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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, DECEMBER 5, 2005
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 Monday, December 5, 2005 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, December 1, 2005.

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 November 7, 2005.

2.C. DEMAND REGISTER NO. 544, RESOLUTION NO. 05-3330:

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

RECOMMENDATION: Approve Demand Register No. 544 and adopt Resolution No. 05-3330, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 544."

2.D. TREASURER'S REPORT FOR AUGUST 2005

The City Council will receive the Treasurer's Report for the month ended August 2005 pursuant to Section 53646 of the Government Code of the State of California.

RECOMMENDATION: Receive and file.

2.E. ORDINANCE NO. 05-721 (2ND READING), A PROPOSED ORDINANCE AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE BY CREATING PREFERENTIAL PARKING DISTRICT 11, ESTABLISHING PARKING REGULATIONS FOR KINGS ROAD, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

The City Council will waive further reading and adopt Ordinance No. 05-721, a proposed ordinance amending the preferential parking provisions of the Traffic Code by creating Preferential Parking District 11, establishing parking regulations for Kings Road, and amending the West Hollywood Municipal Code.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 05-721, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE BY CREATING PREFERENTIAL PARKING DISTRICT 11, ESTABLISHING PARKING REGULATIONS FOR KINGS ROAD, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

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. APPROVAL OF AN AGREEMENT WITH MILLER BROOKS ENVIRONMENTAL, INC. TO PROVIDE CONSULTING SERVICES FOR THE BROWNFIELDS SITE ASSESSMENT PROGRAM:

The City Council will consider approving an agreement with Miller Brooks Environmental, Inc. to provide environmental consulting services for an EPA funded Brownfields Site Assessment Program.

RECOMMENDATION: Authorize the City Manager to execute an agreement with Miller Brooks Environmental in the amount of \$44,876 to provide environmental consulting services relating to the Brownfields Site Assessment Program.

2.H. AGREEMENT FOR SERVICES WITH TERRY A. HAYES ASSOCIATES LLC FOR A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT 1041 N. FORMOSA (THE LOT):

The City Council will consider approving an Agreement for Services with Terry A. Hayes Associates LLC for the proposed Supplemental EIR for The Lot.

RECOMMENDATIONS: 1) Approve the Agreement for Services with Terry A. Hayes Associates LLC in an amount not-to-exceed fifty-nine thousand one hundred and twenty-five dollars (\$59,125) for environmental services; and 2) Authorize the City Manager to sign the agreement.

2.I. CITYWIDE STREET FURNITURE CONTRACT:

The City Council will consider the final approval of the Streetscape Furniture shelters and accessory furniture designs.

RECOMMENDATION: Approve the street furniture designs and direct staff to proceed with implementation, installation and maintenance of the City's Coordinated Street Furniture Program.

2.J. AUTHORIZATION TO PROCEED WITH PREPARATION AND DISTRIBUTION OF CONSTRUCTION PLANS AND BID DOCUMENTS FOR THE INSTALLATION OF AN OVERHEAD PEDESTRIAN CROSSING BEACON AT THE INTERSECTION OF LA BREA AND LEXINGTON:

The City Council will consider authorizing DOT staff to proceed with the preparation of construction plans and bid documents for installation of an overhead pedestrian crossing beacon at the intersection of La Brea and Lexington.

RECOMMENDATION: Authorize the preparation and distribution of construction plans and bid documents for installation of an overhead pedestrian crossing beacon at the intersection of La Brea and Lexington.

2.K. STATE GRANT RESOLUTION:

The City Council will consider adopting a resolution authorizing the City to submit a future grant application under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3331, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE APPLICANT TO APPLY FOR

GRANT FUNDS FOR THE PER CAPITA GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002"; and 2) Appoint the City Manager as agent to conduct all negotiations, execute and submit all documents, applications and agreements necessary for completion of related grant funded projects.

2.L. 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 2006:

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 2006.

RECOMMENDATIONS: 1) Schedule the Election of the new Mayor and Mayor Pro Tempore for March 20, 2006; and 2) Schedule the Installation Activities for the Mayor and Mayor Pro Tempore for April 17, 2006.

2.M. INCREASED ENFORCEMENT OF BICYCLISTS AND SKATEBOARDERS ON SIDEWALKS:

The City Council will consider a request from the Disabilities Advisory Board asking for greater enforcement of pedestrian safety laws pertaining to the use of sidewalks by bicyclists and skateboarders.

RECOMMENDATION: Authorize the Public Safety Division to investigate methods of greater enforcement of pedestrian safety laws.

2.N. INCREASED SUPPORT FOR DISABLED VETERANS:

The City Council will consider a request from the Disabilities Advisory Board to support increased federal funding for the care of aging, injured and disabled veterans.

RECOMMENDATION: Authorize the City's lobbyist to support legislation that will increase federal funding for the care of aging, injured and disabled veterans.

