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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 18, 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, September 18, 2006 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, September 14, 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 August 21, 2006.

2.C. DEMAND REGISTER NO. 561, RESOLUTION NO. 06-3453:

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

RECOMMENDATION: Approve Demand Register No. 561 and adopt Resolution No. 06-3453, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 561."

2.D. DEMAND REGISTER NO. 562, RESOLUTION NO. 06-3454:

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

RECOMMENDATION: Approve Demand Register No. 562 and adopt Resolution No. 06-3454, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 562."

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 Boris Belenky, Edward Salm, Christopher Seth Price, and Brian Lyn Bosworth and refer to the City's claims adjuster.

2.F. 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.G. RESIGNATION OF DAVID BEEBE FROM THE PROJECT ADVISORY COMMITTEE AND THE LOS ANGELES WEST VECTOR ABATEMENT CONTROL DISTRICT, RESIGNATION OF FIRE RIEGEL FROM THE PROJECT ADVISORY COMMITTEE, RESIGNATION OF JUDITH RESELL FROM THE WOMEN'S ADVISORY BOARD, AND RESIGNATION OF BRYAN DAHLGREN FROM THE DISABILITIES ADVISORY BOARD: [T WEST, C SCHAFFER]

The City Council will accept the resignation of David Beebe (Project Advisory Committee and the Los Angeles West Vector Abatement Control District), effective August 21, 2006; Fire Riegel (Project Advisory Committee), effective August 17, 2006; Judith Resell (Women's Advisory Board), effective August 24, 2006; and Bryan Dahlgren (Disabilities Advisory Board), effective September 6, 2006.

RECOMMENDATIONS: 1) Accept with regret the resignation of David Beebe from the Project Advisory Committee and the Los Angeles West Vector Abatement Control District; 2) Accept with regret the resignation of Fire Riegel from the Project Advisory Committee; 3) Accept with regret the resignation of Judith Resell from the Women's Advisory Board; 4) Accept with regret the resignation of Bryan Dahlgren from the Disabilities Advisory

Board; and 5) Authorize the City Clerk's office to advertise for applicants to be the West Hollywood delegate to the Los Angeles West Vector Abatement Control District.

2.H. AGREEMENT FOR CONTRACTUAL SERVICES WITH TERRY HAYES AND ASSOCIATES FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE MIXED-USE OVERLAY ZONE: [S HEALY KEENE, J KEHO, D DEGRAZIA, F STEFAN]

The City Council will consider approving an Agreement with Terry Hayes and Associates to prepare an Environmental Impact Report for the Mixed-use Overlay Zone.

RECOMMENDATIONS: 1) Approve the Agreement with Terry Hayes and Associates not-to-exceed one hundred sixty seven thousand three hundred seventy seven dollars (\$167,377.00) for preparation of an Environmental Impact Report for the Mixed-Use Overlay Zone; and 2) Authorize the City Manager to sign the agreement.

2.I. ALLOCATION OF UNSPENT FUNDS TO 2006-07 HIV PREVENTION EFFORTS: [L LONG, D GIUGNI]

The City Council will consider approving the roll over of general fund unspent Professional Services allocations to be used for HIV prevention efforts in the 2006-07 fiscal year.

RECOMMENDATION: Allocate \$12,500 in savings in the FY 2005-06 Social Services budget account 100-3-05-53-531004 to 100-3-05-53-536031 for HIV Prevention in FY 06-07.

2.J. AMENDING THE CITY'S CONFLICT OF INTEREST CODE: [T WEST, C SCHAFFER]

The City Council will consider adopting a resolution amending the City's Conflict of Interest Code.

RECOMMENDATION: Adopt Resolution No. 06-3455, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE CONFLICT OF INTEREST CODE WHICH INCORPORATES BY REFERENCE THE STANDARD CONFLICT OF INTEREST CODE REGULATIONS PREPARED BY THE FAIR POLITICAL PRACTICES COMMISSION AND REPEALING RESOLUTION NO. 04-3122."

2.K. ANNUAL ARTS GRANTS GUIDELINES 2006-2007: [R REYNOLDS, J HUFFER]

The Council will consider approving the Annual Arts Grant Guidelines 2006-2007 and the Arts Participation Grant Guidelines 2006-2007.

