

REVISED
9.18.09

**SMOKING IS NOT PERMITTED IN THE CITY COUNCIL CHAMBERS
(Article IV, Chapter 7, W.H.M.C.)**

**COMPLETE AGENDA PACKETS ARE AVAILABLE FOR PUBLIC
INSPECTION AT CITY HALL, 8300 SANTA MONICA BLVD.
AT THE LIBRARY, 715 N. SAN VICENTE BLVD.,
AND AT THE CITY'S WEBSITE,
www.weho.org**

Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office at 8300 Santa Monica Boulevard, West Hollywood, California, during normal business hours. They will also be available for inspection during the City Council meeting at the City Clerk's table.

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) 848-6409 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, SEPTEMBER 21, 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, September 21, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, September 17, 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 September 8, 2009.

2.C. DEMAND REGISTER NO. 634, RESOLUTION NO. 09-3902:

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

RECOMMENDATION: Approve Demand Register No. 634 and adopt Resolution No. 09-3902, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 634."

2.D. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Disabilities Advisory Board, the Project Advisory Committee, the Public Facilities Commission and the Senior Advisory Board on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.E. RESOLUTION APPROVING MINOR CONDITIONAL USE PERMIT 2008-007 FOR EXTENDED HOURS FOR AN EXISTING RESTAURANT (BOSSA NOVA) LOCATED AT 685 N. ROBERTSON BLVD. [A. MCINTOSH, J. KEHO, L. YELTON]:

The City Council will consider approval of a resolution for extended hours to an existing restaurant.

RECOMMENDATION: Adopt Resolution No. 09-3903, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, GRANTING THE APPEAL OF AURELIO MARTINS AND PARTIALLY OVERTURNING THE PLANNING COMMISSION ACTION AND CONDITIONALLY APPROVING MINOR CONDITIONAL USE PERMIT 2008-007, ON AN APPLICATION OF BOSSA NOVA RESTAURANT TO ALLOW EXTENDED HOURS FOR AN EXISTING RESTAURANT LOCATED AT 685 N. ROBERTSON BLVD., WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A)

2.F. PLANNING AND BUILDING PERMIT FEES FOR REDEVELOPMENT FACADE GRANT PROGRAMS [A. WINDERMAN, R. BURNLEY]:

The City Council will consider a recommendation to waive planning and building permit fees for façade grant programs.

RECOMMENDATION: Amend policy of waiving planning and building permit fees for CDBG-funded façade rehabilitation grant programs to include projects using local redevelopment funds.

2.G. DEPARTMENT OF PUBLIC WORKS PARKING DIVISION FEE SCHEDULE [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider amending the Parking Division's fee schedule to offer patrons the option of paying parking rates based on an hourly fee or a fixed maximum amount.

RESOLUTION: Adopt Resolution No. 09-3904, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUBSTITUTING LANGUAGE REFERRED TO AS PARKING FLAT

RATES WITH MAXIMUM RATES AND AMENDING HOURS OF OPERATION AT CERTAIN MUNICIPAL GARAGES AND AMENDING RESOLUTION NO. 09-3854".

- 2.H. REQUEST FOR AUTHORIZATION TO ISSUE A JOINT REQUEST FOR PROPOSALS (RFP) FOR PARKING CITATION PROCESSING WITH THE CITIES OF BEVERLY HILLS AND SANTA MONICA [O. DELGADO, J. ROCCO, D. NORTE]:**
The City Council will consider granting approval for staff to issue a joint Request For Proposals (RFP) for parking citation processing.
RECOMMENDATION: Authorize staff to issue an RFP for parking citation processing.
- 2.I. LETTER OF INTENT PROCESS FOR NEW FUNDING SUPPORT FOR SOCIAL SERVICES [L. LONG, D. DENNIS]:**
The City Council will consider releasing a Letter of Intent for the allocation of funds to programs providing supportive services for Seniors and people living with disabilities including HIV and AIDS, and HIV prevention education to mitigate the cuts to these services made at the State and County level.
RECOMMENDATION: Recommend that a Letter of Intent process be conducted for the allocation of \$100,000 in new funding to partially mitigate State and County cuts in supportive services for Seniors and people living with disabilities and HIV prevention education.
- 2.J. SOCIAL SERVICES CONTRACT RENEWALS [L. LONG, D. DENNIS]:**
The City Council will consider renewals of Social Services contracts for the second year of the two-year funding process from October 1, 2009 to September 30, 2010 with a 2% cost of living increase.
RECOMMENDATION: Approve the 2009-10 Social Services contract renewals with a 2% cost of living increase and authorize the City Manager to sign.
- 2.K. CONTRACT RENEWAL WITH JEWISH FAMILY SERVICES [L. LONG, N. BEARD]:**
The City Council will consider renewing the contract with Jewish Family Services for reception area services at the Community Center at Plummer Park.
RECOMMENDATION: Approve a two-year contract from 07/01/09 – 06/30/11 with Jewish Family Services in the amount of \$150,000 (\$75,000 annually) for reception area services at the Community Center at Plummer Park and authorize the City Manager to sign the agreement.
- 2.L. PURCHASE OF STREETScape FURNITURE FROM VIACOM/DECAUX LLC [L. LONG, S. BAXTER, H. COLLINS]:**
The City Council will consider approving the purchase of street furnishings from Viacom/Decaux LLC.

