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(Article IV, Chapter 7, W.H.M.C.)**

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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) 848-6332 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, JULY 18, 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, July 18, 2005 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, July 14, 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 June 20, 2005.

2.C. DEMAND REGISTER NOS. 535 & 536, RESOLUTION NO. 05-3267:

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

RECOMMENDATION: Approve Demand Register Nos. 535 & 536 and adopt Resolution No. 05-3267, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING

THE PAYMENT OF DEMANDS ON DEMAND REGISTER NOS. 535 & 536.”

2.D. TREASURER’S REPORT FOR MAY 2005:

The City Council will receive the Treasurer’s Report for the month ended May 2005, 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 claim of MTS, Incorporated and refer to the City’s claims adjuster.

2.F. ORDINANCE NO. 05-713 (2ND READING), A PROPOSED ORDINANCE REGARDING PREFERENTIAL PARKING DISTRICT 7 REGULATIONS 2 TWO (2) HOUR TIME LIMIT ON HACIENDA PLACE, OLIVE DRIVE AND WEST SIDE OF FAIRFAX AVENUE BETWEEN 7AM AND 7PM:

The City Council will waive further reading and adopt Ordinance No. 05-713, a proposed ordinance amending the Municipal Code regarding Preferential Parking District 7, resulting in the enforcement of a two (2) hour time limit between 7 a.m. and 7 p.m., everyday on Hacienda Place, Olive Drive and the west side of Fairfax Avenue.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 05-713, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.220 OF THE WEST HOLLYWOOD MUNICIPAL CODE BY AMENDING THE HOURS OF ENFORCEMENT IN PREFERENTIAL PARKING DISTRICT DISTRICT 7, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.”

2.G. ORDINANCE NO. 05-714 (2ND READING), A PROPOSED ORDINANCE REGARDING A PROPOSED AMENDMENT TO RENT STABILIZATION ORDINANCE CHAPTER 17.28, RELATING TO REGISTRATION OF RENTAL UNITS:

The City Council will waive further reading and adopt Ordinance No. 05-714, a proposed ordinance amending the West Hollywood Municipal Code, Title 17 Rent Stabilization, Chapter 17.28, Registration, Posting and Disclosure to conform with state law.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 05-714, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING RENT STABILIZATION ORDINANCE CHAPTER 17.28, RELATING TO THE REGISTRATION OF RENTAL UNITS.”

2.H. APPROVING THE APPEAL OF JONATHAN LEHRER-GRAIWER AND APPROVING A REQUEST TO DEMOLISH TWO SINGLE-FAMILY HOMES AND CONSTRUCT AN ELEVEN-UNIT CONDOMINIUM USING THE COURTYARD DESIGN STANDARDS AND INCENTIVES FRONT YARD SETBACK LOCATED AT 612-616 NORTH CROFT AVENUE:

The City Council will adopt two resolutions approving an 11-unit condominium building at 612-616 N. Croft Avenue.

RECOMMENDATIONS: Adopt the following: 1) Resolution No. 05-3268, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING THE APPEAL OF JONATHAN LEHRER-GRAIWER AND APPROVING DEMOLITION PERMIT 2004-16 AND DEVELOPMENT PERMIT 2004-18 TO DEMOLISH TWO SINGLE-FAMILY HOMES AND TO CONSTRUCT AN 11-UNIT RESIDENTIAL BUILDING USING THE COURTYARD HOUSING STANDARDS LOCATED AT 612-616 NORTH CROFT AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 2) Resolution No. 05-3269, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING THE APPEAL OF JONATHAN LEHRER-GRAIWER AND APPROVING TENTATIVE TRACT MAP 061984 (TENTATIVE TRACT MAP 2004-15) FOR THE PROPERTY LOCATED AT 612-616 NORTH CROFT AVENUE, WEST HOLLYWOOD, CALIFORNIA."

2.I. 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.J. ADDENDUM TO AGREEMENT FOR PARKING METER MAINTENANCE SERVICES WITH THE CITY OF GLENDALE:

The City Council will consider approving an addendum to the current agreement with the City of Glendale for parking meter maintenance services.

