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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, JANUARY 22, 2008  
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 January 22, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, January 17, 2008.*

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 December 17, 2007.

- 2.C. **DEMAND REGISTER NO. 593, RESOLUTION NO. 08-3634:**

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

RECOMMENDATION: Approve Demand Register No. 593 and adopt Resolution No. 08-3634, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 593."

**2.D. DEMAND REGISTER NO. 594, RESOLUTION NO. 08-3635:**

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

RECOMMENDATION: Approve Demand Register No. 594 and adopt Resolution No. 08-3635, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 594."

**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 claim of Jason Renebu and refer to the City's claims adjuster.

**2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS [T. WEST, C. SCHAFFER]:**

*The City Council will receive reports from various Commissions on actions taken at their recent meetings.*

RECOMMENDATION: Receive and file.

**2.G. COMMISSION AND ADVISORY BOARD ATTENDANCE REPORTS [T. WEST, C. SCHAFFER]:**

*The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between June 1, 2007 through November 30, 2007.*

RECOMMENDATION: Receive and file.

**2.H. RESIGNATION OF LYN DESHIELDS FROM THE ARTS AND CULTURAL AFFAIRS COMMISSION, KATE BARTOLO FROM THE PLANNING COMMISSION AND ADAM PLANTE FROM THE LA WEST VECTOR ABATEMENT CONTROL DISTRICT [T. WEST/C. SCHAFFER]:**

*The City Council will accept the resignation of Arts and Cultural Affairs Commissioner Lyn DeShields, effective January 2, 2008; Planning Commissioner Kate Bartolo, effective January 1, 2008; and West Hollywood Delegate to the Los Angeles West Vector Abatement Control District Adam Plante, effective January 9, 2008.*

RECOMMENDATION: Accept with regret the resignation of Lyn DeShields from the Arts and Cultural Affairs Commission, Kate Bartolo from the Planning Commission and Adam Plante from the LA West Vector Abatement Control District.

**2.I CONTRACT WITH FRIENDS RESEARCH INSTITUTE FOR HIV PREVENTION OUTREACH SERVICES PREVIOUSLY PROVIDED BY VAN NESS RECOVERY HOUSE [L. LONG/ D. DENNIS]:**

*The City Council will consider the contract with Friends Research Institute for HIV prevention outreach services previously provided by Van Ness Recovery House.*

RECOMMENDATION: Approve a contract with Friends Research Institute for \$67,791 for HIV prevention outreach services from February 1, 2008 to September 30, 2008 and authorize the City Manager to sign.

**2.J CONTRACT FOR IMPLEMENTATION OF USED OIL GRANT 2007-2008 [O. DELGADO/S. PERLSTEIN/J. HARMON]:**

*The City Council will consider awarding a contract to KJ Services Environmental Consulting to implement the Used Oil Recycling Grant granted by the California Integrated Waste Management Board to the cities of West Hollywood (lead agency), Beverly Hills, and Culver City.*

RECOMMENDATIONS: 1) Authorize the City Manager to sign the agreement with KJ Services Environmental Consulting for \$29,791.00; and 2) Authorize the Director of Finance and Technology Services to increase budgeted revenues and expenditures in the Grants Fund by \$29,791 (accounts 202-423098 and 202-3-08-84-538039, Used Oil Recycling Grant).

**2.K APPROVAL OF FINAL TRACT MAP NO. 60911 FOR THE CONDOMINIUM PROJECT LOCATED AT 1248 LAUREL AVENUE [O. DELGADO/S. PERLSTEIN]:**

*The City Council will consider the approval of Final Tract Map No. 60911, a sixteen unit condominium, located on Laurel Avenue, between Norton Avenue and Fountain Avenue.*

RECOMMENDATIONS: 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. 60911; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 60911 the certificate that embodies the approval of said map.

