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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, JUNE 15, 2009
FIESTA HALL, PLUMMER PARK
1200 VISTA STREET**

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, June 15, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, June 11, 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 June 1, 2009.

2.C. DEMAND REGISTER NO. 628, RESOLUTION NO. 09-3835:

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

RECOMMENDATION: Approve Demand Register No. 628 and adopt Resolution No. 09-3835, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 628."

2.D. TREASURER'S REPORT FOR APRIL 2009:

The City Council will receive the Treasurer's Report for the month ended April 2009 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 Elena Castro, Cecily Aiza, Joseph Santos and Harmeet Ahluwalia and refer them to the City's claims adjuster for action.

2.F. ORDINANCE NO. 09-812 (2ND READING), RELATING TO PERMITTED HEIGHTS AND MAXIMUM AVERAGE UNIT SIZES IN THE R4 AND R3 ZONING DISTRICTS, AND PARKING STRUCTURE DRIVEWAY SLOPE AND TRASH PLACEMENT STANDARDS CITY WIDE [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 09-812, a proposed ordinance amending Title 19 (Zoning Ordinance) and the Zoning Map relating to Permitted Heights and Maximum Average Unit Sizes in the R4 and R3 Zoning Districts, and Parking Structure Driveway Slope and Trash Placement Standards City Wide.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 09-812, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 (ZONING ORDINANCE) AND THE ZONING MAP RELATING TO PERMITTED HEIGHTS AND MAXIMUM AVERAGE UNIT SIZES IN THE R4 AND R3 ZONING DISTRICTS, AND PARKING STRUCTURE DRIVEWAY SLOPE AND TRASH PLACEMENT STANDARDS CITY WIDE."

2.G. ORDINANCE NO. 09-814 (2ND READING), IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON CURSON AVENUE [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 09-814, a proposed ordinance implementing District 8 Preferential Parking Regulations on Curson Avenue between Lexington and Hampton Avenues.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 09-814, "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 CURSON AVENUE BETWEEN LEXINGTON AND HAMPTON AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

2.H. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive a report from the Disabilities Advisory Board on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.I. PROPOSED RESOLUTION APPROVING A LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA [A. GANDHY, G. SCHUCHARD]:

The City Council will consider amending the loan agreement between the City of West Hollywood and the West Hollywood Community Development Commission (CDC) for the East Side Redevelopment Project.

RECOMMENDATION: 1) Adopt Resolution No. 09-3836, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA"; and 2) Authorize the City Manager to execute the Loan Documents.

2.J. CITY OF WEST HOLLYWOOD INVESTMENT POLICY [A. GANDHY, G. SCHUCHARD]:

The City Council will consider adopting the annual resolution for the City's investment policy.

RECOMMENDATION: Adopt Resolution No. 09-3837, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING A STATEMENT OF INVESTMENT POLICY AND RESCINDING RESOLUTION NO. 08-3696".

2.K. FEDERAL LOBBYIST MERGER [J. ENGLISH, L. BELSANTI]:

The City Council will receive notice of the City's federal lobbyist, MARC Associates' merger with Holland + Knight LLP.

RECOMMENDATION: Receive and file

2.L. CONTRACT WITH THE CITY'S LEGISLATIVE ADVOCATE, CHRISTINE MINNEHAN & ASSOCIATES [A. WINDERMAN]:

The City Council will consider the approval of a Contract for housing legislative advocate Christine Minnehan & Associates (CM&A).

RECOMMENDATION: Approve a Contract with CM&A for an amount not to exceed \$44,200 from July 1, 2009 to June 30, 2010 to represent the City as a legislative advocate.

2.M. WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION SERVICE AGREEMENT FOR 2009-2010 [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:

The City Council will consider approving an agreement with the West Hollywood Community Housing Corporation (WHCHC) for Fiscal Year 2009-2010 to retain and expand the City's affordable housing stock through acquisition, rehabilitation, construction, and management.

