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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 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, March 6, 2006 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 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 February 21, 2006.

- 2.C. **DEMAND REGISTER NO. 549, RESOLUTION NO. 06-3357:**

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

RECOMMENDATION: Approve Demand Register No. 549 and adopt Resolution No. 06-3357, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 549."

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 claims of Shie Alony and Cylvia Santillan and refer to the City's claims adjuster.

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Arts and Cultural Affairs Commission, Disability Advisory Board, Public Safety Commission, and Transportation Commission on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.F. RESIGNATION OF DEBRA A. FARMER FROM THE WOMEN'S ADVISORY BOARD:

The City Council will accept the resignation of Women's Advisory Board Member Debra A. Farmer, effective February 11, 2006.

RECOMMENDATION: Accept with regret the resignation of Debra A. Farmer from the Women's Advisory Board.

2.G. UPDATE ON EXPANDED ROLE OF RENT STABILIZATION COMMISSION:

The City Council will consider receiving and filing an update report on how the functions of the Rent Stabilization Commission have been expanded to include discussion of housing policy issues and will consider directing staff to report back again within one year.

RECOMMENDATIONS: That City Council 1) Receive and file this report on progress made since City Council's expansion of the role of the Rent Stabilization Commission (RSC) to discuss housing policy issues; and 2) Direct staff to report back on the progress of the expanded RSC role as part of the regular annual and mid-year work program updates to the City Council.

2.H. NORTH AND SOUTH BOUND LA BREA AVENUE PEAK HOUR PARKING RESTRICTION:

The City Council will consider a resolution extending peak hour parking restrictions on La Brea Avenue by one hour to end at 7 p.m. to be consistent with the City of Los Angeles.

RECOMMENDATION: Adopt Resolution No. 06-3358, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD EXTENDING PEAK HOUR (NO PARKING) RESTRICTIONS ALONG LA BREA AVENUE BETWEEN THE HOURS OF 4 P.M. TO 7 P.M."

2.I. DIRECTION TO THE CITY ATTORNEY TO DRAFT AN ORDINANCE MAKING THE ENFORCEMENT OF MARIJUANA RELATED OFFENSES A LOW PRIORITY ACTIVITY:

The City Council will consider directing the City Attorney to draft an ordinance making the enforcement of marijuana related offenses a low priority activity.

RECOMMENDATION: Direct the City Attorney to draft an ordinance making the enforcement of marijuana related offenses a low priority activity for the Sheriff Department within the City of West Hollywood. City Attorney to report back to Council within 30 days.

2.J. AGREEMENT FOR PROFESSIONAL SERVICES: PREPARATION OF CITY'S ANNUAL SPECIAL ASSESSMENT DISTRICT REPORT:

The City Council will consider approving a professional services agreement with RR Brown and Associates for the preparation of the City's Annual Special Assessment District Report.

RECOMMENDATION: Authorize the City Manager to execute a professional services agreement with RR Brown and Associates for the preparation of the City's Annual Special Assessment District Report.

2.K. LGBTQ YOUTH SERVICES ROUNDTABLE:

The City Council will consider giving direction to the Lesbian and Gay Advisory Board to develop a sub-committee that will meet in order to discuss plans to bring together social service and outreach providers who serve the LGBTQ youth community in West Hollywood for a round-table discussion.

RECOMMENDATIONS: 1) Direct the Lesbian and Gay Advisory Board to develop a sub-committee that will meet in order to discuss plans to bring together social service and outreach providers who serve the LGBTQ youth community in West Hollywood for a round-table discussion; and 2) Direct the Lesbian and Gay Advisory Board to report back to Council in 90 days with an update on the sub-committee's actions and recommendations.

2.L. A RESOLUTION IN SUPPORT OF THE FIRST ANNUAL NATIONAL WOMEN AND GIRLS HIV/AIDS AWARENESS DAY:

The City Council will consider adopting a resolution supporting National Women and Girl's HIV/AIDS Awareness Day.

RECOMMENDATIONS: 1) Adopt Resolution No. 06-3359, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE FIRST ANNUAL NATIONAL WOMEN AND GIRLS HIV/AIDS AWARENESS DAY"; 2) Send copies of the resolution to the Office on Women's Health, U.S. Department of Health and Human Services; and 3) Direct staff to coordinate a press conference on Friday, March 10th, 2006 to commemorate the 1st Annual National Women and Girls HIV/AIDS Awareness Day.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A TALL WALL ADVERTISEMENT ON THE EAST FACING ELEVATION OF THE STRUCTURE LOCATED AT 8730 SUNSET BOULEVARD:

On February 27, 2006, the appellant (Clear Channel Outdoor) submitted a request to withdraw its appeal of the Planning Commission's denial of Conditional Use Permit – Tall Wall 2005-001 to the City Council meeting.

RECOMMENDATION: Staff recommends that the City Council accept the withdrawal of Clear Channel Outdoor's appeal of the Planning Commission's denial of Conditional Use Permit – Tall Wall 2005-001.

3.B. APPEAL OF PLANNING COMMISSION APPROVAL OF A CONDITIONAL USE PERMIT 2005-007 AND PARKING USE PERMIT 2005-11 ALLOWING AN OUTDOOR BAR/SMOKING AREA AT GUY'S BAR; 8713 BEVERLY BOULEVARD, WEST HOLLYWOOD, CALIFORNIA:

The City Council will hold a public hearing on an appeal of the Planning Commission's approval of Conditional Use Permit 2005-007 allowing an outdoor bar and smoking area with the sales, service, and consumption of alcohol at the rear of the existing Guy's Bar located at 8713 Beverly Boulevard. The appeal also includes the related parking use permit.