2.O. A RESOLUTION IN SUPPORT OF THE VIOLENCE AGAINST CHILDREN ACT OF 2005 (BOXER/BIDEN):

The City Council will consider adopting a resolution in support of The Violence Against Children Act of 2005 authored by Senators Barbara Boxer and Joe Biden.

RECOMMENDATIONS: 1) Adopt Resolution 05-3332, "A RESOLUTION IN SUPPORT OF THE VIOLENCE AGAINST CHILDREN ACT OF 2005 (BOXER/BIDEN)"; and 2) Send copies of

resolution to U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, U.S. Senator Joe Biden, U.S. Representative Henry Waxman, California Governor Arnold Schwarzenegger, California State Senator Sheila J. Kuehl, and California State Assemblymember Paul Koretz.

2.P. A RESOLUTION IN SUPPORT OF CALIFORNIA'S GREENHOUSE GAS EMISSION REDUCTION TARGETS:

The City Council of the City of West Hollywood will consider adopting a resolution in support of California's Greenhouse Gas Emission Reduction Targets.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3333, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF CALIFORNIA'S GREENHOUSE GAS EMISSION REDUCTION TARGETS"; and 2) Direct staff to send copies of signed resolution to Governor Arnold Schwarzenegger, U.S. Senators Dianne Feinstein and Barbara Boxer, U.S. Representative Henry Waxman, State Senator Sheila Kuehl, Assemblymember Paul Koretz, L.A. County Supervisor Zev Yaroslavsky, the California Environmental Protection Agency, California League of Conservation Voters and Sierra Club.

2.Q. A RESOLUTION IN SUPPORT OF AB 714 (RIDLEY-THOMAS), CONCERNING CONSUMER ACCESS TO VEHICLE KEY INFORMATION:

The City Council will consider adopting a resolution in support of AB 714 (Ridley-Thomas), a bill which will increase consumer access to vehicle key information.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3334, "A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF INCREASING CONSUMER ACCESS TO VEHICLE KEY INFORMATION, AB 714 (RIDLEY-THOMAS)"; and 2) Direct staff to send copies of signed resolution to Assembly Member Mark Ridley Thomas, Assembly Member Paul Koretz, State Senator Sheila Kuehl and the California State Automobile Club of California.

3. PUBLIC HEARINGS:

None.

4. UNFINISHED BUSINESS:

4.A. CO-SPONSORSHIP OF ANNUAL ACADEMY AWARDS VIEWING EVENTS:

The City Council will consider co-sponsoring two events including the 2006 Celebration of Artistic Freedom Academy Awards and the

2006 Elton John AIDS Foundation viewing party and approving a closure of San Vicente Boulevard.

RECOMMENDATIONS: 1) Approve co-sponsorship of two high-profile events in West Hollywood; 2) Approve waiver of all associated fees and in-kind services (\$8,105); 3) Authorize the Director of Finance and Technology to allocate funds from undesignated reserves in the amount of \$10,500.00 to the Public Safety Division, account 100-2-04-534320 for the Celebration of Artistic Freedom event and \$11,800.00 for barricade services to the Recreation Division, account #100-3-05-51-535013 for traffic control; 4) Authorize the Director of Finance and Technology to allocate funds from undesignated reserves in the amount of \$9000.00 to the Public Safety Division, account 100-2-04-04-534320, which is one half the cost of services for the Elton John AIDS Foundation event; 5) Authorize the Director of Finance and Technology to accept donations and sponsorship payment and amend the Human Services budget, account 100-3-05-05-531001, by the amount received for payment for costs associated with the events; and 6) Direct staff to work with DOT in determining the closure of San Vicente Blvd. for the Elton John AIDS Foundation Event.

4.B. 2005 HALLOWEEN CARNAVAL EVALUATION:

The City Council will review and comment on the 2005 Halloween Carnival and provide direction to staff for the 2006 event.

RECOMMENDATIONS: 1) Request the City Manager to consider increasing the Special Events budget for 06/07 by an amount up to \$75,000 to cover cost of programming stages; 2) Request the City Manager to consider increasing the Public Safety budget for 06/07 by an amount up to \$195,000.00 (\$150,000 for Sheriff costs and \$45,000 for Fire); and 3) Authorize staff to develop methods to reduce crowd size while maintaining a high quality event and ensuring the appropriate staffing level of safety personnel.

4.C. COMMISSION AND ADVISORY BOARD APPOINTMENTS:

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

RECOMMENDATIONS: 1) Call for nominations for a direct appointment for the following Commission: a) Historic Preservation Commission: 1 direct appointment (Mayor Land); and 2) Call for nominations for an at-large appointment for the following Advisory Board: a) Russian Advisory Board: 1 at-large appointment.

