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(Article IV, Chapter 7, W.H.M.C.)**

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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, MARCH 7, 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, March 7, 2005 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 3, 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 February 22, 2005.

2.C. DEMAND REGISTER NO. 527, RESOLUTION NO. 05-3187:

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

RECOMMENDATION: Approve Demand Register No. 527 and adopt Resolution No. 05-3187, "A RESOLUTION OF THE CITY COUNCIL OF

THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 527.”

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

The City Council will receive the Treasurer’s Report for the month ended January 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 Ed Buck and Elias Pulido and refer to the City’s claims adjuster.

2.F. ORDINANCE NO. 05-698 (2ND READING), A PROPOSED ORDINANCE AMENDING THE WEST HOLLYWOOD ZONING CODE REGARDING THE USE OF THE MIXED-USE BONUS AREA:

The City Council will waive further reading and adopt Ordinance No. 05-698, an amendment to the Zoning Ordinance to allow for hotel uses within the residential bonus area.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 05-698, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ZONE TEXT AMENDMENT 2004-01 ALLOWING HOTEL USES WITHIN THE MIXED-USE BONUS AREA.”

2.G. ORDINANCE NO. 05-699 (2ND READING), A PROPOSED ORDINANCE AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REQUIRING THE POSTING OF MAXIMUM RATES FOR VEHICLES TOWED FROM PRIVATE PROPERTY:

The City Council will waive further reading and adopt Ordinance No. 05-699, an amendment which clarifies language in the California Vehicle Code related to towing of vehicles parked on private property.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 05-699, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE TRAFFIC CODE TO CLARIFY CALIFORNIA VEHICLE CODE SECTION 22658(i)(1) BY REQUIRING CHARGES FOR TOWING AND STORAGE TO BE POSTED ON PRIVATE PROPERTY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.”

2.H. 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.I. RESIGNATION OF ALEX PONDER FROM THE BUSINESS LICENSE COMMISSION:

The City Council will accept the resignation of Business License Commission member Alex Ponder, effective February 14, 2005.

RECOMMENDATION: Accept with regret the resignation of Alex Ponder from the Business License Commission.

2.J. SALE OF AUTOMATED CITATION ISSUANCE EQUIPMENT:

The Parking Services Division requests authorization to sell to the highest bidder its inventory of Automated Citation Issuance Equipment.

RECOMMENDATIONS: 1) Declare fourteen Husky hand-held computers, charging units, O'Neil printers as surplus property; 2) Authorize staff to solicit sealed bids; and 3) Authorize staff to dispose of the property to the highest bidder.

2.K. IMPLEMENTATION OF PILOT PROGRAM FOR MULTI-SPACE PARKING METERS ON SUNSET BOULEVARD AND ISSUANCE OF CONCURRENT RFQ/RFP PROCESS:

The City Council will consider granting approval to implement a six (6) month pilot program on Sunset Boulevard for multi-space parking meters and begin the RFP/RFQ process to purchase additional meters if program is successful.

RECOMMENDATIONS: 1) Authorize staff to implement a six (6) month pilot program for eight (8) multi-space parking meters on Sunset Boulevard; and 2) Begin Request for Qualifications/Request for Proposals for additional multi-space meters if pilot program is successful.

2.L. GRANT APPLICATION AND EXPENDITURE PLAN FOR THE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM:

The City Council will consider authorizing Public Safety staff to apply for and then accept, if applicable, the US Department of Justice's Bureau of Justice Assistance allocation for the Justice Assistance Grant (JAG) Program for Federal Fiscal Year 2005.

RECOMMENDATIONS: 1) Authorize staff to apply for and accept, if applicable, the US Department of Justice's Bureau of Justice Assistance allocation to the City of West Hollywood of \$43,343 for the Justice Assistance Grant (JAG) Program for Federal Fiscal Year 2005; 2) Authorize the Director of Finance to adjust the budget to reflect the actual grant award of \$43,343 for a total of \$43,343 in expenditures; 3) Authorize the expenditure of JAG funds for the continuation of the City Parks Patrol Program; 4) Authorize the expenditure of remaining grant funds to be used for special patrols as necessary with the approval of the City Manager, the Public Safety Administrator, and the Sheriff's Captain; and 5) Authorize the City Manager to reprogram all savings and interest earnings towards the City Parks Patrol Program or special patrols.

2.M. IMPLEMENTATION OF DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 1200 BLOCK OF GENESEE AVENUE:

The City Council will consider a petition calling for the posting of preferential parking regulations on the 1200 Block of Genesee Avenue which would limit 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: Introduce for first reading Ordinance No. 05-700, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 c. OF THE WEST HOLLYWOOD MUNICIPAL CODE BY AMENDING THE LIST OF STREETS REGULATED IN PREFERENTIAL PARKING DISTRICT 8 BY ADDING THE 1200 BLOCK OF GENESEE AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

2.N. QUARTERLY REPORT FROM THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:

The City Council will receive and file the Second Quarter Report of the West Hollywood Community Housing Corporation (WHCHC) for Fiscal Year 2004-05.

