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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, AUGUST 16, 2010
Plummer Park - Fiesta Hall
7377 Santa Monica 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, August 16, 2010 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 12, 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 July 19, 2010.

- 2.C. **DEMAND REGISTER NO. 655, RESOLUTION NO. 10-4058:**

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

RECOMMENDATION: Approve Demand Register No. 655 and adopt Resolution No. 10-4058, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 655."

2.D. DEMAND REGISTER NO. 656, RESOLUTION NO. 10-4059:

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

RECOMMENDATION: Approve Demand Register No. 656 and adopt Resolution No. 10-4059, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 656."

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 Villa Flores HOA, Jennifer Loew, Jennifer Stanley, and Rene Averseng and refer them to the City's Claims Adjuster for action.

2.F. TREASURER'S REPORT FOR APRIL 2010 [A. GANDHY, G. SCHUCHARD]:

The City Council will receive the Treasurer's Report for the month ended April 2010 pursuant to Section 53646 of the Government Code of the State of California.

RECOMMENDATION: Receive and file.

2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

RECOMMENDATION: Receive and file.

2.H. ATTENDANCE REPORTS FOR CITY COMMISSIONS, ADVISORY BOARDS, AND THE PROJECT ADVISORY COMMITTEE [T. WEST, C. SCHAFFER]:

The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between February 2009 - February 2010; and May 2009 – May 2010. The Council will also consider excusing the absences of several members due to personal or professional reasons.

RECOMMENDATIONS: 1) Receive and file the attendance reports; and 2) Excuse absences, due to professional reasons, for: Gregory Woodell (Public Facilities Commission); and Steven Golightly (Public Facilities Commission). Excuse absences, due to personal and professional reasons, for: Bill Gordon (Lesbian and Gay Advisory Board).

2.I. ORGANIZATION OF CITY COMMISSIONS AND ADVISORY BOARDS [J. PRANG, M. HAIBACH]:

The City Council will consider adopting revised by-laws for all Commissions, Advisory Boards, and the Project Advisory Committee; and a revised resolution regarding the organization, function and Council expectations of the City's Advisory Boards. The revisions are specifically regarding term lengths for Chairs, Vice-Chairs, and Co-Chairs.

RECOMMENDATIONS: 1) Adopt revised by-laws for all Commissions, Advisory Boards, and the Project Advisory Committee; and 2) Rescind Resolution No. 10-3990 and adopt Resolution No. 10-4060, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGARDING THE ORGANIZATION OF CITY ADVISORY BOARDS."

2.J. AMENDING THE CITY'S CONFLICT OF INTEREST CODE [T. WEST, C. SCHAFFER]:

The City Council will consider adopting a resolution amending the City's Conflict of Interest Code.

RECOMMENDATION: Adopt Resolution No. 10-4061, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE CONFLICT OF INTEREST CODE WHICH INCORPORATES BY REFERENCE THE STANDARD CONFLICT OF INTEREST CODE REGULATIONS PREPARED BY THE FAIR POLITICAL PRACTICES COMMISSION AND REPEALING RESOLUTION NO. 08-3737."

2.K. AGREEMENT FOR SERVICES WITH DEKRA-LITE [P. AREVALO, J. HUFFER, M. LOUIE]:

The City Council will consider entering into an agreement with Dekra-Lite for purchase installation, repair, and storage of the holiday lights for Santa Monica Boulevard associated with Santa Monica Boulevard Maintenance District, Zones 1, 2 and 3.

RECOMMENDATIONS: 1) Approve an agreement with Dekra-Lite in an amount not-to-exceed \$98,158.48 for the installation, repair, and storage of the holiday lights including purchase of new LED string lights along Santa Monica Boulevard for the 2010 holiday season; and 2) Authorize the City Manager to sign the agreement.

2.L. AIDS WALK 2010 CO-SPONSORED EVENT [S. BAXTER, N. BEARD, C. SMITH]:

The City Council will consider co-sponsorship of AIDS Walk 2010.

RECOMMENDATIONS: Authorize co-sponsorship of the AIDS Walk 2010 which includes: 1) Authorize the waiver of all City of West Hollywood special event fees for this event; 2) Approve date, Sunday, October 17, 2010, and location, West Hollywood Park and surrounding residential streets; 3) Approve the lifting of permit parking from 7:00 AM to 2:00 PM on October 17, 2010 in Districts 1 and 2; 4) Request use of the Pacific

Design Center (PDC) Plaza as per the PDC Development Agreement as a co-sponsored City event; and 5) Approve event street closures as described in the report.