4.D. APPOINTMENT OF A REPRESENTATIVE TO THE LOS ANGELES COUNTY WEST VECTOR CONTROL BOARD:

The City Council will consider making an appointment to the Los Angeles County West Vector Control Board.

RECOMMENDATION: Appoint a delegate to the Los Angeles County West Vector Control Board.

5. NEW BUSINESS:

5.A. AMEND AGREEMENT FOR SERVICES WITH SLAVIN MANAGEMENT CONSULTANTS FOR COMPLETION OF THE CLASSIFICATION AND COMPENSATION STUDY:

The City Council will consider approving an amendment to the Agreement for Services with Slavin Management Consultants for completion of the Classification and Compensation Study.

RECOMMENDATIONS: 1) Approve Amendment No. 1 to Agreement for Services with Slavin Management Consultants increasing the original amount of \$71,500 by an additional amount of thirty-five thousand dollars (\$35,000) for completion of the Classification and Compensation Study. New Total Contract = \$106,500; 2) Authorize the City Manager to sign the amendment on behalf of the City; and 3) Authorize the Director of Finance & Technology Services to allocate \$35,000 from the General Fund Unreserved Fund Balance to contract services in the Division of Human Resources (100-1-02-27-531005).

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. PROPOSED COMPENSATION ADJUSTMENT FOR COUNCIL MEMBERS:

The City Council will consider amending the West Hollywood Municipal Code to increase Councilmember compensation.

RECOMMENDATION: 1) Re-Introduce for first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADJUSTING COUNCIL COMPENSATION FOR CITY COUNCILMEMBERS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

6.B. AN ORDINANCE AMENDING SECTION 5.08.130(e) AND SECTION 5.08.210(b) OF THE WEST HOLLYWOOD MUNICIPAL CODE TO AUTHORIZE THE DIRECTOR OF COMMUNITY DEVELOPMENT TO PLACE CONDITIONS ON BUSINESS LICENSES UPON RENEWAL:

The City Council will consider amending the Business License Section of the Municipal Code in order to permit the Director of Community Development to place conditions on a business license at the time of renewal.

RECOMMENDATION: Introduce on first reading Ordinance No. _____, "AN ORDINANCE AMENDING SECTION 5.08.130(e) AND SECTION 5.08.210(b) OF THE WEST HOLLYWOOD MUNICIPAL CODE TO AUTHORIZE THE DIRECTOR OF COMMUNITY DEVELOPMENT TO PLACE CONDITIONS ON BUSINESS LICENSES UPON RENEWAL."

6.C. AN ORDINANCE AMENDING TITLE 7, CHAPTER 7.24 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING VACANT, ABANDONED OR UNDEVELOPED PROPERTY:

The City Council will consider amending Title 7, Chapter 7.24, "Vacant, Abandoned or Undeveloped Property" to permit greater controls on vacant, abandoned, or undeveloped properties and their owners.

RECOMMENDATION: Introduce for first reading Ordinance No. _____, "AN ORDINANCE AMENDING TITLE 7, CHAPTER 7.24. OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING VACANT, ABANDONED, OR UNDEVELOPED PROPERTY."

6.D. AN ORDINANCE ADDING SECTIONS 5.104.020 & 5.104.030 TO THE WEST HOLLYWOOD MUNICIPAL CODE – PUBLIC EATING AND FOOD ESTABLISHMENTS:

The City Council will consider adding the following requirements to Regulatory Public Eating Licenses: 1) For all businesses that serve alcohol, a certified copy of any applicable Alcoholic Beverage Control license, including any condition to which the license is subject must be provided to the licensing official, and 2) For all businesses that serve alcohol and have an occupancy of 50 or greater (excluding grocery stores), an approved Security Operations Policy, a certified copy of the Los Angeles County Occupancy certificate, and a valid City of West Hollywood Manager's License issued in accordance with Section 5.08.040(c) of this Title must be provided to the licensing official.

RECOMMENDATION: Introduce on first reading Ordinance No. _____, "AN ORDINANCE ADDING SECTIONS 5.104.020 & 5.104.030 TO THE WEST HOLLYWOOD MUNICIPAL CODE – PUBLIC EATING AND FOOD ESTABLISHMENTS."

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, December 19, 2005 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
December 19	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
January 17	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
February 6	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
February 21	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD**

CLOSED SESSION AGENDA

MONDAY, DECEMBER 5, 2005

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.

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

Property: 417 Norwich Ave.
Agency Negotiator: Paul Arevalo or designee
Negotiating Parties: Mike Garrison for Nasim Fares, Jr.
Under Negotiation: Price and Terms of Payment (Purchase)

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

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

CVMA v. City of West Hollywood, Los Angeles Superior Court
Case No. SC084799

Kaufler v. City of West Hollywood, Los Angeles Superior Court
Case No. BS094192