RECOMMENDATIONS: 1) Approve a service agreement with the WHCHC in the amount of \$255,000, including \$225,000 in administrative support and a \$30,000 allowance for one-time moving expenses; and 2) Authorize the City Manager to execute the service agreement.

2.N. ANNUAL ARTS GRANT GUIDELINES 2010 [R. REYNOLDS, J. HUFFER, A. CAMPBELL]:

The Council will consider approving the Annual Arts Grant Program and Guidelines for 2010 as recommended by the Arts and Cultural Affairs Commission.

RECOMMENDATIONS: 1) Approve grant criteria for the 2010 Arts Grant Program; and 2) Approve the review process for awarding grants through the Arts Grant Program.

2.O. BEVERAGE CONTAINER RECYCLING AND LITTER ABATEMENT GRANT FUNDING [O. DELAGDO, S. PERLSTEIN, S. TURNEY]:

The City Council will consider authorizing the submittal of the funding request form to the Department of Conservation's (DOC) Division of Recycling to promote beverage container recycling and litter reduction.

RECOMMENDATIONS: 1) Adopt Resolution No. 09-3838, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE SUBMITTAL OF THE FUNDING REQUEST FORM TO THE DEPARTMENT OF CONSERVATION'S DIVISION OF RECYCLING TO PROMOTE BEVERAGE CONTAINER AND LITTER REDUCTION"; and 2) Authorize the City Manager to sign the grant contract.

2.P. GRANT APPLICATION AND EXPENDITURE PLAN FOR THE JUSTICE ASSISTANCE GRANT (JAG) [K. COOK, B. GOLDMAN]:

The City Council will consider authorizing Public Safety staff to apply for and then accept, if applicable, the US Department of Justice's Bureau of Justice Assistance's annual allocation for the Justice Assistance Grant (JAG) Program.

RECOMMENDATIONS: 1) Authorize staff to apply for and accept, if applicable, the US Department of Justice's Bureau of Justice Assistance's annual allocation to the City of West Hollywood of \$38,131 for the Justice

Assistance Grant (JAG) Program; 2) If the grant is awarded, authorize the Director of Finance to adjust the budget in fiscal year 2008-09 to reflect the projected grant award of \$38,131 for a total of \$38,131 in increased budgeted expenditures and revenues; 3) Authorize staff to enter into an agreement with the City of Los Angeles who is the distributor of the funds with City Attorney approval; 4) Authorize the expenditure of JAG funds for the continuation and expansion of the City Parks Patrol Program; 5) Authorize the expenditure of remaining grant funds to be used for special patrols as necessary with the approval of the City Manager, the Public Safety Manager, and the Sheriff's Captain; and 6) Authorize the City Manager to reprogram any savings and interest earnings towards the City Parks Patrol Program or special patrols.

2.Q. NOTICE OF COMPLETION, HAVENHURST PARK WATERPROOFING PROJECT CIP # 55-08-01-R AND CONSTRUCTION PROJECT CIP # 55-08-02 [L. LONG, S. BAXTER, D. GONZALEZ]:

The City Council will consider approving a Notice of Completion for the Havenhurst Park Waterproofing Project, C.I.P # 55-08-01-R and Construction Project, C.I.P # 55-08-02.

RECOMMENDATION: Accept the work and authorize the following: a) Filing of the Notices of Completion by the City; b) Final payment to the contractors at the end of the 35 day lien period; c) Release of the Performance Bonds on the date of recordation of the Notice of Completion; and d) Release of the Payment Bonds 35 days after the date of recordation of the Notice of Completion.

2.R. NOTICE OF COMPLETION FOR CIP 0904 RESIDENTIAL STREET PAVING PROJECT [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Notice of Completion for CIP 0904 San Vicente Blvd. Street Paving by E.C. Construction Co.

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

2.S. U-TURN RESTRICTION AT THE FOLLOWING INTERSECTIONS: SUNSET BLVD./CORY AVE. – DOHENY RD.; SUNSET BLVD./HORN AVE. – HOLLOWAY DR.; SANTA MONICA BLVD./SWEETZER AVE.; AND SANTA MONICA BLVD./FAIRFAX AVE. [O. DELGADO, T. SLIMMER, S. PERLSTEIN, E. MILLSAP]:

The City Council will consider approving the Transportation Commission recommendation restricting U-turn movements at the subject intersections in the City.

