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

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To comply with the Americans with Disabilities Act of 1990, Assistive Listening Devices (ALD) will be available for check out at the meeting. If you require special assistance to attend (e.g., transportation) or to participate in this meeting (e.g., a signer for the hearing impaired), you must call or submit your request in writing to the Office of the City Clerk at (323) 848-6332 at least 48 hours prior to the meeting. For information on public transportation, call 1-800-COMMUTE or go to www.mta.net. The City TDD line for the hearing impaired is (323) 848-6496.

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, NOVEMBER, 5 2007
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, November 5, 2007 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, November 1, 2007.

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 October 15, 2007.

2.C. DEMAND REGISTER NO. 589, RESOLUTION NO. 07-3615:

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

RECOMMENDATION: Approve Demand Register No. 589 and adopt Resolution No. 07-3615, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 589."

2.D. CLAIMS ADMINISTRATION:

The City Council is asked to deny Claims filed against the City, as an administrative step in claims processing.

RECOMMENDATION: Deny the claims of John Terlingo and refer to the City's claims adjuster for action.

2.E. ORDINANCE NO. 07-775 (2ND READING), IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7100 BLOCK OF LEXINGTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE: [T. WEST/C. SHAFFER]

The City Council will waive further reading and adopt Ordinance No. 07-775, a proposed ordinance implementing District 8 preferential parking regulations on the 7100 block of Lexington Avenue.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 07-775, "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 7100 BLOCK OF LEXINGTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

2.F. ORDINANCE NO. 07-776 (2ND READING), AMENDING THE ZONING ORDINANCE RELATING TO PROPERTY MAINTENANCE STANDARDS FOR WATER INTRUSION AND FOR OVERGROWN, DYING OR DEAD VEGETATION: [T. WEST/C. SHAFFER]

The City Council will waive further reading and adopt Ordinance No. 07-776, a proposed ordinance amending the Zoning Ordinance relating to property maintenance standards for water intrusion and for overgrown, dying or dead vegetation.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 07-776, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 (ZONING ORDINANCE) [ZONE TEXT AMENDMENT 2007-011] RELATING TO PROPERTY MAINTENANCE STANDARDS FOR WATER INTRUSION AND FOR OVERGROWN, DYING OR DEAD VEGETATION."

2.G. 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.H. DIRECTION TO COMMUNITY DEVELOPMENT DEPARTMENT STAFF TO INITIATE A ZONE TEXT AMENDMENT AMENDING WEST HOLLYWOOD MUNICIPAL CODE SECTION 19.20.170 "SOLAR ACCESS AND SOLAR EQUIPMENT": [J. DURAN/H. MOLINA]

The City Council will consider directing staff to amend the WHMC as it relates to installation requirements for solar panels.

RECOMMENDATIONS: 1) Direct the Community Development Department to initiate a zone text amendment amending West Hollywood Municipal Code (WHMC) section 19.20.170, subsection "B" *Solar Energy Systems Standards*, paragraph 1 "*Roof Collectors*" as it relates to solar equipment's installation requirements pertaining to angling; 2) Staff to report back within 180 days.

2.I. LAUREL/ NORTON / HAYWORTH PERMANENT TRAFFIC CALMING: [J. ENGLISH/ T. SLIMMER/ W. DAVIS]

The City Council will consider the permanent installation of traffic calming devices in the Laurel/Norton/Hayworth area to deter vehicle short-cutting, reduce the speeding potential and enhance pedestrian safety.

RECOMMENDATION: That the City Council approves the permanent installation of traffic calming measures to include the following: Intersection treatments at the intersections of Laurel Avenue and Norton Avenue, and Hayworth Avenue and Norton Avenue; the installation of medians on the 1200 block of Laurel Avenue and Hayworth Avenue; and pedestrian bulb-outs at the Crescent Heights and Norton intersection.

2.J. APPROVAL OF FINAL TRACT MAP NO. 53943 FOR THE CONDOMINIUM PROJECT LOCATED AT 841-851 WESTMOUNT DRIVE: [J. ENGLISH/ S. PEARLSTEIN]

The City Council will consider the approval of Final Tract Map No. 53943, a sixteen unit condominium, located on Westmount Drive, between Rugby Drive and Sherwood Drive.

RECOMMENDATIONS: 1) Make findings for the Final Tract Map as follows: That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act, 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, 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. 53943; 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 53943 the certificate that embodies the approval of said map.

