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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 19, 2008
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 19, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 15, 2008.

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 5, 2008.

- 2.C. **DEMAND REGISTER NO 602, RESOLUTION NO. 08-3672:**

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

RECOMMENDATION: Approve Demand Register No. 602 and adopt Resolution No. 08-3672 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 602

2.D. ORDINANCE NO. 08-785 (2ND READING), APPROVING DEVELOPMENT AGREEMENT AMENDMENT 008-011 TO AMEND THE DEVELOPMENT AGREEMENT BETWEEN THE CITY AND PACIFIC DESIGN CENTER I FOR THE PACIFIC DESIGN CENTER RED BUILDING [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-785, a proposed ordinance approving Development Agreement Amendment 008-011 to amend the development agreement between the City and Pacific Design Center I for the Pacific Design Center Red Building.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 08-785, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT AMENDMENT 008-011 TO AMEND THE DEVELOPMENT AGREEMENT BETWEEN THE CITY AND PACIFIC DESIGN CENTER I FOR THE PACIFIC DESIGN CENTER RED BUILDING."

2.E. 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.F. RESIGNATION OF SABIN GRAY FROM THE PROJECT ADVISORY COMMITTEE [T. WEST, C. SCHAFFER]:

The City Council will accept the resignation of Project Advisory Committee Member Sabin Gray, effective May 2, 2008.

RECOMMENDATION: Accept with regret the resignation of Sabin Gray from the Project Advisory Committee.

2.G. TREASURER'S REPORTS FOR OCTOBER AND NOVEMBER 2007 [A. GANDHY, G. SCHUCHARD]:

The City Council will receive the Treasurer's Report for the months ended December 2007 and January 2008 pursuant to Section 53646 of the Government Code of the State of California.

RECOMMENDATION: Receive and File.

2.H. APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH JENKINS & HOGIN, LLP, FOR CITY ATTORNEY SERVICES [H. GOSS, A. GANDHY]:

The City Council will consider approving an amendment to the City's agreement with Jenkins & Hogin, LLP, (Jenkins & Hogin) to increase the contract for City Attorney services.

RECOMMENDATIONS: 1) Approve the amendment to the City's agreement with Jenkins & Hogin, increasing the annual contract rate from \$300,000 to \$330,00 for Fiscal Year 2008-2009 (\$27,500 per month); from \$330,00 to \$345,000 for Fiscal Year 2009-2010 (\$28,750 per month); from \$345,000 to \$360,000 for Fiscal Year 2010 – 2011 (\$30,000 per month) and allow an annual contract increase consistent with the Consumer Price Index (CPI) for the Los Angeles/Metro area in future fiscal years at the City's sole option; and 2) Authorize the City Manager to execute the Amendment.

2.I. CONSTRUCTION MANAGEMENT MITIGATION AND TECHNICAL CONSULTANT SERVICES [J. ENGLISH, R. REYNOLDS, J. HUFFER]:

The City Council will consider approving an Agreement with Heery International, Inc. (HI), for construction management mitigation consultant services in relation to various private large-scale construction and development projects city-wide.

RECOMMENDATIONS: 1) Approve an Agreement with Heery International, Inc. in the amount of \$90,000 for construction management mitigation consultant services and technical advisement services in relation to various large-scale construction and development projects city-wide; and 2) Authorize the City Manager to sign and execute the Agreement.

2.J. APPROVAL OF FINAL TRACT MAP NO. 69791 FOR THE CONDOMINIUM PROJECT LOCATED AT 917 SIERRA BONITA AVENUE [O. DELGADO, S. PERLSTEIN]:

The City Council will consider the approval of Final Tract Map No. 69791, a five unit condominium, located on Sierra Bonita Avenue, between Romaine Street and Willoughby Avenue.

RECOMMENDATION: 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; 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. 69791; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 69791 the certificate that embodies the approval of said map.