RECOMMENDATIONS: 1) Approve grants criteria for the 2006-2007 Arts Grants programs; and 2) Authorize release of the guidelines and application materials to the community.

2.L. APPROVAL OF FINAL TRACT MAP NO. 60873 FOR THE CONDOMINIUM PROJECT LOCATED AT 900 WEST KNOLL DRIVE: [S PERLSTEIN, J ENGLISH]

The City Council will consider the approval of Final Tract Map No. 60873, a condominium project for 6 residential units located on the east side of West Knoll Drive, between Santa Monica Boulevard and Rugby Drive.

RECOMMENDATION: 1) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act; b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Tract Map No. 60873; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 60873 the certificate, which embodies the approval of said map.

2.M. DISABILITY INITIATIVE: [L ISENBERG, L LONG]

The City Council will consider 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 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; and 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.

2.N. FY 2005-06 FOURTH QUARTER REPORT AND FY 2006-07 SERVICE AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION: [A WINDERMAN, J SKORNECK]

The City Council will receive the Fourth Quarter Report of the West Hollywood Community Housing Corporation (WHCHC) for Fiscal Year 2005-06 and will consider a FY 2006-07 service agreement with the non-profit corporation with a total budget of \$225,000.

RECOMMENDATIONS: 1) Receive and file the FY 2005-06 Fourth Quarter Report of the West Hollywood Community Housing Corporation; 2) Approve a FY 2005-06 service agreement with WHCHC with a total contract amount of \$225,000; and 3) Authorize the City Manager to execute the service agreement.

2.O. DIRECTION TO THE CITY ATTORNEY TO DRAFT AN ORDINANCE REQUIRING MANDATORY REPORTING OF THE THEFT OR LOSS OF HANDGUNS: [A LAND, L BELSANTI]

The City Council will consider directing the City Attorney to draft an ordinance requiring the mandatory reporting of theft or loss of a handgun.

RECOMMENDATIONS: 1) Direct the City Attorney to draft an ordinance requiring the mandatory reporting of theft or loss of a handgun; and 2) Return to City Council within 60 days with a draft ordinance.

2.P. ORDINANCE REQUIRING GUN DEALERS TO POST FIREARM WARNINGS: [J PRANG, J KURPIES, A LAND, L BELSANTI, M MEZA]

The City Council will consider directing staff to draft a proposed ordinance requiring licensed gun dealers to post firearm warnings conspicuously within the business as well as on firearm sales contracts.

RECOMMENDATIONS: 1) Direct Community Development staff to draft an ordinance amending Chapter 5.60.040 of the City of West Hollywood Municipal Code to require gun dealers to post firearm warnings conspicuously within the business as well as on firearm sales contracts as a condition for licensing; and 2) Direct Community Development staff to notify each of the currently licensed firearms dealers of the new conditions for renewing their licenses.

2.Q. A RESOLUTION ADOPTING A STATEMENT OF PRINCIPLES AGAINST ILLEGAL GUNS: [A LAND, L BELSANTI, J HEILMAN, F SOLOMON]

The City Council will consider adopting a resolution adopting the Brady Campaign's "Statement of Principles" against illegal guns.

RECOMMENDATION: Adopt Resolution No. 06-3456, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF A STATEMENT OF PRINCIPLES AGAINST ILLEGAL GUNS."

2.R. A RESOLUTION IN SUPPORT OF A.B. 2251 (EVANS), THE ONLINE PRIVACY FOR REPRODUCTIVE HEALTH SERVICES PROVIDERS, EMPLOYEES, VOLUNTEERS AND PATIENTS ACT: [L BELSANTI, N TESKE]

The City Council will consider adopting a resolution in support of The Online Privacy for Reproductive Health Services Providers, Employees, Volunteers and Patients Act, A.B. 2251.

RECOMMENDATIONS: 1) Adopt Resolution No. 06-3457, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST

HOLLYWOOD IN SUPPORT OF A.B. 2251 (EVANS), THE ONLINE PRIVACY FOR REPRODUCTIVE HEALTH SERVICES PROVIDERS, EMPLOYEES, VOLUNTEERS AND PATIENTS ACT,” and 2) Direct staff to send copies of signed resolution to Assemblymember Paul Koretz, Assemblymember Noreen Evans, Senator Sheila James Kuehl, and Governor Arnold Schwarzenegger.

