

**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 WEST HOLLYWOOD LIBRARY, 625 N. SAN VICENTE BLVD.,  
AND AT THE CITY'S WEBSITE,**

**[www.weho.org](http://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 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.

Special meeting related accommodations (e.g., transportation) may be provided upon written request to the Office of the City Clerk at least 48 hours prior to the meeting. For information on public transportation, call 1-800-COMMUTE or go to [www.mta.net](http://www.mta.net).

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  
MONDAY, DECEMBER 19, 2011  
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS  
625 N. SAN VICENTE BOULEVARD**

**6:00 P.M. - CLOSED SESSION: See attached Closed Session Agenda**

**6:30 P.M. – REGULAR MEETING**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**REPORT OF CLOSED SESSION AGENDA:**

**APPROVAL OF AGENDA:**

**ADJOURNMENT MOTIONS:**

**PRESENTATIONS:**

**1. PUBLIC COMMENT:** 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:**

*SUBJECT: The agenda for the meeting of Monday, December 19, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, December 15, 2011.*

**RECOMMENDATION:** Receive and file.

**2.B. APPROVAL OF MINUTES:**

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

**RECOMMENDATION:** Approve the minutes of December 5, 2011.

**2.C. DEMAND REGISTER NO. 688, RESOLUTION NO. 11-4250:**

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

RECOMMENDATION: Approve Demand Register No. 688 and adopt Resolution No. 11-4250, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 688"

**2.D. CLAIMS ADMINISTRATION:**

*SUBJECT: The City Council is asked to deny Claims filed against the City, as a routine administrative step in claims processing.*

RECOMMENDATION: Deny the claims of Mercury as subrogee of Robert Ciancimino and Golden Eagle Insurance as subrogee of Randall McCoy and refer them to the City's claims adjuster.

**2.E. TREASURER'S REPORT FOR AUGUST 2011 [A.GANDHY, G. SCHUCHARD]:**

*SUBJECT: THE City Council will received the Treasurer's Report for the month ended August 2011 pursuant to Section 53646 of the Government Code of the State of California.*

RECOMMENDATION: Receive and File.

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

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

RECOMMENDATION: Receive and file.

**2.G. OPPOSE THE 10 PERCENT REDUCTION OF MEDI-CAL PROVIDER REIMBURSEMENT RATES [J. DURAN, H. MOLINA, J. D'AMICO, M. REX, J. HARRIS]:**

*SUBJECT: The City Council will consider adopting a resolution in opposition to the 10 percent reduction in Medi-Cal provider reimbursement rates.*

RECOMMENDATIONS: 1) Adopt Resolution No. 11-\_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION OF THE 10 PERCENT REDUCTION OF MEDI-CAL PROVIDER REIMBURSEMENT RATES"; and 2) Direct Staff to send copies of the adopted resolution to Governor Jerry Brown, Department of Health Care Services Director Toby Douglas, State Senator Fran Pavley and Assembly Member Mike Feuer.

**2.H. CALLING ON THE NIGERIAN GOVERNMENT TO ABANDON THE ANTI-HOMOSEXUALITY BILL [J. HEILMAN, F. SOLOMON, J. ERICKSON]:**

*SUBJECT: The City Council will consider adopting a resolution denouncing the Nigerian Anti-Gay Bill.*

**RECOMMENDATIONS:** 1) Adopt Resolution No. 11-\_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENOUNCING THE NIGERIAN ANTI-GAY BILL"; and 2) Send copies of the signed resolutions to the President of Nigeria, U.S. Secretary of State Hillary Clinton, U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, Representative Henry Waxman, International Gay and Human Rights Commission, Amnesty International and Human Rights Watch and All Out.

**2.I. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1202, CONCRETE REPAIR PROGRAM EAST SIDE [S. PERLSTEIN, O. DELGADO]:**

*SUBJECT: The City Council will consider awarding a construction contract for the Concrete Repair Program East Side, CIP 1202.*

**RECOMMENDATIONS:** 1) Accept the bid dated December 7, 2011, submitted by C.J Concrete Construction, Inc.; and 2) Authorize the City Manager to enter into a contract with C.J Concrete Construction, Inc. in the amount of \$80,980 for the construction of CIP 1202, Concrete Repair Program East Side; 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; and 4) Approve Resolution 11-\_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CONCRETE REPAIR PROGRAM EAST SIDE, CIP 1202, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT"; and 5) Make a finding that pursuant to the provisions of the California Environmental Quality Act (CEQA-Public Resources Code, Section 21084 et. Seq.), Concrete Repair Program East Side, CIP 1202 meets the requirements for a categorical exemption in compliance with Article 19, Section 15301, (Class 1- Existing Facilities).

