.D. TREASURER'S REPORT FOR DECEMBER 2009 [A. GANDHY, G. SCHUCHARD]:**

*The City Council will receive the Treasurer's Report for the month ended December 2009 pursuant to Section 53646 of the Government Code of the State of California.*

RECOMMENDATION: Receive and file.

**2.E. 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 Cathy Barouch and Zenith Insurance and refer them to the City's claims adjuster.

**2.F. STREET MAINTENANCE ASSESSMENT FOR FISCAL YEAR 2010-2011 [A. GANDHY, B. ROSEN]:**

*The City Council will consider adopting a resolution determining and imposing a street maintenance assessment within the 1996 Street Maintenance Assessment District for Fiscal Year 2010-2011. The assessment rate is unchanged from 2009-2010.*

RECOMMENDATION: Adopt Resolution No. 10-4000, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 2010-2011 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2010-2011 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982, CHAPTER 6.4 OF PART 1 OF DIVISION 2 OF TITLE 5 OF THE CALIFORNIA GOVERNMENT CODE."

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

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

RECOMMENDATION: Receive and file.

**2.H. CONTRACT WITH THE CITY'S LEGISLATIVE ADVOCATE, CHRISTINE MINNEHAN & ASSOCIATES [A. WINDERMAN, E. ROBINSON]:**

*The City Council will consider the approval of a Contract for housing legislative advocate Christine Minnehan & Associates (CM&A).*

RECOMMENDATION: Approve a Contract with CM&A for an amount not to exceed \$44,200 from July 1, 2010 to June 30, 2011 to represent the City as a legislative advocate.

**2.I. AGREEMENT EXTENSION – GROUNDS MAINTENANCE SERVICES [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*The City Council will consider approving a one-year extension to the existing Agreement for Grounds Maintenance Services with added provisions for negotiating contract costs and service levels in response to budgetary constraints.*

RECOMMENDATIONS: 1) Approve the First Amendment to Agreement with TruGreen LandCare, for providing Grounds Maintenance Services, Related Grounds Maintenance Services and Urgency / Emergency Grounds Maintenance Services in the amount of \$519,034.68 for fiscal year 2010/2011 with an option for the City to re-open and negotiate service levels and associated costs as warranted by budgetary constraints; 2) Approve the First Amendment to the Agreement with TruGreen LandCare to extend the term of the agreement for a period of 12 months effective July 1, 2010; 3) Authorize the City Manager to negotiate all changes to compensation and scope of work; and 4) Authorize the City Manager to execute the First Amendment to the Agreement.

**2.J. AGREEMENT EXTENSION - JANITORIAL SERVICES [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*The City Council will consider approving a two-year extension to the existing Agreement for Janitorial Services with added provisions for negotiating contract costs and service levels in response to budgetary constraints.*

RECOMMENDATIONS: 1) Approve the Fourth Amendment to Agreement with Diversified Maintenance Services, Incorporated, for providing base janitorial services including day porter services and recycling services in the amount of \$545,789.88 for fiscal year 2010/2011 and \$569,628.24 for fiscal year 2011/2012, with an option for the City to re-open and negotiate service levels and associated costs as warranted by budgetary constraints; 2) Approve the Fourth Amendment to Agreement with Diversified Maintenance Services, Incorporated for providing other related janitorial services and urgency / emergency janitorial services at those unit costs established in the Amendment as said services; 3) Authorize the City Manager to negotiate all changes to compensation and scope of work; and 4) Authorize the City Manager to execute the Fourth Amendment to Agreement.

**2.K. AMENDMENT OF AGREEMENT WITH ACS STATE AND LOCAL SOLUTIONS, INC. FOR EXTENSION OF THE RED LIGHT PHOTO ENFORCEMENT PROGRAM [O. DELGADO, S. PERLSTEIN]:**

*The City Council will consider approving a 5 year contract extension with ACS State and Local Solutions, Inc., to provide the red light photo enforcement program.*

RECOMMENDATION: Approve Amendment No. 5 to the Agreement with ACS State and Local Solutions, Inc., for the red light photo enforcement program and authorize the City Manager to sign the Amendment.

**2.L. APPROVAL OF FINAL TRACT MAP NO. 60454 FOR THE CONDOMINIUM PROJECT LOCATED AT 1014 LARRABEE STREET [O. DELGADO, S. PERLSTEIN]:**

*The City Council will consider the approval of Final Tract Map No. 60454, a six unit condominium, located on Larrabee Street, between Harratt Street and Nellas Street.*

RECOMMENDATIONS: 1) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act; b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Tract Map No. 60454; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 60454 the certificate that embodies the approval of said map.

