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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, APRIL 4, 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.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, April 4, 2005 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 31, 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 March 21, 2005.

2.C. DEMAND REGISTER NO. 529, RESOLUTION NO. 05-3206:

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

RECOMMENDATION: Approve Demand Register No. 529 and adopt Resolution No. 05-3206, "A RESOLUTION OF THE CITY COUNCIL OF

THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 529.”

2.D. TREASURER’S REPORT FOR FEBRUARY 2005:

The City Council will receive the Treasurer’s Report for the month ended February 2005, pursuant to Section 53646 of the Government Code of the State of California.

RECOMMENDATION: Receive and file.

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 Oleg Melnikov, Valerie Hastings, Shirley Borchardt, and the Heirs of Julia Melnikov and refer to the City’s claims adjuster. Deny the Application for Leave to Present a Late Claim from Mark Moss and Omar Moss dba Pearl Holdings, Inc. & Dublins Irish Whiskey Pub.

2.F. ORDINANCE NO. 05-702 (2ND READING), A PROPOSED ORDINANCE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7700 BLOCK OF NORTON AVENUE:

The City Council will waive further reading and adopt Ordinance No. 05-702, an amendment which implements preferential parking regulations on the 7700 Block of Norton Avenue limiting on-street parking to vehicles with permits only between the hours of 7 p.m. and 7 a.m., seven (7) days a week.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 05-702, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7700 BLOCK OF NORTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.”

2.G. ORDINANCE NO. 05-704 (2ND READING), A PROPOSED ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING SIGN SUBSTITUTION:

The City Council will waive further reading and adopt Ordinance No. 05-704, an amendment of the Zoning Ordinance sign regulations to allow non-commercial copy to be substituted for commercial copy on any permitted sign.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 05-704, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2005-01 RELATING TO SUBSTITUTION OF NON-COMMERCIAL COPY ON PERMITTED SIGNS.”

2.H. ORDINANCE NO. 05-705 (2ND READING), A PROPOSED ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING NEIGHBORHOOD MEETINGS:

The City Council will waive further reading and adopt Ordinance No. 05-705, an amendment of the Zoning Ordinance regarding neighborhood meeting requirements to require that they be held no more than 60 days after the application date, and remove the requirement that they be held prior to an application being deemed complete.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 05-705, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2005-02 RELATING TO MANDATORY NEIGHBORHOOD MEETINGS."

2.I. 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.J. COMMISSION AND ADVISORY BOARD ATTENDANCE REPORTS:

The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between February 2004 through February 2005.

RECOMMENDATION: Receive and file.

2.K. IMPLEMENTATION OF DISTRICT 9 PREFERENTIAL PARKING REGULATIONS ON ROMAINE STREET, BETWEEN HARPER AND LA JOLLA AVENUES:

The City Council will consider a petition for preferential parking filed by residents representing a majority of the residential dwelling units on Romaine Street, between Harper and La Jolla Avenues.

RECOMMENDATION: Introduce for first reading Ordinance No. 05-_____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.240 c. OF THE WEST HOLLYWOOD MUNICIPAL CODE AMENDING THE LIST OF STREETS REGULATED IN PREFERENTIAL PARKING DISTRICT 9 BY ADDING ROMAINE STREET, BETWEEN HARPER AND LA JOLLA AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

2.L. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT FOR PRO BONO SERVICES WITH SEDGWICK, DETERT, MORAN & ARNOLD, LLP:

This item requests that the City Council authorize entering into a professional service agreement with the law firm Sedgwick, Detert, Moran & Arnold, LLP, to provide pro bono litigation services in connection with the lawsuit entitled California Veterinary Medical Association v. City of West Hollywood (Case No. SC084799).

RECOMMENDATIONS: 1) Approve the professional services agreement with the law firm of Sedgwick, Detert, Moran & Arnold, LLP, for pro bono legal services; and 2) Authorize the City Manager to sign the agreement.

2.M. APPROVE AN AGREEMENT WITH PLUS HARDWARE FOR THE PURCHASE OF CISCO NETWORKING EQUIPMENT:

The City Council will consider approving the purchase of Cisco networking equipment from Plus Hardware.

