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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, NOVEMBER 3, 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:

ADJOURNMENT MOTIONS:

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 3, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, October 30, 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 October 20, 2008.

2.C. DEMAND REGISTER NO. 613, RESOLUTION NO. 08-3749:

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

RECOMMENDATION: Approve Demand Register No. 613 and adopt Resolution No. 08-3749, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 613."

2.D. TREASURER'S REPORT FOR JULY 2008:

The City Council will receive the Treasurer's Report for the month ended July 2008 pursuant to Section 53646 of the Government Code of the State of California.

RECOMMENDATION: Receive and file.

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 Martin Katz, Neil Melinkovitch, Zaruhi Poghasyan and Mercury Insurance (J Hardin) 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. COMMUNITY DEVELOPMENT DIRECTOR'S HEARING ACTION REPORT [T. WEST, C. SCHAFFER]:

The City Council will receive a report from the Community Development Department concerning actions taken at a recent Director's hearing.

2.H. APPROVAL OF AN EXCHANGE AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR EXCHANGE OF FEDERAL HIGHWAY FUNDS FOR LOCAL HIGHWAY FUNDS [O. DELGADO, S. PERLSTEIN]:

The City Council will consider the approval of an agreement between the City and the Los Angeles County Metropolitan Transportation Authority (LACMTA) to Federal Surface Transportation Program-Local funds for flexible LACMTA local transportation funds.

RECOMMENDATION: Authorize the City Manager to sign an Exchange Agreement between the City of West Hollywood and the Los Angeles County Metropolitan Transportation Authority for assignment of Federal Surface Transportation Program-Local Funds.

2.I. AMENDMENTS FOR HARPER COMMUNITY APARTMENTS [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:

The City Council will consider approving a Second Amendment to the Regulatory Agreement and an Amendment of the Promissory Note for the Harper Community Apartments, a 22-unit affordable housing development at 1256-1260 Harper Avenue completed in 1992.

RECOMMENDATIONS: 1) Approve a Second Amendment to the Regulatory Agreement for the Harper Community Apartments consenting to the transfer of ownership from the original limited partnership, Harper Community Limited Partnership, to the West Hollywood Community Housing Corporation (WHCHC), and from WHCHC to a new limited partnership; 2) Approve an Amendment to the Promissory Note for this property extending the term by one year, to July 6, 2032; and 3) Authorize the City Manager to execute the documents in substantially the form as attached.

2.J. SUNSET STRIP BEAUTIFICATION PROJECT [S. PERLSTEIN, D. UYENO]:

The City Council will receive clarification of items for the Sunset Strip Beautification Project.

RECOMMENDATION: Receive and file

2.K. APPROVAL OF FINAL TRACT MAP NO. 65143 FOR THE CONDOMINIUM PROJECT LOCATED AT 1220 ORANGE GROVE AVENUE [S. PERLSTEIN, O. DELGADO]:

The City Council will consider the approval of Final Tract Map No. 65143, an twelve unit condominium, located on Orange Grove Avenue, between Fountain Avenue and Santa Monica Boulevard.

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; and 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. 65143; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 65143 the certificate that embodies the approval of said map.

2.L. REQUEST TO CONSOLIDATE THE PRIMARY NOMINATING ELECTION OF THE CITY OF LOS ANGELES WITH THE CITY'S GENERAL MUNICIPAL ELECTION TO BE HELD ON MARCH 3, 2009 [T. WEST, C. SCHAFFER]:

The City Council will consider adopting a resolution consenting to the consolidation of the Los Angeles Primary Nominating Election with the City of West Hollywood's General Municipal Election to be held on Tuesday, March 3, 2009.

RECOMMENDATIONS: 1) Adopt Resolution No. 08-3750, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONSENTING TO AN ELECTION CONSOLIDATION WITH THE CITY OF LOS ANGELES, INCLUDING DISTRICT 4 OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT AND THE LOS ANGELES COMMUNITY COLLEGE DISTRICT AND ORDERING THAT THE FOUR (4) SEATS ON THE BOARD OF TRUSTEES OF THE LOS ANGELES COMMUNITY COLLEGE DISTRICT AND ONE (1) SEAT OF DISTRICT 4 OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT APPEAR ON THE BALLOT OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 3, 2009"; 2) Direct the City Clerk to take any and all steps necessary to hold the consolidated election; and 3) Authorize the Director of Finance and Information Technology to increase budgeted expenditures in Election Account No. 100-1-02-26-531015 by \$20,000 and increase budgeted revenues in the General Fund by \$46,000 for miscellaneous revenues

2.M. PROHIBITION OF ANIMAL COMPANIONS AT WEST HOLLYWOOD ANNUAL HALLOWEEN CARNAVAL [J. PRANG, J. STEVENS, S. GUARRIELLO, D. SAUR]:

The City Council will consider directing the City attorney to research the feasibility of drafting an ordinance prohibiting the presence of animal companions at future West Hollywood Halloween Carnivals.

RECOMMENDATIONS: 1) Direct the City Attorney to research the feasibility of drafting an ordinance that will establish prohibitions against the attendance of animal companions at the annual West Hollywood Halloween Carnival and report progress back to the City Council within 90 days; 2) Additionally Direct the City Attorney to work in collaboration with the Department of Public Safety and representatives of the Los Angeles Sheriff's Department to recommend appropriate penalties or enforcement mechanisms related to the proposed ordinance; and 3) Direct the Department of Public Information to annually disseminate attached or similar safety advisories from the City of West Hollywood and the Los Angeles Department of Animal Care and Control to city residents and likely Carnival participants in preparation for future celebrations through direct mail, CATV City Channel 10 and all other available media outlets.

