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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 2, 2009
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 2, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, October 29, 2009.

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 19, 2009.

2.C. DEMAND REGISTER NO. 637, RESOLUTION NO. 09-3916:

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

RECOMMENDATION: Approve Demand Register No. 637 and adopt Resolution No. 09-3916, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 637."

2.D. ORDINANCE NO. 09-831 (2ND READING), REGARDING PERMITTED USE OF TAXICAB STANDS [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 09-831, a proposed ordinance amending Chapter 10.07.310 of Title 10 of the West Hollywood Municipal Code regarding permitted use of taxicab stands.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 09-831, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 10.07.310 OF TITLE 10 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING PERMITTED USE OF TAXICAB STANDS."

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Arts and Cultural Affairs Commission, Human Services Commission, the Lesbian and Gay Advisory Board, Project Advisory Committee, Public Facilities Commission, Public Safety Commission and Transportation Commission on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.F. STATE LEGISLATIVE UPDATE [P. AREVALO, V. LOVE, K. KRIETZMAN]:

The City Council will receive a Legislative Report detailing state legislative activities current as of November, 2009 from Helyne Meshar & Associates.

RECOMMENDATION: Receive and file.

2.G. AMEND AGREEMENT FOR SERVICES WITH VCA CODE GROUP [A. MCINTOSH, S. BAILEY]:

The City Council will consider approving an Amendment of the Agreement for Services with VCA Code Group to provide ongoing Plan Check services.

RECOMMENDATIONS: 1) Approve Amendment to Contract Agreement with VCA Code Group, increasing the \$35,000 amount by an additional not-to-exceed seventy five thousand dollars (\$75,000) for professional Plan Check services in the Building and Safety Division. Total contract = \$110,000; and 2) Authorize the City Manager to sign the agreement.

2.H. SUPPORTIVE HOUSING FOR VULNERABLE HOMELESS PEOPLE [L. LONG, D. DENNIS]:

The City of West Hollywood will partner with the County Housing Authority and local service providers to develop a supportive housing program for the most vulnerable people who are homeless on our streets.

RECOMMENDATION: Authorize staff to begin development of a supportive housing program in partnership with the County of Los Angeles Housing Authority, PATH, Jewish Family Service and the Saban Free Clinic.

2.I. LESBIAN AND GAY ADVISORY BOARD WORKPLAN AND CO-SPONSORSHIP OF C.I.T.Y. x1 THANKSGIVING EVENT [L. LONG, J. BOOK]:

The City Council will consider the 2009-2010 workplan of the Lesbian and Gay Advisory Board, and authorization of an expenditure for the C.I.T.Y. x1 Thanksgiving event.

RECOMMENDATIONS: 1) Authorize the reimbursement of up to \$500 for purchase of food for "The Big Thanksgiving Bail-Out," a Thanksgiving celebration for LGBTQ youth, sponsored by C.I.T.Y. x1, to be held from 6:00 to 9:00 p.m. on Saturday, Nov. 21, at Plummer Park; 2) Receive the proposed 2009-2010 workplan of the Lesbian and Gay Advisory Board; and 3) Suspend approval of the 2009-2010 workplan and proposed expenditures until consideration of the recommendations of the City Council Advisory Board Task Force.

2.J. ARTS AND CULTURAL AFFAIRS COMMISSION 2010 ARTS GRANT PROGRAM ANNUAL AWARDS [R. REYNOLDS, J. HUFFER, A. CAMPBELL]:

The Council will consider the Arts and Cultural Affairs Commission recommendations to award annual Arts Grant Program grants to 24 arts organizations.

RECOMMENDATION: Approve recommendations of the Arts and Cultural Affairs Commission to award 2010 annual Arts Grant Program grants and technical assistance totaling \$75,000 as outlined in Exhibit A.

2.K. SUNSET STRIP MUSEUM FEASIBILITY STUDY – PHASE I [R. REYNOLDS, J. HUFFER, A. CAMPBELL]:

The City Council will consider approving Phase I of the Sunset Strip Museum Feasibility Study (Initial Market and Concept Evaluation), suspend Phase II (Physical Planning) and authorize Economics Research Associates (ERA) to complete Phase III (Financial Planning)

RECOMMENDATIONS: 1) Approve Phase I of the Sunset Strip Museum Feasibility Study (Initial Market and Concept Evaluation); and 2) Authorize Economics Research Associates to suspend Phase II (Physical Planning) and complete Phase III (Financial Planning) with the addition of study components for an amended Phase III budget of \$20,000.