2.S. RESOLUTION IN SUPPORT OF THE RUSSIAN-AMERICAN ART EXHIBIT “ART & INTERIOR DESIGN 2006” IN THE PACIFIC DESIGN CENTER: [K COOK, T RODZINEK]

The City Council will consider co-sponsorship of the Russian-American Arts Exhibit “ART & INTERIOR DESIGN 2006” in the Pacific Design Center (PDC).

RECOMMENDATION: Adopt Resolution No. 06-3458, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS CO-SPONSORSHIP OF THE RUSSIAN-AMERICAN ART EXHIBIT ‘ART & INTERIOR DESIGN 2006.’”

2.T. COMMISSION AND ADVISORY BOARD ATTENDANCE REPORTS AND EXCESSIVE ABSENCES OF MEMBERS OF THE ARTS AND CULTURAL AFFAIRS COMMISSION, THE DISABILITIES ADVISORY BOARD, THE HUMAN SERVICES COMMISSION, THE LESBIAN AND GAY ADVISORY BOARD, THE PUBLIC FACILITIES COMMISSION, THE PROJECT AREA COMMITTEE, AND THE WOMEN’S ADVISORY BOARD: [T WEST, C SCHAFFER]

The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between August 2005 through August 2006. The Council will also consider excusing the absences of three (3) Commissioners, six (6) Advisory Board Members, and two (2) Committee Members.

RECOMMENDATIONS: 1) Receive and file the attendance reports; 2) Excuse absences, due to illness, for Disabilities Advisory Board Member Suzanne Dietrich, Disabilities Advisory Board Member Joel Ring, Public Facilities Commissioner Bud Siegel, Project Advisory Committee Member Larissa Danilova, Senior Advisory Board Member Muriel Schoichet, Senior Advisory Board Member Emily Wexler, and Women’s Advisory Board Member Vicki Geis; 3) Excuse absences, due to personal reasons, for Human Services Commissioner Ruth Cislowski and Project Advisory Committee Member Charles Henry; 4) Excuse absences, due to business conflicts, for Arts and Cultural Affairs Commissioner Beverly Denenberg and Lesbian and Gay Advisory Board Member Scott Mann.

2.U. A RESOLUTION CALLING ON THE US CONGRESS AND THE BUSH ADMINISTRATION TO IMPLEMENT AN EFFECTIVE AND IMMEDIATE STRATEGY TO END THE GENOCIDE IN DARFUR: [J HEILMAN, F SOLOMON, M BACA]

The City Council will consider adopting a resolution calling on the US Congress and the Bush Administration to implement an effective and immediate strategy to end the genocide in Darfur.

RECOMMENDATIONS: 1) Adopt Resolution 06-3459, "A RESOLUTION CALLING ON THE US CONGRESS AND THE BUSH ADMINISTRATION TO IMPLEMENT AN EFFECTIVE AND IMMEDIATE STRATEGY TO END THE GENOCIDE IN DARFUR"; and 2) Send copies of resolution to U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, U.S. Representative Henry Waxman, Amnesty International, and Mayor Ross "Rocky" C. Anderson of Salt Lake City.

3. PUBLIC HEARINGS:

3.A. AMENDMENT TO THE ZONING ORDINANCE REGARDING THE MAINTENANCE AND SECURITY OF VACANT PROPERTIES AND BUILDINGS: [T BLOUNT, J KEHO, S HEALY KEENE]

The City Council will consider an amendment of the City of West Hollywood Zoning Ordinance and Municipal Code to add additional requirements for the maintenance and security of vacant properties and buildings.

RECOMMENDATION: Introduce on first reading Ordinance No. 06-____ "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO AMEND 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." (Attachment A).

3.B. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF THE CONVERSION OF AN EXISTING 21-UNIT MULTI-FAMILY RESIDENTIAL BUILDING TO CONDOMINIUM UNITS AT 625 FLORES STREET: [T BLOUNT, J KEHO, S HEALY KEENE]

The City Council will hold a public hearing on the applicant's appeal of the Planning Commission's approval of the conversion of an existing 21-unit multi-family residential building to condominium units at 625 Flores Street. The appeal contests the need for a development permit and contends that conditions were imposed that are unrelated to the development permit process.

