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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, SEPTEMBER 19, 2005
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:

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.

The agenda for the meeting of Monday, September 19, 2005 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, September 15, 2005.

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 September 6, 2005.

2.C. DEMAND REGISTER NO. 540, RESOLUTION NO. 05-3301:

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

RECOMMENDATION: Approve Demand Register No. 540 and adopt Resolution No. 05-3301, "A RESOLUTION OF THE CITY COUNCIL OF

THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 540.”

2.D. 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 claim of Fred Bassuk and refer to the City’s claims adjuster.

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. SOCIAL SERVICES CONTRACT RENEWALS:

The City Council will consider approving recommendations for renewals of Social Services contracts for the second year of the two-year funding process from October 1, 2005 to September 30, 2006.

RECOMMENDATIONS: 1) Approve the 2005-06 Social Services contract renewals as noted on the attached chart; and 2) Authorize the City Manager to sign the contract amendments.

2.G. LEASE EXTENSIONS FOR SOCIAL SERVICES AGENCIES OCCUPYING CITY PROPERTY:

The City Council will consider approving lease extensions for Social Services agencies which occupy City buildings.

RECOMMENDATION: Approve lease extensions for the Social Services agencies which occupy City property according to the chart attached from October 1, 2005 to October 1, 2006 and authorize the City Manager to sign the extensions.

2.H. APPROVE CONTRACT WITH RYDIN DECAL, INC. TO FABRICATE PARKING PERMITS:

The City Council will consider approval of a four year contract with two (2) year extensions with Rydin Decal, Inc. to fabricate preferential parking permits.

RECOMMENDATION: Approve a contract with Rydin Decal Inc. to fabricate parking permits in an amount not to exceed \$65,000 for FY 05/06.

2.I. AGREEMENT WITH MICHAEL HERRLEIN AND ASSOCIATES TO PROVIDE LEADERSHIP DEVELOPMENT SERVICES:

The City Council will consider approving an agreement with Michael Herrlein and Associates to initiate the West Hollywood Leadership Program.

RECOMMENDATIONS: 1) Approve an agreement with Michael Herrlein and Associates for an amount not to exceed \$60,000; and 2) Authorize the City Manager to sign all necessary documents related to this agreement.

2.J. EQUIPMENT RENTAL CONTRACT– ANNUAL WEST HOLLYWOOD FALL INTO READING BOOK FAIR:

The annual City of West Hollywood Fall Into Reading Book Fair will be held on October 2, 2005, at West Hollywood Park. This community wide event features authors, celebrities, local book sellers, publishers and presses in a day long celebration of literacy. Staff has conducted the formal bid process to secure a vendor capable of providing the equipment rental and installation needs for the event.

RECOMMENDATIONS: 1) Enter into a contracting agreement with Interactive Games and Creations, Inc. in an amount NTE \$39,000.00 for equipment rental and installation with a term ending December 31, 2005; and 2) Authorize the City Manager to execute the agreement.

2.K. MILLS ACT CONTRACT 2004-005 FOR PROPERTY LOCATED AT 1424 NORTH CRESCENT HEIGHTS BLVD, UNIT 19:

The City Council will consider approving a Mills Act Contract with the owner of Unit 19 at 1424 Crescent Heights Boulevard, known as the Granville Tower.

RECOMMENDATION: Approve Historical Property Preservation Agreement (Mills Act Contract) between the City of West Hollywood and the owner of Unit 19, Victoria J. Horn, at 1424 Crescent Heights Boulevard and authorize the City Manager to sign the agreement.

2.L. CULTURAL RESOURCE DESIGNATION (CRD) 2005-01 LOCATED AT 8289 SANTA MONICA BOULEVARD (IRV'S BURGERS):

The City Council will consider the Historic Preservation Commission recommendation to designate "Irv's Burgers," located at 8289 Santa Monica Boulevard, a local cultural resource of the City of West Hollywood.