2.N. PROHIBITION OF PET RENTAL FRANCHISES [J. PRANG, J. STEVENS, A. LAND, C. PLANCK]:

The City Council will consider adopting a resolution in opposition to commercial pet rental franchises and directing the Community Development Director to amend land use regulations to establish prohibitions against the commercial "rental" of any pet within the City of West Hollywood.

RECOMMENDATION: 1) Adopt Resolution No. 08-3751, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO COMMERCIAL PET RENTAL FRANCHISES; and 2) Direct the Community Development Director and City Planning Manager to amend land use regulations to establish prohibitions against the issuance of permits for pet-rental franchises in the City of West Hollywood and report progress back to the City Council within 90 days.

2.O. PROCLAIM DECEMBER 1, 2008 AS "WORLD AIDS DAY" AND CITY PARTICIPATION IN "GLOBAL AIDS AWARENESS MONTH" ACTIVITIES [J. HEILMAN, F. SOLOMON, D. GIUGNI]:

The City Council will consider adopting a resolution proclaiming December 1, 2008 as World AIDS Day and approve City participation in related "Global AIDS Awareness Month" Activities

RECOMMENDATIONS: 1) Adopt Resolution 08-3752 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING DECEMBER 1, 2008 AS WORLD AIDS DAY"; and 2) Direct staff to work with HIV/AIDS organizations and providers to assist in organizing the educational component for the annual remembrance and recognition program and to expand programming to include a month long focus on the Global AIDS pandemic.

2.P. SUPPORT THE EXTENSION OF THE CALIFORNIA FAMILY PACT WAIVER [C. PLANCK, L. FOOKS. M. HORNER]:

The City Council will consider adopting a resolution urging the extension of funding for the California Family PACT (Planning, Access, Care and Treatment) program.

RECOMMENDATIONS: 1) Adopt Resolution 08-3753 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE EXTENSION OF CALIFORNIA FAMILY PACT WAIVER"; and 2) Direct staff to send copies of the signed resolution to Speaker of the House Nancy Pelosi, Representative Henry Waxman, Senators Barbara Boxer and Dianne Feinstein, State Senator Sheila Kuehl, Assemblymember Mike Feuer and Governor Arnold Schwarzenegger.

3. PUBLIC HEARINGS: None

4. UNFINISHED BUSINESS:

4.A. RESOLUTIONS RESCINDING AND AMENDING RESOLUTION NO. 94-1347, PROHIBITING THE CITY FROM FUNDING ANY NON-PROFIT ORGANIZATION THAT HAS ANY SPECIFICALLY DESIGNATED CITY OFFICIAL ON ITS BOARD OF DIRECTORS [J. HEILMAN, F. SOLOMON]:

The City Council will consider rescinding resolution No. 94-1347 and adopting an amended version of the resolution.

RECOMMENDATIONS: 1) Adopt Resolution No. ____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD RESCINDING RESOLUTION NO. 94-1347" or, 2) Adopt Resolution No. ____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING RESOLUTION NO. 94-1347".

4.B. CAMPAIGN FINANCE REVIEW REPORT [M. JENKINS, T. WEST]:

The City Council will receive recommendations from the Campaign Finance Review Committee.

RECOMMENDATION: Consider the Committee's recommendations and provide direction to staff.

5. NEW BUSINESS:

5.A. GENERAL PLAN UPDATE - COMMUNITY SURVEY FINDINGS [S. KEENE, J. KEHO, F. STEFAN, B. SIEGL]:

The City Council will receive and file the General Plan Community Survey report. The report summarizes the findings from a telephone survey of residents. Topics surveyed include quality of life issues, parking, housing, mixed-use development, and sustainability. The results of the survey will inform future steps of the General Plan Update.

RECOMMENDATION: Receive and file report

5.B. REQUEST FOR REVIEW OF THE PLANNING COMMISSION DECISION OF OCTOBER 16, 2008 REGARDING THE GREENWICH PLACE PROJECT AMENDMENT AT 355-375 SAN VICENTE BOULEVARD [T. WEST, C. SCHAFFER]:

The City Council will consider a request for review of the Planning Commission Decision of October 16, 2008, to approve Development Permit Amendment 2008-021, amending Development Permit 2005-027, for the construction of a multi-family residential project containing 117 market rate condominium units and 35 affordable rental units.

RECOMMENDATION: 1) Consider a request for review of the Planning Commission Decision of October 16, 2008, regarding the property located at 355-375 San Vicente Boulevard; and 2) If a review is approved, direct Community Development Department staff to initiate a hearing for the Council meeting of November 3, 2008 in compliance with Sections 19.76.030(G) and 19.76.040 of the West Hollywood Municipal Code.

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, November 17, 2008 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
November 17	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
December 1	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
January 5	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
January 20	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.

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AFFIDAVIT OF POSTING

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County of Los Angeles)

City of West Hollywood)

I declare under penalty of perjury that I am employed by the City of West Hollywood in the Administrative Services Department in the Office of the City Clerk and that I posted this agenda on:

Date: Oct. 30, 2008

Signature _____

Catherine Ross, Deputy Clerk