

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
TUESDAY, FEBRUARY 17, 2009
6:00 P.M.**

WEST HOLLYWOOD PARK AUDITORIUM, STUDIO ROOM

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. REAL PROPERTY NEGOTIATION.....G.C. 54956.8

Conference with Real Property Negotiators: Gov't Code Section 54956.8
Property: 7317 Romaine Street
Agency Negotiator: Paul Arevalo or Designee
Party's Negotiator: Nicole Mihalka or Designee

**SMOKING IS NOT PERMITTED IN THE CITY COUNCIL CHAMBERS
(Article IV, Chapter 7, W.H.M.C.)**

**COMPLETE AGENDA PACKETS ARE AVAILABLE FOR PUBLIC
INSPECTION AT CITY HALL, 8300 SANTA MONICA BLVD.
AT THE LIBRARY, 715 N. SAN VICENTE BLVD.,
AND AT THE CITY'S WEBSITE,
www.weho.org**

Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office at 8300 Santa Monica Boulevard, West Hollywood, California, during normal business hours. They will also be available for inspection during the City Council meeting at the City Clerk's table.

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 attend (e.g., transportation) or 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. For information on public transportation, call 1-800-COMMUTE or go to www.mta.net. The City TDD line for the hearing impaired is (323) 848-6496.

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
TUESDAY, FEBRUARY 17, 2009
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 Tuesday, February 17, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 12, 2009.

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 February 2, 2009.

2.C. DEMAND REGISTER NO. 620, RESOLUTION NO. 09-3770:

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

RECOMMENDATION: Approve Demand Register No. 620 and adopt Resolution No. 09-3770, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 620."

2.D. 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.E. ORDINANCE NO. 09-807 (2ND READING), AMENDING § 17.52.010 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO PROTECT RESIDENTIAL TENANTS FROM BEING EVICTED BECAUSE THEIR HOUSEHOLD HAS GROWN AS THE RESULT OF THE ADDITION OF DEPENDENT CHILDREN [T. WEST, C. SCHAFFER]

The City Council will waive further reading and adopt Ordinance No. 09-807, a proposed ordinance amending § 17.52.010 of the West Hollywood Municipal Code to protect residential tenants from being evicted because their household has grown as the result of the addition of dependent children.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 09-807, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING § 17.52.010 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO PROTECT RESIDENTIAL TENANTS FROM BEING EVICTED BECAUSE THEIR HOUSEHOLD HAS GROWN AS THE RESULT OF THE ADDITION OF DEPENDENT CHILDREN."

2.F. AWARD OF CONTRACT FOR CIP 55-09-01, WEST HOLLYWOOD PARK TEMPORARY POWER PROJECT [L. LONG, R. REYNOLDS, S. BAXTER, J. HUFFER]

The City Council will consider awarding a contract to the lowest responsive bidder for the installation of temporary power at West Hollywood Park.

RECOMMENDATIONS: 1) Accept the bid dated January 29, 2009, in the amount of \$86,750 for the original scope of work and accept the bid alternate in the amount of \$4,000 for a total award of \$90,750 as submitted by and McKoy Electric Company, Los Angeles, California; 2) Authorize the City Manager to sign an Agreement with McKoy Electric Company in an amount of \$90,750 for the West Hollywood Park Temporary Power Project, CIP 55-09-01; 3) Authorize the Director of Economic Development and Special Projects, or his designee, to negotiate and execute one or more change orders to the contract with Mckoy Electric Company for related, additional but unforeseen work,

which may develop during the project; the total value of which shall not exceed a 20% contingency of the original contract amount; and 4) Reject all other bids and return associated Bid Bonds.

2.G. APPROVAL OF THE GENERAL SERVICES AGREEMENT WITH LOS ANGELES COUNTY [O. DELGADO, S. PERLSTEIN]

The City Council will consider renewal of the City's General Services Agreement with Los Angeles County to ensure continuation of various contract County services.

RECOMMENDATION: Adopt Resolution No. 09-3771, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONCERNING PERFORMANCE OF CERTAIN GENERAL SERVICES TO AND FOR THE CITY OF WEST HOLLYWOOD BY THE COUNTY OF LOS ANGELES AND AUTHORIZING THE EXECUTION OF AN AGREEMENT RELATING THERETO."