2.K. TRANSPORTATION CONTRACTOR SELECTION TO PROVIDE CITYLINE & DIAL A RIDE TRANSIT SERVICES [L. LONG, D. DENNIS, J. ROONEY]:

The City Council will consider the approval of an agreement with MV Transportation to provide CityLine & Dial A Ride Transit Services.

RECOMMENDATION: Approve a seven-year agreement, with three-one year extension options, with MV Transportation, in an amount not to exceed \$12 million to provide CityLine & Dial A Ride Transit Services, and authorize the City Manager to sign.

2.L. EXTENSION OF THE AGREEMENT FOR TAXI VOUCHER SUBSIDY PROGRAM WITH JEWISH FAMILY SERVICES (JFS) [L. LONG, D. DENNIS, J. ROONEY]:

The City Council will consider approval of a one-year extension agreement with Jewish Family Services (JFS) for administration of the Taxi Coupon/Lift Van Subsidy Program from July 1, 2008 to June 30, 2009.

RECOMMENDATIONS: 1) Approve the one year extension agreement with Jewish Family Services (JFS) for an amount not to exceed \$450,000, effective July 1, 2008 through June 30, 2009, and 2) Authorize the City Manager to execute the agreement.

2.M. COMMUTER CENTER SERVICES AGREEMENT EXTENSION WITH THE CHAMBER OF COMMERCE [S. KEENE, T. SLIMMER, J. ROONEY]:

The City Council will consider the continuation of the Commuter Center program by extending the agreement with the Chamber of Commerce.

RECOMMENDATION: Authorize the City Manager to execute Amendment #5 for a two year Agreement with the Chamber of Commerce for MTA general public fare media sales in an amount not to exceed \$36,710 for the two-year period.

2.N. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH AMPCO SYSTEM PARKING TO PROVIDE PARKING MANAGEMENT SERVICES FOR CITY OWNED PARKING FACILITIES [O. DELGADO, J. ROCCO, R. MARQUEZ]:

The City Council will consider authorizing the City Manager and Parking Staff to negotiate and execute a three (3) year agreement with Ampco System Parking to provide Parking Management Services for City owned parking facilities.

RECOMMENDATIONS: 1) Approve Contract to provide parking management services with Ampco System Parking through June 30, 2011; and 2) Authorize the City Manager to sign the Amendment.

2.O. REQUEST OF PACIFIC DESIGN CENTER REGARDING SAN VICENTE MEDIAN [L. LONG, S. BAXTER]:

The Council will consider a request of the Pacific Design Center regarding re-landscaping, installation of way finding signage and maintenance of the median located on San Vicente Boulevard between Santa Monica Boulevard and Melrose Avenue.

RECOMMENDATIONS: 1) Approve in concept the request of the Pacific Design Center regarding the San Vicente Boulevard Median as described in this report; and 2) Direct staff to return to Council with a recommended landscape improvement plan and related documentation regarding the Pacific Design Center's request to re-landscape, install way finding signage and maintain the San Vicente Boulevard Median.

2.P STREET MAINTENANCE ASSESSMENT FOR FISCAL YEAR 2008-2009 [A. GANDHY]:

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 2008-2009. The assessment rate is unchanged from 2007-2008.

RECOMMENDATION: Adopt Resolution No. 08-3673 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 2008-2009 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2008-2009 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.Q MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AND THE WEST HOLLYWOOD LIBRARY FUND [M. JENKINS, R. REYNOLDS, J. HUFFER]:

The City Council will consider approving a Memorandum of Understanding between the City and the West Hollywood Library Fund. This Memorandum establishes rules and procedures governing the relationship between the City and the Fund in pursuit of the new West Hollywood Library.

RECOMMENDATION: Approve the Memorandum of Understanding.

2.R A RESOLUTION IN SUPPORT OF EMERGENCY ASSISTANCE TO MYANMAR AND U.S. DIPLOMATIC EFFORTS TO ENSURE THAT CYCLONE VICTIMS RECEIVE HUMANITARIAN AID [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON, C. ASHTARY]:

The City Council will consider a recommendation to the government of Myanmar to distribute humanitarian aid to victims of Cyclone Nargis.