RECOMMENDATION: Adopt Resolution 09-3939“ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD

INSTITUTING U-TURN RESTRICTIONS AT SUNSET BLVD/CORY AVE-DOHENY RD, SUNSET BLVD/HORN AVE-HOLLOWAY DR, SANTA MONICA BLVD/SWEETZER AVE AND SANTA MONICA BLVD/FAIRFAX AVE.

2.T. THE GENERAL PLAN UPDATE DRAFT TECHNICAL BACKGROUND REPORTS REGARDING LAND USE; TRAFFIC AND CIRCULATION; HUMAN SERVICES AND EDUCATION; AND ARTS, CULTURE AND HISTORIC PRESERVATION [M. RYCHLICKI, J. KEHO, B. SIEGL]:

The City Council will receive and file four draft technical background reports prepared for the General Plan Update.

RECOMMENDATION: Receive and file reports.

2.U. CO-SPONSORSHIP OF AMERICAN CANCER SOCIETY'S "RELAY FOR LIFE OF HOLLYWOOD" [J. DURAN, H. MOLINA, L. HORVATH, D. SAUR]:

The City Council will consider co-sponsorship of the American Cancer Society's "Relay For Life".

RECOMMENDATIONS: 1) Approve the City of West Hollywood's co-sponsorship authorizing the use of the City logo on printed materials advertising the exhibit and the use of City facilities; and 2) Direct staff to assist with the promotion of the Relay for Life of Hollywood.

2.V. COMPUTER WORKSHOPS TO TEACH SENIORS THE USE OF SOCIAL NETWORKING WEBSITES [L. HORVATH, D. SAUR, P. INDALL]:

The City Council will consider directing staff to evaluate the feasibility of introducing computer workshops at the Comprehensive Services Center to teach seniors how to use social networking sites such as Facebook.

RECOMMENDATIONS: Direct Staff to return to the City Council with a report and cost estimate within 45 days for creating workshops to teach seniors to utilize internet social networking sites.

2.W. RENAMING OF DISABILITY SERVICE AWARD IN HONOR OF LOVEDY BRYDON [A. LAND, C. PLANCK, J. PRANG, J. STEVENS]:

The City Council will consider directing the Disabilities Advisory Board, in cooperation with city staff, to initiate the procedures required to rename one of the Disabilities Advisory Board's Annual Disability Service Awards in honor of late DAB member Lovedy Brydon, designating it as the "Lovedy Brydon Differently Abled Award."

RECOMMENDATION: Direct the Disabilities Advisory Board, in cooperation with city staff to initiate the procedures required to rename one of the Disabilities Advisory Board's Annual Disability Service Awards as the "Lovedy Brydon Differently Abled Award."

2.X. RESOLUTION IN OPPOSITION TO SB 652 (HUFF) REGARDING ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY [J. ENGLISH, T. SLIMMER, H. MESHAR, K. KRIETZMAN]:

The City Council will consider adopting a resolution in opposition to SB 652 (Huff) Alameda Corridor-East Construction Authority.

RECOMMENDATIONS: 1) Adopt Resolution 09-3840 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO SB 652 (HUFF) REGARDING ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY"; and 2) Direct staff to send copies of signed resolution to California State Senator Robert Huff, Senator Fran Pavley and Assemblymember Mike Feuer, and the Los Angeles Metropolitan Transit Authority

2.Y. SUPPORT OF AB 1017 (PORTANTINO) REGARDING DNA EVIDENCE TESTING AND REPORTING [C. PLANCK, L. FOOKS]:

The City Council will consider adopting a resolution in support of AB 1017 (Portantino), regarding DNA evidence testing and reporting.