**2.M. DESIGNATION OF THE PROPERTY LOCATED AT 8867 CYNTHIA STREET AS A LOCAL CULTURAL RESOURCE [A. MCINTOSH, J. KEHO, A. CASTILLO]:**

*The City Council will consider designating the building located at 8867 Cynthia Street as a Local Cultural Resource.*

RECOMMENDATION: Adopt Resolution No. 10-4001, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DESIGNATING THE EXTERIOR OF THE STRUCTURE LOCATED AT 8867 CYNTHIA STREET AS A LOCAL CULTURAL RESOURCE AS PART OF THE OLD SHERMAN THEMATIC GROUPING (CULTURAL RESOURCE DESIGNATION 2009-002)." (EXHIBIT A)

**2.N. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE AVENUES – ART, FASHION & DESIGN DISTRICT (FORMERLY THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT) [J. HUFFER, M. LOUIE]:**

*The City Council will consider adopting three resolutions as the first steps in the implementation process of establishing The Avenues – Art, Fashion & Design District West Hollywood for fiscal year 2010-2011; and set a public hearing on June 7, 2010.*

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4002, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2010-2011 IN CONNECTION WITH THE AVENUES ART, FASHION & DESIGN DISTRICT”; 2) Adopt Resolution No. 10-4003, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2010-2011 IN CONNECTION WITH AVENUES ART, FASHION & DESIGN DISTRICT”; 3) Adopt Resolution No. 10-4004, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE AVENUES ART, FASHION & DESIGN DISTRICT FOR FISCAL YEAR 2010-2011 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO”; and 4) Direct staff to notice a public hearing to be held on June 7, 2010 to hear protests or objections to the levy of the assessment for fiscal year 2010-2011.

**2.O. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING & BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE) [J. HUFFER, M. LOUIE]:**

*The City Council will consider renewing the Hotel Marketing Benefit Zone of the West Hollywood Business Improvement Area for fiscal year 2010-2011 that funds the visitor marketing activities of the West Hollywood Marketing and Visitors Business Bureau (MVB) by adopting three resolutions; and set a public hearing for June 7, 2010.*

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4005, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2010-2011 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA”; 2) Adopt Resolution No. 10-4006, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2010-2011 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA”; 3) Adopt Resolution No. 10-4007, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY A CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2010-2011 AND SETTING A TIME AND PLACE OF A HEARING TO CONSIDER SUCH A CHARGE”; and 4) Direct staff to notice a public

hearing to be held on June 7, 2010 to hear protests or objections to the levy of assessment for fiscal year 2010-2011.

**2.P. LEVY OF ANNUAL ASSESSMENT FOR SANTA MONICA BOULEVARD MAINTENANCE DISTRICT [J. HUFFER, M. LOUIE]:**

*The City Council will consider adopting resolutions for the proposed levy of assessments for the Santa Monica Boulevard Maintenance District for fiscal year 2010-2011 which provides for holiday decorations, sidewalk steam cleaning and trash can and bus bench cleaning and repair; and set a public hearing for June 7, 2010.*

RECOMMENDATIONS: 1) Adopt Resolution Number 10-4008, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2010-2011 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE"; 2) Adopt Resolution Number 10-4009, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ENGINEER FOR THE 2010-2011 FISCAL YEAR IN CONNECTION WITH THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT"; 3) Adopt Resolution Number 10-4010, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2010-2011 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO"; and 4) Direct staff to notice a public hearing to be held on June 7, 2010 to hear protests or objections to the levy of the assessment for fiscal year 2010-2011.

**2.Q. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT [J. HUFFER, M. LOUIE]:**

*The City Council will consider adopting three resolutions as the first steps in the implementation process of the Sunset Strip Business Improvement District for fiscal year 2010-2011; and set a public hearing for June 7, 2010.*

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4011, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2010-2011 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT

DISTRICT”; 2) Adopt Resolution No. 10-4012, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2010-2011 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT”; 3) Adopt Resolution No. 10-4013, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2010-2011 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO”; and 4) Direct staff to notice a public hearing to be held on June 7, 2010 to hear protests or objections to the levy of the assessment for fiscal year 2010-2011.

