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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, MARCH 21, 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:

SPECIAL ITEM:

A. CERTIFICATION OF ELECTION RESULTS OF THE GENERAL MUNICIPAL ELECTION OF MARCH 8, 2005:

The City Council will consider adopting a resolution declaring the results of the General Municipal Election held on Tuesday, March 8, 2005.

RECOMMENDATIONS: 1) Declare Jeffrey Prang and John J. Duran elected as Member of the City Council to a full term of four years; and 2) Adopt Resolution No. 05-3201, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, RECITING THE FACT OF THE GENERAL ELECTION HELD ON MARCH 8, 2005, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW."

B. COUNCILMEMBER COMMENTS:

C. ADMINISTER THE OATH OF OFFICE TO THE NEWLY ELECTED COUNCILMEMBERS:

The oath will be Administered to the newly elected members of the City Council, John J. Duran and Jeffrey Prang.

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, March 21, 2005 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 17, 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 March 7, 2005.

2.C. DEMAND REGISTER NO. 528, RESOLUTION NO. 05-3200:

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

RECOMMENDATION: Approve Demand Register No. 528 and adopt Resolution No. 05-3200, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 528."

2.D. ORDINANCE NO. 05-700 (2ND READING), A PROPOSED ORDINANCE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 1200 BLOCK OF GENESEE AVENUE:

The City Council will waive further reading and adopt Ordinance No. 05-700, an amendment which implements preferential parking regulations on the 1200 Block of Genesee Avenue limiting on-street parking to vehicles with permits only between the hours of 7 p.m. and 7 a.m., seven (7) days a week.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 05-700, "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 THE 1200 BLOCK OF GENESEE AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

2.E. 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.F. IMPLEMENTATION OF DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7700 BLOCK OF NORTON AVENUE BETWEEN THE HOURS OF 7 P.M. AND 7 AM SEVEN DAYS A WEEK:

The City Council will consider a petition for preferential parking filed by a majority of the residential dwelling units representing the 7700 block of Norton Avenue.

RECOMMENDATION: Introduce for first reading Ordinance No. 05-_____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 c. OF THE WEST HOLLYWOOD MUNICIPAL CODE BY AMENDING THE LIST OF STREETS REGULATED IN PREFERENTIAL PARKING DISTRICT 8 BY ADDING THE 7700 BLOCK OF NORTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

2.G. APPROVAL OF A CONTRACT TO HIRE A CONSULTANT TO PROVIDE CONSTRUCTION INSPECTION AND PROJECT MANAGEMENT FOR VARIOUS TRAFFIC SIGNAL CONSTRUCTION PROJECTS ASSOCIATED WITH THE WESTSIDE NORTH-SOUTH CORRIDOR PROJECT:

The City Council will consider approving a contract to hire the firm of Berg & Associates to provide construction inspection and project management for various traffic signal construction projects associated with the Westside North-South Corridor Project.

RECOMMENDATION: Approve an agreement with Berg & Associates in a not to exceed amount of \$160,000 to provide professional services for construction inspection and project management for various traffic signal construction projects associated with the Westside North-South Corridor Project, and authorize the City Manager to execute the agreement.

2.H. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITIES OF BEVERLY HILLS AND WEST HOLLYWOOD REGARDING REIMBURSEMENT OF PROPOSITION A INCENTIVE FUNDS FOR THE COORDINATED DIAL A RIDE PROGRAMS:

The City Council will consider the approval of a Memorandum of Understanding with the City of Beverly Hills for the reimbursement of their proportion of the Proposition A Incentive Funds for the Coordinated Dial A Ride services.

RECOMMENDATIONS: 1) Direct staff to negotiate a Memorandum of Understanding (MOU) between the City of West Hollywood and Beverly Hills for the reimbursement of Proposition A Incentive Funds with the City Attorney; 2) Authorize the City Manager to execute the MOU with the City of Beverly Hills for the reimbursement of Proposition A Incentive Funds;

and 3) Authorize the Director of Finance to increase budgeted revenues in the Proposition A Fund Account 218-0000-5037 Incentive Funds Dial A Ride by \$212,000 and a negative amount of \$114,480 in revenue account 218-0000-5037 for the City of Beverly Hills share of funds for fiscal years 2002 and 2003 operations.

2.I. AUTHORIZATION TO AMEND AN AGREEMENT FOR CONSULTANT SERVICES WITH JOAN SATT:

The City Council will consider approving an amendment to a contract with the Joan Satt, a consulting firm providing public education for the City's solid waste and recycling programs.