RECOMMENDATIONS: 1) Adopt Resolution No. 09-3841, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1017 (PORTANTINO) REGARDING DNA EVIDENCE TESTING AND REPORTING"; and 2) Send copies of the signed resolutions to State Senator Fran Pavley, Assemblymember Mike Feuer, Assemblymember Anthony Portantino AND TO Governor Arnold Schwarzenegger.

2.Z. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF H.R. 1887 (SPEIR) [C. PLANCK, L. FOOKS, M. HORNER, T. LIN]:

The City Council will consider adopting a resolution in support of H.R. 1887 (Speir), Presidential Commission on Women Act of 2009.

RECOMMENDATIONS: 1) Adopt Resolution No. 09-3842, "A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF H.R. 1887 (SPEIR), THE PRESIDENTIAL COMMISSION OF WOMEN ACT OF 2009"; and 2) Send copies of the signed resolution to Representative Jackie Speir, U.S. Senator Dianne Feinstein, U.S. Senator Barbara Boxer, Representative Henry Waxman, Feminist Majority and NOW.

2.AA. SUPPORT OF THE PREVENTION FIRST ACT, H.R. 463 (SLAUGHTER) AND S. 21 (REID) [C. PLANCK, L. FOOKS, T. LIN]:

The City Council will consider adopting a resolution in support of The Prevention First Act, H.R. 463 (Slaughter) and S. 21 (Reid)

RECOMMENDATIONS: 1) Adopt Resolution No. 09-3843, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF H.R. 463 (SLAUGHTER) S. 21 (REID); and 2) Send copies of the signed resolutions to Representative Louise Slaughter, U.S. Senator Harry Reid, U.S. Senator Dianne Feinstein, U.S.

Senator Barbara Boxer, Representative Henry Waxman, NARAL, Feminist Majority and Planned Parenthood.

2.BB. SUPPORT OF AJR 19 (BROWNLEY), A BILL SUPPORTING REPEAL OF THE FEDERAL DEFENSE OF MARRIAGE ACT [J. PRANG, J. STEVENS]:

The City Council will consider adopting a resolution supporting AJR 19 (Brownley), which would put the State of California on record in support of repealing the federal Defense of Marriage Act (DOMA), removing legal barriers to federal recognition of same-sex marriages and equal access to the 1,138 federal rights and responsibilities that attend such basic recognition.

RECOMMENDATIONS: 1) Adopt Resolution No. 09-3844, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AJR 19 (BROWNLEY) A BILL SUPPORTING REPEAL OF THE FEDERAL DEFENSE OF MARRIAGE ACT"; and 2) Direct staff to send copies of signed resolutions to State Assemblymembers Julia Brownley and Mike Feuer, State Senator Fran Pavley, Assembly Speaker Karen Bass, Senate President pro Tempore Darrell Steinberg and Governor Arnold Schwarzenegger. Also send signed copies to President Barak Obama, Senators Dianne Feinstein and Barbara Boxer and Congressman Henry Waxman. Additionally send signed copies to the California LGBT Legislative Caucus, the California State Assembly Committee on Judiciary and other federal officials as appropriate.

THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION WILL CONVENE FOR A JOINT MEETING WITH THE CITY COUNCIL: See attached Joint Meeting Agenda.

THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION WILL RECESS AND RESUME THE CITY COUNCIL AGENDA:

3. PUBLIC HEARINGS:

3.A. FINANCING FOR THE ACQUISITION, DESIGN AND CONSTRUCTION OF CAPITAL IMPROVEMENTS INCLUDED IN PHASE I IMPLEMENTATION OF THE WEST HOLLYWOOD PARK MASTER PLAN AS PART OF THE 25TH ANNIVERSARY CAPITAL PROJECT [A. GANDHY, D. HATCHER, D. WILSON]:

The City Council will consider approving the issuance and sale of up to \$62 million of Lease Revenue Bonds to the West Hollywood Public Finance Authority. The total Bond issue of up to \$62 million may include up to \$40 million for the acquisition, design and construction of capital improvements included in Phase I Implementation of the West Hollywood Park Master Plan, as part of the 25th Anniversary Capital Project, and up to \$22 million for the reissuance of bonds for the City's current debt.