2.K. NOTICE OF COMPLETION FOR CIP 0701 WESTMOUNT DRIVE FROM SHERWOOD DR. TO RUGBY DR. STREET IMPROVEMENT PROJECT: [J. ENGLISH/ S. PEARLSTEIN]

The City Council will consider approving the Notice of Completion for CIP 0701 Westmount Drive from Sherwood Dr. to Rugby Dr. Street Improvement Project by Elite Bobcat Service, Inc.

RECOMMENDATIONS: 1) Accept the work and authorize the following: Filing a Notice of Completion by the City Engineer; Final payment to the contractor at the end of the 35 day lien period; Release of the Performance Bond on the date of recordation of the Notice of Completion; and release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices.

2.L. DIRECTION TO THE CITY MANAGER TO EXPLORE OPTIONS AND COST ESTIMATES FOR IMPROVEMENTS TO THE WESTMOUNT DRIVE CUL-DE-SAC: [J. DURAN/ H. MOLINA]

The City Council will consider directing staff to explore options for improvements to the Westmount Drive cul-de-sac.

RECOMMENDATIONS: 1) Direct the City Manager to explore different options for replacing the current chains at the Westmount Drive cul-de-sac; 2) Staff to report back to City Council within 90 days.

2.M. AGREEMENT WITH SIEMENS ITS FOR PROFESSIONAL ENGINEERING SERVICES FOR DEPLOYMENT OF THE METRO RAPID BUS TRANSIT PRIORITY SYSTEM: [J. ENGLISH/ S. PEARLSTEIN]

The City Council will consider approval of an agreement with Siemens ITS for professional engineering services to prepare construction documents and project management for deployment of the Metro Rapid Bus Transit Priority System.

RECOMMENDATION: Authorize the City Manager to execute an Agreement with Siemens ITS in an amount not to exceed \$222,112 for professional engineering services to prepare construction documents and project management for deployment of the Metro Rapid Bus Transit Priority System.

2.N. PROPOSED RESOLUTION AUTHORIZING EMPLOYEES HIRED PRIOR TO APRIL 1, 1986 TO ELECT MEDICARE COVERAGE: [V. LOVE/ L. BOCK]

The City Council will consider a proposed resolution which authorizes a division among eligible members of the CalPERS retirement plan to allow Medicare coverage for employees hired prior to April 1, 1986.

RECOMMENDATION: Adopt Resolution No. 07-3616, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING EMPLOYEES HIRED PRIOR TO APRIL 1, 1986 TO ELECT MEDICARE COVERAGE, AND AUTHORIZE THE PAYMENT OF THE EMPLOYER PORTION OF MEDICARE TAXES RETROACTIVELY FOR FIVE YEARS FOR FOUR CITY EMPLOYEES NOT CURRENTLY COVERED BY MEDICARE"

2.O. APPROVAL OF RECOMMENDATIONS BY THE ARTS & CULTURAL AFFAIRS COMMISSION FOR THE 2008 ARTS GRANTS PROGRAM: [R. REYNOLDS/ A. CAMPBELL]

The Council will consider the Arts and Cultural Affairs Commission recommendations to award Annual Arts Grants to fourteen arts organizations.

RECOMMENDATIONS: Approve recommendations of the Arts and Cultural Affairs Commission to award 2008 Annual Arts Grants to the following arts organizations: Classical Theatre Lab (\$5,100); Collage Dance Theatre (\$4,500); Friends of West Hollywood Elementary (\$3,300); Hollywood Master Chorale (\$5,000); Live Arts Group (\$5,300); Los Angeles Art Association (\$3,800); Los Angeles Doctors Symphony Orchestra (\$1,900); Macha Theatre Company (\$5,100); MAK Center for Art and Architecture (\$5,100); Outfest (\$5,100); PEN Center USA (\$4,700); SASSAS (\$4,000); Vox Femina Los Angeles (\$2,900); Yiddishkayt Los Angeles (\$4,200). The total of these Art Grant awards is \$60,000.

2.P. CITY CO-SPONSORSHIP OF UNTIL THE VIOLENCE STOPS FESTIVAL: LOS ANGELES (UTVS/LA): [A. LAND/ L. BELSANTI/ T. LIN]

The City Council will consider co-sponsoring the Until the Violence Stops Festival: Los Angeles (UTVS/LA).