**2.R. SUPPORT OF THE CALIFORNIA AIR RESOURCES BOARD'S LEADERSHIP IN PROMOTING CLEAN AND ENERGY EFFICIENT MOTOR VEHICLES [J. ENGLISH, L. BELSANTI]:**

*The City Council will consider adopting a resolution in support of the California Air Resources Board's (CARB) leadership in promoting clean and energy efficient motor vehicles.*

RECOMMENDATION: Adopt Resolution No. 10-4014, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE CALIFORNIA AIR RESOURCES BOARD'S LEADERSHIP IN PROMOTING CLEAN AND ENERGY EFFICIENT MOTOR VEHICLES, ENERGY INDEPENDENCE, ZERO EMISSION TECHNOLOGIES AND IMPROVED QUALITY OF LIFE IN CALIFORNIA."

**2.S. PROHIBITING PERSONS FROM SCAVENGING FROM SOLID WASTE RECEPTACLES [J. PRANG, M. HAIBACH]:**

*The City Council will consider creating an ordinance to prohibit persons from scavenging from all solid waste receptacles.*

RECOMMENDATIONS: 1) Direct the City Attorney to draft an ordinance prohibiting persons from scavenging from all solid waste receptacles; and 2) Amend 15.24.010 and 15.36.030 of the municipal code to reflect the new ordinance.

**2.T. MARCH FOR TRANS-UNITY PRIDE [K. COOK, B. SMITH]:**

*The City Council will consider a request for a rolling closure on Santa Monica Boulevard between La Brea Boulevard and Gardener Street on Sunday, June 6, 2010 from 10:00 AM to 11 AM to accommodate a march in celebration of Trans-Unity Pride co-sponsored by the Transgender Advisory Board.*

RECOMMENDATIONS: 1) Approve a rolling closure on Santa Monica Boulevard between La Brea Boulevard and Gardener Street on Sunday June 6, 2010 from 10 AM to 11 AM to accommodate a march in celebration of Trans-Unity Pride; and 2) Waive special event permit fees of \$800.00.



**2.U. SUPPORT AIDS WATCH 2010 LEGISLATIVE PRIORITIES [J. DURAN, H. MOLINA]:**

*The City Council will consider adopting a resolution in support of AIDS WATCH 2010 legislative priorities for increased funding of HIV/AIDS prevention and treatment services in United States.*

RECOMMENDATIONS: 1) Adopt Resolution No.10-4015, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AIDS WATCH 2010 LEGISLATIVE PRIORITIES"; and 2) Direct staff to send copies of the adopted resolution to state and federal legislators, the National Association of People Living with AIDS (NAPWA) and other municipalities.

**2.V. IDENTIFY AND OFFER A BABYSITTER CERTIFICATION PROGRAM FOR WEST HOLLYWOOD TEENS [A. LAND, C. PLANCK, T. MANDEL]:**

*The City Council will consider directing staff to identify and offer a babysitter certification program to educate and train West Hollywood teenagers in the proper care and supervision of young children and allow them to achieve certified babysitter status.*

RECOMMENDATIONS: Direct the Human Services Department's Recreation Division to identify and offer a babysitter certification program to educate and train teens in the proper care and supervision of young children and offer the teens an opportunity to achieve certified babysitter status.

**2.W. CO-SPONSORSHIP OF "BUTCH VOICES – CALIFORNIA AND SOUTHWEST REGIONAL CONFERENCE, OCTOBER 8-10, 2010 [A. LAND, C. PLANCK, J. PRANG, M. HAIBACH]:**

*The City Council will consider co-sponsoring "Butch Voices – California and Southwest Regional Conference," to be held October 8-10, 2010, in Plummer Park and other venues.*

RECOMMENDATIONS: 1) Approve city co-sponsorship for "Butch Voices – California and Southwest Regional Conference"; 2) Authorize staff to negotiate a contract with Butch Voices Los Angeles, Lesbian Exploratorium (LEX) and their fiscal sponsor, Los Angeles Women's Theatre Project Inc., for presentation of this conference, in an amount not to exceed \$4,000; and 3) Authorize staff to waive fees for permits and use of facilities in connection with this conference.

**2.X. SUPPORT OF H.R. 5121 (CLARKE), THE GLOBAL SEXUAL AND REPRODUCTIVE HEALTH ACT OF 2010 [A. LAND, C. PLANCK, L. HORVATH, I. PINE, T. MANDEL]:**

*The City Council will consider adopting a resolution in support of H.R. 5121, (Clarke) the Global Sexual and Reproductive Health Act of 2010.*

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4016, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST

HOLLYWOOD IN SUPPORT OF H.R. 5121 (CLARKE), THE GLOBAL SEXUAL AND REPRODUCTIVE HEALTH ACT OF 2010"; and 2) Direct staff to send copies of the signed resolution to U.S Congressman Yvette Clarke, as well as Congressman Henry Waxman and U.S. Senators Dianne Feinstein and Barbara Boxer.