**2.L APPROVAL OF FINAL TRACT MAP NO. 62614 FOR THE CONDOMINIUM PROJECT LOCATED AT 1140 FORMOSA AVENUE [O. DELGADO/S. PERLSTEIN]:**

*The City Council will consider the approval of Final Tract Map No. 62614, an eleven unit condominium, located on Formosa Avenue, between Santa Monica Boulevard and Lexington Avenue.*

RECOMMENDATIONS: 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. 62614; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 62614 the certificate that embodies the approval of said map.

**2.M OPPOSE THE SALE OF PUPPIES FROM PUPPY MILLS [J. PRANG/J. KURPIES/A. LAND/L. BELSANTI/P. INDALL]:**

*The City Council will consider adopting a resolution opposing the sale of puppies from puppy mills.*

RECOMMENDATIONS: 1) Adopt Resolution No. 08-3636, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE SALE OF PUPPIES FROM PUPPY MILLS."; and 2) Direct staff to send copies of the signed resolution to The Humane Society of the United States and Best Friends.

**2.N SUPPORT OF PROPOSITION 92, THE COMMUNITY COLLEGE GOVERNANCE, FUNDING STABILIZATION AND STUDENT FEE REDUCTION ACT [J. PRANG/J. KURPIES/P. INDALL]:**

*The City Council will consider adopting a resolution in support of Proposition 92, The Community College Governance, Funding Stabilization and Student Fee Reduction Act.*

RECOMMENDATIONS: 1) Adopt Resolution No. 08-3637, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 92, THE COMMUNITY COLLEGE GOVERNANCE, FUNDING STABILIZATION AND STUDENT FEE REDUCTION ACT"; and 2) Direct staff to send copies of signed resolution to the local media, the Los Angeles Community College Board, Assemblymember Mike Feuer and Senator Sheila Kuehl.

**2.O COMMEMORATION OF THE 35th ANNIVERSARY OF ROE V. WADE [A. LAND/L. BELSANTI]:**

*The City Council will consider approval of recommended programming to commemorate the 35th Anniversary of Roe V. Wade and the City's ongoing commitment to women's' reproductive rights.*

RECOMMENDATIONS: 1) Direct staff to work on programming to commemorate the 35<sup>d</sup> Anniversary of Roe V. Wade; and 2) Approve the City of West Hollywood's co-sponsorship of The National Council of Jewish Women/LA's Panel Discussion on January 29, 2008 and the use of the City's name and logo on printed materials advertising the event.

**2.P TOBACCO RETAIL LICENSING ORDINANCE [J. PRANG/J. KURPIES/P. INDALL]:**

*The City Council will consider directing staff to draft a tobacco retail licensing ordinance.*

RECOMMENDATION: Direct staff to draft a tobacco retail licensing ordinance and return to Council within 60 days

**2.Q SUPPORT OF STATEWIDE LEGISLATION PROHIBITING THE SALE OF TOBACCO PRODUCTS IN ALL PHARMACIES AND DRUGSTORES IN CALIFORNIA [J. PRANG/J. KURPIES/P. INDALL]:**

*The City Council will consider adopting a resolution in support of statewide legislation prohibiting the sale of tobacco products in all pharmacies and drugstores in California.*

RECOMMENDATIONS: 1) Adopt Resolution No. 08-3638 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF STATEWIDE LEGISLATION PROHIBITING THE SALE OF TOBACCO PRODUCTS IN ALL PHARMACIES AND DRUGSTORES IN CALIFORNIA"; and 2) Direct staff to send copies of signed resolution to the County of Los Angeles BREATH (COLAB), Assemblymember Mike Feuer and Senator Sheila Kuehl.

**2.R WEST HOLLYWOOD FAMILIES SUMMIT [A. LAND/L. BELSANTI]:**

*The City Council will consider directing staff to conduct specific focus groups for families with children and establish a Families Summit in the Fall of 2008.*

RECOMMENDATIONS: 1) Direct the Community Development to conduct specific focus groups for families with children as part of the General Plan process, and 2) Direct the Social Services Department to establish a summit for families with children in the City.

