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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, MARCH 20, 2006
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 20, 2006 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 16, 2006.

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 6, 2006.

- 2.C. **DEMAND REGISTER NO. 550, RESOLUTION NO. 06-3360:**

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

RECOMMENDATION: Approve Demand Register No. 550 and adopt Resolution No. 06-3360, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 550."

2.D. CLARIFICATION OF PROPOSED CHANGE TO THE RENT STABILIZATION ORDINANCE, WHMC § 17.52.010(2)(g)(5), RELATING TO SECURITY DEPOSITS FOR EMOTIONAL SUPPORT ANIMALS; AND WHMC § 17.40.020(e) RELATING TO POST-OWNER-OCCUPANCY RENT LIMITATIONS:

The City Council will consider re-introducing on first reading a proposed change to West Hollywood Municipal Code § 17.52.010(2)(g)(5) which would forbid a landlord from charging a security deposit for a medically necessary emotional support animal, as well as an amendment to § 17.40.020(e) to conform that section with other parts of the Rent Stabilization Ordinance and state law relating to the rent that may be charged after an owner-occupancy eviction.

RECOMMENDATION: Reintroduce on first reading Ordinance No. 06-731, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING RENT STABILIZATION ORDINANCE § 17.52.010(2)(g)(5) RELATING TO SECURITY DEPOSITS FOR EMOTIONAL SUPPORT ANIMALS AND § 17.40.020(2)(e) RELATING TO THE RENT THAT MAY BE CHARGED AFTER AN OWNER-OCCUPANCY EVICTION AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

2.E.. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Senior Advisory Board on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.F. AGREEMENT FOR PARKING METER COLLECTION SERVICES WITH THE CITY OF BEVERLY HILLS:

The City Council will consider a 2-year agreement with the City of Beverly Hills for parking meter collection services.

RECOMMENDATIONS: 1) Approve an agreement for parking meter coin collection services with the City of Beverly Hills in an amount not to exceed \$146,374 for the 2006-07 budget year; \$157,294 for the 2007-08 budget year; 2) Approve the agreement term from July 1, 2006 to June 30, 2008; and 3) Authorize the City Manager to sign the agreement.

2.G. AMEND AGREEMENT FOR SERVICES WITH DEBORAH MURPHY FOR THE PROPOSED MIXED-USE OVERLAY ZONE URBAN DESIGN SERVICES:

The City Council will consider approving an amendment to the Agreement for Services with Deborah Murphy for the proposed mixed-use overlay zone urban design services.

RECOMMENDATIONS: 1) Authorize the Director of Finance to appropriate \$21,000 from the General Fund unallocated reserves to the Planning Division contract services line item (100-3-07-71-531005), 2) Approve the Amended Agreement for Services with Deborah Murphy in an additional amount not-to-exceed twenty-one thousand dollars (\$21,000) for a total amount of thirty-four thousand (\$34,500) for the proposed Mixed-use Overlay Zone urban design services; 3) Authorize the City Manager to sign the agreement.

2.H. APPROVAL OF REVISED JOB SPECIFICATION FOR RECREATION COORDINATOR (WEHOME/AFSCME):

The City Council will consider approval of the revised job description for the WEHOME/AFSCME position of Recreation Coordinator in the Human Services Department.

RECOMMENDATION: Adopt the revised job description for the WEHOME/AFSCME position of Recreation Coordinator in the Human Services Department and keep it at grade 5070 with a salary range of \$42,894 to \$51,913 annually.

2.I. CONTRACT AWARD ARCHITECTURAL DESIGN SERVICES:

The City Council will consider approving a contract agreement with Armstrong and Associates for architectural design services.

RECOMMENDATION: Authorize the City Manager to execute a contract agreement with Armstrong and Associates for architectural design services in an amount not to exceed \$37,575.

2.J. DIRECTION TO PLANNING STAFF TO ESTABLISH A SUB-COMMITTEE OF THE PLANNING COMMISSION TO DISCUSS SIGNAGE OPTIONS FOR BUSINESSES:

The City Council will consider directing Planning Staff to establish a sub-committee of the Planning Commission to discuss signage options for businesses.

RECOMMENDATIONS: 1) Direct the Planning Staff to establish a sub-committee of the Planning Commission to discuss signage options for businesses; and 2) Return to City Council in 120 days with a report and recommendations.

2.K. GREENING WEST HOLLYWOOD DOCUMENT:

The City Council will receive and file the Greening West Hollywood document developed by the Public Facilities Commission and staff.

RECOMMENDATIONS: 1) Receive and file the Greening West Hollywood document as attached to and described in this report; and 2) Direct staff and the Public Facilities Commission to begin implementation of components of the Greening West Hollywood document.

2.L. TREE DONATION:

The City Council will consider donating trees to the Fairfax Business Improvement District for planting in the Fairfax Avenue median.

RECOMMENDATION: Authorize the donation of 8 silk floss trees to the Fairfax Business Improvement District for planting in the Fairfax Avenue median.

2.M. SUPPORT A CONSTITUTIONAL AMENDMENT TO ENSURE STATE SALES TAXES ON GASOLINE GO TO FUND TRANSPORTATION IMPROVEMENTS:

The City Council will consider adopting a resolution in support of a constitutional amendment to ensure State sales taxes on gasoline go to fund transportation improvements.

RECOMMENDATIONS: 1) Adopt Resolution No. 06-3361, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING A CONSTITUTIONAL AMENDMENT TO ENSURE STATE SALES TAXES ON GASOLINE GO TO FUND TRANSPORTATION IMPROVEMENTS", and 2) Send copies of the resolution to State Senator Shelia Kuehl and Assemblymember Paul Koretz.