RECOMMENDATIONS: 1) Approve an addendum to the agreement for parking meter maintenance services with the City of Glendale in an amount not to exceed \$50,000 for the 2005-06 budget year; \$52,500 for the 2006-07 budget year; and \$55,000 for the 2007-08 budget year; 2) Approve a three-year extension of the agreement term from July 1, 2005 to June 30, 2008; and 3) Authorize the City Manager to sign the addendum.

2.K. AGREEMENT FOR SERVICES WITH DEKRA-LITE FOR INSTALLATION, STORAGE, AND REPAIR OF HOLIDAY LIGHTS ON SANTA MONICA BOULEVARD RELATED TO THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT:

The City Council will consider entering into an agreement with Dekra-Lite for installation, repair and storage of the holiday lights for Santa Monica

Boulevard associated with Santa Monica Boulevard Maintenance District, Zones 1, 2 and 3.

RECOMMENDATION: Approve an agreement with Dekra-Lite in an amount not-to-exceed \$97,847.74 for the installation, repair and storage of the holiday lights along Santa Monica Boulevard for the 2005 holiday season; and authorize the City Manager to sign the agreement.

2.L. APPROVAL OF FINAL TRACT MAP NO. 53388 FOR THE CONDOMINIUM PROJECT LOCATED AT 1010 CURSON AVENUE:

The City Council will consider the approval of Final Tract Map No. 53388, a condominium project for 10 residential units located on the east side of Curson Avenue, between Santa Monica Blvd and Romaine St.

RECOMMENDATIONS: 1) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 55474.6 of the Subdivision Map Act, b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3, Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code, c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Tract Map No. 53388; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 53388 the certificate, which embodies the approval of said map.

2.M. APPROVAL OF FINAL TRACT MAP NO. 61324 FOR THE CONDOMINIUM PROJECT LOCATED AT 1153 FORMOSA AVENUE:

The City Council will consider the approval of Final Tract Map No. 61324, a condominium project for 4 residential units located on the west side of Formosa Avenue, between Santa Monica Blvd and Lexington Ave.

RECOMMENDATIONS: 1) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 55474.6 of the Subdivision Map Act, b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3, Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code, c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2)

Approve Final Tract Map No. 61324; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 61324 the certificate, which embodies the approval of said map.

2.N. PROPOSED RESOLUTION AMENDING THE AFFORDABLE HOUSING SCHEDULE FOR THE INCLUSIONARY HOUSING PROGRAM:

The City Council will consider the adoption of a resolution that amends the Affordable Housing Schedules for the Inclusionary Housing Program by establishing the 2005-2006 rent levels, income requirements and unit sales price for inclusionary units.

RECOMMENDATION: Adopt Resolution No. 05-3270, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE AFFORDABLE HOUSING SCHEDULES FOR THE INCLUSIONARY HOUSING PROGRAM."

2.O. APPROVAL OF JOB SPECIFICATION FOR RENT STABILIZATION SPECIALIST (WEHOME/AFSCME):

The City Council will consider approval of the job description for the WEHOME/AFSCME position of Rent Stabilization Specialist in the Rent Stabilization and Housing Department.

RECOMMENDATION: Adopt the job description for the WEHOME/AFSCME position of Rent Stabilization Specialist in the Rent Stabilization and Housing Department at grade 5090 with a salary range of \$47,484 to \$57,485 annually.

2.P. RESOLUTION ESTABLISHING A LIVING WAGE RATE FOR 2005-2006 OF \$8.50/HR WITH HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR AND \$9.75/HR WITHOUT HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR:

The City Council will consider adopting a resolution that establishes the living wage rate for 2005-06 of \$8.50/hr with health benefit contributions of at least \$1.25/hr and \$9.75/hr without health benefit contributions of at least \$1.25/hr.

RECOMMENDATION: Adopt Resolution No. 05-3271, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A LIVING WAGE RATE FOR 2005-2006 OF \$8.50/HR WITH HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR AND \$9.75/HR WITHOUT HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR."

2.Q. LEGISLATIVE UPDATE FROM HELYNE MESHAR, CITY LOBBYIST:

The City Council will receive a status report from Helyne Meshar & Associates on California House and Senate Bills which are of interest to, or have been adopted for support or opposition by the Council throughout this most recent legislative session. Included are additional items which could impact City priorities and on which are Council may want to take a position.