**2.J. CONTRACT FOR FY 11-12 SEWER ROOT CONTROL SERVICES [S. PERLSTEIN, O. DELGADO]:**

*SUBJECT: The City Council will consider approval of a professional service contract with Dukes Root Control, Inc. for sewer root control services.*

**RECOMMENDATION:** Authorize the City Manager to enter into a professional service contract with Dukes Root Control, Inc. in an amount not to exceed \$80,000 to provide sewer root control services for the City of West Hollywood for FY 11-12.

**2.K. NOTICE OF COMPLETION FOR THE PUBLIC PARKING LOT AT 9056 SUNSET BLVD., CIP 1108 [S. PERLSTEIN, O. DELGADO]:**

*SUBJECT: The City Council will consider approving the Notice of Completion for a 25 space public parking lot at 9056 Sunset Blvd., CIP 1108 by Palp Inc., dba Excel Paving Co.*

RECOMMENDATION: Accept the work and authorize the following: a) Filing a Notice of Completion by the City Engineer; b) Final payment to the contractor at the end of the 35 day lien period; c) Release of the Performance Bond on the date of recordation of the Notice of Completion; and d) Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices.

**2.L. WEST HOLLYWOOD WOMEN'S HEART HEALTH CAMPAIGN 2012 AND AMERICAN HEART MONTH [J. DURAN, H. MOLINA, A. LAND, C. PLANCK, D. MEGERDICHIAN, J. ERICKSON]:**

*SUBJECT: The City Council will consider approving the annual participation in the West Hollywood Women's Heart Health Campaign 2012 and American Heart Month.*

RECOMMENDATIONS: 1) Approve programming for the City's expanded participation in American Heart Month featuring National Wear Red Day activities and West Hollywood Goes Red; and 2) Direct staff to promote the West Hollywood Women's Heart Health Campaign 2012, American Heart Month and heart health awareness education during February and throughout the year.

**2.M. CO-SPONSORSHIP OF THE NCJW/LA EVENT COMMEMORATING THE ANNIVERSARY OF ROE V. WADE [V. LOVE, L. FOOKS, J. ERICKSON]:**

*SUBJECT: The City Council will consider approval of co-sponsorship of a National Council of Jewish Women/LA program that will commemorate the anniversary of Roe v. Wade and the City's ongoing commitment to women's reproductive rights.*

RECOMMENDATION: Approve the City of West Hollywood's co-sponsorship of The National Council of Jewish Women/LA's panel discussion on January 18, 2012 and the use of the City's name and logo on printed materials advertising the event.

**2.N. SPONSORSHIP OF GAY MEN'S DISCUSSION GROUP AND LESBIAN DISCUSSION GROUP [J. D'AMICO, M. REX]:**

*SUBJECT: The City Council will consider sponsorship of a series of moderated group discussions on topics relevant to Gay Men and Lesbians, respectively.*

RECOMMENDATIONS: 1) Approve sponsorship of the Gay Men's Discussion Group and the Lesbian Discussion Group and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve the use of a City venue for such events and a waiver of event permits and associated fees; and 3) Direct the

Public Information Office to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media tools.

- 2.O. NOTICE OF COMPLETION, RUSSIAN READING ROOM TENANT IMPROVEMENTS AND BOOK RELOCATION PROJECT, C.I.P. 55-11/12-02 [S. BAXTER, S. CAMPBELL, H. COLLINS]:**  
*SUBJECT: The City Council will consider accepting the improvements completed by Fast Track Construction Corporation and authorizing the filing of a Notice of Completion for the Russian Reading Room Tenant Improvements and Book Relocation Project, C.I.P. 55-11/12-02.*  
*RECOMMENDATIONS: 1) Filing a Notice of Completion with the County Recorder; 2) Final payment to contractor at the end of the 35 day lien period; 3) Release the Performance Bond on the date of recordation of the Notice of Completion; and 4) Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices.*
- 2.P. PRACTICE STANDARDIZED APTITUDE TEST (SAT) AND AMERICAN COLLEGE TEST (ACT) SITE PROGRAM [A. LAND, C. PLANCK, J. D'AMICO, M. REX, D. MEGERDICHIAN]:**  
*SUBJECT: The City Council will consider approving a test site program allowing the use of West Hollywood City facilities for practice Standardized Aptitude Tests (SATs) and American College Tests (ACTs) for high school students.*  
*RECOMMENDATIONS: 1) Approve the use of West Hollywood City facilities as test site locations on scheduled Saturdays for three proctored practice SAT and/or ACT test sessions for high school students during 2012; and 2) Direct staff to coordinate test dates and publicize the program to local youth, teens, and schools.*
- 2.Q. OPPOSE ELIMINATION OF LGBT, RACIAL AND RELIGIOUS PROTECTIONS IN PUERTO RICO'S HATE CRIMES LAW [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON]:**  
*SUBJECT: The City Council will consider opposing the elimination of LGBT racial and religious protections in Puerto Rico's hate crimes law.*  
*RECOMMENDATIONS: 1) Adopt Resolution No. 11-\_\_\_\_\_, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE ELIMINATION OF LGBT, RACIAL and RELIGIOUS PROTECTIONS IN PUERTO RICO'S HATE CRIMES LAW; and 2) Direct staff to send letters of opposition to the elimination of LGBT, racial and religious protections in Puerto Rico's hate crimes laws to Gov. Luis Fortuño, Senate President Thomas Rivera-Schatz and Speaker of the House Jenniffer A. González Colón.*

