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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, FEBRUARY 6, 2006
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, February 6, 2006 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 2, 2006.

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 the regular meeting held January 17, 2006.

2.C. DEMAND REGISTER NO. 547, RESOLUTION NO. 06-3349:

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

RECOMMENDATION: Approve Demand Register No. 547 and adopt Resolution No. 06-3349, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 547."

2.D. 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 Vito Antoci and refer to the City's claims adjuster.

2.E. ORDINANCE NO. 06-727 (2ND READING), A PROPOSED ORDINANCE AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7100 BLOCK OF LEXINGTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

The City Council will waive further reading and adopt Ordinance No. 06-727, a proposed ordinance amending Title 10, Chapter 10.08.230 of the West Hollywood Municipal Code implementing District 8 Preferential Parking Regulations on the 7100 block of Lexington Avenue and Amending the West Hollywood Municipal Code.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 06-727, "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 7100 BLOCK OF LEXINGTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

2.F. ORDINANCE NO. 06-728 (2ND READING), A PROPOSED ORDINANCE AMENDING THE MUNICIPAL CODE TO STATE THAT OUTDOOR DINING SITES IN THE PUBLIC RIGHT-OF-WAY BE ACCESSIBLE TO PEOPLE WITH DISABILITIES:

The City Council will waive further reading and adopt Ordinance No. 06-728, a proposed ordinance amending the Municipal Code to state that outdoor dining sites in the public right-of-way be accessible to people with disabilities.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 06-728, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE MUNICIPAL CODE TO STATE THAT OUTDOOR DINING SITES IN THE PUBLIC RIGHT-OF-WAY BE ACCESSIBLE TO PEOPLE WITH DISABILITIES."

2.G. ORDINANCE NO. 06-729 (2ND READING), A PROPOSED ORDINANCE REGARDING TAXICAB REGULATION AND AMENDING 5.108.120 (d) OF THE WEST HOLLYWOOD MUNICIPAL CODE:

The City Council will waive further reading and adopt Ordinance No. 06-729, a proposed ordinance regarding taxicab regulation and amending 5.108.120 (d) of the West Hollywood Municipal Code.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 06-729, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING TAXICAB REGULATION AND AMENDING 5.108.120 (d) OF THE WEST HOLLYWOOD MUNICIPAL CODE."

2.H. ORDINANCE NO. 06-730 (2ND READING), A PROPOSED ORDINANCE AMENDING SECTION 5.08.130(e), SECTION 5.08.210(b), AND ADDING SECTION 5.08.130(f) TO THE WEST HOLLYWOOD MUNICIPAL CODE TO AUTHORIZE THE DIRECTOR OF COMMUNITY DEVELOPMENT TO PLACE CONDITIONS ON A BUSINESS LICENSE UPON RENEWAL:

The City Council will waive further reading and adopt Ordinance No. 06-730, a proposed ordinance amending Section 5.08.130(e), Section 5.08.210(b), and adding Section 5.08.130(f) to the West Hollywood Municipal Code to authorize the Director of Community Development to place conditions on a business license upon renewal.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 06-730, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 5.08.130(e), SECTION 5.08.210(b), AND ADDING SECTION 5.08.130(f) TO THE WEST HOLLYWOOD MUNICIPAL CODE TO AUTHORIZE THE DIRECTOR OF COMMUNITY DEVELOPMENT TO PLACE CONDITIONS ON A BUSINESS LICENSE UPON RENEWAL."

2.I. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Public Facilities Commission, the Public Safety Commission, and the Russian Advisory Board on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.J. ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) PRINCIPLES AND POLICIES:

The City Council will consider the adoption of the National Incident Management System (NIMS) and incorporate NIMS principles and policies into the City of West Hollywood's emergency plan.

RECOMMENDATIONS: 1) Adopt Resolution No. 06-3350, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM"; and 2) Direct staff to work with various City departments to integrate the National Incident Management System (NIMS) into the City's emergency plan and procedures.

2.K. WOMEN'S HISTORY MONTH 2006:

The City Council will consider approval of programming in celebration of Women's History Month 2006.

RECOMMENDATION: 1) Approve programming for Women's History Month 2006 and direct the appropriate City staff to work with the Women's Advisory Board to assist with the production and promotion of Women's History Month.

2.L. INSTALLATION OF WOMEN'S HISTORY MONTH BANNERS ALONG SANTA MONICA BOULEVARD:

The City Council will consider a request from the West Hollywood Women's Advisory Board to authorize the installation of Women's History Month Banners.

RECOMMENDATION: 1) Direct staff to approve the installation of 34 pole banners on the north and south sides of Santa Monica Boulevard between La Cienega and Crescent Heights from March 1, 2006 – March 31, 2006.

2.M. WEST HOLLYWOOD FLOAT IN CSW PRIDE PARADE:

The City Council will consider having a float in the 2006 Christopher Street West (CSW) parade.

RECOMMENDATION: 1) Direct staff to produce a float for the City of West Hollywood's entry in the 2006 Christopher Street West Pride parade.

2.N. CONTRACT AWARD INCREASE FOR CIP 5050-04-02-R, ANNUAL PAVEMENT STRIPING, LEGENDS AND PAINTING:

The City Council will consider increasing the award amount of the contract for annual pavement striping, legends and painting.

