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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
TUESDAY, OCTOBER 3, 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 Tuesday October 3, 2006 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, September 28, 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 September 18, 2006.

2.C. DEMAND REGISTER NO. 563, RESOLUTION NO. 06-3461:

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

RECOMMENDATION: Approve Demand Register No. 563 and adopt Resolution No. 06-3461, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 563."

2.D. ORDINANCE NO. 06-738 (2ND READING), AMENDING TITLES 19 (ZONING ORDINANCE) AND 7 (HEALTH) OF THE MUNICIPAL CODE TO ADD ADDITIONAL REQUIREMENTS FOR THE MAINTENANCE AND SECURITY OF VACANT PROPERTIES AND BUILDINGS: [T. WEST / C. SCHAFFER]

The City Council will waive further reading and adopt Ordinance No. 06-738, a proposed ordinance amending Titles 19 (Zoning Ordinance) and 7 (Health) of the Municipal Code to add additional requirements for the maintenance and security of vacant properties and buildings.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 06-738, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLES 19 (ZONING ORDINANCE) AND 7 (HEALTH) OF THE MUNICIPAL CODE TO ADD ADDITIONAL REQUIREMENTS FOR THE MAINTENANCE AND SECURITY OF VACANT PROPERTIES AND BUILDINGS."

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. AGREEMENT WITH MICHAEL HERRLEIN AND ASSOCIATES TO PROVIDE LEADERSHIP DEVELOPMENT SERVICES: [P. AREVALO / V. LOVE / D. WILSON]

The City Council will consider approving an Agreement with Michael Herrlein and Associates to provide consulting services for 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.G. TREASURER'S REPORT FOR JUNE 2006: [A. GANDHY]

The City Council will receive the Treasurer's Report for the month of June, 2006 pursuant to Section 53646 of the Government Code of the State of California.

RECOMMENDATION: Receive and file.

2.H. APPROVAL FOR THE CITY'S CO-SPONSORSHIP OF THE 5TH ANNUAL MID-WILSHIRE COMMUNITY DOMESTIC VIOLENCE

PREVENTION AWARDS CEREMONY AND A RESOLUTION DECLARING OCTOBER AS “DOMESTIC VIOLENCE / PARTNER ABUSE AWARENESS MONTH” IN WEST HOLLYWOOD: [R. RYAN]

The City Council will consider declaring October as “Domestic Violence / Partner Abuse Awareness Month” in West Hollywood and approving co-sponsorship of the 5th Annual Mid-Wilshire Community Domestic Violence Prevention Awards Ceremony.

RECOMMENDATIONS: 1) Adopt Resolution No. 06-3462, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING OCTOBER AS ‘DOMESTIC VIOLENCE / PARTNER ABUSE AWARENESS MONTH’ IN WEST HOLLYWOOD”; 2) Authorize the City’s co-sponsorship of the 5th Annual Mid-Wilshire Community Domestic Violence Prevention Awards Ceremony; and 3) Receive and file schedule of Domestic Violence/Anti-Violence Education Outreach events taking place in West Hollywood during the month of October.

2.I. AWARD OF CONTRACT FOR CIP 55-06-01, ANNUAL PAVEMENT STRIPING, LEGENDS AND PAINTING: [L. LONG / S. BAXTER / K. TRUDEAU]

The City Council will consider awarding a two year contract for Annual Pavement Striping, Legends and Painting.

RECOMMENDATIONS: 1) Accept the bid dated September 7, 2006, in the amount of \$274,545 submitted by California Traffic Maintenance, Incorporated of Burbank, California; 2) Authorize the City Manager to sign an Agreement with California Traffic Maintenance, Incorporated in an amount of \$274,545 for the Annual Pavement Striping, Legends and Painting, CIP 55-06-01; 3) Authorize the expenditure of an amount not to exceed 25% of the Agreement amount as approved by the Director of the Human Services Department; and 4) Reject all other bids and return associated Bid Bonds.

2.J. DISABILITY INITIATIVE: [L. ISENBERG / L. LONG]

The City Council will consider a recommendation from the Disabilities Advisory Board on the use of the \$20,000 prize money awarded to the City through the National Organization on Disability’s Access America Award competition.

RECOMMENDATIONS: 1) Consider the Disabilities Advisory Board’s recommendation to allocate the \$20,000 prize money to the new West Hollywood Library upon its completion to: a) provide a resource library that includes educational and referral materials pertaining to disabilities; b) enhance the library’s supply of books to include literature and periodicals relevant to the disabled community; c) purchase large print books; and d) purchase adaptive computer technology for on-site library users with disabilities; 2) Identify the disability resource area of the library with a plaque that acknowledges both the Disabilities Advisory Board and the National Organization on Disabilities; and 3) Staff recommends the Board

review its proposal for dispensation for the award annually to take into consideration library project progress.

2.K. RESOLUTIONS REGARDING THE ADMINISTRATION OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 6, 2007: [T. WEST / C. SCHAFFER]

The City Council will consider approving the necessary resolutions for conducting the General Municipal Election to be held on Tuesday, March 6, 2007.

RECOMMENDATIONS: 1) Adopt Resolution No. 06-3463, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 6, 2007 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES"; 2) Adopt Resolution No. 06-3464, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 6, 2007"; and 3) Adopt Resolution No. 06-3465, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 6, 2007."

2.L. WAIVE PET LICENSING FEES FOR SENIOR, DISABLED AND LOW INCOME RESIDENTS: [J. PRANG / J. KURPIES / S. GUARRIELLO / D. SAUR / M. MEZA]

The City Council will consider waiving animal licensing fees for cats and dogs for senior citizens, physically or mentally disabled residents and low income households.