**2.R. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WEST HOLLYWOOD AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR GRANT FUNDING OF PEDESTRIAN UPGRADES TO TRAFFIC SIGNALS [J. ENGLISH, S. PERLSTEIN]:**

*SUBJECT: The City Council will consider the approval of a Memorandum of Understanding for grant funding for pedestrian upgrades at 42 signalized intersections.*

RECOMMENDATIONS: 1) Authorize the City Manager to sign the Memorandum of Understanding between the City of West Hollywood and the Los Angeles County Metropolitan Transportation Authority for grant funding of Pedestrian Signal Upgrades at Various Intersections Citywide - LACMTA Call for Projects ID#F3608 and FTIP#F3608; and 2) Authorize the Director of Finance to increase the budget by \$105,100 in both the expenditure line item 202-4-08-84-705032 and in the grant revenue line item 202-422013.

**2.S. AMENDMENT TO AN AGREEMENT FOR URBAN DESIGN CONSULTING SERVICES [A. MCINTOSH, J. KEHO, M. ANTOL, B. ROME]:**

*SUBJECT: The City Council will consider approving an amended Agreement for ongoing Urban Design consulting services with TODD GISH, CONSULTANT for the Community Development Department.*

RECOMMENDATIONS: 1) Approve the amended agreement for Urban Design consulting services with TODD GISH, CONSULTANT to increase the not-to-exceed amount of 20,000 by an additional \$35,000 for a total of \$55,000 to cover the costs of providing continued services; and 2) Authorize the City Manager to sign the agreement.

**3. PUBLIC HEARINGS:**

**3.A. AMENDMENT TO THE ZONING ORDINANCE TO REFLECT NEW COMMERCIAL ZONING DISTRICTS, MODIFY DEVELOPMENT INCENTIVES AND LAND USES, AND UPDATE THE ZONING MAP PURSUANT TO THE WEST HOLLYWOOD GENERAL PLAN 2035 [A. MCINTOSH, M. ANTOL , B. SIEGL]:**

*SUBJECT: As the first step in implementing the West Hollywood General Plan 2035, the City Council will hold a public hearing to consider amendments to the West Hollywood Zoning Ordinance and Zoning Map to reflect new commercial zoning districts, eliminate mixed-use development incentives from certain parcels on Santa Monica Boulevard, eliminate the existing density bonus for exemplary green buildings in residential zones, eliminate the public parking bonus, and prohibit residential uses in certain commercial nodes, as directed by the General Plan.*

RECOMMENDATION: Staff recommends that the City Council hold the public hearing, consider all pertinent testimony, and adopt on first reading the following: Ordinance No. 11-\_\_\_\_, "AN ORDINANCE OF THE CITY

COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING OF ZONE TEXT AMENDMENT 2011-005 RELATING TO COMMERCIAL ZONING DISTRICTS AND DEVELOPMENT INCENTIVES, AND ZONE MAP AMENDMENT 2011-007 UPDATING THE ZONING MAP, TO COMPORT WITH THE WEST HOLLYWOOD GENERAL PLAN 2035.” (ATTACHMENT A)

**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:**

**6.A. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUSINESS LICENSE ORDINANCE PERTAINING TO PEDDLING FOOD FROM THE PUBLIC RIGHT-OF-WAY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE P [ O. DELGADO, J. AUBEL]:**  
*SUBJECT: The City Council will consider repealing subsection (1)(k) of Section 5.92.050 of Title 5, Chapter 5.92 and amending subsection (2) of section 5.92.050 of Title 5, Chapter 5.92 of the West Hollywood Municipal Code pertaining to mobile food vending.*

**RECOMMENDATION:** Staff recommends that the City Council introduce on first reading Ordinance No. 11-\_\_\_\_\_, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUSINESS LICENSE ORDINANCE PERTAINING TO PEDDLING FOOD FROM THE PUBLIC RIGHT-OF-WAY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.”

**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, January 17, 2012 at 6:30 P.M. at West Hollywood Park Public Meeting Room - Council Chambers, 625 N. San Vicente Boulevard.



**UPCOMING MEETING SCHEDULE:**

Date: January 17, 2012 – Tuesday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: February 6, 2012 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: February 21, 2012 – Tuesday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

Date: March 5, 2012 – Monday – 6:30 PM – Regular Meeting – West Hollywood Park Public Meeting Room - Council Chambers.

City Council Agendas and Staff Reports are available on-line at:  
[www.weho.org](http://www.weho.org)