RECOMMENDATION: Authorize the purchase and installation of trash receptacles, bus stop map holders and newspaper corrals from Viacom/Decaux LLC in an amount not to exceed \$247,000.

2.M. RENAMING OF HOLLOWAY PARK AND VETERANS MEMORIAL IN HONOR OF SAL GUARRIELLO [L. LONG, S. BAXTER, H. COLLINS]:

The City Council will consider the recommendations of the Public Facilities Commission for renaming the Holloway Park and Veterans Memorial in recognition and honor of the late Councilmember Sal Guarriello.

RECOMMENDATIONS: 1) Accept the recommendation of the Public Facilities Commission to rename Holloway Park and Veterans' Memorial as the Sal Guarriello Veterans' Memorial; and 2) Accept the recommendations of the Public Facilities Commission to execute the rededication with three distinctive actions: a) Place a rededication plaque directly adjacent to the existing park plaque (Attachment "A"); b) Inscribe a quote made by the late Councilmember Sal Guarriello on the rear of the cast concrete shield and flagpole wall, east of the inscribed quote made by Robert Pinsky (Attachment "B"); and c) Incorporate the Memorial's new name, Sal Guarriello Veterans' Memorial, into the design of the Memorial's water feature.

2.N. TOY BOX HOLIDAY CHARITY FUNDRAISER SPONSORSHIP [J. PRANG, M. HAIBACH, A. LAND, C. PLANCK]:

The City Council will consider co-sponsorship of the 14th Annual Toy Box Party, hosted by IN Magazine and Frontiers Magazine in support of the 2009 Children's Hospital Los Angeles Annual Holiday Toy Drive, on Sunday, December 13, 2009.

RECOMMENDATION: Authorize co-sponsorship of the Toy Box Party, which includes: a) Authorize the use and closure of Larrabee Street between Santa Monica Boulevard and Cynthia Street between 12 p.m – 9 p.m. Sunday, December 13th as outlined in Exhibit A for the 2009 Toy Box Party; and b) Authorize the waiver of all applicable City of West Hollywood Special Event Fees and additionally direct City Recreation Services Staff to coordinate street closure, event set up and tear down with event organizers.

2.O. SUPPORT THE RYAN WHITE CARE ACT AMENDMENTS OF 2009 [J. DURAN, H. MOLINA, J. PRANG, N. HAIBACH]:

The City Council will consider supporting legislation amending the Ryan White HIV/AIDS Treatment Modernization Act of 2006, also known as the Ryan White Care Act (RWCA).

RECOMMENDATION: 1) Adopt Resolution 09-3905 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF RYAN WHITE CARE ACT AMENDMENTS OF 2009"; and 2) Direct staff to send copies of the adopted resolution to Senators Dianne Feinstein and Barbara Boxer, Congressman Henry Waxman and other members of the Senate and House Committees.

2.P. SUPPORT FOR FEDERAL HEALTH CARE REFORM [A. LAND, C. PLANCK, L. HORVATH, I. PINE]:

The City Council will consider supporting the principles that President Barack Obama has outlined in order to unite our voices in support of meaningful, comprehensive health care reform – including a strong public option.

RECOMMENDATIONS: 1) Adopt Resolution No. 09-3906, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF FEDERAL HEALTH CARE REFORM"; and 2) Direct staff to send letters of support for comprehensive health care reform to President Barack Obama, U.S. Senator Dianne Feinstein, U.S. Senator Barbara Boxer and U.S. Representative Henry Waxman.

3. PUBLIC HEARINGS:

3.A. AMENDMENT TO THE ZONING ORDINANCE TO MODIFY THE REVIEW PROCESS FOR URBAN INNS [A. MCINTOSH, J. KEHO, C. CORRAO]:

The City Council will hold a public hearing regarding an amendment to the Zoning Ordinance for the review process for urban inns. The proposal would require review by the Planning Commission in addition to the Historic Preservation Commission.