RECOMMENDATION: 1) Adopt Resolution Number 09-____ “RESOLUTION OF THE CITY OF WEST HOLLYWOOD APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF CERTAIN FINANCING DOCUMENTS AND DIRECTING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE REFINANCING OF CERTAIN OUTSTANDING OBLIGATIONS OF THE CITY AND THE FINANCING OF CERTAIN PUBLIC CAPITAL IMPROVEMENTS”; and 2) Authorize the City Manager and/or Director of Finance to execute bond documents necessary to issue bonds, provided that the bond size does not exceed \$62 million, which includes the reissuing debt for prior outstanding bonds.

3.B. ASSESSMENT OF DELINQUENT SOLID WASTE FEES OWED TO ATHENS SERVICES ONTO THE PROPERTY TAX BILL OF THREE DELINQUENT ACCOUNT HOLDERS [O. DELGADO, S. PERLSTEIN]:

The City Council will consider whether or not to request the County Auditor to assess the property tax bills of three delinquent solid waste account holders.

RECOMMENDATION: Direct the Director of Finance to submit the required information to the County Auditor for the purpose of assessing the delinquent solid waste amount, plus a \$120.00 administrative fee, onto the property tax bills of the delinquent account holders.

3.C. AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT - IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will conduct a public hearing and consider adopting a resolution to establish the Avenue of Arts and Design Business Improvement District assessment for fiscal year 2009-2010 and approving an agreement with the West Hollywood Marketing and Visitors Bureau to administer the program.

RECOMMENDATIONS: 1) Adopt Resolution No. 09 - ____ “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD, AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 2009-2010 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT”; 2) Approve an Agreement for Services between the City and the West Hollywood Marketing and Visitors Bureau to administer the 2009-2010 Avenues of Art and Design BID work program and; authorize the City Manager to sign the agreement; and 3) Authorize modification of previously-approved supplemental funding to be designated for various consultant services rather than a salary supplement for a full-time staff member.

3.D. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING & BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE) [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will conduct a public hearing and consider renewing the Hotel Marketing Benefit Zone of the West Hollywood Business Improvement Area for 2009-2010 and approve an Agreement for Services with the West Hollywood Marketing and Visitors Bureau to administer the program of work.

RECOMMENDATIONS: 1) Adopt Resolution 09-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD AND LEVYING A CHARGE (ASSESSMENT) IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT DISTRICT (HOTEL MARKETING BENEFIT ZONE) FOR FISCAL YEAR 2009-2010"; and 2) Approve an Amendment to the Agreement for Services between the City and the West Hollywood Marketing and Visitors Bureau for a one year term; and, authorize the City Manager to sign the Agreement.

3.E. SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT - IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will conduct a public hearing and consider adopting a resolution to establish the Sunset Strip Business Improvement District assessment for fiscal year 2009-2010 and approving an agreement with the Sunset Strip Business Association to administer the work program for fiscal year 2009-2010.

RECOMMENDATIONS: 1) Adopt Resolution No. 09 - ____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD, AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 2009-2010 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT"; and 2) Approve an agreement between the City and the Sunset Strip Business Association to administer the 2009-2010 Sunset Strip Business Improvement District work program and; authorize the City Manager to sign the agreement.

3.F. SANTA MONICA BOULEVARD MAINTENANCE DISTRICT - CONFIRMATION OF AN ASSESSMENT AND DIAGRAM FOR FISCAL YEAR 2009-2010 PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972 [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will conduct a public hearing and consider adopting a resolution confirming a diagram and the levy of assessments for the Santa Monica Boulevard Maintenance District for fiscal year 2009-2010.

RECOMMENDATIONS: 1) Adopt Resolution No. 09 - ____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING A DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2009-2010 IN CONNECTION WITH THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE"; and 2) Authorize the Finance Director to increase budgeted expenditures in the Landscape District Fund for FY 2009-10 by \$18,000 and drawdown on unallocated reserves.