RECOMMENDATION: Approve the purchase of Cisco networking equipment from Plus Hardware in the amount of \$75,479.14.

2.N. AUTHORIZE THE PURCHASE OF COMPUTERS FROM HEWLETT-PACKARD RESELLERS:

The City Council will consider authorizing the purchase of Hewlett-Packard computers from resellers under the WSCA multi-state purchasing contract.

RECOMMENDATION: Authorize purchases of Hewlett-Packard computers in amounts exceeding \$25,000.00 under the Western States Contracting Alliance contract and the State of California's participating addendum.

2.O. AWARD OF A CONSTRUCTION CONTRACT FOR TRAFFIC SIGNAL CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM, WESTSIDE NORTH-SOUTH CORRIDOR, CIP 0501:

The City Council will consider approval of a construction contract for installation of traffic signal closed circuit television system for Santa Monica Blvd.

RECOMMENDATIONS: 1) Accept the bid dated March 24, 2005, submitted by Moore Electrical Contracting, Inc.; 2) Authorize the City Manager to enter into a contract with Moore Electrical Contracting, Inc. in the amount of \$180,460.00 for the construction of CIP 0501, the Traffic Signal Closed Circuit Television (CCTV) System, Westside North-South Corridor; 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.P. AWARD OF A CONSTRUCTION CONTRACT FOR LA CIENEGA BLVD AND MELROSE AVENUE STREET PAVING PROGRAM, CIP 0405:

The City Council will consider approval of a construction contract for rehabilitation of the roadway pavement on La Cienega Blvd and Melrose Avenue.

RECOMMENDATIONS: 1) Accept the bid dated March 22, 2005, submitted by All American Asphalt; 2) Authorize the City Manager to enter into a contract with All American Asphalt, in the amount of \$252,856.50 for the construction of CIP 0408, the La Cienega Blvd and Melrose Avenue Street Paving 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.Q. APPROVE A SOFTWARE LICENSING AGREEMENT, PROFESSIONAL SERVICES AGREEMENT AND A SOFTWARE MAINTENANCE AGREEMENT WITH EDEN SYSTEMS, INC.:

The City Council will consider approving a software licensing agreement, professional services agreement and software maintenance agreement with Eden Systems for the purchase, implementation and maintenance of an integrated finance and human resources system.

RECOMMENDATIONS: 1) Approve the Software License Agreement (SLA) in perpetuity with Eden Systems in an amount not to exceed \$129,800; 2) Approve the Software Maintenance Agreement (SMA) with Eden System's for Inforum Gold for an amount not to exceed \$26,829 in the 1st year with an annual 5% inflationary cap for years 2 through 10; 3) Approve the Professional Services Agreement (PSA) with Eden Systems to implement Inforum Gold on a time and materials basis with the current estimate of \$206,055 for setup, data conversion, training, and expenses as described in the contract; 4) Authorize the Director of Finance and Information Technology to approve amendments to the Professional Services Agreement in an amount not to exceed 15%; and 5) Authorize the City Manager to negotiate and execute all agreements.

2.R. NOTICE OF COMPLETION FOR CIP 0403 CONCRETE REPAIR PROGRAM:

The City Council will consider approving the Notice of Completion for CIP 0403 Concrete Repair Program by Civil Works Corp.

RECOMMENDATIONS: 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.S. RUSSIAN COMMUNITY HISTORICAL RECORD PROJECT:

The City Council will consider approving a special project for documenting the experiences of West Hollywood's Russian-speaking immigrants.

RECOMMENDATIONS: 1) Direct the PIO/CATV Division to begin developing a historical record of the City's Russian-speaking immigrant population, using recorded "oral histories", starting with approximately 25 such recordings over a one-year period, in consultation with the Russian Advisory Board and other members of the Russian-speaking community; and 2) Increase budget for the PIO/CATV Division for the costs of this project.

2.T. APPROVAL OF CDBG PROGRAM THREE-YEAR PARTICIPATING CITY COOPERATION AGREEMENT:

The City Council will consider adopting a resolution authorizing and approving the execution of a cooperation agreement with the County of Los Angeles Community Development Commission (CDC) for participation in the Urban County Community Development Block Grant Program for the period, July 1, 2006 through June 30, 2009.