RECOMMENDATION: Authorize an increase of \$80,000 to the contract for Annual Pavement Striping, Legends and Painting, CIP 5050-04-02-R between the City and California Traffic Maintenance, Incorporated.

2.O. CHRISTOPHER STREET WEST 35th ANNUAL LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PRIDE CELEBRATION AND PARADE IN WEST HOLLYWOOD:

The City Council will approve this annual date request from the Christopher Street West Board of Directors.

RECOMMENDATION: Approve the 2006 dates including June 9, 10 and 11, 2006.

2.P. A RESOLUTION IN OPPOSITION TO H.R. 3824 (POMBO):

The City Council will consider adopting a resolution in opposition to H.R. 3824 (Pombo), The Threatened and Endangered Species Recovery Act of 2005.

RECOMMENDATIONS: 1) Adopt Resolution 06-3351, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO H.R. 3824 (POMBO), THE THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005"; and 2) Send

copies of resolution to U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, U.S. Representatives Henry Waxman and Richard Pombo, State Senator Sheila Kuehl, Assemblymember Paul Koretz, the Endangered Habitats League, and the Defenders of Wildlife.

2.Q. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE FOOD AND DRUG ADMINISTRATION TO BAN THE SALE OF CONDOMS WITH NONOXYNOL-9:

The City Council of the City of West Hollywood will consider adopting a resolution urging the Food and Drug Administration to ban the sale of condoms with Nonoxynol-9.

RECOMMENDATIONS: 1) Adopt Resolution No. 06-3352, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE FOOD AND DRUG ADMINISTRATION TO BAN THE SALE OF CONDOMS WITH NONOXYNOL-9"; and 2) Direct staff to send copies of signed resolution to the Food and Drug Administration, Congressman Henry Waxman, and Senators Dianne Feinstein and Barbara Boxer.

3. PUBLIC HEARINGS:

3.A. None.

4. UNFINISHED BUSINESS:

4.A. WEST HOLLYWOOD LIBRARY AND WEST HOLLYWOOD PARK MUNICIPAL GARAGE DESIGN DEVELOPMENT:

The City Council will review and consider approving the West Hollywood Library and West Hollywood Park Municipal Garage Design Development.

RECOMMENDATIONS: 1) Approve Design Development and Cost Estimates of the West Hollywood Library; 2) Approve Design Development and Cost Estimates of the West Hollywood Park Municipal Garage; 3) Receive and file the Resolution of Conformity with the General Plan; 4) Receive updated information on the 2006 Library Bond Act Initiative; and 5) Provide direction for a private fund raising effort.

4.B. HERITAGE TREE PROGRAM:

The City Council will consider a Heritage Tree Program as developed by an Ad-Hoc Heritage Tree Committee, the Public Facilities Commission and staff.

RECOMMENDATION: 1) That the City Council approves the Heritage Tree Program as attached to and described in this report.

5. NEW BUSINESS:

5.A. NIGHT TIME TROLLEY BUS SYSTEM:

The City Council will consider directing staff to explore the feasibility of establishing a nighttime "trolley" system along the City's nightlife corridors.

RECOMMENDATIONS: 1) Direct the Transportation Staff to work with the Transportation Commission, the West Hollywood Chamber of Commerce, Sunset Strip Business Association, West Hollywood Convention & Visitors Bureau and other interested parties to evaluate the value of an evening trolley/transportation system for both Sunset Boulevard and Santa Monica Boulevard; and 2) Report back to the City Council in 90 days with the evaluation.

5.B. EXPLORE A GROCERY WORKERS RETENTION ORDINANCE (GWRO):

The City Council will consider directing the City Attorney to explore the development of a "Grocery Workers' Retention Ordinance."

RECOMMENDATIONS: 1) Develop an ordinance similar to the City of Los Angeles' Grocery Worker's Retention Ordinance; 2) Outreach to West Hollywood Chamber of Commerce and local grocery businesses in the development of a Grocery Worker's Retention Ordinance; and 3) Return to City Council within 60 days with a draft ordinance.

5.C. ART ON THE OUTSIDE - SPRING EXHIBITION OF JOHN CLEMENT SCULPTURES:

The City Council will consider approving development of an exhibition of three sculptures by artist John Clement as part of the Arts and Cultural Affairs Commission's Art on the Outside program.

RECOMMENDATIONS: 1) Approve development of an exhibition of three John Clement sculptures for installation on the Santa Monica Boulevard median in Spring 2006; and 2) Direct the Director of Finance to appropriate \$100,000 from unallocated reserves in the Public Art and Beautification Fund to the Art on the Outside program.

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. 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 Tuesday, February 21, 2006 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
February 21	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
March 6	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
March 20	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
April 3	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD**

CLOSED SESSION AGENDA

MONDAY, FEBRUARY 6, 2006

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.

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

United States of America v. City of West Hollywood, United States District Court
for the Central District of California

Case No. CV 02-4176-R

MTS, Inc. v. City of West Hollywood, Los Angeles Superior Court

Case No. BS097319

Leonte v. City of West Hollywood, Los Angeles Superior Court

Case No. GIC77025, JCCP4305

Neish v. City of West Hollywood, Los Angeles County Superior Court

Case No. BS099385

Pallco v. City of West Hollywood, Los Angeles Superior Court

Case No. SC082269

INITIATION OF LITIGATION.....G.C. 54956.9(c)

1 case