RECOMMENDATION: Adopt Resolution No. 05-3302, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE NOMINATION OF THE STRUCTURE, KNOWN AS IRV'S BURGERS, LOCATED AT THE SOUTHEAST CORNER OF THE PROPERTY AT 8289 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA AS A LOCAL CULTURAL RESOURCE (CULTURAL RESOURCE DESIGNATION 2005-001)."

2.M. EASTSIDE DEVELOPMENT TEAM UPDATE:

The Council will receive an update on actions being taken to promote businesses in the eastside of West Hollywood.

RECOMMENDATION: Receive and file.

- 2.N. ARTS AND CULTURAL AFFAIRS WORK PLAN 2005-2006:**
The Council will review and consider approving the ACAC 2005-2006 Work Plan.
RECOMMENDATION: Approve ACAC 2005-2006 Work Plan.
- 2.O. RESIGNATION OF NATALIE SHIVERS FROM THE HISTORIC PRESERVATION COMMISSION:**
The City Council will accept the resignation of Historic Preservation Commissioner Natalie Shivers, effective August 23, 2005.
RECOMMENDATION: Accept with regret the resignation of Natalie Shivers from the Historic Preservation Commission.
- 2.P. CELEBRATE AND MEMORIALIZE THE HISTORY OF ROCK & ROLL AND MUSIC INDUSTRY STARS ON THE SUNSET STRIP:**
The City Council will receive a report on the efforts to celebrate and memorialize the history of Rock & Roll and the stars of the music industry on Sunset Boulevard.
RECOMMENDATIONS: 1) Approve in concept upcoming plans to celebrate and memorialize the history of Rock & Roll and music industry stars on the Sunset Strip; and 2) Receive and file.
- 2.Q. RESOLUTION CALLING FOR EXAMINATION OF THE IMPACT OF DISCRIMINATION BASED ON RACE, GENDER, AND SEXUAL ORIENTATION IN THE HURRICANE KATRINA DISASTER:**
The City Council will consider a resolution calling for examination of the impact of discrimination, including discrimination based on race, gender, and sexual orientation, in the Hurricane Katrina disaster.
RECOMMENDATION: 1) Approve Resolution No. 05-3303, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING FOR EXAMINATION OF THE ROLE OF DISCRIMINATION IN ESTABLISHING POPULATIONS ESPECIALLY VULNERABLE TO NATURAL DISASTERS, AND CALLING FOR EQUAL SAFETY AND PROTECTION IN FUTURE EMERGENCY RESPONSES"; and 2) Direct that copies of the resolution be provided to President George W. Bush, Senator Barbara Boxer, Senator Dianne Feinstein, and other appropriate elected officials, agencies, and media.
- 2.R. RESOLUTION SUPPORTING THE CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2006:**
The City Council will consider adoption of a resolution supporting the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006 scheduled for the state ballot on June 6, 2005.
RECOMMENDATION: Adopt Resolution No. 05-3304, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN

SUPPORT OF THE CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2006.”

2.S. A RESOLUTION IN SUPPORT OF AJR 30, A BILL TO PETITION THE CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO UPHOLD PROTECTIONS OF WOMEN’S EQUALITY:

The City Council will consider adopting a resolution in support of AJR 30, a bill to petition the Congress and the President of the United States to uphold protections of women’s equality.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3305, “A RESOLUTION IN SUPPORT OF AJR 30, A BILL TO PETITION THE CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO UPHOLD PROTECTIONS OF WOMEN’S EQUALITY”; and 2) Send copies of the resolution to U.S. Senators Barbara Boxer and Diane Feinstein, U.S. representative Henry Waxman, and President George W. Bush.