RECOMMENDATION: Receive and file.

2.R. APPROVE ENFORCEMENT PROGRAM RELATED TO THE ENFORCEMENT OF A-FRAME SIGNS AND OUTDOOR DISPLAY OF MERCHANDISE:

The City Council will consider the approval of an enforcement program related to A-Frame signs and outdoor display of merchandise.

RECOMMENDATION: Receive and file.

2.S. NATIONAL NIGHT OUT AGAINST CRIME IN WEST HOLLYWOOD:

The City Council will consider designating Tuesday, August 2, 2005 as National Night Out in West Hollywood and approve various administrative requests to assist in the success of fourteen National Night Out events.

RECOMMENDATIONS: 1) Proclaim August 2, 2005 "National Night Out" in West Hollywood; 2) Approve all street closures for National Night Out block parties; and 3) Approve the City's official sponsorship of all West Hollywood National Night Out events and waive all City fees associated with this event.

2.T. CO-SPONSORSHIP OF THE SECOND ANNUAL BEVERLY HILLS INTERNATIONAL CHAMBER MUSIC FESTIVAL:

The City Council will consider co-sponsorship of the Second Annual Beverly Hills International Chamber Music Festival that will celebrate a West Hollywood Night featuring an evening of Russian music on August 6, 2005.

RECOMMENDATION: Adopt Resolution No. 05-3272, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS CO-SPONSORSHIP OF THE SECOND ANNUAL BEVERLY HILLS INTERNATIONAL CHAMBER MUSIC FESTIVAL" that will celebrate a West Hollywood Night featuring an evening of Russian music on August 6, 2005.

2.U. A RESOLUTION IN SUPPORT OF SENATE BILL (SB) 861 AIMED AT IMPOSING RESTRICTIONS ON THE BREEDING OF VICIOUS AND DANGEROUS DOGS:

The City Council will consider a resolution in support of SB 861 (SPEIER) which will impose restrictions on breeding dangerous and vicious animals.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3273, "A RESOLUTION IN SUPPORT OF SENATE BILL 861 (SPEIER) AIMED AT IMPOSING RESTRICTIONS ON THE BREEDING OF VICIOUS AND DANGEROUS DOGS"; 2) Direct staff to send letters to Assembly and Senate members asking them to support SB 861; and 2) Send copies of the letter to Senators Jackie Speier and Sheila Kuehl, Assemblymember Paul Koretz, and to the Assembly and Senate leaders.

2.V. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING ASSEMBLY BILL 1121 (KORETZ) WHICH SEEKS TO IMPOSE A MORATORIUM ON CARRYING OUT ANY EXECUTIONS UNTIL THE CALIFORNIA STATE LEGISLATURE HAS CONSIDERED ALL RECOMMENDATIONS OF THE CALIFORNIA COMMISSION OF THE FAIR ADMINISTRATION OF JUSTICE:

The City Council will consider a resolution supporting Assembly Bill 1121 (Koretz) which seeks to impose a moratorium on carrying out executions until the California State Legislature has considered all recommendations of the California Commission of the Fair Administration of Justice.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3274, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING ASSEMBLY BILL 1121 (KORETZ) WHICH SEEKS TO IMPOSE A MORATORIUM ON CARRYING OUT ANY EXECUTIONS UNTIL THE CALIFORNIA STATE LEGISLATURE HAS CONSIDERED ALL RECOMMENDATIONS OF THE CALIFORNIA COMMISSION OF THE FAIR ADMINISTRATION OF JUSTICE; and 2) Send copies of the resolution to Governor Arnold Schwarzenegger, State Senator Sheila Kuehl and Assemblymember Paul Koretz.