RECOMMENDATION: Receive and file the FY 2004-05 Second Quarter Report of the West Hollywood Community Housing Corporation.

2.O. SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT – BANNER POLICIES:

The City Council will consider approving street banner policies adopted by the Sunset Strip Business Association (SSBA) which functions as the Strip Business Improvement District Advisory Board.

RECOMMENDATION: Approve the SSBA Street Pole Banner Policies and continue the administrative policy that gives SSBA priority to display its own Sunset identity banners, and to determine which other banners might be displayed.

2.P. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REQUESTING THE LOS ANGELES COUNTY BOARD OF SUPERVISORS TO UNDERTAKE A FAIR AND NON-ARBITRARY AUDIT OF SHERIFF'S COSTS CHARGED TO THE TAXPAYERS OF THE CONTRACT CITIES:

The City of West Hollywood requests that the Los Angeles Board of Supervisors undertake a fair and non-arbitrary audit of Sheriff's costs charged to the taxpayers of the contract cities.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3188, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REQUESTING THE LOS ANGELES COUNTY BOARD OF SUPERVISORS TO UNDERTAKE A FAIR AND NON-ARBITRARY AUDIT OF SHERIFF'S COSTS CHARGED TO THE TAXPAYERS OF THE CONTRACT CITIES"; and 2) Direct staff to forward copies of the

Resolution No. 05-3188, to the Los Angeles County Board of Supervisors and the California Contract Cities Association.

2.Q. APPROVAL FOR THE “SPRING TO ACTION FOR WOMEN’S HEALTH AND SAFETY” EDUCATION AND OUTREACH PROGRAM:

The City Council will consider the approval of an education and outreach program during the Spring of 2005 to raise awareness on issues of women’s health and safety.

RECOMMENDATIONS: 1) Approve the “Spring to Action for Women’s Health & Safety” education and outreach program for the Spring 2005; 2) Direct Public Safety Staff and Women’s Advisory Board Liaison Staff to work with the Women’s Advisory Board, the Partner Abuse Education Task Force, the Sheriff’s Gay & Lesbian Task Force, and the Gay and Lesbian Task Force in implementation of this project; and 3) Adopt Resolution No. 05-3189, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE FEDERAL VIOLENCE AGAINST WOMEN ACT (VAWA) RE-AUTHORIZATION OF 2005.”

2.R. RESOLUTION IN SUPPORT OF IMPROVED HOMELESS SERVICES AND FACILITIES ON THE WESTSIDE:

The City Council will consider adopting a resolution supporting improved homeless services and facilities on the Westside.

RECOMMENDATIONS: 1) Adopt Resolution 05-3190, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, IN SUPPORT OF IMPROVED HOMELESS SERVICES AND FACILITIES ON THE WESTSIDE”; 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 and Supervisor Michael Antonovich.

2.S. RESOLUTION IN SUPPORT OF VOLUNTARY, QUALITY PRESCHOOL FOR ALL 4-YEAR OLDS IN CALIFORNIA:

The City Council will consider adopting a resolution in support of voluntary, quality child care for all 4-year olds in California.

RECOMMENDATIONS: 1) Adopt Resolution 05-3191, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF VOLUNTARY, QUALITY CHILDCARE FOR ALL 4-YEAR OLDS IN CALIFORNIA”; and 2) forward to Marlene Kantor, Los Angeles Unified School Board Member for West Hollywood; the Los Angeles County Board of Education; the State Department of Education; our State Representatives; the Governor; the state-wide sponsor of this advocacy campaign, *Preschool California*; and local advocacy coordinator, Public Counsel.

2.T. A RESOLUTION IN SUPPORT OF THE PASSAGE OF THE PREVENTION FIRST ACT, S.20 (REID):

The City Council of the City of West Hollywood will consider adopting a resolution in support of the passage of S.20 (Reid), the Prevention First Act.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3192, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN STRONG SUPPORT OF THE PREVENTION FIRST ACT, S.20 (REID), THAT WILL INCREASE ACCESS TO CONTRACEPTIVE CHOICES FOR ALL WOMEN"; and 2) Direct staff to send copies of signed resolution to Planned Parenthood, NARAL, Feminist Majority Foundation, Senator Barbara Boxer and Senator Dianne Feinstein.

2.U. A RESOLUTION IN SUPPORT OF SB 181 (MIGDEN), ALLOWING GAY AND LESBIAN SOLDIERS IN THE CALIFORNIA NATIONAL GUARD TO SERVE OPENLY WITHOUT FEAR OF BEING DISCHARGED:

The City Council of the City of West Hollywood will consider adopting a resolution in support of SB 181 (Migden), allowing gay and lesbian soldiers in the California National Guard to serve openly without fear of being discharged.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3193, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 181 (MIGDEN), ALLOWING GAY AND LESBIAN SOLDIERS IN THE CALIFORNIA NATIONAL GUARD TO SERVE OPENLY WITHOUT FEAR OF BEING DISCHARGED"; and 2) Direct staff to send copies of signed resolution to Senator Sheila Kuehl, Assemblyman Paul Koretz, the National Center for Lesbian Rights, Equality California, the National Guard Association of California, Human Rights Campaign, Lambda Legal, the National Gay and Lesbian Task Force and the LGBT Caucus.