2.L. PROPOSED ORDINANCE ESTABLISHING GUIDELINES TO DIVEST FROM COMPANIES DOING BUSINESS WITH THE COUNTRY OF IRAN [J. PRANG, M. HAIBACH, A. LAND, C. PLANCK]:

The City Council will consider adopting an ordinance that would divest the City of West Hollywood from any company doing business with or connected to investments with the country of Iran, including the investment of city funds with any firms who use Iranian investments.

RECOMMENDATION: Direct the City Attorney to draft an ordinance that would modify the municipal code to prohibit the City of West Hollywood from entering into contracts for services with those doing business with or investing in Iran, and would prohibit the purchase of commodities produced in Iran, or provided by those who do business in Iran, and/or with the military government of Iran.

2.M. CITY CO-SPONSORSHIP OF 2009 AIDSWATCH [H. GOSS, K. EGENBERGER]:

The City Council will consider co-sponsoring the 2009 AIDSWATCH and providing television production, public information support and social service information to this year's Citychannel broadcast.

RECOMMENDATIONS: 1) Approve the City of West Hollywood as co-sponsor of the 2009 AIDSWATCH presentations on Tuesday, December 1, 2009; and 2) Authorize the Public Information and Prosecution Services Department to provide support for this project, including use of Citychannel facilities, broadcast time on Citychannel 10, public information support and social services support.

3. PUBLIC HEARINGS:

3.A. ZONE TEXT AMENDMENT 009-007 (ECONOMIC HARDSHIP) [A. MCINTOSH, J. KEHO, D. DEGRAZIA]:

The Council will consider an amendment of the City of West Hollywood Zoning Ordinance that will revise existing provisions of Chapter 19.34 (Sign Standards).

RECOMMENDATION: Hold the public hearing, consider all pertinent testimony, and introduce on 1st reading Ordinance No. 09-_____ "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING TEMPORARY REGULATIONS SUPERSEDING CERTAIN PROVISIONS OF CHAPTER 19.34 (SIGN STANDARDS) OF THE WEST HOLLYWOOD ZONING ORDINANCE AND ADOPTING ZONE TEXT AMENDMENT 2009-007 AMENDING REGULATIONS ON REAL ESTATE OPEN HOUSE SIGNS IN TABLE 3-13 OF WEST HOLLYWOOD MUNICIPAL CODE SECTION 19.34.050." (EXHIBIT A)

3.B. A REQUEST TO CONSTRUCT A 268,805 SQUARE FOOT MIXED-USE HOTEL PROJECT INCLUDING AMENDMENTS TO THE GENERAL PLAN, SUNSET SPECIFIC PLAN, AND ZONING MAP TO PERMIT INCREASED HEIGHT AND DENSITY IN A NEW EXPANDED TARGET SITE [A. MCINTOSH, J. KEHO, D. DEGRAZIA]:

The Council will consider a mixed use hotel project including amendments to the General Plan, Sunset Specific Plan and Zoning Map to permit increased height and density at 9040-9056 Sunset Boulevard.

RECOMMENDATIONS: Hold a public hearing, consider all pertinent testimony, approve the application request and adopt:: 1) Resolution No. _____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING A MITIGATION MONITORING PROGRAM AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, REGARDING THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A); 2) Resolution No. _____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING GENERAL PLAN AMENDMENT 2006-001 IN CONJUNCTION WITH THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT B); 3) Introduce on first reading Ordinance No. _____ "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING MAP AMENDMENT 2009-008 IN CONJUNCTION WITH THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT C); 4) Introduce on first reading Ordinance No. _____ "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING SUNSET SPECIFIC PLAN AMENDMENT 2006-001 IN CONJUNCTION WITH THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT D); 5) Introduce on first reading Ordinance No. _____ "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING MAP AMENDMENT 2009-005, IN CONJUNCTION WITH THE PROPOSED DEVELOPMENT AGREEMENT