2.W. A RESOLUTION IN SUPPORT OF CALIFORNIA'S LAWSUIT CHALLENGING THE ANTI-CHOICE WELDON AMENDMENT IN THIS YEAR'S FEDERAL APPROPRIATIONS BILL:

The City Council will consider a resolution supporting the state of California's lawsuit challenging the constitutionality of the anti-choice Weldon amendment passed in this year's federal spending bill.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3275, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF CALIFORNIA'S LEGAL CHALLENGE OF THE ANTI-CHOICE WELDON AMENDMENT IN THIS YEAR'S FEDERAL APPROPRIATIONS BILL"; and 2) Direct staff to send copies of signed resolution to President George W. Bush, U.S. Senators Barbara Boxer and Diane Feinstein, U.S. Representative Henry Waxman, California Governor Arnold Schwarzenegger, Attorney General Bill Lockyer, California State Senator Sheila J. Kuehl, California State Assemblymember Paul Koretz, Planned Parenthood, NARAL, NOW and the Feminist Majority Foundation.

2.X. A RESOLUTION TO REQUIRE PHARMACIES TO DISPENSE CONTRACEPTIVES UPON RECEIPT OF A VALID, LAWFUL PRESCRIPTION:

The City Council will consider a resolution requiring pharmacies to dispense all FDA-approved drugs or devices that prevent pregnancy upon the receipt of a valid, lawful prescription from a doctor.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3276, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REQUIRING PHARMACIES TO DISPENSE

CONTRACEPTIVES UPON THE RECEIPT OF A LAWFUL PRESCRIPTION”; and 2) Direct staff to send copies of signed resolution to President George W. Bush, US Senators Dianne Feinstein and Barbara Boxer, US House Representative Henry Waxman, California Governor Arnold Schwarzenegger, California State Senator Sheila J. Kuehl, California State Assemblymember Paul Koretz, Planned Parenthood, NARAL, the Feminist Majority and NOW.

2.Y. A RESOLUTION IN SUPPORT OF THE GALLO OF SONOMA WINERY BOYCOTT:

The City Council will consider a resolution supporting a boycott of Gallo of Sonoma Winery products due to the exploitation and mistreatment of their vineyard workers in Sonoma County.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3277, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE UNITED FARM WORKERS’ BOYCOTT OF E&J GALLO WINERY PRODUCTS”; and 2) Direct staff to send copies of signed resolution to President George W. Bush, US Senators Dianne Feinstein and Barbara Boxer, US House Representative Henry Waxman, California Governor Arnold Schwarzenegger, California State Senator Sheila J. Kuehl, California State Assemblymember Paul Koretz, the Los Angeles County Federation of Labor and the United Farm Workers Union.

2.Z. A RESOLUTION IN SUPPORT OF S. 1062, THE FEDERAL “FAIR MINIMUM WAGE ACT OF 2005”:

The City Council will consider a resolution supporting S. 1062, the federal “Fair Minimum Wage Act of 2005”, sponsored by Sen. Edward Kennedy (D-MA) of the Senate and Rep. George Miller (D-CA) of the House. The bill proposes an increase in the federal minimum wage from \$5.15/hour to \$7.25/hour over two years.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3278, “A RESOLUTION IN SUPPORT OF S. 1062, THE “FAIR MINIMUM WAGE ACT OF 2005”; and 2) Direct staff to send copies of signed resolutions to U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, U.S. Representative Henry Waxman, California State Sheila Kuehl and California State Assemblymembers Jenny Oropeza and Paul Koretz.

2.AA. A RESOLUTION IN SUPPORT OF THE ECONOMIC DEVELOPMENT ACT OF 2005:

The City Council will consider adopting a resolution in support of the Economic Development Act of 2005.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3279, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE ECONOMIC DEVELOPMENT ACT OF 2005”; and 2) Send copies of resolution to U.S. Senators Barbara Boxer and Diane Feinstein, U.S. Representatives Bill Thomas and Henry

Waxman, President George W. Bush, California Governor Arnold Schwarzenegger, California State Senator Sheila Kuehl and California State Assemblymember Paul Koretz.