RECOMMENDATION: Adopt Resolution No. 05-3207, "A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND APPROVING THE EXECUTION OF A THREE-YEAR PARTICIPATING CITY COOPERATION AGREEMENT WITH THE COUNTY OF LOS ANGELES COMMUNITY DEVELOPMENT COMMISSION (CDC) FOR THE LOS ANGELES URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)."

2.U. DIRECTION RELATIVE TO THE ANNEXATION OF PROPERTIES TO THE CITY OF WEST HOLLYWOOD THAT ARE DIVIDED BY THE CITY BOUNDARY:

The City Council will consider directing staff to assist in the annexation to West Hollywood a residential property at 1009 Vista Street and develop procedures for the annexation of those properties that are divided by the city boundary with Los Angeles.

RECOMMENDATIONS: 1) Direct staff to assist in the annexation of a residential property at 1009 Vista Street to the City of West Hollywood; and 2) Direct staff to develop a template for procedures for future annexations dealing with properties divided by city boundaries when annexation is requested by the owner or when otherwise appropriate.

2.V. ENVIRONMENTAL LIVABILITY REPORT:

The City Council will receive a status report on the environmental programs of the City of West Hollywood as well as a report on the environmental livability of West Hollywood.

RECOMMENDATION: Receive and file the report.

THE CITY COUNCIL WILL RECESS AND RECONVENE AS THE WEST HOLLYWOOD HOUSING AUTHORITY: (see attached Housing Authority Agenda)

THE WEST HOLLYWOOD HOUSING AUTHORITY WILL RECESS AND RECONVENE AS THE CITY COUNCIL:

3. PUBLIC HEARINGS:

3.A. EXTENSION OF INTERIM URGENCY ORDINANCE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES:

The City Council will hold a public hearing to consider a 10 month, 15 day extension of the interim urgency ordinance prohibiting the establishment of new medical marijuana dispensaries in the City of West Hollywood pursuant to Government Code Section 65858.

RECOMMENDATION: Adopt the following urgency ordinance: Ordinance No. 05-____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PURSUANT TO GOVERNMENT CODE SECTION 65858 EXTENDING ORDINANCE NO. 05-701U WHICH ESTABLISHED A MORATORIUM PROHIBITING THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES AND DECLARING THE URGENCY THEREOF." (ATTACHMENT A)

3.B. REQUEST FOR APPROVAL OF AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR THE SUNSET MILLENNIUM TO DEVELOP TWO HOTELS WITH GROUND FLOOR RETAIL AND RESTAURANT SPACE ON SUNSET SPECIFIC PLAN SITE 4-C AND TWO RESIDENTIAL TOWERS WITH GROUND FLOOR RETAIL AND RESTAURANT SPACE AT SUNSET SPECIFIC PLAN SITE 4-D:

The Council will consider development proposed on Sites 4-C and 4-D of the Sunset Specific Plan. Development on Site 4-C would consist of two new hotels with 296 rooms, and development on site 4-D would consist of two residential buildings with a total of 190 condominiums.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING THE FINAL EIR, ADOPTING A MITIGATION MONITORING PROGRAM AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE SUNSET MILLENNIUM PROJECT"; 2) Introduce Ordinance No. 05-____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT 003-004 AND ZONING MAP AMENDMENT 004-001, CREATING A DEVELOPMENT AGREEMENT OVERLAY DISTRICT ON PARCELS 4-C, 4-D AND 5-C OF THE SUNSET SPECIFIC PLAN"; and 3) Adopt Resolution No. 05-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT PERMIT 003-023, DEMOLITION PERMIT 003-030, TALL WALL CUPS 002-006, 007, 008, AND 009, CONDITIONAL USE PERMITS 004-016 AND 017, COMPREHENSIVE SIGN PROGRAM 004-003 (SSP AREA 4-C), AND DEVELOPMENT PERMIT 003-022, DEMOLITION PERMIT 003-029, TALL WALL CUP 002-005, BILLBOARD PERMITS 003-003, 003-004, 004-004 AND 004-005, TENTATIVE MAP 004-024, AND COMPREHENSIVE SIGN PERMIT 004-004 (SSP AREA 4-D)."