RECOMMENDATION: Adopt Resolution No. 06-_____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF LAUREN MEISTER AND AFFIRMING THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT 2005-007, AMENDING CONDITIONAL USE PERMIT 95-05, TO ALLOW THE SALES, SERVICE, AND CONSUMPTION OF ALCOHOL WITHIN AN OUTDOOR BAR/SMOKING AREA AND TO ALLOW AN OUTDOOR BAR/SMOKING AREA AT AN EXISTING BAR LOCATED AT 8713 BEVERLY BOULEVARD, WEST HOLLYWOOD AND APPROVING PARKING USE PERMIT 2005-011 AMENDING PARKING USE PERMIT 95-02 TO RELOCATE 10 REQUIRED PARKING SPACES LOCATED AT THE REAR OF GUY'S BAR AND TO PROVIDE 18 NEW PARKING SPACES AT AN OFF-SITE LOCATION AT 8733 BEVERLY BOULEVARD, WEST HOLLYWOOD, CALIFORNIA."

3.C. EXTENSION OF INTERIM URGENCY ORDINANCE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES:

The City Council will hold a public hearing to consider a one-year extension of the interim urgency ordinance prohibiting the establishment of new medical marijuana dispensaries in the City of West Hollywood pursuant to Government Code Section 65858.

RECOMMENDATION: Adopt the following urgency ordinance: Ordinance No. 06-___, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PURSUANT TO GOVERNMENT CODE SECTION 65858 EXTENDING ORDINANCE NO. 05-707U WHICH ESTABLISHED A MORATORIUM

PROHIBITING THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES AND DECLARING THE URGENCY THEREOF.”
(ATTACHMENT A)

4. UNFINISHED BUSINESS:

4.A. FY 2005-06 FIRST AND SECOND QUARTER REPORT AND FIRST AMENDMENT TO SERVICE AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:

The City Council will receive the First and Second Quarter Report of the West Hollywood Community Housing Corporation (WHCHC) for Fiscal Year 2005-06 and will consider amending the 2005-06 service agreement with the nonprofit corporation by an additional amount not to exceed \$40,000 to support recruitment of a new Executive Director.

RECOMMENDATIONS: 1) Receive and file the FY 2005-06 First and Second Quarter Report of the West Hollywood Community Housing Corporation; 2) Approve an amendment of the 2005-06 service agreement with the WHCHC in the amount not to exceed \$40,000 to cover services of a professional executive recruitment firm to fill the recently vacated Executive Director position; 3) Authorize the Director of Finance and Technology Services to increase the FY 2005-2006 budgeted expenditures in the Affordable Housing Trust Fund by \$40,000 (account 282-6050-8125, Community Housing Corporation contract); and 4) Authorize the City Manager to execute the amendment to the service agreement.

5. NEW BUSINESS:

5.A. None.

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 CHANGE TO THE RENT STABILIZATION ORDINANCE, WHMC § 17.52.010(2)(g)(5), RELATING TO SECURITY DEPOSITS FOR EMOTIONAL SUPPORT ANIMALS; AND WHMC § 17.40.020(e) RELATING TO POST-OWNER-OCCUPANCY RENT LIMITATIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

The City Council will consider a proposed change to West Hollywood Municipal Code § 17.52.010(2)(g)(5) which would forbid a landlord from charging a security deposit for a medically necessary emotional support

animal, as well as an amendment to § 17.40.020(e) to conform that section with other parts of the Rent Stabilization Ordinance and state law relating to the rent that may be charged after an owner-occupancy eviction.

RECOMMENDATION: Introduce for first reading Ordinance No. 06-____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING RENT STABILIZATION ORDINANCE § 17.52.010(2)(g)(5) RELATING TO SECURITY DEPOSITS FOR MEDICALLY-NECESSARY EMOTIONAL SUPPORT ANIMALS AND § 17.40.020(2)(e) RELATING TO THE RENT THAT MAY BE CHARGED AFTER AN OWNER-OCCUPANCY EVICTION AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

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, March 20, 2006 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
March 20	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
April 3	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
April 17	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
May 1	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY COUNCIL
CITY OF WEST HOLLYWOOD**

CLOSED SESSION AGENDA

MONDAY, MARCH 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)

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

Case No. BS097319

City of West Hollywood v. Traverso, LA Superior Court

Case No. SC080900

LHO Grafton Hotel, LP v. City of West Hollywood, Los Angeles Superior Court

Case No. BS 096810

SOS Save the Strip Coalition v. City of West Hollywood, LA Superior Court

Case No. BS 096861

Mondrian Holdings, LLC v. City of West Hollywood, LA Superior Court

Case No. BS 096854

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

Property: 1140 Formosa Avenue
Agency Negotiator: Sam Baxter
Negotiating Parties: Formosa Avenue, LLC
Under Negotiation: Ground Lease Status

Property: 1351 Havenhurst Drive
Agency Negotiator: Sam Baxter
Negotiating Parties: Havenhurst, LLC
Under Negotiation: Ground Lease Status