2.BB. A RESOLUTION IN SUPPORT OF AB 88 AND 352 (KORETZ), AB 554 (KARNETTE), AB 754 (JONES), AB 944 AND 996 (RIDLEY-THOMAS), AB 1060 (LIU), SB 357 (DUNN), SB 388 (POOCHIGIAN) SEEKING TO STRENGTHEN GUN CONTROL LAWS:

The City Council will consider adopting a resolution in support of AB 88 and AB 352 (Koretz), AB 554 (Karnette), AB 754 (Jones), AB 944 and AB 996 (Ridley-Thomas), AB 1060 (Liu), SB 357 (Dunn), and SB 388 (Poochigian) in support of strengthening gun control laws.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3280, "A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF AB 88 AND 352 (KORETZ), AB 554 (KARNETTE), AB 754 (JONES), AB 944 AND AB 996 (RIDLEY-THOMAS), AB 1060 (LIU), SB 357 (DUNN), AND SB 388 (POOCHIGIAN) SEEKING TO STRENGTHEN GUN CONTROL LAWS"; and 2) Direct staff to send copies of signed resolution to President George W. Bush, U.S. Senators Barbara Boxer and Diane Feinstein, U.S. Representatives Bill Thomas and Henry Waxman, California Governor Arnold Schwarzenegger, California State Senators Sheila Kuehl, Joe Dunn and Charles Poochigian and California State Assemblymembers Paul Koretz, Betty Karnette, Mark Ridley-Thomas, Carol Lui and Dave Jones, Women Against Gun Violence and the Brady Campaign.

2.CC. A RESOLUTION IN SUPPORT OF THE CIRCLE OF TRUST BILL, SB 33 (BATTIN, ALQUIST):

The City Council will consider adopting a resolution in support of the Circle of Trust Bill, SB 33 (Battin, Alquist), seeking to close loopholes in the law that give preferential treatment for perpetrators of sexual abuse who are parents or guardians of the victim.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3281, "A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF THE CIRCLE OF TRUST BILL, SB 33 (BATTIN, ALQUIST)"; and 2) Direct staff to send copies of signed resolution to: US Senators Dianne Feinstein and Barbara Boxer, US House Representative Henry Waxman, California Governor Arnold Schwarzenegger, California State Senator Sheila J. Kuehl, California State Assemblymember Paul Koretz, the National Association to Protect Children, Senator Jim Battin, and Senator Elaine Alquist.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION TO DENY THE PROPERTY LOCATED AT 1248-52 LAUREL AVENUE AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD:

This item was continued from the June 20, 2005 City Council hearing pursuant to a request for a continuance by the appellant, William Neish. A copy of the appellant's request for a continuance is included as Exhibit F. The City Council will consider an appeal of the Historic Preservation Commission's recommendation to deny the property located at 1248-52 N. Laurel Avenue as a Local Cultural Resource.

RECOMMENDATION: Deny the appeal and adopt the following: Resolution No. 05-_____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF WILLIAM NEISH OF THE HISTORIC PRESERVATION COMMISSION RECOMMENDATION TO DENY THE PROPERTY LOCATED AT 1248-52 N. LAUREL AVENUE AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD."

3.B. APPEAL OF PLANNING COMMISSION APPROVAL FOR DEMOLITION OF A TEN-UNIT APARTMENT BUILDING AND CONSTRUCTION OF A SIXTEEN-UNIT APARTMENT BUILDING AT 1248-1252 N. LAUREL AVENUE:

This is a continued item from the June 20, 2005 City Council hearing. The applicant has requested that this item be continued to the August 15, 2005 Commission meeting. A copy of the applicant's request for a continuance is included as Exhibit A.

RECOMMENDATION: Continue the appeal of the Planning Commission approval of Demolition Permit 2004-002 and Development Permit 2004-001 to the August 15 2005 City Council hearing. This continuation will enable the applicant's representatives to be present at the hearing and to provide a response to Council action on the appeal of the designation application scheduled for the July 18, 2005 Council agenda. Staff spoke with William Neish, the appellant, and he does not oppose the continuation and will be available on August 15, 2005.

3.C. URGENCY ORDINANCE TO ESTABLISH OPERATING STANDARDS FOR MEDICAL MARIJUANA DISPENSARIES:

The City Council will consider an urgency ordinance to establish operating standards for medical marijuana dispensaries in the City of West Hollywood.

RECOMMENDATION: Adopt the following urgency ordinance: ORDINANCE NO. 05-____U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD GOVERNING THE OPERATION OF MEDICAL MARIJUANA DISPENSARIES AND DECLARING THE URGENCY THEREOF."