2.M. AMENDMENT NO. 1 TO AGREEMENT FOR CONSULTANT SERVICES WITH KOA CORPORATION FOR AS-NEEDED TRAFFIC ENGINEERING SERVICES [S. PERLSTEIN, O. DELGADO]:

The City Council will consider approving Amendment No. 1 to the Agreement with KOA Corporation to fund their contract for as-needed traffic engineering services for FY 10-11.

RECOMMENDATION: Approve Amendment No. 1 to Agreement for Services with KOA Corporation increasing the professional services by \$30,000 for a total amount not to exceed \$55,000 for traffic engineering services, and authorize the City Manager to execute the agreement.

2.N. APPROVAL OF FINAL PARCEL MAP NO. 66519 FOR THE CONDOMINIUM PROJECT LOCATED AT 925 GENESEE AVENUE [S. PERLSTEIN, O. DELGADO]:

The City Council will consider the approval of Final Parcel Map No. 66519, a four unit condominium, located on Genesee Avenue, between Romaine Street and Willoughby Avenue.

RECOMMENDATIONS: 1) Make findings for the Final Parcel 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 Parcel Map No. 66519; and 3) Instruct the City Clerk to endorse on the face of the map of Final Parcel Map No. 66519 the certificate that embodies the approval of said map.

2.O. APPROVAL OF FINAL TRACT MAP NO. 64260 FOR THE CONDOMINIUM PROJECT LOCATED AT 8008 NORTON AVENUE [S. PERLSTEIN, O. DELGADO]:

The City Council will consider the approval of Final Tract Map No. 64260, a six-unit condominium, located on Norton Avenue, between Laurel Avenue and Crescent Heights Boulevard.

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. 64260; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 64260 the certificate that embodies the approval of said map.

2.P. APPROVAL OF REVISED CLASSIFICATION SPECIFICATION AND RECLASSIFICATION OF ONE POSITION AND APPROVAL OF ADDITIONAL ASSISTANT CIVIL ENGINEER POSITION [S. SCHUMACHER, L. BOCK, V. LOVE]:

The City Council will consider the recommendation from the Human Resources Division for approval of the revised classification specification and reclassification of one position and approval of an additional Assistant Civil Engineer position.

RECOMMENDATIONS: 1) Approve the revised classification specification and title for the Transportation and Transit Operations Supervisor position within the Social Services Division; 2) Authorize the downgrade of the vacant position of Transportation and Transit Operations Supervisor, Grade 5290E to Transportation Program Administrator, Grade 5280E; and 3) Authorize the approval of the additional position of Assistant Civil Engineer in the Engineering Division, Grade 5280 with a salary of \$76,517 to \$97,769 annually.

2.Q. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1101, CONCRETE REPAIR PROGRAM [S. PERLSTEIN, O. DELGADO]:

The City Council will consider awarding a construction contract for the Concrete Repair Program, CIP 1101.

RECOMMENDATIONS: 1) Accept the bid dated July 22, 2010, submitted by CJ Concrete Construction, Inc.; 2) Authorize the City Manager to enter into a contract with CJ Concrete Construction, Inc. in the amount of \$284,650 for the construction of CIP 1101, Concrete Repair Program; 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.R. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL (RFP) FOR CITY TOWING AND STORAGE SERVICES [D. NORTE, J. ROCCO, O. DELGADO]:

The City Council will consider granting approval for staff to issue a Request For Proposal for City towing and storage services.

RECOMMENDATION: Authorize staff to issue an RFP for towing and storage services.

2.S. CO-SPONSORSHIP OF THE LAYERS OF LOVE “BACK TO SCHOOL” EVENT [J. PRANG, M. HAIBACH, L. HORVATH, I. PINE]:

The City Council will consider co-sponsorship of the Layers of Love “Back to School” event to be held in the West Hollywood Park Auditorium on Saturday, September 18, 2010, from 1 PM to 6 PM.

RECOMMENDATIONS: 1) Approve sponsorship of the Layers of Love “Back to School” event to be held at the West Hollywood Park Auditorium and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Waive special event permits and associated venue fees; and 3) Direct the Public Information Office to assist in promoting the event on the City’s website/calendar.