2.T. RESOLUTIONS IN SUPPORT OF THE NATIONAL BREAST CANCER COALITION’S 2005 LEGISLATIVE PRIORITIES:

The City Council of the City of West Hollywood will consider adopting a resolution in support of the National Breast Cancer Coalition’s Legislative Priorities for 2005.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3306, “A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE NATIONAL BREAST CANCER COALITION’S 2005 LEGISLATIVE PRIORITY OF GUARANTEED ACCESS TO QUALITY HEALTH CARE FOR ALL”; 2) Adopt Resolution No. 05-3307, “A RESOLUTION OF THE CITY OF WEST HOLLYWOOD OF THE DEPARTMENT OF DEFENSE (DOD) PEER-REVIEWED BREAST CANCER RESEARCH PROGRAM”; 3) Adopt Resolution No. 05-3308, “A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IN SUPPORT SB 757 (CHAFEE) WHICH FUNDS RESEARCH INTO ENVIRONMENTAL FACTORS RELATED TO BREAST CANCER”; 4) Adopt Resolution No. 05-3309, “A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PRESERVING THE MEDICAID BREAST AND CERVICAL CANCER TREATMENT PROGRAM, (BCCTP)”; 5) Adopt Resolution No. 05-3310, “A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 470 (GRASSLEY) KNOWN AS THE FACT ACT, FAIR ACCESS TO CLINICAL TRAILS”; and 6) Send copies of the resolutions to Assemblymember Paul Koretz, State Senator Sheila Kuehl, U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, Representative Henry Waxman and the National Breast Cancer Coalition.

2.U. RESOLUTION IN SUPPORT OF DESIGNATION OF PROPERTY AT THE WEST LOS ANGELES VETERANS' ADMINISTRATION CAMPUS FOR HOUSING FOR CHRONICALLY HOMELESS VETERANS:

The City Council will consider adopting a resolution supporting the designation of property at the West Los Angeles Veterans' Administration campus for housing for chronically homeless Veterans.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3311 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE DESIGNATION OF PROPERTY AT THE WEST LOS ANGELES VETERANS' ADMINISTRATION CAMPUS FOR HOUSING FOR CHRONICALLY HOMELESS VETERANS"; and 2) Direct staff to send copies of signed resolution to Senator Barbara Boxer, Senator Dianne Feinstein, Representative Henry Waxman, Assemblymember Paul Koretz, State Senator Sheila Kuehl, Supervisor Zev Yaroslavsky, Supervisor Gloria Molina, Supervisor Yvonne B. Burke, Supervisor Don Knabe, Supervisor Michael Antonovich, and the Department of Veterans' Affairs Capital Asset Realignment for Enhanced Services (CARES) Committee.

2.V. RESOLUTION TO ENDORSE AND SUPPORT "TEAM WEHO" IN THE AIDS MARATHON BENEFITING AIDS PROJECT LOS ANGELES:

The City Council will consider adopting a resolution to endorse and support Team WEHO's participation in the National AIDS Marathon Training Program benefiting AIDS Project Los Angeles.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3312, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO ENDORSE AND SUPPORT "TEAM WEHO" IN THE AIDS MARATHON BENEFITING AIDS PROJECT LOS ANGELES"; and 2) Send copies of the Resolution to "TEAM WEHO" participants.

3. PUBLIC HEARINGS:

3.A. APPEAL OF CONDITIONS ADDED BY PLANNING COMMISSION TO CBB-004-004:

The City Council will consider an appeal by Regency Outdoor Advertising regarding the Planning Commission's Resolution 05-607 modifying the conditions of approval of CBB-004-004. This item is continued from the City Council meeting of September 6, 2005.

RECOMMENDATION: Deny the appeal and uphold the action of the Planning Commission in approving Resolution No. PC 05-607.

4. UNFINISHED BUSINESS:

4.A. CONDUCT FEASIBILITY ANALYSIS FOR A CULTURAL CENTER:

The City Council will discuss a feasibility study to determine whether a market exists for a municipal cultural center.

RECOMMENDATIONS: 1) Direct the Economic Development Department to work with the Arts and Cultural Affairs Commission to identify a consultant to conduct a feasibility study to determine whether a market exists for a municipal cultural facility in West Hollywood; and 2) Direct the Economic Development Department to return to the City Council in 90 days with their recommendation.