3.G. AMENDMENT TO PREFERENTIAL PARKING DISTRICT 5 PARKING REGULATIONS ON NORMA PLACE [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider an ordinance to make interim parking regulations on Norma Place permanent.

RECOMMENDATION: Introduce for first reading Ordinance No. 09-____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.200 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DAYTIME PARKING REGULATIONS ON NORMA PLACE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

3.H. APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT – RECOVERY (CDBG-R) BUDGET [A. WINDERMAN, R. BURNLEY]:

The City Council will solicit comments on the City of West Hollywood's proposed CDBG-R budget. Following the public hearing, the City Council will consider approving the budget and resolution.

RECOMMENDATIONS: 1) Approve the CDBG-Recovery Budget; and 2) Adopt Resolution No. 09-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, APPROVING THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT – RECOVERY FUNDS.

3.I. PROPOSED FEE RESOLUTION FOR FY 2009-2010 [A. GANDHY, D. HATCHER]:

The City Council will consider adopting a resolution establishing fees and charges for certain services provided by the City of West Hollywood.

RECOMMENDATIONS: Adopt Resolution No. 09-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING FEES AND CHARGES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF WEST HOLLYWOOD AND REPEALING RESOLUTION NO. 08-3691."

3.J. 1343 LAUREL AVENUE – COMPLIANCE WITH WRIT OF MANDATE [M. JENKINS, M. RYCHLICKI, J. KEHO]:

The City Council will continue to the July 13, 2009 meeting, a public hearing to adopt a resolution: 1) rescinding and declaring void the May 3 and August 9, 2004 versions of the Conditional Agreement for the Conveyance and Development of Property (“conditional agreement”) pertaining to the senior affordable housing project proposed to be constructed at 1343 Laurel Avenue in the City, and 2) concluding that the Environmental Impact Report (“EIR”) certified in October 2006 need not be supplemented or amended under the provisions of Public Resources Code section 21166 based on the analysis contained in the report prepared by EDAW, Inc. dated June 8, 2009, both actions as prescribed by the judgment entered on April 23, 2009 in the case entitled Save Tara v. City of West Hollywood, Los Angeles Superior Court Case No. BS 090402. The City Council is further requested to approve the Second Amendment to Lease memorializing the rescission of the conditional agreement. Notices of this hearing will be re-distributed and published as required by law.

RECOMMENDATION: Continue the public hearing to July 13, 2009.

3.K. ZONE TEXT AMENDMENT 009-004 (REVISING HISTORIC PRESERVATION PROCEDURES THAT APPLY TO THE CULTURAL HERITAGE PRESERVATION ORDINANCE) [M. RYCHLIKCI, J. KEHO, G. LEHOTSKY]:

The Council will consider amendments to the Zoning Ordinance revising the historic preservation nomination procedures that apply to the provisions of Chapter 19.58 (Cultural Heritage Preservation).

RECOMMENDATION: Introduce on the first reading Ordinance No. _____ “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 (ZONING ORDINANCE) OF THE MUNICIPAL CODE REGARDING HISTORIC RESOURCE NOMINATION PROCEDURES THAT APPLY TO PROVISIONS OF CHAPTER 19.58 (CULTURAL HERITAGE PRESERVATION ORDINANCE).” (EXHIBIT A)

THE CITY COUNCIL WILL RECESS AND RECONVENE AS THE PUBLIC FINANCE AUTHORITY: (see attached Public Finance Authority Agenda)

THE PUBLIC FINANCE AUTHORITY WILL RECESS AND RECONVENE AS THE CITY COUNCIL:

4. UNFINISHED BUSINESS:

4.A. 2009-2010 OPERATING BUDGET AND CAPITAL WORK PLAN UPDATE [P. AREVALO, A. GANDHY, D. HATCHER, D. WILSON]:

The City Council will consider adopting the City of West Hollywood Operating Budget and Capital Work Plan Update for Fiscal Year 2009-2010.