**2.S THE BIG READ 2008 [R. REYNOLDS/A.CAMPBELL]**

*The City Council will consider recommending that the City, in collaboration with PEN Center USA West, prepare and submit an application for funding to participate in The Big Read, an initiative of the National Endowment for the Arts (NEA) in Fall 2008.*

**RECOMMENDATIONS:** Authorize City staff to work in conjunction with PEN Center USA West to prepare and submit an application to the NEA for funding of The Big Read.

**2.T GENERAL PLAN FAIR – FEBRUARY 23, 2008**

*The City Council will receive a report on the upcoming community-wide General Plan Fair scheduled for February 23, 2008.*

**RECOMMENDATION:** Receive and File.

**3. PUBLIC HEARINGS:**

**3.A. AMENDMENT TO THE ZONING ORDINANCE REGARDING TALL WALLS, ZONING TEXT AMENDMENT 2007-007 [S. HEALY KEENE/J. KEHO/F. STEFAN]:**

*The City Council will hold a public hearing to consider an application by Elevation Media, Inc. to amend the Zoning Ordinance regarding Tall Walls. The proposed amendment would increase the maximum allowable image area that can be comprised of windows from 15 to 30 percent.*

**RECOMMENDATION:** Recommend denial of the proposed amendment to the City Council and adopt Resolution No. 08-\_\_\_\_: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING ZONE TEXT AMENDMENT 2007-007 RELATING TO THE PERCENTAGE OF TALL WALL IMAGE AREA THAT CONSISTS OF WINDOWS."

**3.B APPEAL OF PLANNING COMMISSION APPROVAL OF REQUEST TO DEMOLISH AN EXISTING SIX (6) UNIT MULTI-FAMILY APARTMENT BUILDING AND CONSTRUCT A NEW SIXTEEN (16) UNIT RESIDENTIAL CONDOMINIUM STRUCTURE [S. HEALY KEENE/J. KEHO/J. NOEL]:**

*An appeal of the Planning Commission's approval of permits to demolish a six unit apartment complex consisting of two, two-story buildings and construct a new four-story, sixteen unit condominium building with one level of subterranean parking.*

**RECOMMENDATIONS:** Staff recommends that the City Council hold a public hearing, consider all pertinent testimony, deny the appeal and uphold the Planning Commission's certification of the Environmental Impact Report and approval of the project, and adopt the following two resolutions: 1) Resolution No. 08-\_\_\_\_: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF SCOTT WILSON AND HEAVENLY WILSON AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT, AND CONDITIONALLY APPROVE DEMOLITION PERMIT (DMP) 004-013, AND DEVELOPMENT PERMIT (DVP) 2004-012, FOR THE DEMOLITION OF TWO EXISTING STRUCTURES ON SITE INCLUDING SIX (6) RESIDENTIAL UNITS AND THE CONSTRUCTION OF A NEW SIXTEEN (16) UNIT CONDOMINIUM

BUILDING LOCATED AT 1342-1346 HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA.” And 2) Resolution No. 08-\_\_\_\_: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE APPEAL OF SCOTT WILSON AND HEAVENLY WILSON AND UPHOLDING THE PLANNING COMMISSION’S DECISION TO CONDITIONALLY APPROVE TENTATIVE TRACT 68379 (TENTATIVE TRACT MAP 2007-007) FOR THE PROPERTY LOCATED AT 1342-1346 HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA.”

**4. UNFINISHED BUSINESS:**

**4.A. CO-SPONSORSHIP OF ANNUAL ACADEMY AWARDS VIEWING EVENTS [L. LONG/R. REYNOLDS/N. BEARD]:**

*City Council will consider co-sponsoring Academy Award viewing events including the APLA and Elton John AIDS Foundation viewing parties and approve road closures at San Vicente Blvd and Robertson Blvd.*

RECOMMENDATIONS: 1) Approve co-sponsorship of two high profile events in West Hollywood and reserve the opportunity to assist a third; 2) Approve waiver of all associated fees and in-kind services in support of the APLA Viewing Event, and Elton John AIDS Foundation in the amount of \$6,705 and possibly an additional event fee waiver of \$2,750 in support fees; AND 3) Authorize the Director of Finance and Technology to allocate funds from undesignated reserves in the amount of \$26,000 for services including safety and traffic personnel, and barricades; to the Recreation Division account # 100-3-05-51-535013 and \$18,000 to the Public Safety account #100-2-04-04-534230.