2.T. COUNTY OF LOS ANGELES REGIONAL PARK AND OPEN SPACE DISTRICT GRANT PROGRAM – YOUTH EMPLOYMENT PLAN [S. BAXTER, J. HUFFER, S. CAMPBELL]:

The City Council is requested to adopt a Youth Employment Plan for the Los Angeles County Regional Park and Open Space District Discretionary Grant Program for West Hollywood Park and Phase 1 Implementation and New Library Project.

RECOMMENDATION: Adopt a Youth Employment Plan for the Los Angeles County Regional Park and Open Space District Discretionary Grant Program for Phase I Implementation of the West Hollywood Park Master Plan Project (Exhibit A).

2.U. DESIGNATION OF THE PROPERTY LOCATED AT 1127 NORTH HORN AVENUE AS A LOCAL CULTURAL RESOURCE [A. MCINTOSH, J. KEHO, A. CASTILLO]:

The City Council will consider designating the property located at 1127 North Horn Avenue as a local cultural resource.

RECOMMENDATION: Adopt Resolution No. 10-4062, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE EXTERIOR OF THE STRUCTURES LOCATED AT 1127 NORTH HORN AVENUE, WEST HOLLYWOOD, CALIFORNIA, AS A LOCAL CULTURAL RESOURCE (CRD 010-001).” (EXHIBIT A)

2.V. DESIGNATION OF THE PROPERTY LOCATED AT 7911-7921 NORTON AVENUE AS A LOCAL CULTURAL RESOURCE [A. MCINTOSH, J. KEHO, A. CASTILLO]:

The City Council will consider designating the property located at 7911-7921 Norton Avenue as a local cultural resource.

RECOMMENDATION: Adopt Resolution No. 10-4063, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD

DESIGNATING THE EXTERIOR OF THE TWO MULTI-FAMILY RESIDENTIAL STRUCTURES AND COURTYARDS OF THESE STRUCTURES LOCATED AT 7911-7921 NORTON AVENUE, WEST HOLLYWOOD, CALIFORNIA, AS A LOCAL CULTURAL RESOURCE (CULTURAL RESOURCE DESIGNATION 2009-001).” (EXHIBIT A)

2.W. FIRST CONTRACT AMENDMENT FOR AS NEEDED GENERAL CONSTRUCTION / PROJECT CONSULTING SERVICES [S. BAXTER, S. CAMPBELL, H. COLLINS]:

The City Council will consider awarding an amendment to Heery International, Inc., for on-call/as needed general construction / project consulting services.

RECOMMENDATIONS: 1) Approve the First Amendment to Agreement with Heery International, Inc., for on-call/as needed general construction / project consulting services to increase the contract, by a not to exceed amount of \$75,000; 2) Authorize the City Manager to execute the First Amendment to Agreement.

2.X. HALLOWEEN CARNAVAL EVENT STREET CLOSURES AND PRODUCTION CONTRACT [S. BAXTER, N. BEARD, C. SMITH]:

The City Council will consider approving a two-year contract with Authentic Agency to provide a variety of production services related to the presentation of the City’s Annual Halloween Carnival and approve associated road closures.

RECOMMENDATIONS: 1) Authorize the City Manager to enter into a two year contract between the City and Authentic Agency in an amount not to exceed \$315,000.00 per year. (Exhibit A); 2) Authorize the contingency expenditure of an amount not to exceed 10% of each year’s Agreement amount as approved by the Human Services Department Director; 3) Approve the closure of Santa Monica Boulevard between Doheny Drive and Croft Avenue/Holloway Drive from 12 PM on Sunday, October 31, 2010 through 6 AM on Monday, November 1, 2010; 4) Approve the closure of Robertson Boulevard between Santa Monica Boulevard and Melrose Avenue from 12 PM on Sunday, October 31, 2010 through 6 AM on Monday, November 1, 2010; 5) Approve the closure of Almont between Santa Monica Boulevard and Melrose from 12 PM on Sunday, October 31, 2010 through 6 AM on Monday, November 1, 2010; 6) Approve the closure of San Vicente Boulevard between Cynthia Street and Melrose Avenue from 12 PM on Sunday, October 31, 2010 through 6 AM on Monday, November 1, 2010; 7) Approve the closure of La Cienega Boulevard between Holloway Drive and Melrose Avenue from 6 PM on Sunday, October 31, 2010 through 6 AM on Monday, November 1, 2010; 8) Approve the closure of Sunset Boulevard eastbound and westbound turn lanes onto southbound La Cienega Boulevard from 4 PM on Sunday, October 31, 2010 through 6 AM on Monday, November 1, 2010; 9) Approve the closure of northbound La Peer Drive turn lane onto eastbound Santa Monica Boulevard from 12 PM on Sunday, October 31,