**2.Y. OPPOSING THE ELIMINATION OF THE CALIFORNIA COMMISSION ON THE STATUS OF WOMEN [C. PLANCK, L. FOOKS, A. GIROUX]:**

*The City Council will consider adopting a resolution opposing the elimination of the California Commission on the Status of Women.*

RECOMMENDATION: 1) Adopt Resolution No. 10-4017, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE ELIMINATION OF THE CALIFORNIA COMMISSION ON THE STATUS OF WOMEN"; and 2) Direct staff to send copies of the signed resolution Assemblymember Warren T. Furutani, State Senator Fran Pavley, Assemblymember Mike Feuer, the California State Assembly Budget Subcommittee Number 4, the Commission on the Status of Women, California Women Lead, National Women's Political Caucus California Chapter and California NOW.

**2.Z. SPECIAL EVENT ROAD CLOSURE [S. BAXTER, N. BEARD, C. SMITH]:**

*City Council is being requested to approve a short term temporary closure of Sunset Boulevard.*

RECOMMENDATION: Authorize the short term temporary street closure of Sunset Boulevard on May 26, 2010 as deemed necessary by the Sheriff.

**2.AA. SUPPORT OF S.3078 (FEINSTEIN) HEALTH INSURANCE RATE AUTHORITY ACT OF 2010 [C. PLANCK, E. BARRATT]:**

*The City Council will consider adopting a resolution in support of S.3078 (Feinstein) Health Insurance Rate Authority Act of 2010.*

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4018, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S.3078 (FEINSTEIN) HEALTH INSURANCE RATE AUTHORITY ACT OF 2010"; and 2) Direct staff to send copies of the resolution to U.S. Senator Dianne Feinstein, U.S. Senator Barbara Boxer, and U.S. Congressman Henry Waxman.

**2.BB. 25<sup>TH</sup> ANNIVERSARY CAPITAL PROJECT - EXPLORATION OF AGREEMENT WITH THE CITY OF LOS ANGELES FOR THE CO-MANAGEMENT OF POINSETTIA PARK [L. HORVATH, I. PINE, J. HEILMAN, F. SOLOMON]:**

*The City Council will consider formally directing staff to explore utilization of the City of Los Angeles' Poinsettia Park during the construction phase of Plummer Park.*

RECOMMENDATIONS: 1) Direct Department of Human Services to provide a status update on discussions with the City of Los Angeles about Poinsettia Park to date, and to report back to Council on a regular basis.

**3. PUBLIC HEARINGS:**

**3.A. REVIEW OF THE CITY SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE CHARGE FOR FISCAL YEAR 2010-11 [O. DELGADO, S. PERLSTEIN]:**

*The City Council will consider approving the Solid Waste and Recyclable Material Collection and Disposal Service Charge rates for FY 10-11.*

RECOMMENDATIONS: 1) Make a finding that there is no majority protest by property owners within the assessment area; 2) Approve Resolution No. 10-\_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SOLID WASTE AND RECYCLING SERVICES FOR FISCAL YEAR 2010-11 PURSUANT TO TITLE 15, CHAPTER 15.48 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE"; and 3) Approve Resolution No. 10-\_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE CONSUMER PRICE INDEX FOR ALL URBAN CUSTOMERS (CPI-U) INCREASE TO RATES FOR SOLID WASTE SERVICES FOR COMMERCIAL AND MULTI UNIT (OVER FOUR UNITS) RESIDENTIAL PROPERTIES."

**3.B. PLUMMER PARK CAPITAL IMPROVEMENT PROJECT - FINAL ENVIRONMENTAL IMPACT REPORT AND GENERAL PLAN CONSISTENCY [S. BAXTER, S. CAMPBELL, F. CONTRERAS, H. COLLINS]:**

*The City Council will consider approving the Plummer Park Project by certifying the Final Environmental Impact Report ("EIR") along with the adoption of a Mitigation Monitoring and Reporting Program ("MMRP") and a Statement of Overriding Considerations for the proposed Plummer Park Capital Improvement Project. The requested action also includes determining General Plan Consistency for the proposed project. Plummer Park is located at 7377 Santa Monica Boulevard, West Hollywood, CA.*