4. UNFINISHED BUSINESS:

4.A. REQUEST FOR APPROVAL OF A CONTRACT TO CONDUCT THE HISTORIC RESOURCES INVENTORY UPDATE:

The City Council will consider approving a contract with Architectural Resources Group (ARG) to conduct the Historic Resources Inventory Update.

RECOMMENDATIONS: 1) Approve a contract with ARG in the amount of \$245,000 for the Scope of Work; 2) Authorize the Director of Finance and Technology Services to draw down from General Fund Unallocated Reserves for completion of the Survey as authorized by Council in adopting this item; and 3) Authorize the City Manager to execute the contract in a format approved by the City Attorney.

4.B. ADVISORY BOARD APPOINTMENTS:

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

RECOMMENDATION: Call for nominations for the at-large appointments for the following Advisory Boards: 1) Lesbian & Gay Advisory Board (1 at-large appointment - female); 2) Russian Advisory Board: (1 at-large appointment); and 3) Women's Advisory Board: (1 at-large appointment).

5. NEW BUSINESS:

5.A. COMMISSION AND BOARD MEMBER ABSENCES:

The City Council will discuss the issue of the allowable absences for Commissioners and Advisory Board members.

RECOMMENDATION: Direct the City Clerk to revise the Commission Ordinance, Advisory Board Resolution and the accompanying By-Laws' absentee policy to reflect the following: 1) A member may miss no more than three, regularly scheduled meetings in a twelve-month period, 2) Exception may be granted by written request to the City Clerk of extenuating circumstances, and 3) Exceptions will be brought to Council.

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 ORDINANCE TO ADD THE VIOLATION OF THE WATER PROTECTION PLAN CHAPTER TO THE ADMINISTRATIVE REMEDIES PROGRAM AND RESOLUTION TO ADD THE WATER PROTECTION PLAN CHAPTER TO ADMINISTRATIVE CITATION FEE SCHEDULE B AND CHANGE THE DATES RELATIVE TO LATE PENALTIES:

The City Council will consider an ordinance that adds the violation of the Water Protection Plan Chapter to the Administrative Remedies Program and a resolution that adds the Water Protection Plan Chapter to Administrative Citation Fee Schedule B and changes the dates relative to late penalties. The City Council will also receive and file the Administrative Remedies Program White Paper.

RECOMMENDATIONS: 1) Introduce on first reading Ordinance No. 05 - _____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 1.08.010(e) BY ADDING CHAPTER 15.52 TO THE LIST OF CODE VIOLATIONS SUBJECT TO THE ADMINISTRATIVE PENALTY PROCEDURES"; 2) Adopt Resolution No. 05-_____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AMENDING RESOLUTION NO. 05-3254 TO ADD THE WATER PROTECTION PLAN CHAPTER TO ADMINISTRATIVE CITATION FEE SCHEDULE B AND CHANGE THE DATES RELATIVE TO LATE PENALTIES"; and 3) Receive and file the Administrative Remedies Program White Paper.

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, August 15, 2005 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
August 1			Meeting Cancelled Due to Lack of Quorum	
August 15	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
September 6	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
September 19	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

**CITY COUNCIL
CITY OF WEST HOLLYWOOD**

CLOSED SESSION AGENDA

MONDAY, JULY 18, 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: 9091 Santa Monica Blvd.
Agency Negotiator: Joan English
Negotiating Parties: Ryan Brooks, Viacom
Under Negotiation: Price and Terms of Payment (Lease)

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

Beverly Boulevard v. City of West Hollywood, United States District Court

Case No. 01-5630

Save Tara v. City of West Hollywood, Los Angeles Superior Court

Case No. BS090402

California Veterinary Medical Association v. City of West Hollywood, Los Angeles Superior Court

Case No. SC084799

Regency Outdoor Advertising v. City of West Hollywood, Los Angeles Superior Court

Case No. BS092158

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

1 case.

CONFERENCE WITH LABOR NEGOTIATORG.C. 54957.6

City Negotiator: Vivian Love

Employee Organizations: WEHOME/AFSCME, ACD, ACE