2010 through 6 AM on Monday, November 1, 2010; 10) Waive permit parking citywide from 5 PM on Sunday, October 31, 2010 through 6 AM on Monday, November 1, 2010.

2.Y. INCREASE IN CONSTRUCTION CONTINGENCY FUND FOR MAINTENANCE FACILITY AND OFFICES, 7317 ROMAINE STREET, C.I.P. 55-09/10-12 [S. BAXTER, S. CAMPBELL, H. COLLINS]:

The City Council will consider a request to increase the construction contingency fund for the improvements being constructed at the Maintenance Facility and Offices, 7317 Romaine Street, C.I.P. 55-09/10-12.

RECOMMENDATION: Approve an increase to the standard 15% contingency (\$40,155) for the improvements being constructed at the Maintenance Facility and Offices located at 7317 Romaine Street, C.I.P. 55-09/10-12, by an additional 5% of the base contract amount (\$267,770) for a total new contingency of 20% (\$53,540).

2.Z. NOTICE OF COMPLETION FOR SPAULDING AVENUE AND FAIRFAX AVENUE SEWER CONSTRUCTION, CIP 1006 [S. PERLSTEIN, O. DELGADO]:

The City Council will consider approving the Notice of Completion for CIP 1006, Spaulding Ave. and Fairfax Ave. Sewer Construction, by Garcia Juarez Construction, Inc.

RECOMMENDATION: 1) 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.AA. 25TH ANNIVERSARY CAPITAL PROJECT - MANAGEMENT AND COORDINATION SERVICES OF THE FIXTURES, FURNITURE, AND EQUIPMENT (FF&E) FOR THE NEW WEST HOLLYWOOD LIBRARY [J. ENGLISH, J. HUFFER, S. BAXTER]:

The City Council will consider approving an amendment to an Agreement for Services with Heery International, Inc. (Heery), to add scope of services for management and coordination consultant services in relation to the procurement, purchase, delivery, and installation of Furniture, Fixtures, and Equipment (FF&E) for the New West Hollywood Library building.

RECOMMENDATIONS: 1) Approve an amendment to an Agreement for Services with Heery International, Inc. (Contract #4743) in the amount not to exceed \$108,475 (\$101,975 base plus \$6,500 contingency) for a new contract total of \$2,247,771 for management and coordination consultant services of furniture and equipment for the New West Hollywood Library; 2) Authorize spending of the contingency only upon the advanced written consent of the City as approved by the Manager of Economic

Development and Special Projects; and 3) Authorize the City Manager to sign and execute the amendment to the Agreement and approve any minor modifications to the document.

2.BB. 25th ANNIVERSARY CAPITAL PROJECT - AMENDMENTS TO VARIOUS AGREEMENTS FOR SERVICES FOR INSPECTION SERVICES RELATED TO THE WEST HOLLYWOOD PARK PHASE 1 IMPLEMENTATION AND NEW LIBRARY PROJECT [J. ENGLISH, J. HUFFER, S. BAXTER]:

The City Council will consider approving two amendments to agreements for services related to on-site inspection and field services related to the West Hollywood Park Phase 1 Implementation and new Library Project increasing the contract amount by \$15,000 for Geotechnologies, Inc., and increasing the contract amount by \$20,000 for Twining Laboratories.

RECOMMENDATIONS: 1) Approve an amendment to an agreement for services with Geotechnologies, Inc. in an amount not to exceed \$15,000 for a new contract total of \$88,820 for soils inspections and engineering services for the new West Hollywood Library project; 2) Approve an amendment to an agreement for services with Twining Laboratories, Inc. in an amount not to exceed \$20,000 for a new contract total of \$89,240 for roofing and waterproofing inspection services for the new West Hollywood Library project; and 3) Authorize the City Manager to execute the agreements and approve any minor modifications that may be required.