RECOMMENDATION: Adopt Resolution Number 09-___ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE BUDGET FOR FISCAL YEAR 2009-2010" as specified in the Statement of Changes to Fund Balance (Attachment A), or as amended by the City Council

5. NEW BUSINESS:

5.A. 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: Make new appointments or re-appointment to Commissions and Advisory Boards as outlined in the staff report.

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 their next regular meeting, which will be on Monday, July 13, 2009 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
July 13	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
July 20	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
August 3	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
August 17	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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

www.weho.org

**JOINT MEETING OF
THE WEST HOLLYWOOD CITY COUNCIL AND
THE COMMUNITY DEVELOPMENT COMMISSION
AGENDA**

MONDAY, JUNE 15, 2009

6:30 P.M.

**FIESTA HALL, PLUMMER PARK
1200 N. VISTA STREET**

**SMOKING IS NOT PERMITTED IN THE CITY COUNCIL CHAMBERS
(Article IV, Chapter 6, W.H.M.C.)**

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. The City TDD line for the hearing impaired is (323) 848-6496.

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.
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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 Development Commission on items of general interest within the subject matter jurisdiction of the Commission. Although the Commission 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 Community Development Commission is requested to approve the minutes of prior Community Development Commission meetings.

RECOMMENDATION: Approve the minutes of the meeting of May 18, 2009.

5.B 2009-2010 OPERATING BUDGET AND CAPITAL WORK PLAN UPDATE [P. AREVALO, A. GANDHY, A. WINDERMAN, D. WILSON]:

The Community Development Commission will consider adopting the West Hollywood Redevelopment Agency Operating Budget and Capital Work Plan Update for Fiscal Year 2009-2010.

RECOMMENDATION: Adopt the West Hollywood Redevelopment Agency Operating Budget for Capital Work Plan Update for Fiscal Year 2009-2010.

5.C. PROPOSED RESOLUTION APPROVING AND ACCEPTING THE LOAN WITH THE CITY OF WEST HOLLYWOOD FOR THE EASTSIDE PROJECT AREA [A. GANDHY, G. SCHUCHARD]:

The Community Development Commission (CDC) will consider the approval, update, and acceptance of a loan from the City for the East Side Redevelopment Project.

RECOMMENDATION: 1) Adopt Resolution No. CDC 09-048, "A RESOLUTION OF THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION APPROVING AND ACCEPTING THE LOAN WITH THE CITY OF WEST HOLLYWOOD FOR THE EASTSIDE PROJECT AREA"; and 2) Authorize the Executive Director to execute the Loan Documents.

6. PUBLIC HEARING: None

7. UNFINISHED BUSINESS:

7.A. PROPOSED SECOND AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA [A. WINDERMAN, R. BURNLEY]:

The City Council and the Community Development Commission, operating as a redevelopment agency ("Agency"), will consider approval and adoption of the proposed Second Amendment to the Redevelopment Plan for the East Side Project Area for the purpose of extending the time limit for eminent domain proceedings and the related Negative Declaration.

RECOMMENDATION: 1) The Agency adopt Resolution No. CDC 09-____, "A RESOLUTION OF THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION CONSIDERING AND ADOPTING THE NEGATIVE DECLARATION FOR THE PROPOSED SECOND AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA TO EXTEND THE AUTHORITY OF THE COMMISSION TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN"; 2) The Agency adopt Resolution No. CDC 09-____, "A RESOLUTION OF THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION APPROVING THE PROPOSED SECOND AMENDMENT TO THE

REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA TO EXTEND THE AUTHORITY OF THE COMMISSION TO REQUIRE REAL PROPERTY BY EMINENT DOMAIN"; 3) The City Council adopt Resolution No. 09-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONSIDERING THE NEGATIVE DECLARATION FOR THE PROPOSED SECOND AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA TO EXTEND THE AUTHORITY OF THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN"; 4) The City Council adopt Resolution No. ____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING WRITTEN FINDINGS IN RESPONSE TO A WRITTEN COMMUNICATION IN CONNECTION WITH THE PROPOSED SECOND AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA TO EXTEND THE AUTHORITY OF THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN"; and 5) The City Council introduce for first reading and read by title only, Ordinance No. ____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, APPROVING AND ADOPTING THE SECOND AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA."