4.B. EVALUATION OF POTENTIAL COMMUNITY-SERVING COMPONENTS FOR PROJECTS BEING DEVELOPED IN THE REDEVELOPMENT AREA:

The City Council will consider giving direction to staff and the Redevelopment Project Advisory Committee to study and evaluate potential community-serving components for projects being developed in the Redevelopment Area.

RECOMMENDATIONS: 1) Direct the Rent Stabilization and Housing Department and the Human Services Department to work with the Project Advisory Committee to study and evaluate potential community-serving components for projects being developed in the Redevelopment Area; and 2) Direct staff to return to the City Council within 90 days with their evaluation.

4.C. COMMISSION AND ADVISORY BOARD APPOINTMENTS:

Councilmember Prang will consider making direct appointments to City Commissions.

RECOMMENDATION: Make direct, new appointments to the following Commission: 1) Councilmember Prang: Arts and Cultural Affairs Commission.

5. NEW BUSINESS:

5.A. CONSUMER PROTECTION – TEMPORARY SIGNS:

The City Council will consider requesting the Community Development Department to review existing ordinances related to temporary signs and “Going-out-of-Business” sale signs.

RECOMMENDATION: Direct staff to explore and potentially develop a Zoning Text Amendment which seeks to limit the number of days a business may advertise for a going-out-of-business sale and require a permit for this signage.

5.B. AUTHORIZATION TO CONDITIONALLY AUTHORIZE THE TRANSFER OF CONTROL OF THE CABLE TELEVISION FRANCHISE FROM ADELPHIA COMMUNICATIONS CORPORATION TO COMCAST CABLE HOLDINGS, LLC; ASSIGN THE CABLE TELEVISION FRANCHISE BY COMCAST CABLE HOLDINGS, LLC, TO CAC EXCHANGE I, LLC, AND TRANSFER CONTROL OF CAC EXCHANGE I, LLC FROM COMCAST CORPORATION TO TIME WARNER CABLE INC.:

The City Council will consider the assignment and transfer of the City's incumbent cable television franchise from Adelphia Communications Corporation to, ultimately, Time Warner Cable, Inc.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY AUTHORIZING (1) A TRANSFER OF CONTROL OF THE CABLE TELEVISION FRANCHISE FROM ADELPHIA COMMUNICATIONS CORPORATION TO COMCAST CABLE HOLDINGS, LLC; (2) AN ASSIGNMENT OF THE CABLE TELEVISION FRANCHISE BY COMCAST CABLE HOLDINGS, LLC, TO CAC EXCHANGE I, LLC; AND (3) TRANSFER OF CONTROL OF CAC Exchange I, LLC, FROM COMCAST CORPORATION TO TIME WARNER CABLE INC;" 2) Authorize the City Manager to execute the "Transfer Agreement and Guarantee of Franchise Obligations (Adelphia Transaction);" 3) Authorize the City Manager to execute the "Assignment and Transfer Agreement and Guarantee of Franchise Obligations (Exchange Transaction)"; and 4) Authorize the City Manager to execute the "Assignment and Transfer Agreement and Guarantee of Franchise Obligations Guarantee."

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, October 17, 2005 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
October 3			Meeting cancelled due to lack of quorum	
October 17	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
November 7	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
November 21	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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CLOSED SESSION AGENDA

MONDAY, SEPTEMBER 19, 2005

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR.....G.C. 54956.8

Property: 9091 Santa Monica Blvd.
Agency Negotiator: Joan English
Negotiating Parties: Ryan Brooks, Viacom
Under Negotiation: Price and Terms of Payment (Lease)

PENDING LITIGATION.....G.C. 54956.9(a)

City of West Hollywood v. Willdan, Los Angeles County Superior Court
Case No. BC306587

City of West Hollywood v. Allegra Allison, Los Angeles County Superior Court
Case No. 05U00489