2.N. WEST HOLLYWOOD SHERIFF'S STATION OPEN HOUSE 2006:

The City Council will receive an update on the West Hollywood Sheriff's Station Open House to be held April 29, 2006.

RECOMMENDATIONS: 1) Approve the City's co-sponsorship of the West Hollywood Sheriff's Station Open House; and 2) Waive the special event fee, approximately \$525, associated with the event.

2.O. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 1676 (DUCHENY) REQUIRING 180-DAY NOTICE TO TENANTS FOR BUILDINGS THAT ARE CONVERTING TO CONDOMINIUMS:

The City Council will consider adopting a resolution supporting California State Senate Bill SB 1676 (Ducheny) requiring 180-day notice to tenants for buildings that are converting to condominiums.

RECOMMENDATIONS: 1) Adopt Resolution No. 06-3362, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 1676 (DUCHENY) REQUIRING 180-DAY NOTICE TO TENANTS FOR BUILDINGS THAT ARE CONVERTING TO CONDOMINIUMS", and 2) Send copies of the resolution to bill author Senator Ducheny, Governor Schwarzenegger, Senator Kuehl, Assemblymember Koretz, Representative Waxman, the appropriate committees and the Western Center for Law and Poverty.

2.P. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1169 (TORRICO) REQUIRING 60-DAY NOTICE FOR A TERMINATION OF A TENANCY IN A NO-FAULT EVICTION:

The City Council will consider adopting a resolution supporting California State Assembly Bill AB 1169 (Torrigo) requiring 60-day notice for a termination of a tenancy in a no-fault eviction.

RECOMMENDATIONS: 1) Adopt Resolution No. 06-3363, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1169 (TORRICO) REQUIRING 60-DAY NOTICE FOR A TERMINATION OF A TENANCY IN A NO-FAULT EVICTION," and 2) Send copies of the resolution to bill author Assemblymember Torrico, Governor Schwarzenegger, Senator Kuehl, Assemblymember Koretz, Representative Waxman, the appropriate committees and the Western Center for Law and Poverty.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A REQUEST TO DEMOLISH ALL OF THE STRUCTURES ON FOUR LOTS AND CONSTRUCT A 51,416 SQUARE-FOOT MIXED-USE PROJECT (RETAIL, RESTAURANT, MEDICAL OFFICE, AND SIX APARTMENTS) LOCATED AT 8900 & 8920 BEVERLY BOULEVARD, 152 LA PEER DRIVE, AND 145 SWALL DRIVE:

The City Council will hold a public hearing to consider an appeal by Herbert Godel, regarding the Planning Commission's approval of a request to demolish all of the structures on four lots (8900 & 8920 Beverly Boulevard, 152 La Peer Drive, and 145 Swall Drive) and construct a 51,416 square-foot mixed-use project (retail, restaurant, medical office, and six apartments).

RECOMMENDATION: Adopt Resolution No. 06-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF HERBERT GODEL AND ADOPTING A MITIGATED NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2004-26 AND DEVELOPMENT PERMIT 2004-35, ON AN APPLICATION OF JACK HOLLANDER FOR JOHN AND JERRY ILLOULIAN, TO DEMOLISH ALL OF THE STRUCTURES ON FOUR LOTS AND CONSTRUCT A 51,416 SQUARE-FOOT MIXED-USE PROJECT (RETAIL, RESTAURANT, MEDICAL OFFICE, AND SIX APARTMENTS) LOCATED AT 8900 & 8920 BEVERLY BOULEVARD, 152 LA PEER DRIVE, AND 145 SWALL DRIVE, WEST HOLLYWOOD, CALIFORNIA."

4. UNFINISHED BUSINESS:

4.A. EXPLORATION OF A FORMAL PROCESS TO PETITION FOR A STREET NAME CHANGE:

The City Council will consider exploring a formal process whereby residents and/or property owners may petition the City to change a street name within City boundaries.

RECOMMENDATIONS: 1) Direct the Community Development Department to explore a formal process whereby residents and/or property owners may petition the City to change the name of a street within City boundaries; and 2) Return to City Council in 90 days with a report on the findings.

5. NEW BUSINESS:

5.A. ELECTION OF MAYOR AND MAYOR PRO TEMPORE:

The City Council will consider electing the Mayor and Mayor Pro Tempore.

RECOMMENDATION: Call for nominations and election of Mayor and Mayor Pro Tempore, to be installed on April 17, 2006 at the Reorganization Meeting beginning at 6:00 p.m.

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 their next regular meeting, which will be on Monday, April 3, 2006 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
April 3	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
April 17	Monday	6:30 PM	Mayor Installation	TBD
May 1	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
May 15	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD**

CLOSED SESSION AGENDA

MONDAY, MARCH 20, 2006

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)

MTS, Inc. v. City of West Hollywood, Los Angeles Superior Court

Case No. BS097319

LHO Grafton Hotel, LP v. City of West Hollywood, Los Angeles Superior Court

Case No. BS 096810

SOS Save the Strip Coalition v. City of West Hollywood, LA Superior Court

Case No. BS 096861

Mondrian Holdings, LLC v. City of West Hollywood, LA Superior Court

Case No. BS 096854

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

Property: 1140 Formosa Avenue
Agency Negotiator: Sam Baxter
Negotiating Parties: Formosa Avenue, LLC
Under Negotiation: Ground Lease Status

Property: 1351 Havenhurst Drive

Agency Negotiator: Sam Baxter
Negotiating Parties: Havenhurst, LLC
Under Negotiation: Ground Lease Status

Real Estate Negotiations (lease)
Property: 6439 Santa Monica Boulevard
Negotiator for City: Chris Bonbright, Ramsey Shilling
Negotiator for other: Tom Talkington, Honda of Hollywood
Under Negotiation: Price and Terms of Payment