RECOMMENDATION: Staff recommends that the City Council hold the public hearing, consider all pertinent testimony and approve the amendment by adopting the following: Introduce on first reading Ordinance No. 09-____: "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2009-001 RELATING TO THE PLANNING COMMISSION REVIEW OF URBAN INNS AND REHABILITATION INCENTIVES." (EXHIBIT A)

3.B. AMENDMENT TO THE ZONING ORDINANCE TO PERMIT THE SALES, SERVICE, AND CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY) AS AN ACCESSORY USE TO THEATERS AND COMMUNITY CENTERS WITH A MINOR CONDITIONAL USE PERMIT [A. MCINTOSH, J. KEHO, L. YELTON]:

The City Council will hold a public hearing to consider an amendment of the City of West Hollywood Zoning Ordinance to permit the sales, service, and consumption of alcoholic beverages (beer and wine only) as an accessory use to theaters with a minor conditional use permit. Currently, theaters and community centers are not permitted to sell alcohol as an accessory use.

RECOMMENDATION: Hold a public hearing, and introduce on first reading Ordinance No. 09-____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONE TEXT AMENDMENT 2008-001 AMENDING TITLE 19 OF THE ZONING ORDINANCE TO PERMIT THE SALES, SERVICE, AND CONSUMPTION OF ALCOHOLIC

BEVERAGES (BEER AND WINE ONLY) AS AN ACCESSORY USE TO THEATERS WITH A MINOR CONDITIONAL USE PERMIT" (ATTACHMENT A).

4. UNFINISHED BUSINESS:

4.A. APPOINTMENT OF VOTING DELEGATES FOR THE NATIONAL LEAGUE OF CITIES [T. WEST, C. SCHAFFER, G. VESPOINT]:

The City Council will consider appointing a Voting Delegate and Voting Delegate – Alternate(s) for the National League of Cities in preparation for their upcoming Annual Conference.

RECOMMENDATION: Appoint a Voting Delegate and Voting Delegate – Alternate(s) to the Annual Business Meeting of the National League of Cities.

5. NEW BUSINESS:

5.A. PUBLIC SAFETY UPDATE [K. COOK, B. GOLDMAN, J. GRAHAM]:

The City Council will receive a six month update on public safety activities from January – June 2009 and give additional direction to staff.

RECOMMENDATIONS: 1) Approve the following public safety priorities including: a) Continue to work with local businesses, residents, and neighboring jurisdictions to promote neighborhood livability; b) Continue to aggressively address criminal transient issues, and assist Social Services with overall homelessness issues; c) Examine ways to improve the Sheriff's Volunteer Program and customer relations; and d) Continue to collaborate with residents and businesses through Neighborhood Watch and the Public Safety Commission's "Live Work, Play, Be Safe" education campaign; 2) Identify other public safety priorities to include in the Public Safety Division's work plan; and 3) Give additional direction to staff as necessary.

5.B. REQUEST FOR JOINT STUDY SESSION DATES [A. MCINTOSH, J. KEHO, B. SIEGL]:

The City Council will consider scheduling three joint study sessions with the Planning Commission to discuss policy issues related to the General Plan Update.

RECOMMENDATION: Consider the following dates for setting three joint study sessions: a) Monday, November 16, 2009, at 6:30 PM, at a regularly-scheduled City Council meeting; b) Saturday, January 30, 2010, at 1:00 PM, in conjunction with a General Plan Community Workshop event, and c) March 18, at 6:30 PM, at a regularly-scheduled Planning Commission meeting.

5.C. PROJECT ADVISORY COMMITTEE APPOINTMENTS AND RE-APPOINTMENTS [T. WEST, C. SCHAFFER]:

The City Council will consider making at-large appointments to the Project Advisory Committee.

RECOMMENDATION: Make new appointments or re-appointments to the Project Advisory Committee - 35 at-large appointments.

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. CAMPAIGN FINANCE REFORM ORDINANCE [M. JENKINS, T. WEST]:

The City Council will consider an ordinance amending the regulations governing contributions to Municipal Election campaigns for City Council Offices and amending the West Hollywood Municipal Code

RECOMMENDATION: 1) Determine monetary amount that a Council Member may transfer from a campaign account to an office holder account, and 2) Introduce on first reading Ordinance No. 09-_____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE REGULATIONS GOVERNING CONTRIBUTIONS TO MUNICIPAL ELECTION CAMPAIGNS FOR CITY COUNCIL OFFICES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

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, October 5, 2009, at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
October 5	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
October 19	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
November 2	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
November 16	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, SEPTEMBER 21, 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)

Toorvald v. City of West Hollywood
Los Angeles Superior Court Case No. BS122316