8. **NEW BUSINESS:** None
9. **COMMUNITY DEVELOPMENT COMMISSIONER 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 Community Development Commission.
10. **ADJOURNMENT:**

**CITY OF WEST HOLLYWOOD
PUBLIC FINANCE AUTHORITY
AGENDA
MONDAY, JUNE 15, 2009
6:30 P.M.**

**FIESTA HALL, PLUMMER PARK
1200 N. VISTA ST.**

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(Article IV, Chapter 6, W.H.M.C.)**

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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 Public Finance Authority on items of general interest within the subject matter jurisdiction of the Authority. Although the Authority 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.

8. CONSENT CALENDAR:

5.A. APPROVAL OF MINUTES:

The Public Finance Authority is requested to approve the minutes of prior Community Development Commission meetings.

RECOMMENDATION: Approve the minutes of the meeting of September 2, 2003.

9. PUBLIC HEARING: None.

10. UNFINISHED BUSINESS: None.

11. NEW BUSINESS:

8.A. FINANCING FOR THE ACQUISITION, DESIGN AND CONSTRUCTION OF CAPITAL IMPROVEMENTS INCLUDED IN PHASE I IMPLEMENTATION OF THE WEST HOLLYWOOD PARK MASTER PLAN AS PART OF THE 25TH ANNIVERSARY CAPITAL PROJECT [A. GANDHY, D. HATCHER, D. WILSON]:

The Public Finance Authority will consider approving the purchase of up to \$62,000,000 of Lease Revenue Bonds from the City of West Hollywood and sale of such bonds to Stone & Youngberg LLC. The total Bond purchase of up to \$62 million may include up to \$40 million for the acquisition, design and construction of capital improvements included in Phase I Implementation of the West Hollywood Park Master Plan, as part of the 25th Anniversary Capital Project, and up to \$22 million for the reissuance of bonds for the City's current debt.

RECOMMENDATIONS: 1) Adopt Resolution Number PFA 09-____ "RESOLUTION OF THE WEST HOLLYWOOD PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF LEASE REVENUE BONDS IN CONNECTION WITH REFINANCING CERTAIN OUTSTANDING LEASE OBLIGATIONS OF THE CITY AND FINANCING CERTAIN PUBLIC CAPITAL IMPROVEMENTS, AUTHORIZING AND DIRECTING EXECUTION OF AN INDENTURE, A PROPERTY LEASE, A SITE LEASE, AND CERTAIN OTHER DOCUMENTS, AUTHORIZING THE NEGOTIATION FOR THE SALE OF BONDS, APPROVING AN OFFICIAL STATEMENT, AND AUTHORIZING OTHER RELATED ACTIONS"; and 2) Authorize the Executive Director and/or Director of Finance to execute bond documents necessary for the purchase and sale of bonds, provided that the bond size does not exceed \$62 million, which includes the reissuing debt for prior outstanding bonds.

9. PUBLIC FINANCE AUTHORITY 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 Public Finance Authority.

10. ADJOURNMENT:

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, JUNE 15, 2009
6:00 P.M.**

FIESTA HALL, PLUMMER PARK

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. CONFERENCE WITH REAL PROPERTY NEGOTIATORS... ..G.C. 54956.8**
Property: 417 Norwich Avenue (aka: Norwich Community Garden)
Agency Negotiator: Paul Arevalo or designee
Party's negotiator: Michael Garrison for the Family of Nasim Fares, Jr.
Under Negotiation: Lease Status

- 2. PENDING LITIGATION.....G.C. 54956.9(a)**

Save Tara v. City of West Hollywood
Los Angeles Superior Court Case No. BS090402

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

- 3. ANTICIPATED OR THREATENED LITIGATION.....G.C. 54956.9(b)**

Two cases.