RECOMMENDATIONS: 1) Approve the City of West Hollywood's co-sponsorship of Until the Violence Stops Festival: Los Angeles and the use of the City's name and logo on printed materials advertising the event; and 2) Direct staff to assist with the promotion of the event.

2.Q. CITY CO-SPONSORSHIP OF THE 2007 AIDSWATCH: [H. GOSS/ B. ABRAHAMS]

The City Council will consider co-sponsoring the 2007 AidsWatch and providing television production, public information support and social service information to this year's Citychannel 10 broadcast.

RECOMMENDATIONS: 1) Approve the City of West Hollywood as co-sponsor of the 2007 AidsWatch presentations on Saturday, December 1, 2007; and 2) Authorize the Public Information and Prosecution Services Department to provide support for this project, including use of Citychannel facilities, broadcast time on Channel 10, public information support and social services support.

2.R. CITY PARTICIPATION IN WORLD AIDS DAY, 2007: [L. LONG/D. GIUGNI]

The City Council will consider approving City participation in associated programming involving Worlds AIDS Day 2007.

RECOMMENDATION: Direct staff to work with the Metropolitan Community Church, Aid for AIDS and other HIV/AIDS organizations to assist in organizing the educational component for the annual candlelight vigil and recognition program.

THE CITY COUNCIL WILL RECESS AND RECONVENE AS THE WEST HOLLYWOOD COMMUNITY FOUNDATION: See attached Community Foundation Agenda.

THE WEST HOLLYWOOD COMMUNITY FOUNDATION WILL RECESS AND RECONVENE AS THE CITY COUNCIL:

3. PUBLIC HEARINGS:

3.A. NONE

4. UNFINISHED BUSINESS:

4.A. CAMPAIGN FINANCE REVIEW PROCESS: [M. JENKINS/T. WEST]

The City Council will consider recommendations for the public process to review possible amendments to the City's ordinance governing the financing of municipal campaigns.

RECOMMENDATION: Approve the recommended process to develop and present to the City Council a menu of potential specific campaign finance amendments in a study session format with the assistance of a panel of campaign reform experts.

5. NEW BUSINESS:

5.A. APPROVAL OF THE ARTS AND CULTURAL AFFAIRS COMMISSION RECOMMENDATION FOR THE 2007-2008 ART ON THE OUTSIDE PROJECT: [R. REYNOLDS/ A. CAMPBELL]

The Council will consider approving the commissioning and installation of a temporary art work by artist Dan Corson at the Santa Monica / Doheny median as recommended by the Arts and Cultural Affairs Commission through the City's Art on the Outside Program.

RECOMMENDATION: Approve the recommendation of the Arts and Cultural Affairs Commission to commission and install a temporary light sculpture by artist Dan Corson to be installed at the Santa Monica / Doheny median from January through April, 2008 at a cost of \$65,000.

5.B. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE: [T. WEST/ C. SCHAFFER]

The City Council will consider cancelling the meeting of November 19, 2007, and approving the City Council Regular Meeting Schedule for Calendar Year 2008 and canceling or rescheduling several meetings throughout the year that conflict with holidays.

RECOMMENDATIONS: 1) Consider cancelling the meeting of November 19, 2007; 2) Consider cancelling the meeting of January 7, 2008; 3) Reschedule the meeting of January 21, 2008 to January 22, 2008; 4) Reschedule the meeting of February 18, 2008 to February 19, 2008; 5) Reschedule the meeting of September 1, 2008 to September 2, 2008; AND 6) Approve the City Council Regular Meeting Schedule for Calendar Year 2008.

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. PROPOSED ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING MUNICIPAL CODE SECTION 17.24.010 AND AMENDING WHMC § 1.08.010(e): [A. WINDERMAN/ V. LOVE/ C. SCHROEDER/ S. LEWIS]

The City Council will consider a proposed addition of a new subsection (d) to Section 17.24.010 of the West Hollywood Municipal Code would require landlords of property that is exempt from the rent limitations imposed by the City of West Hollywood Rent Stabilization Ordinance to disclose that fact to prospective tenants. A proposed amendment to WHMC § 1.08.010(e) would allow violation of the new WHMC §17.24.010 to be enforced through the city's administrative penalty procedure.