RECOMMENDATION: Approve Amendment No. 1 to the Agreement with Joan Satt increasing the professional services by \$6,000 for a total amount not to exceed \$31,000 for solid waste and recycling public education, and authorize the City Manager to execute the agreement.

2.J. APPROVAL OF A CONTRACT TO HIRE A CONSULTANT TO PROVIDE CONSTRUCTION INSPECTION AND PROJECT MANAGEMENT FOR STREET PAVING AT LA CIENEGA BLVD/MELROSE AVENUE:

The City Council will consider approving a contract to hire the firm of RBF Consulting to provide construction inspection and project management for the La Cienega Blvd. and Melrose Avenue Street Paving project, CIP 0408.

RECOMMENDATION: Approve an agreement with RBF Consulting in a not to exceed amount of \$80,000 to provide professional services for construction inspection and project management for the La Cienega Blvd. and Melrose Avenue Street Paving Project, and authorize the City Manager to execute the agreement.

2.K. APPROVAL FOR THE CITY'S SUPPORT FOR A HOTEL VOUCHER PILOT PROGRAM FOR EMERGENCY TEMPORARY SHELTER FOR VICTIMS OF DOMESTIC VIOLENCE FROM THE LGBT COMMUNITY:

The City Council will consider approval of the City's participation in the LA Gay & Lesbian Center's proposed hotel voucher pilot program for victims of domestic violence in need of emergency shelter services.

RECOMMENDATION: Approve for the City's support of the LA Gay & Lesbian Center's proposed new hotel voucher pilot program for LGBT victims of domestic violence.

2.L. BEING ALIVE SUMMER FUNDRAISING EVENT:

The City Council will consider approving a request to co-sponsor the 2005 Being Alive Summer Fundraising Event at West Hollywood Park.

RECOMMENDATIONS: 1) Approve the request to co-sponsor the event for Being Alive on Sunday, June 5, 2005 in the City of West Hollywood; and 2) Authorize the usage of West Hollywood Park and Pool on Sunday, June 5, 2005 and waive all fees and deposits associated with the rental.

2.M. A RESOLUTION TO REQUIRE THE ANNUAL ROTATION OF BOARD AND COMMISSION CHAIRS AND VICE-CHAIRS:

The City Council will consider adopting a resolution to require the annual rotation of Board and Commission Chairs and Vice-Chairs.

RECOMMENDATIONS: 1) Adopt Resolution 05-_____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO REQUIRE THE ANNUAL ROTATION OF BOARD AND COMMISSION CHAIRS AND VICE-CHAIRS"; and 2) Direct the City Attorney to amend Board and Commission by-laws as proposed.

2.N. UPDATE ON INTERIM URGENCY ORDINANCE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES:

The City Council will receive and file an update regarding the interim urgency ordinance adopted on March 7, 2005 which established a 45 day moratorium on the establishment of medical marijuana dispensaries in the City of West Hollywood.

RECOMMENDATION: Receive and file staff update.

2.O. CONTRACT WITH THE LEW EDWARDS GROUP FOR SURVEY AND ANALYSIS FOR POTENTIAL REVENUE MEASURES:

The City Council will consider authorizing a contract with The Lew Edwards Group to conduct surveys and analysis for the purpose of identifying local issues and measuring community interest in possible revenue measures.

RECOMMENDATIONS: 1) Authorize a contract with The Lew Edwards Group and authorize the City Manager to execute the contract; and 2) Authorize the Director of Finance to appropriate \$65,500 from the undesignated reserves in the General Fund and to increase budgeted expenditures in account 1001010-8501 by \$65,500.

2.P. REQUEST TO AMEND THE ZONING ORDINANCE REGARDING THE USE OF THE MIXED-USE BONUS AREA AND TO CONSTRUCT A 42,814 SQUARE-FOOT MIXED-USE PROJECT WITH 16 DWELLING UNITS, A 20-ROOM HOTEL AND A 3,997 SQUARE-FOOT RESTAURANT:

The City Council will consider two resolutions approving a project that would develop the site with a 42,814 square-foot four-story mixed-use development consisting of a 3,997 square-foot ground floor restaurant space, 20 hotel rooms and 16 condominium units.