2.CC. SPONSORSHIP OF THE AVENUES - ART, FASHION & DESIGN DISTRICT'S "FASHION'S NIGHT OUT" WEST HOLLYWOOD EVENT [P. AREVALO, J. HUFFER, M. LOUIE]:

The City Council will consider sponsorship of the Avenues of Art, Fashion & Design (The Avenues) "Fashion's Night Out" West Hollywood event on Friday, September 10, 2010.

RECOMMENDATIONS: 1) Approve sponsorship of the Avenues of Art, Fashion & Design district "Fashion's Night Out" West Hollywood event and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Waive special event permits and associated fees; 3) Direct the Public Information Office to utilize all appropriate communications tools to promote the event, including, but not limited to the City's website; and 4) Authorize the City Manager to sign and execute any necessary documents or forms.

2.DD. SPONSORSHIP OF THE AVENUES - ART, FASHION & DESIGN DISTRICT'S "TASTE ART" EVENT [P. AREVALO, J. HUFFER, M. LOUIE]:

The City Council will consider sponsorship of The Avenues - Art, Fashion & Design (The Avenues) "Taste Art" event during the month of October 2010.

RECOMMENDATIONS: 1) Approve sponsorship of The Avenues - Art, Fashion & Design District "Taste Art" event and authorize the use of the

City name and logo on invitations, programs, and other collateral materials; 2) Direct the Public Information Office to utilize all appropriate communications tools to promote the event, including, but not limited to the City's website; and 3) Authorize the City Manager to sign and execute any necessary documents or forms.

2.EE. APPROVAL OF SIDE LETTERS OF AGREEMENT WITH THE WEST HOLLYWOOD MANAGEMENT ASSOCIATION (WHMA) [V. LOVE, L. BOCK]:

The City Council will consider approving three (3) side letters of agreement with the West Hollywood Management Association (WHMA), providing Retiree Longevity Healthcare Bonus consistent with other bargaining units, decreasing the Cost of Living Adjustment to 1% effective July 1, 2010 and moving the Veteran's Day Holiday to November 11th of each year.

RECOMMENDATION: 1) Approve the Side Letters of Agreement with WHMA which modifies their Memorandum of Understanding 2006-2011 by decreasing the Cost of Living Adjustment to 1% effective July 1, 2010, moving the Veteran's Day Holiday to November 11th of each year and extending a side letter on Retiree Longevity Healthcare to consistent with all other bargaining units. 2) Authorize the City Manager to execute the Side Letters of Agreement on behalf of the City.

2.FF. SUPPORT OF LITIGATION CHALLENGING THE CONSTITUTIONALITY OF THE "DON'T ASK, DON'T TELL" POLICY [J. PRANG, M. HAIBACH, J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution in support of litigation challenging the federal "Don't Ask, Don't Tell" policy.

RECOMMENDATION: 1) Adopt Resolution No. 10-4064, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING LITIGATION CHALLENGING THE CONSTITUTIONALITY OF THE FEDERAL "DON'T ASK, DON'T TELL POLICY."

2.GG. SUPPORT PROPOSITION 19 [J. DURAN, H. MOLINA, J. PRANG, M. HAIBACH]:

The City Council will consider adopting a resolution in support of Proposition 19 which aims at legalizing the use of marijuana for personal use by adults and taxing its purchase.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4065, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 19, THE TAX AND CONTROL OF MARIJUANA 2010"; 2) Direct the City Manager and City Attorney to develop plans for taxing marijuana retail stores and other related activities in case voters approve Prop 19; City Manager and City Attorney to report back to Council with such plans, including the possibility of placing an initiative on the next municipal election in March 2011; and 3)

Direct staff to send copies of signed resolutions to Assemblymember Mike Feuer, Senator Fran Pavley and other key legislators and advocates.

2.HH. SUPPORT PROPOSITION 22 [J. DURAN, H. MOLINA, J. PRANG, M. HAIBACH]:

The City Council will consider adopting a resolution in support of Prop 22 – The Local Taxpayer, Public Safety, and Transportation Protection Act of 2010.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4066, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 22 TO PROTECT LOCAL REVENUES FROM BEING TAKEN BY THE STATE”; and 2) Direct staff to send copies of signed resolutions to Assemblymember Mike Feuer, Senator Fran Pavley, and other key legislators.