RECOMMENDATIONS: Staff recommends that the City Council hold a public hearing, consider all pertinent testimony, and approve the project as described in the Plummer Park Capital Improvement Project EIR by certifying the Final EIR, adopting the MMRP and the Statement of Overriding Considerations, and making a determination that the Plummer Park Capital Improvement Project is consistent with the General Plan, subject to the findings in Draft Resolution CC 10-\_\_\_\_\_: Resolution No. CC 10-\_\_\_\_\_: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR), ADOPTING A MITIGATION MONITORING PROGRAM, ADOPTING A STATEMENT OF OVERRIDING

CONSIDERATIONS, AND FINDING GENERAL PLAN CONSISTENCY PURSUANT TO WHMC SECTION 19.01.040.K.1, FOR THE PROPOSED PLUMMER PARK CAPITAL IMPROVEMENT PROJECT LOCATED AT 7377 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.” (EXHIBIT A)

**3.C. APPEAL OF THE BUSINESS LICENSE COMMISSION’S DECISION TO SUSPEND FOR A PERIOD OF TWO WEEKS THE PUBLIC EATING WITH ALCOHOL LICENSE AND THE ENTERTAINMENT LICENSE AND TO IMPOSE A PROBATIONARY PERIOD OF SIX MONTHS FOR THE NIGHTCLUB KNOWN AS GUYS AND DOLLS [O. DELGADO, J. AUBEL]:**

*The City Council will hold a public hearing on an appeal by Michael Sutton and Jason Rimokh regarding the Business License Commission’s decision to suspend for two weeks and place on probation for six months the public eating with alcohol business license 003622 and the entertainment business license 003623 for the business known as Guys and Dolls located at 8713 Beverly Boulevard, West Hollywood.*

RECOMMENDATION: Adopt Resolution No. \_\_\_\_\_ “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE APPEAL BY MICHAEL SUTTON AND JASON RIMOKH OF THE BUSINESS LICENSE COMMISSION’S DECISION TO SUSPEND FOR A PERIOD OF TWO WEEKS THE PUBLIC EATING WITH ALCOHOL BUSINESS LICENSE 003622 AND ENTERTAINMENT BUSINESS LICENSE 003623 AND FURTHER IMPLEMENTING A 180 DAY PROBATIONARY PERIOD FOR THE BUSINESS KNOWN AS GUYS AND DOLLS LOCATED AT 8713 BEVERLY BOULEVARD, WEST HOLLYWOOD”

**4. UNFINISHED BUSINESS: None**

**5. NEW BUSINESS:**

**5.A. REFERENDUMS OPPOSING WEST HOLLYWOOD ORDINANCE NO. 10-838 AND ORDINANCE NO. 10-839 REGARDING A ZONE CHANGE AND A DEVELOPMENT AGREEMENT FOR 9015 SUNSET BOULEVARD [T. WEST, C. SCHAFFER]:**

*The City Council will consider referendum petitions challenging two West Hollywood Ordinances pertaining to a development agreement and a zoning map amendment associated with a double-sided 14 ft. wide x 48 ft. high billboard atop a pole, located at 9015 Sunset Boulevard.*

RECOMMENDATIONS: 1) Introduce on first reading Ordinance No. 10-\_\_\_\_\_, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REPEALING ORDINANCE NOS. 10-838 AND 10-839 IN THEIR ENTIRETY”; or 2) Submit West Hollywood Ordinance No. 10-838 and Ordinance No. 10-839 to the voters, either at the next regular municipal election to be held on March 8, 2011, or at a special election called for the

purpose, not less than 88 days after the order of the legislative body (August 13, 2010, should the Council take action tonight).

**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. ADOPTION OF A MORATORIUM FOR NON-EMERGENCY TRENCH CUTTING OF THE ROADWAY SURFACE ON SUNSET BOULEVARD FOR FIVE YEARS [O. DELGADO, S. PERLSTEIN]:**

*The City Council will consider adopting an ordinance regarding a construction moratorium for non-emergency trenching of the roadway pavement on Sunset Boulevard for a period of five years.*

RECOMMENDATION: Introduce on first reading Ordinance No. 10-\_\_\_\_\_, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, PROHIBITING NON-EMERGENCY TRENCH CUTTING OF THE ROADWAY PAVEMENT ON SUNSET BOULEVARD FOR A PERIOD OF FIVE YEARS."

**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, June 7, 2010 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
June 7	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
June 21	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
July 19	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
August 2	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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