**4.B. COMMISSION, ADVISORY BOARD, AND PROJECT ADVISORY COMMITTEE APPOINTMENTS AND RE-APPOINTMENTS [T. WEST/C. SCHAFFER]:**

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

RECOMMENDATION: The Council will make appointments to Boards and Commissions as detailed in the Staff Report.

**5. NEW BUSINESS:**

**5.A RE-EVALUATE PARKING RESTRICTIONS, LIMITATIONS AND PROHIBITIONS ON ROBERTSON BOULEVARD [J. HEILMAN, F. SOLOMON]:**

*The City Council will consider directing the Transportation Division and Public Safety to re-evaluate current parking restrictions, limitations and prohibitions on Robertson Boulevard.*

RECOMMENDATIONS: 1) Authorize Transportation Division and Public Safety to review the various issues outlined in their joint City Council Agenda Item dated January 17, 2006 (attached) and evaluate the need for

continued enforcement of current parking restrictions, limitations and prohibitions on Robertson Boulevard; 2) Authorize Transportation Division to install new Robertson Boulevard signage in line with any re-evaluation; and 3) Authorize Public Information and Adjudication Services to publicize changes to any parking regulations on Robertson Boulevard to the public.

**5.B EVALUATE FORECLOSURES IN THE CITY OF WEST HOLLYWOOD AND OFFER RESOURCE ASSISTANCE TO THOSE AFFECTED HOMEOWNERS [J. HEILMAN/F. SOLOMON]:**

*The City Council will consider directing the Rent Stabilization and Housing Division to evaluate foreclosures in the City of West Hollywood and to offer resource assistance to those affected homeowners.*

RECOMMENDATION: Direct the Rent Stabilization and Housing Division to evaluate foreclosures in the City of West Hollywood and to return to the City Council within 90 days with a program to offer resource assistance to those affected homeowners.

**5.C SCHEDULE DATE FOR ELECTION OF MAYOR AND MAYOR PRO TEMPORE AND SCHEDULE DATE FOR INSTALLATION OF NEW MAYOR AND MAYOR PRO TEMPORE FOR CALENDAR YEAR 2008 [T. WEST/C. SCHAFFER]:**

*The City Council will consider confirming the dates for the election of the new Mayor and Mayor Pro Tempore and the Installation of the new Mayor and Mayor Pro Tempore for 2008.*

RECOMMENDATIONS: 1) Schedule the Election of the new Mayor and Mayor Pro Tempore for March 17, 2008; and 2) Schedule the Installation Activities for the Mayor and Mayor Pro Tempore for April 21, 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 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, February 4, 2008, at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
February 4, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
February 19, 2008	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
March 3, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
March 17, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
CLOSED SESSION AGENDA  
TUESDAY, JANUARY 22, 2008**

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

Property Address: 1144 La Brea Avenue  
Agency Negotiator: Paul Arevalo or designee  
Negotiating Parties: Akop Yepremian or designee  
Under Negotiation: Price and Terms of Payment (Purchase)

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3. **PENDING LITIGATION.....G.C. 54956.9(a)**

Hoffman Street, LLC v. City of West Hollywood  
Los Angeles Superior Court, Case No. BS 111413

Adlivankin v. City of West Hollywood  
Los Angeles Superior Court, Case No. BC376247

Beverly Boulevard v. City of West Hollywood  
9th Circuit Court of Appeals, Case Nos. 05-55961 and 05-55970

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4. **PENDING LITIGATION.....G.C. 54956.9(b)**

Three cases