2.II. SUPPORT PROPOSITION 25 – CHANGING LEGISLATURE VOTE REQUIREMENT TO PASS A BUDGET FROM TWO-THIRDS TO A SIMPLE MAJORITY [J. PRANG, M. HAIBACH, J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution in support of Prop 25, which would change the vote requirement to pass a budget from two-thirds to a simple majority.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4067, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 25 TO CHANGE LEGISLATIVE VOTE REQUIREMENT FROM TWO-THIRDS TO A SIMPLE MAJORITY”; and 2) Direct staff to send copies of signed resolutions to Assemblymember Mike Feuer, Senator Fran Pavley and other key legislators.

2.JJ. OPPOSE PROPOSITION 26 [J. DURAN , H. MOLINA, L. HORVATH, I. PINE]:

The City Council will consider adopting a resolution in opposition to Prop 26, which will make it harder for the state and local governments to impose fees for services rendered to citizens and businesses alike.

RECOMMENDATIONS: 1) Adopt Resolution 10-4068, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING PROPOSITION 26 - CONSTITUTIONAL AMENDMENT: STATE AND LOCAL FEES AND CHARGES: VOTE REQUIREMENTS AND LIMITATIONS”; and 2) Direct staff to send copies of signed resolutions to Assemblymember Mike Feuer, Senator Fran Pavley and other key legislators.

2.KK. SUPPORT OF H.R. 4925: HEALTHY MEDIA FOR YOUTH ACT [C. PLANCK, L. FOOKS, A. GIROUX]:

The City Council will consider adopting a resolution in support of H.R. 4925: Healthy Media for Youth Act.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4069, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF H.R. 4925: HEALTHY MEDIA FOR YOUTH ACT"; and 2) Direct staff to send copies of the signed resolution to Senators Barbara Boxer and Diane Feinstein, Representative Henry Waxman, Congresswomen Tammy Baldwin and Shelley Moore Capito, Girl Scouts of the USA, the Women's Media Center and the National Organization for Women.

2.LL. OPPOSING EXECUTION BY STONING IN IRAN [L. HORVATH, I. PINE, A. LAND, C. PLANCK, E. BARRATT]:

The City Council will consider adopting a resolution opposing execution by stoning in Iran.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4070, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING EXECUTION BY STONING IN IRAN"; and 2) Send copies of the signed resolutions to U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein and Representative Henry Waxman.

2.MM. CALLING FOR TARGET AND BEST BUY CORPORATIONS TO CHANGE THEIR CONTRIBUTION POLICIES [J. HEILMAN, F. SOLOMON, J. FARRINGTON]:

The City Council will consider adopting a resolution of the City of West Hollywood calling for Target and Best Buy corporations to change their policies and apologize for making campaign contributions to candidates who have expressed opposition to equality for the LGBT community.

RECOMMENDATION: Adopt Resolution No. 10-4071, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING FOR TARGET AND BEST BUY CORPORATIONS TO CHANGE THEIR CAMPAIGN CONTRIBUTION POLICIES TO PROHIBIT SUPPORTING CANDIDATES WHO HAVE EXPRESSED OPPOSITION TO EQUALITY FOR THE LGBT COMMUNITY."

2.NN. URGING THE UNITED STATES TO RATIFY THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) [A. LAND, C. PLANCK, L. HORVATH, I. PINE, E. BARRATT]:

The City Council will consider adopting a resolution urging the ratification of the Convention on the Elimination of all Forms of Discrimination Against Women, CEDAW.

RECOMMENDATIONS: 1) Adopt Resolution No. 10-4072, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE UNITED STATES RATIFY THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)"; and 2) Send copies of the signed resolutions to the President of the United States, The Secretary of State of the United States, the Chair of the Senate Foreign Relations

Committee, the members of the Senate Foreign Relations Committee, U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, and Representative Henry Waxman.

2.OO. SUPPORT OF BECOMING A LET’S MOVE CITY [L. HORVATH, I. PINE, A. LAND, C. PLANCK, T. MANDEL, L. SMITH]”

The City Council will consider having West Hollywood become an official Let’s Move city and integrating components of this program into recreational activities, local schools, senior services and the broader community to create a healthy initiative for people of all ages.