2.H. AWARD OF CONSTRUCTION CONTRACT FOR WEST HOLLYWOOD PARK PARKING LOT ON BALL FIELD, CIP 0906 [O. DELGADO, S. PERLSTEIN]

The City Council will consider awarding a construction contract for the construction of a temporary parking lot on the West Hollywood Park ball field, for parking during Phase 1 Implementation of the West Hollywood Park Master Plan.

RECOMMENDATIONS: 1) Accept the bid dated February 4, 2009, submitted by Century Paving, Inc.; 2) Authorize the City Manager to enter into a contract with Century Paving, Inc. in the amount of \$154,875 for the construction of CIP 0906, West Hollywood Park Parking Lot on Ball Field.; and 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.

2.I. AWARD OF CONSTRUCTION CONTRACT FOR SAN VICENTE BLVD. STREET PAVING PROJECT, CIP 0904 [O. DELGADO, S. PERLSTEIN]

The City Council will consider awarding a construction contract for the San Vicente Blvd. Street Paving Project, CIP 0904.

RECOMMENDATION: 1) Accept the bid dated February 5, 2009, submitted by E.C. Construction Co.; 2) Authorize the City Manager to enter into a contract with E.C. Construction Co. in the amount of \$277,859.98 for the construction of CIP 0904, San Vicente Blvd. Street Paving Project; and 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.

2.J. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES ON CIP 0904, SAN VICENTE BLVD STREET PAVING PROJECT [O. DELGADO, S. PERLSTEIN]

The City Council will consider approving a professional service agreement with RBF Consulting for construction management and inspection services on CIP 0904 San Vicente Blvd Street Paving Project.

RECOMMENDATION: Approve a professional services Agreement in an amount not to exceed \$55,627 with RBF Consulting for construction management and inspection services on CIP 0904 San Vicente Blvd Street Paving Project, and authorize the City Manager to sign the Agreement.

2.K. PURCHASE AGREEMENT WITH J & J, INC. FOR PROCUREMENT OF 18 REPLACEMENT PROGRAMMABLE TRAFFIC SIGNAL HEAD FIXTURES [O. DELGADO, S. PERLSTEIN]

The City Council will consider approving a purchase agreement with J & J, Inc. for procurement of 18 signal head fixtures for installation at various locations citywide.

RECOMMENDATION: Authorize the City Manager to execute a Purchase Agreement with J & J, Inc. not to exceed \$52,000 for procurement of 18 replacement programmable traffic signal head fixtures.

2.L. TAXICAB FRANCHISE AMENDMENT

The City Council will consider a sixty (60) day extension to the existing Taxicab Franchise Agreement.

RECOMMENDATION: Approve an amendment to the Taxicab Franchise Agreement extending the current contract term to April 30, 2009.

2.M. NOTICE OF COMPLETION, KINGS ROAD PARK REPAIRS, C.I.P #: 55-08/09-04 [L. LONG, S. BAXTER]

The City Council will consider approving a Notice of Completion for the Kings Road Park Repairs, C.I.P # 55-08/09-04.

RECOMMENDATIONS: 1) Accept the work completed by California Averland, Incorporated of Los Angeles, California; and 2) Authorize filing the project's Notice of Completion by the City.

2.N. AUTHORIZATION TO AMEND AND RESTATE THE MEMORANDUM OF UNDERSTANDING WITH THE WEST HOLLYWOOD LIBRARY FUND [R. REYNOLDS, J. HUFFER]

The City Council will consider authorizing the "Amended and Restated Memorandum of Understanding" between the City of West Hollywood and the West Hollywood Library Fund.

RECOMMENDATION: Authorize the Mayor to execute the "Amended and Restated Memorandum of Understanding" with the West Hollywood Library Fund.

2.O. WEST HOLLYWOOD DESIGN AND ARCHITECTURAL HOTEL TOUR PROGRAM OVERVIEW AND BUDGET [R. REYNOLDS, J. HUFFER, M. LOUIE]

The City Council will receive a report outlining a concept for the West Hollywood Design and Architecture Hotel Tour as well as consider approving an agreement for services for event production with Persona Studios for \$16,000.

RECOMMENDATIONS: 1) Approve the event concept and budget as outlined; 2) Authorize the Finance Director to appropriate \$16,000 from unallocated General Fund reserves to be used toward the production of the event and placed in Economic Development Line Item 100-1-01-10-531004; and 3) Authorize the City Manager to sign and execute all necessary agreements.