RECOMMENDATION: Adopt: Resolution No. 06-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF MICHAEL SILVA FOR ELY DROMY, THE PROPERTY OWNER, AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF DEVELOPMENT PERMIT 2005-31 FOR THE CONVERSION OF AN EXISTING 21-UNIT MULTI-FAMILY

RESIDENTIAL BUILDING TO CONDOMINIUM UNITS LOCATED AT 625 FLORES STREET, WEST HOLLYWOOD, CALIFORNIA.” (Attachment A)

3.C. APPEAL OF BUSINESS LICENSE COMMISSION RESOLUTION BL06-01 THAT PLACED CONDITIONS ON REGULATORY PUBLIC EATING LICENSE 002587 FOR THE BUSINESS KNOWN AS PINKBERRY – 868 N. HUNTLEY DRIVE: [S HEALY KEENE, T BENEDETTI]

The City Council will consider the appeal of Business License Commission Resolution BL06-01 that placed conditions on Regulatory Public Eating License 002587 for the business known as Pinkberry, located at 868 N. Huntley Drive.

RECOMMENDATION: Adopt Resolution No. 06-____: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL AND UPHOLDING BUSINESS LICENSE COMMISSION RESOLUTION BL06-01 WITH MODIFIED CONDITIONS TO REGULATORY BUSINESS LICENSE 002587 FOR THE BUSINESS KNOWN AS PINKBERRY LOCATED AT 868 N. HUNTLEY DRIVE, WEST HOLLYWOOD.” (EXHIBIT A)

4. UNFINISHED BUSINESS:

4.A. SOCIAL SERVICES PROGRAMS RECOMMENDATIONS 2006-08: [L LONG, D DENNIS]

The City Council will consider recommendations for Social Services programs for the October 1, 2006-September 30, 2007 funding period.

RECOMMENDATIONS: 1) Approve the 2006-07 Social Services programs as noted on the attached chart; and 2) Authorize the City Manager to sign contract agreements.

4.B. WESTSIDE CORRIDOR ASSESSMENT STUDY AND OPINION SURVEY AS PREPARED BY GODBE RESEARCH IN CONNECTION WITH THE WESTSIDE PLAN: [R REYNOLDS, J HUFFER, S HEALY KEENE, J KEHO, F STEFAN]

The City Council will receive a presentation and the final report of the City of West Hollywood, Westside Corridor Assessment Study and Opinion Survey, dated August 2006 detailing data research, market comparisons, industry trends and public opinion polling results related to the development of the Westside Plan.

RECOMMENDATIONS: 1) Receive and file report; and 2) Receive update and information on the next steps of the process and provide any additional comments and direction.

4.C. CONSIDERATION AND SCHEDULING FOR CITY COUNCIL HOUSING SUMMIT: S HEALY KEENE, J KEHO, A WINDERMAN, J SKORNECK]

The City Council will consider the scheduling of a Housing Summit and Agenda.

RECOMMENDATIONS: Provide direction to staff on: 1) Content of the agenda; 2) Setting the date for a Housing Summit.

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

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

RECOMMENDATION: 1) Call for nominations for an at-large appointment for the following Advisory Boards: a) Disabilities Advisory Board - 3 at-large appointments; and b) Women's Advisory Board - 1 at-large appointment.

5. NEW BUSINESS:

5.A. PARKING MITIGATION PLAN FOR PINKBERRY AND NEARBY BUSINESSES DURING HANCOCK PROJECT CONSTRUCTION: [O DELGADO, J ENGLISH]

The City Council will consider extending the hours of operation for meters along Santa Monica Boulevard and Huntley Avenue to help Pinkberry and other local businesses in the evenings until the construction project at 901 Hancock Avenue is completed.

RECOMMENDATIONS: 1) Approve revised parking plan for Pinkberry and nearby businesses during the construction project at 901 Hancock Avenue; and 2) Authorize the Director of Finance to increase budgeted revenues for Parking Meter Collections by \$13,000 for the balance of the fiscal year 06-07.

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 Tuesday, October 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
October 3	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
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.

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MONDAY, SEPTEMBER 18, 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

Elisa C. Dembrowski v. City of West Hollywood, Los Angeles Superior Court

Case No. BS 093109

City of West Hollywood v. Elias Shokrian, et al Los Angeles Superior Court

Case No. SC089576

City of West Hollywood v. Sunset on Sunset, Los Angeles Superior Court

Case No. SC088299