RECOMMENDATION: Adopt Resolution No. 05-_____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2004-08, DEVELOPMENT PERMIT 2004-07, CONDITIONAL USE PERMIT 2004-03 FOR HOTEL USE AND THE SALES, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AND VARIANCE 2004-03 FOR A 42,814 SQUARE FOOT

MIXED-USE DEVELOPMENT WITH A 3,997 SQUARE-FOOT RESTAURANT SPACE, 20 HOTEL ROOMS, AND 16 CONDOMINIUM UNITS AT 8465 HOLLOWAY DRIVE, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT A)

2.Q. RESOLUTION TO SUPPORT SB 307 (SIMITIAN):

The City Council of the City of West Hollywood will consider a resolution to support SB 307 (Simitian), state legislation that requires youth under the age of eighteen to have a prescription from a licensed physician in order to purchase over the counter medication with the product Dextromethorphan (DXM).

RECOMMENDATIONS: 1) Approve Resolution 05-3202, “A RESOLUTION TO SUPPORT SB 307, A BILL THAT REQUIRES YOUTH UNDER THE AGE OF EIGHTEEN TO HAVE A PRESCRIPTION FROM A LICENSED PHYSICIAN IN ORDER TO PURCHASE OVER THE COUNTER MEDICATION WITH THE PRODUCT DEXTROMETHORPHAN (DXM)””; and 2) Send copies of this resolution to State Senator Joseph Simitian, State Senator Sheila Kuehl, Assemblymember Paul Koretz, members of the CA State Senate Public Safety and Health Committees and other appropriate legislators as needed.

2.R. RESOLUTIONS IN SUPPORT OF SB 51 (KUEHL) AND SB 735 (TORLAKSON) SEEKING TO STRENGTHEN THE RIGHTS OF TENANTS:

The City Council will consider adopting resolutions in support of SB 51 (Kuehl) and SB 735 (Torlakson) seeking to strengthen the rights of tenants.

RECOMMENDATIONS: 1) Adopt Resolution No. 05-3203, “A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF SB 51 (KUEHL) SEEKING TO STRENGTHEN THE RIGHTS OF TENANTS”; 2) Adopt Resolution No. 05-3204, “A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF SB 735 (TORLAKSON) SEEKING TO STRENGTHEN THE RIGHTS OF TENANTS”; and 3) Direct staff to send copies of signed resolution to ACORN, Western Center on Law and Poverty, California Affordable Housing Institute, Coalition for Economic Survival, Senator Sheila Kuehl and Senator Tom Torlakson.

2.S. A RESOLUTION IN SUPPORT OF AB 781 (LENO), RENTAL PROPERTY, THE ANTI-SPECULATOR BILL:

The City Council will consider adopting a resolution in support of AB 781 (Leno), Rental Property, the Anti-Speculator Bill.

RECOMMENDATIONS: 1) Adopt Resolution 05-3205, “A RESOLUTION IN SUPPORT OF AB 781 (LENO), RENTAL PROPERTY, THE ANTI-SPECULATOR BILL”; 2) Send copies of the resolution to California State Senator Sheila James Kuehl, Assemblymember Paul Koretz, U.S.

Senators Barbara Boxer and Diane Feinstein, Congressman Henry Waxman, and Governor Arnold Schwarzenegger.

3. PUBLIC HEARINGS:

3.A. URGENCY ORDINANCE REGARDING SIGN SUBSTITUTION AND AN ORDINANCE REGARDING NEIGHBORHOOD MEETINGS:

The City Council will hold a public hearing to consider adoption of an ordinance amending the City of West Hollywood Zoning Ordinance sign regulations to allow non-commercial copy to be substituted for commercial copy on any permitted sign, and an ordinance declaring the urgency thereof. The City Council also will consider adoption of an ordinance amending neighborhood meeting requirements to require that they be held no more than 60 days after the application date, and remove the requirement that they be held prior to an application being deemed complete.

RECOMMENDATIONS: 1) Adopt and Introduce on first reading Ordinance No. 05-____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2005-01 RELATING TO SUBSTITUTION OF NON-COMMERCIAL COPY ON PERMITTED SIGNS." (ATTACHMENT A); 2) Adopt Urgency Ordinance No. 05-____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2005-01 RELATING TO SUBSTITUTION OF NON-COMMERCIAL COPY ON PERMITTED SIGNS AND DECLARING THE URGENCY THEREOF." (ATTACHMENT B); and 3) Adopt and Introduce on first reading Ordinance No. 05-____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2005-02 RELATING TO MANDATORY NEIGHBORHOOD MEETINGS." (ATTACHMENT C)

4. UNFINISHED BUSINESS:

4.A. APPROVE COMMERCIAL CODE COMPLIANCE ENFORCEMENT PROGRAM RELATED TO THE PUBLIC RIGHT-OF-WAY:

Council will consider approving a public right-of-way enforcement program related to outdoor display of merchandise and A-frame signs.