2006-001, FOR THE PROPERTY LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT E); 6) Introduce on first reading Ordinance No. _____ “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT 2006-001 IN CONJUNCTION WITH THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT F); and 7) Resolution No. _____ “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEMOLITION PERMIT 2006-008, DEVELOPMENT PERMIT 2006-010, CONDITIONAL USE PERMIT 2006-007, MINOR CONDITIONAL USE PERMIT 2009-005, ADMINISTRATIVE PERMIT 2006-006 AND VESTING TENTATIVE TRACT MAP NO. 064782 (AKA TENTATIVE TRACT MAP 2006-004) FOR THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL, RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT G)

3.C. AMENDMENT TO THE ZONING ORDINANCE REGARDING MEDICAL MARIJUANA COLLECTIVES [J. ENGLISH, L. BELSANTI, A. BROWNING, J. KEHO, L. YELTON, O. DELGADO, J. AUBEL]:

The City Council will consider a City-initiated Zone Text Amendment to change medical marijuana collectives from a conditionally permitted use to a permitted use in certain commercial zones subject to specified restrictions and consider amending the municipal code and adoption of a negative declaration.

RECOMMENDATION: Introduce on first reading Ordinance No. 09-_____ “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE AND ADOPTION OF A NEGATIVE DECLARATION AND APPROVAL OF ZONE TEXT AMENDMENT 2009-_____, TO CHANGE MEDICAL MARIJUANA COLLECTIVES FROM A CONDITIONALLY PERMITTED USE TO A PERMITTED USE IN CERTAIN COMMERCIAL ZONES SUBJECT TO SPECIFIED RESTRICTIONS, REQUIRING SUCH COLLECTIVES TO OBTAIN A REGULATORY BUSINESS LICENSE.” (Attachment A)

4. UNFINISHED BUSINESS: None

5. NEW BUSINESS:

5.A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING TAXI STANDS AS NO PARKING TOW AWAY NO PARKING ZONES [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider adopting a resolution designating taxi stands as "No Parking Tow Away Zones" at posted locations throughout the City.

RECOMMENDATION: Adopt RESOLUTION NO. 09-____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INSTITUTING NO PARKING TOW-AWAY REGULATIONS AT TAXI STANDS."

5.B. ADVISORY BOARD APPOINTMENTS [T. WEST, C. SCHAFFER]:

The City Council will consider making at-large appointments to the Lesbian and Gay Advisory Board.

RECOMMENDATION: Make two (2) new at-large appointments to the Lesbian and Gay Advisory Board.

5.C. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE [T. WEST, C. SCHAFFER, K. COOK, J. KEHO, B. SIEGL]:

The City Council will consider cancelling the meeting of January 4, 2010, and approving the City Council Regular Meeting Schedule for Calendar Year 2010 and rescheduling several meetings throughout the year that conflict with holidays. They will also consider scheduling an Emergency Management Drill; as well as scheduling two (2) General Plan Joint Study Sessions and a General Plan Public Workshop.

RECOMMENDATIONS: 1) Consider cancelling the meeting of January 4, 2010; 2) Reschedule the meeting of January 18, 2010 to January 19, 2010; 3) Reschedule the meeting of February 15, 2010 to February 16, 2010; 4) Reschedule the meeting of July 5, 2010 to July 6, 2010; 5) Reschedule the meeting of September 6, 2010 to September 7, 2010; 6) Approve the City Council Regular Meeting Schedule for Calendar Year 2010; 7) Schedule an Emergency Management Drill for either January 22, 2010 (12:00pm to 1:00pm), or February 5, 2010 (12:00pm to 1:00pm); 8) Schedule General Plan Joint Study Sessions with the Planning Commission for Tuesday, January 19, 2010 at 6:30pm and Monday, April 5, 2010 at 6:30pm; and 9) Schedule a General Plan Public Workshop for Saturday, January 30, 2010 from 10:00am to 2:00pm.

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: 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 the Annual Congress of Boards and Commissioners, which will be on Saturday, November 14, 2009 at 8:30 A.M. at the Community Center at Plummer Park, 7377 Santa Monica Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
November 14	Saturday	8:30 AM	Annual Congress of Boards and Commissioners	Plummer Park Community Center
November 16	Monday	6:30 PM	Joint Session with the Planning Commission	W.H. Park Aud.
December 7	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
December 21	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, NOVEMBER 2, 2009
6:00 P.M.**

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

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

Genest v. City of West Hollywood
Los Angeles County Superior Court Case No. BC423410

Save Tara v. City of West Hollywood
Los Angeles Superior Court Case No. BS 090402

2. THREATENED LITIGATION..... G.C. 54956.9(b)

One case