RECOMMENDATIONS: 1) Adopt Resolution No. 08-3674, "A RESOLUTION IN SUPPORT OF EMERGENCY ASSISTANCE TO

MYANMAR AND U.S. DIPLOMATIC EFFORTS TO ENSURE THAT CYCLONE VICTIMS RECEIVE HUMANITARIAN AID.”; 2) Send copies of the resolution to President Bush, Senator Dianne Feinstein, Senator Barbara Boxer, Representative Henry Waxman, Amnesty International, Operation USA, Doctors without Border and Human Rights Watch; and 3) Direct the Office of Public Information to issue a press release regarding the City’s position and provide information about where the public can make donations to help with relief efforts.

3. PUBLIC HEARINGS:

3.A. REVIEW OF THE CITY SEWER SERVICE CHARGE FOR FISCAL YEAR 2008-09 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the City Sewer Service Charge rates for the FY 08-09 program.

RECOMMENDATIONS: 1) Make a finding that there is no majority protest by property owners within the assessment area; and 2) Approve Resolution No. 08-_____, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SEWER SERVICES FOR FISCAL YEAR 2007-2008 PURSUANT TO CHAPTER 15.12 OF ARTICLE 1 OF TITLE 15 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE.”

3.B REVIEW OF THE CITY SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE CHARGE FOR FISCAL YEAR 2008-09 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Solid Waste and Recyclable Material Collection and Disposal Service Charge rates for FY 08-09.

RECOMMENDATIONS: 1) Make a finding that there is no majority protest by property owners within the assessment area; 2) Approve Resolution No. 08-_____, “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 2007-08 PURSUANT TO TITLE 15, CHAPTER 48 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE”; and 3) Approve Resolution No. 08-_____, “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.”

4. UNFINISHED BUSINESS:

4.A COMMISSION APPOINTMENTS AND RE-APPOINTMENTS [T. WEST, C. SCHAFFER]:

Councilmember Heilman will consider making a direct appointment to the Historic Preservation Commission.

RECOMMENDATION: Councilmember Heilman will make the following direct appointment: Historic Preservation Commission

5. NEW BUSINESS:

5.A SOCIAL SERVICES PROGRAM PRIORITIES 2008-10 AND RELEASE OF REQUEST FOR PROPOSAL DOCUMENT [L. LONG, D. DENNIS]:

The City Council will consider Social Services program priorities for the 2008-10 contract process and release the Request for Proposal document on May 21, 2008.

RECOMMENDATIONS: 1) Indicate program priorities for the 2008-10 Social Services contract process to be released with the Request for Proposal document; and 2) Approve the release of the Request for Proposal document for 2008-10 on May 21, 2008.

5.B DISCUSSION OF CITY COUNCIL MEETING SCHEDULE CHANGE FOR JUNE, JULY, AUGUST, AND SEPTEMBER 2008 [T. WEST, C. SCHAFFER]:

The City Council will consider revising the City Council Regular Meeting Schedule for June, July, August, and September.

RECOMMENDATION: 1) Discuss canceling or rescheduling the meeting of July 7, 2008; 2) Discuss canceling or rescheduling the meeting of August 4, 2008; 3) Discuss canceling or rescheduling the meeting of September 2, 2008; and 4) Discuss canceling or rescheduling other meetings due to City Councilmember scheduling conflicts.

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 Monday, June 2, 2008 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
June 2, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
June 16, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
July 7, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
July 21, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, MAY 19, 2008
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.

PUBLIC COMMENT: This time has been set aside for members of the public to address the City Council on Closed Session items.

THREATENED LITIGATION..... 54956.9(b)(C)

Two cases: Receipt of claim pursuant to Tort Claims Act (claim available upon request)