RECOMMENDATION: Authorize the Commercial Code Compliance Division to make enforcement of the Zoning Ordinance as it relates to outdoor display and A-frame signs in the public right-of-way a priority.

4.B. REPORT AND FOLLOW-UP ON AN ITEM DESIGNATING A CERTAIN PORTION OF SANTA MONICA BOULEVARD AS THE "LITTLE RUSSIA BUSINESS DISTRICT" OR OTHER SIMILARLY THEMED AREA:

The City Council will receive a report and consider alternatives and recommendations for the continuation of branding and solidifying an

identity and character for an area of Santa Monica Boulevard on the City's east side to be known as the "Little Russia Business District" or other similarly themed area.

RECOMMENDATIONS: 1) Appoint an advisory committee to be facilitated by the Department of Economic Development and Special Projects to continue studying this concept and to make additional recommendations to the City Council; 2) Authorize the Director of Finance to allocate \$60,000 from undesignated General Fund reserves and to increase budgeted expenditures by \$60,000 in account 100-1040-8129 for the hiring of a consultant to develop a promotional strategy, logo, identity features and marketing materials; and 3) Continue, and expand as possible, City sponsorship of Russian Cultural events (Exhibit A).

4.C. RECOMMENDATIONS RELATIVE TO ADDRESSING UNACCEPTABLE TAXICAB FRANCHISE PERFORMANCE:

The City Council will consider staff recommendations to address concerns of unacceptable taxicab performance of the City franchised taxicab companies.

RECOMMENDATIONS: 1) That the City Council direct staff to issue notice of default (Taxicab Franchise Agreement, Section 17, paragraph C) to all City taxicab franchisees with a cure notice period of six (6) months; 2) Direct staff to increase taxi performance oversight with a focus on overcharging; failure to respond to calls for service; failure to accept taxi coupons; driver courtesy and bandit cabs; 3) Direct staff to revisit the penalty point assessment for driver and company violations, with an emphasis on increasing penalty points for franchised companies operating non-permitted taxicabs within the City; 4) Direct staff to review and participate in each franchisee's driver training and sensitivity with assistance where appropriate from volunteers of the community; and 5) Direct staff to return to City Council at the end of the six month cure period with performance review and recommendations on each franchised taxicab company.

4.D. VARIOUS COMMISSION AND ADVISORY BOARD APPOINTMENTS:

The City Council will consider making appointments to various Commissions and Advisory Boards.

RECOMMENDATIONS: 1) Make 1 at-large appointment to the Business License Commission; 2) Make 1 at-large appointment (woman) to the Lesbian & Gay Advisory Board; 3) Make 1 at-large appointment to the Russian Advisory Board; and 4) Make 1 at-large appointment to the Women's Advisory Board.

5. NEW BUSINESS:

5.A. ASSIGNMENT AGREEMENT BETWEEN THE CITY OF HAWTHORNE AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS:

The City Council will consider the acceptance of a Proposition A fund trade arranged with the City of Hawthorne.

RECOMMENDATIONS: 1) Approve a Prop A fund trade agreement with the City of Hawthorne for \$943,250 West Hollywood General Funds in exchange for \$1,225,000 City of Hawthorne Prop A Funds; 2) Authorize the City Manager to execute the agreement; 3) Authorize the Director of Finance to allocate \$748,250 from the unallocated reserves in the general fund and to increase budgeted general fund expenditures, Account No. 100-8030-7580, by \$748,250; and 4) Authorize the Director of Finance to increase budgeted revenues in the Prop A Fund, Account No. 218-0000-4800 by \$946,429.

5.B. ELECTION OF MAYOR AND MAYOR PRO TEMPORE:

The City Council will consider electing the Mayor and Mayor Pro Tempore.

RECOMMENDATION: Call for nominations and election of Mayor and Mayor Pro Tempore, to be installed on April 18, 2005 at the Reorganization Meeting beginning at 6:00 p.m.

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, April 4, 2005 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
April 4	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
April 18	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
May 2	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
May 16	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.