RECOMMENDATIONS: 1) Approve registering West Hollywood as an official Let’s Move city; 2) Direct appropriate Human Services’ staff to provide updates on the progress and status of existing City programs and resolutions that endeavor to increase the physical activity of children and seniors, provide more nutritious food in schools and for our senior population, improve access to healthy and affordable foods out of school, and empower parents and caregivers with the information and support necessary to make better food choices for those in their care; and 3) Conduct outreach to local businesses via the West Hollywood Chamber of Commerce in a wider effort to create a healthy initiative for people of all ages in our community.

2.PP. AGE FRIENDLY COMMUNITIES SYMPOSIUM – SUMMARY [L. HORVATH, I. PINE]:

The City Council will consider approving the attached, “Age Friendly Communities Symposium – Summary,” to be included for consideration in the General Plan.

RECOMMENDATIONS: 1) Approve including ‘Age Friendly Communities Symposium – Summary’ for consideration in the General Plan; and 2) Forward copies to appropriate staff and Planning Commissioners for review and a report back on what recommendations will be included.

THE CITY COUNCIL WILL RECESS AND RECONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION: (see attached Community Development Commission Agenda)

THE COMMUNITY DEVELOPMENT COMMISSION WILL RECESS AND RECONVENE AS THE CITY COUNCIL:

3. PUBLIC HEARINGS:

3.A. A REQUEST TO CONSTRUCT A MIXED-USE HOTEL PROJECT INCLUDING A HEIGHT VARIANCE AND AMENDMENTS TO THE GENERAL PLAN AND ZONING MAP [A. MCINTOSH, J. KEHO, D. DEGRAZIA]:

On July 19, 2010 the City Council directed staff to return at the August 16, 2010 City Council meeting with resolutions and a Development Agreement approving the project. Staff is continuing to work with the applicant on the proposed Development Agreement, therefore the Development Agreement is not currently available for review by the City Council.

RECOMMENDATION: Staff recommends that this item be continued to a date certain of September 7, 2010 to allow Staff and the applicant additional time to work on the Development Agreement.

3.B. PROPOSED RESOLUTION FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) [A. MCINTOSH, B. CHEUNG]:

The City Council will hold a public hearing to consider adopting a resolution finding the City to be in conformance with the Los Angeles County Congestion Management Program (CMP).

RECOMMENDATION: Adopt Resolution No. 10-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN CONFORMANCE WITH THE LOS ANGELES COUNTY CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089."

3.C. APPEAL OF THE BUSINESS LICENSE COMMISSION'S DECISION TO PLACE CONDITIONS OF APPROVAL ON THE IRANIAN AMERICAN JEWISH CENTER'S PUBLIC EATING LICENSE 002806 [O. DELGADO, J. AUBEL]:

The City Council shall conduct a public hearing to consider an appeal by the Iranian American Jewish Center of the Business License Commission's decision to place conditions of approval on Public Eating License 002806.

RECOMMENDATION: Adopt Resolution No. 10-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL BY THE IRANIAN AMERICAN JEWISH CENTER OF THE BUSINESS LICENSE COMMISSION'S DECISION TO PLACE CONDITIONS OF APPROVAL ON PUBLIC EATING LICENSE 002806."

4. UNFINISHED BUSINESS:

4.A. None.

5. NEW BUSINESS:

5.A. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE FOR SUMMER AND FALL OF 2010 [T. WEST, C. SCHAFFER]:

The City Council will consider revising the City Council Regular Meeting Schedule for the remaining months of 2010.

RECOMMENDATION: Consider rescheduling or cancelling City Council meetings from September through December, 2010.

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. 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 Tuesday, September 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
September 7	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
September 20	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
October 4	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
October 18	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

City Council Agendas and Staff Reports
are available on-line at

www.weho.org

**CLOSED SESSION AGENDA
MONDAY, AUGUST 16, 2010
6:00 P.M.**

**Plummer Park - Fiesta Hall
7377 Santa Monica 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.....G.C. 54956.9(a)

Toorvald v. City of West Hollywood
Los Angeles Superior Court, Case No. BS 122316

West Hollywood v. 852 Hilldale LLC, 850 San Vicente, LLC, 845 San Vicente
LLC, et al.
Los Angeles Superior Court , Case No. SC108910