4. UNFINISHED BUSINESS:

4.A. VARIOUS ADVISORY BOARD APPOINTMENTS:

The City Council will consider making at-large appointments to the Lesbian & Gay Advisory Board, Russian Advisory Board and Women's Advisory Board.

RECOMMENDATIONS: 1) Make 1 at-large appointment (woman) to the Lesbian & Gay Advisory Board; 2) Make 1 at-large appointment to the Russian Advisory Board; and 3) Make 1 at-large appointment to the Women's Advisory Board.

5. NEW BUSINESS:

None.

EXCLUDED CONSENT CALENDAR: Items removed from the Consent Calendar for separate discussion are considered at this time.

PUBLIC COMMENT: This time is set aside for the public to address the Council on any item of interest within the subject matter jurisdiction of the Council that could not be heard under Item 1 at the beginning of the meeting.

6. LEGISLATIVE:

None.

COUNCILMEMBER COMMENTS: Additional general comments, announcements, requests of staff and/or other issues of concern to Councilmembers are briefly presented at this time.

ADJOURNMENT: The City Council will adjourn to a special meeting, which will be on Wednesday, April 13, 2005 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
April 13	Wednesday	6:30 PM	Special Meeting	W.H. Park Aud.
April 18	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
May 2	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
May 16	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

AGENDA
MONDAY, APRIL 4, 2005

6:30 P.M.
647 N. SAN VICENTE – WEST HOLLYWOOD PARK AUDITORIUM

To comply with the Americans with Disabilities Act of 1990, if you require special assistance to attend or participate in this meeting, please call the City Clerk's Office at (323) 848-6409 at least 48 hours prior to the meeting. The City TDD line for hearing impaired is (323) 848-6496.

1. **CALL TO ORDER:**

2. **ROLL CALL:**

3. **APPROVAL OF THE AGENDA:**

4. **PUBLIC COMMENTS:** This time has been set aside for members of the public to address the Housing Authority within the subject matter jurisdiction of the Housing Authority. Although the Housing Authority values your comments, pursuant to the Brown Act it generally cannot take any action on items not listed on the posted agenda. Two minutes will be assigned for each speaker.

5. **COMMISSIONER COMMENTS:**

6. **CONSENT CALENDAR:**

The following routine matters can be acted upon by one motion. Individual items may be removed by the Housing Authority for separate discussion.

6.A. **APPROVAL OF MINUTES:**

The Housing Authority is requested to approve the minutes of prior Housing Authority meetings.

RECOMMENDATION: Approve the minutes of the meeting of March 15, 2004.

7. **PUBLIC HEARING:**

7.A. **CONSIDERATION OF A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF WEST HOLLYWOOD ADOPTING THE ANNUAL PLAN FOR FISCAL YEAR 2005-2006, AND AUTHORIZING THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES TO SUBMIT THESE PLANS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ON BEHALF OF WEST HOLLYWOOD:**

The Housing Authority will conduct a public hearing on the proposed adoption of an Annual Plan for Fiscal Year 2005-2006.

RECOMMENDATIONS: Staff recommends that the Housing Authority: 1) Conduct a public hearing; 2) Adopt Resolution No. HA 05-18, "A

RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF WEST HOLLYWOOD ADOPTING THE ANNUAL PLAN FOR FISCAL YEAR 2005-2006, AND AUTHORIZING THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES TO SUBMIT THESE PLANS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ON BEHALF OF WEST HOLLYWOOD"; and 3) Adopt the Public Housing Authority (PHA) Certifications of compliance with the PHA Plans and Related Regulations to Accompany the Annual Plan.

8. ADJOURNMENT:

CLOSED SESSION AGENDA

MONDAY, APRIL 4, 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.

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

Beverly Boulevard v. City of West Hollywood, United States District Court

Case No. 01-5630

City of West Hollywood v. Regency Outdoor Advertising, LA Superior Court

Case No. SC084758

Mallcraft v. City of West Hollywood, LA Superior Court

Case No. BC316044

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

1 case.

INITIATION OF LITIGATION.....G.C. 54956.9(c)

1 case.