RECOMMENDATION: Introduce on first reading Ordinance 07-____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING MUNICIPAL CODE SECTION 17.24.010 TO ADD A NEW SUBSECTION (d) REQUIRING LANDLORDS TO INFORM PROSPECTIVE RENTERS WHEN A RENTAL UNIT IS EXEMPT FROM THE RENT STABILIZATION ORDINANCE AND AMENDING WHMC § 1.08.010(e) TO ALLOW VIOLATION TO BE ENFORCED THROUGH ADMINISTRATIVE REMEDIES PROCEDURE.

6.B. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING WEST HOLLYWOOD MUNICIPAL CODE SECTION 17.25.090(10) TO ENSURE THAT THE TENANT ANTI-HARSSMENT ORDINANCE DOES NOT PURPORT TO CRIMINALIZE CONDUCT PROTECTED BY THE STATE LITIGATION PRIVILEGE: [A. WINDERMAN/ V. LOVE/ C. SCHROEDER/ S. LEWIS]

The City Council will consider amending the Municipal Code to conform a provision of the Rent Stabilization Ordinance that outlaws tenant harassment to a decision of the California Supreme Court interpreting state law.

RECOMMENDATION: Introduce on first reading Ordinance 07-_____, AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING WEST HOLLYWOOD MUNICIPAL CODE SECTION 17.25.090(10) TO ENSURE THAT THE TENANT ANTI-HARSSMENT ORDINANCE DOES NOT PURPORT TO CRIMINALIZE CONDUCT PROTECTED BY THE STATE LITIGATION PRIVILEGE.

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, November 19, 2007 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
November 19	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
December 3	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
December 17	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
January 7	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

City Council Agendas and Staff Reports
are available on-line at

www.weho.org

CITY OF WEST HOLLYWOOD
COMMUNITY FOUNDATION
AGENDA
MONDAY, NOVEMBER 5, 2007
6:30 P.M.

WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD

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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 Community Foundation on items of general interest within the subject matter jurisdiction of the Foundation. Although the Foundation values your comments, pursuant to the Brown Act it generally cannot take any action on items not listed on the posted agenda. Two minutes are assigned for each speaker.
5. **CONSENT CALENDAR:**
 - 5.A. **APPROVAL OF MINUTES:**
The West Hollywood Community Foundation is requested to approve the minutes of prior meetings.
RECOMMENDATION: Approve the minutes of February 5, 2001.
6. **PUBLIC HEARING:** None.
7. **UNFINISHED BUSINESS:** None.

8. NEW BUSINESS:

- 8.A. AGREEMENT WITH LATHAM & WATKINS, LLP TO ASSIST IN THE FORMATION AND CREATION OF A NEW NON-PROFIT ENTITY TO RAISE AND RECEIVE FUNDS FOR THE NEW WEST HOLLYWOOD LIBRARY: [R. REYNOLDS / J. HUFFER]

The West Hollywood Community Foundation will consider approving an Agreement for Services with Latham & Watkins, LLP authorizing a Letter of Engagement to provide assistance in forming a new non-profit entity to raise and receive funds for the new West Hollywood Library to be located in West Hollywood Park.

RECOMMENDATIONS: 1) Approve Letter of Engagement dated September 4, 2007, Representation of West Hollywood Community Foundation; and 2) Authorize Paul Arevalo as the Foundation CEO and registered agent to sign and execute the document.

- 8.B. AGREEMENT WITH THE CALIFORNIA COMMUNITY FOUNDATION TO ALLOW FOR THE CREATION OF THE WEST HOLLYWOOD LIBRARY FUND: [R. REYNOLDS / J. HUFFER]

The West Hollywood Community Foundation will consider approving an Agreement for Services with the California Community Foundation establishing a Fiscal Sponsorship Fund between the West Hollywood Library Fund and the California Community Foundation for philanthropic purposes related directly to the planning, construction and operation of the new West Hollywood Library to be located in West Hollywood Park.

RECOMMENDATIONS: 1) Approve Fiscal Sponsorship Fund Instrument of Gift Letter between City of West Hollywood Library Fund and the California Community Foundation; and 2) Authorize Paul Arevalo, as the Foundation's CEO and registered agent, to sign and execute the document.

9. COMMUNITY FOUNDATION BOARDMEMBER COMMENTS:

10. ADJOURNMENT:

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, NOVEMBER 5, 2007**

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)

Hoffman Street, LLC v. City of West Hollywood

Los Angeles Superior Court, Case No. BS 111413

Regency Outdoor Advertising v. City of West Hollywood

United States District Court, Central District of California, Case No. CV-05 0034
(GAF)