2.P. INSTALLATION OF WOMEN'S HISTORY MONTH BANNERS ALONG SANTA MONICA BOULEVARD [L. BELSANTI, L. FOOKS]

The City Council will consider a request from the West Hollywood Women's Advisory Board to authorize the installation of Women's History Month banners from March 1, 2009 to April 1, 2009, along Santa Monica Blvd between La Cienega and Crescent Heights.

RECOMMENDATION: Direct staff to approve the installation of 34 pole banners on the north and south sides of Santa Monica Boulevard between La Cienega and Crescent Heights from March 1, 2009 – April 1, 2009.

2.Q. WOMEN'S HISTORY MONTH 2009 [C. PLANK, L. FOOKS]

The City Council will consider approval of programming in celebration of Women's History Month 2009.

RECOMMENDATION: Approve programming for Women's History Month 2009 and direct the appropriate City staff to work with the Women's Advisory Board to coordinate the production and promotion of Women's History Month.

2.R. CO-SPONSORSHIP OF THE RAPE TREATMENT CENTER'S 7TH ANNUAL JOHN VARVATOS EVENT BENEFITING STUART HOUSE [L. LONG, N. BEARD, C. SMITH]

The City Council of West Hollywood will consider co-sponsoring the March 8th, 2009 Rape Treatment Center's 7th Annual John Varvatos Event benefiting Stuart House, a facility created to serve sexually abused children and their families.

RECOMMENDATIONS: 1) Approve the City co-sponsorship of the March 8th, 2009, 7th Annual John Varvatos Event to benefit Stuart House; 2) Waive special event fees associated with the event, approximately \$2,750.00; and 3) Approve the proposed street closure.

2.S. CO-SPONSORSHIP OF THE COMEDY STORE'S SHEEZZ FUNNY: LGBT COMEDY NIGHT FUNDRAISER FOR MARRIAGE EQUALITY [J. PRANG, J. STEVENS]

The City Council will consider co-sponsorship of "Sheezz Funny," an LGBT Comedy Night fundraiser at the Comedy Store organized in support of marriage equality with all proceeds donated to the Courage Campaign.

RECOMMENDATIONS: Authorize co-sponsorship of the Sheezz Funny LGBT Comedy Night on Friday, February 20, 2009, which includes: A) Authorize the waiver of all applicable City of West Hollywood Special Event Fees; and b) Authorize the use of the City of West Hollywood logo in promotional and press materials, with a coordinated media advisory distributed by the City's Office of Public Information.

2.T. RESOLUTION IN SUPPORT OF THE BAN ON THE CRUEL PRACTICE OF FORCE FED FOIE GRAS PRODUCTION [C. PLANK, H. MOLINA, E. VALENCIA]

The City Council will consider adopting a resolution in support of the ban on the practice of force-feeding ducks and geese for the production of foie gras.

RECOMMENDATION: 1) Adopt Resolution 09-3772 "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE BAN ON THE CRUEL PRACTICE OF FORCE FED FOIE GRAS PRODUCTION"; 2) Direct staff to send copies of signed resolution to California State Senator Sheila Keuhl and Assemblymember Mike Feuer, Animal Protection and Rescue League, The American Society for the Prevention of Cruelty to Animals, The Humane Society of the United States, and People for the Ethical Treatment of Animals; and 3) Direct staff to contact restaurants and grocery stores that sell foie gras informing them of SB1520 soon to be in effect and to consider removing foie gras from their menus before the law takes place.

2.U. TELEVISED BROADCAST OF WEST HOLLYWOOD CITY COUNCIL CANDIDATES FORUM [P. AREVALO]

The City Council will consider the televising of a City Council Candidate Debate in preparation for the March 3, 2009 municipal election.

RECOMMENDATIONS: 1) Identify potential dates for City Council Candidate Debate which are agreeable for all candidates; 2) Authorize staff to secure an appropriate venue; and 3) Provide a live-cablecast on West Hollywood CATV Channel 6.

3. PUBLIC HEARINGS: NONE

4. UNFINISHED BUSINESS: NONE

5. NEW BUSINESS: NONE

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, March 2nd, 2009 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
March 2	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
March 16	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
April 6	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
April 20	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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