RECOMMENDATION: Direct City Attorney to draft an ordinance amending the West Hollywood Municipal Code section 9.48.050 to waive the fee of pet licensing for seniors over the age of 60, physically or mentally disabled residents which meet the criteria of disabled as established by Social Security Administration's Programmed for the Aged, Blind and Disabled, or low income households with an individual income of less than \$18,400 or a household income of less than \$21,500.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A REQUEST FOR A CONDITIONAL USE PERMIT FOR A NEW CHILD DAY CARE CENTER TO ACCOMMODATE UP TO 24 CHILDREN LOCATED AT 723 NORTH HUNTLEY DRIVE: [S. HEALY KEENE / J. KEHO / P. CLARKE]

The applicant requested a continuance of this item, with the appellant in support. The purpose of the request is to allow sufficient time for the parties to prepare for the Council meeting and to avoid possible additional continuances due to conflicting schedules. The item was noticed in the papers but no mailings were sent out to the adjacent residents and property owners for the October 3, 2006 City Council meeting.

RECOMMENDATION: Continue to the City Council meeting of Monday, November 20, 2006.

4. UNFINISHED BUSINESS:

4.A. NEIGHBORHOOD WATCH "RE-BRANDING" UPDATE: [L. MANUKIAN / R. RYAN / K. COOK]

The City Council will receive an update on the efforts to re-brand Neighborhood Watch in order to increase community participation.

RECOMMENDATIONS: 1) Receive the report and give additional direction to staff as necessary; and 2) Authorize the Director of Finance and Technology to increase budgeted expenditures in Public Safety Division account 100-1-01-18-522009 by \$9,000 for funding of the new Neighborhood Watch street sign project and to allocate funds from undesignated reserves in General Fund for \$9,000.

4.B. GROWTH MANAGEMENT OPTIONS AND CONSIDERATIONS: [S. HEALY KEENE / J. KEHO / F. STEFAN / A. WINDERMAN / J SKORNECK]

The City Council will receive an update on interim growth management options, and review and comment on tools in connection with the General Plan Housing Element update.

RECOMMENDATIONS: 1) Receive information on growth management tools; and 2) Select tools and direct staff to work with the Commissions and to conduct public outreach on selected tools, and come back in 4 months.

4.C. COMMISSION AND ADVISORY BOARD APPOINTMENTS: [T. WEST / C. SCHAFFER]

The City Council will consider making at-large appointments to City Advisory Boards and Committees.

RECOMMENDATION: Call for nominations for an at-large appointment for the following Advisory Boards and Committees: 1) Disabilities Advisory Board: 3 at-large appointments; and 2) Project Advisory Committee: 4 at-large appointments.

4.D. APPOINTMENT OF A REPRESENTATIVE TO THE LOS ANGELES COUNTY WEST VECTOR CONTROL BOARD: [T. WEST / C. SCHAFFER]

The City Council will consider making an appointment to the Los Angeles County West Vector Control Board.

RECOMMENDATION: Appoint a delegate to the Los Angeles County West Vector Control Board.

5. NEW BUSINESS:

5.A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THE CONDITION OF THE PROPERTY LOCATED AT APN 5554-012-020 (COMMONLY DESCRIBED AS 1234 HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA) TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF SUCH NUISANCE: [J. BERNDT / A. WINDERMAN / H. GOSS / J. ENGLISH]

The City Council will consider whether the condition of the property located at 1234 Hayworth Avenue should be declared a public nuisance due to the owner's failure to abate conditions on the property that are injurious to the health and safety of the neighboring residents, and the general community.

RECOMMENDATIONS: 1) Adopt Resolution No. 06-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THE CONDITION OF THE PROPERTY LOCATED AT 1234 HAYWORTH AVENUE IN WEST HOLLYWOOD TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF SUCH NUISANCE"; 2) Direct the City Clerk to file with the Office of County Recorder a declaration of substandard property declaring that the conditions constituting said nuisance must be abated; and 3) Direct the City Manager to abate the nuisance as prescribed in the resolution if the property owner fails to comply with the abatement order within the required time.

5.B. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE CHANGE FOR NOVEMBER, DECEMBER AND JANUARY: [T. WEST / C. SCHAFFER]

The City Council will consider canceling the meeting of November 20, 2006, canceling the meeting of January 2, 2007, and will discuss changing the meeting time for December 4, 2006.

RECOMMENDATIONS: 1) Cancel or reschedule the meeting of November 20, 2006; 2) Cancel the meeting of January 2, 2007; and 3) Change the meeting time for December 4, 2006.

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. AMENDING PROCEDURAL PROVISIONS OF THE WEST HOLLYWOOD TRANSIENT OCCUPANCY TAX ORDINANCE: [M. JENKINS / T. WEST]

This ordinance will amend the Municipal Code to bring it into compliance with State Law regarding several changes to the Revenue and Taxation Code sections governing local transient occupancy taxes in general law cities.

RECOMMENDATIONS: 1) Introduce on first reading Ordinance No. 06-____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PROCEDURAL PROVISIONS OF THE WEST HOLLYWOOD TRANSIENT OCCUPANCY TAX ORDINANCE AND AMENDING CHAPTER 3.32 OF THE WEST HOLLYWOOD MUNICIPAL CODE"; and 2) Adopt Resolution No. 06-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE USE OF THE 'TRANSIENT OCCUPANCY TAX GOVERNMENT EMPLOYEE EXEMPTION FORM' IN CONJUNCTION WITH ITS TRANSIENT OCCUPANCY TAX ORDINANCE."

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 16, 2006 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
October 16	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
November 6	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
November 20	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
December 4	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD**

CLOSED SESSION AGENDA

TUESDAY, OCTOBER 3, 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)

SHARK v. City of West Hollywood, Los Angeles County Superior Court

Case No. SC091086

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

One case.