2.V. A RESOLUTION IN SUPPORT OF AB 772 (CHAN) AND SB 437 (ESCUTIA), THE "CALIFORNIA FOR HEALTHY KIDS PROGRAM":

The City Council will consider a resolution supporting two bills AB 772 and SB 437, the "California for Healthy Kids Program", authored by California State Assemblymember Wilma Chan and California State Senator Martha Escutia.

RECOMMENDATIONS: 1) Adopt Resolution 05-3194, "A RESOLUTION IN SUPPORT OF AB 772 and SB 437, THE 'CALIFORNIA FOR HEALTHY KIDS PROGRAM;'" and 2) Direct staff to send copies of signed resolutions to U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, U.S. Representative Henry Waxman, California State Assemblymembers Wilma Chan and Paul Koretz, and California State Senators Martha Escutia and Sheila Kuehl.

2.W. RESOLUTION IN SUPPORT OF MERCURY REDUCTION EFFORTS:

The City Council will consider adopting a resolution in support of mercury reduction efforts.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3195, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF MERCURY REDUCTION EFFORTS; and 2) Send signed copies of the resolution to appropriate persons, The Sierra Club, U.S. Senators Dianne Feinstein and Barbara Boxer, U. S. House Representative Henry Waxman, The League of Conservation Voters (LCV), California State Senator Sheila Kuehl, and California State Assemblymember Paul Koretz.

2.X. A RESOLUTION OPPOSING THE ENFORCEMENT OF THE WELDON AMENDMENT:

The City Council of the City of West Hollywood will consider a resolution opposing the enforcement of the "Weldon Amendment."

RECOMMENDATIONS: 1) Adopt Resolution 05-3196, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING ENFORCEMENT OF WELDON AMENDMENT; and 2) Direct staff to send copies of signed resolution to U.S. President George W. Bush, U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, U.S. Representative Henry Waxman, California State Assemblymember Paul Koretz, California State Senator Sheila J. Kuehl and the Women's Advisory Board of the City of West Hollywood.

2.Y. A RESOLUTION IN OPPOSITION TO THE PRIVATIZATION OF SOCIAL SECURITY:

The City Council will consider adopting a resolution in opposition to the privatization of Social Security.

RECOMMENDATIONS: 1) Adopt Resolution 05-3197, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE PRIVATIZATION OF SOCIAL SECURITY;" and 2) Send copies of resolution to U.S. Senators Barbara Boxer and Diane Feinstein, U.S. Representatives Bill Thomas and Henry Waxman, President George W. Bush, Governor Schwarzenegger, California State Representatives Sheila Kuehl and Paul Koretz, U.S. Social Security Reform Commission.

2.Z. A RESOLUTION IN SUPPORT OF SB 840 (KUEHL), THE CALIFORNIA HEALTH INSURANCE RELIABILITY ACT (CHIRA):

The City Council will consider adopting a resolution in support of SB 840 (KUEHL), the California Health Insurance Reliability Act (CHIRA).

RECOMMENDATIONS: 1) Adopt Resolution 05-3198, "A RESOLUTION IN SUPPORT OF SB 840 (KUEHL), THE CALIFORNIA HEALTH INSURANCE RELIABILITY ACT (CHIRA)"; and 2) Send copies of

resolution to U.S. Senator Dianne Feinstein, U.S. Senator Barbara Boxer, U.S. Representative Henry Waxman, California Governor Arnold Schwarzenegger, California State Senator Sheila J. Kuehl and California State Assemblymember Paul Koretz.

3. PUBLIC HEARINGS:

3.A. APPROVAL OF RESOLUTION FOR PROPOSED EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF ROLLING HILLS ESTATES:

The City Council will solicit comments on the City of West Hollywood's proposed exchange of CDBG funds between the City of Rolling Hills Estates and the City of West Hollywood. Following the public hearing the City Council will consider approving the proposed resolution and letter of agreement.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF LA HABRA HEIGHTS FOR THE EXCHANGE OF CDBG FUNDS FOR THE FISCAL YEAR 2005-2006;" 2) Authorize the City Manager to execute all necessary Letters of Agreements and Amendments for the purpose of exchanging CDBG funds with the identified agency; and 3) Authorize the Director of Finance and Technology to appropriate \$19,568.40 from the General Fund Unallocated Reserves to the Expenditure for Traded Funds (100-6000-7580) line item in FY 2004-2005 in recognition of receiving \$32,614 in CDBG funds.

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

The City Council will consider an interim urgency ordinance to place a 45-day moratorium on the establishment of new medical marijuana dispensaries in the City of West Hollywood.

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

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, March 21, 2005 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
March 21	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
April 4	Monday	6:30 PM	Regular 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.

**CITY COUNCIL
CITY OF WEST HOLLYWOOD**

CLOSED SESSION AGENDA

MONDAY, MARCH 7, 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)

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

Case No. BS 095209

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

Case No. 01-5630

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

1 case.
