SMOKING IS NOT PERMITTED IN THE CITY COUNCIL CHAMBERS (Article IV, Chapter 7, W.H.M.C.)

COMPLETE AGENDA PACKETS ARE AVAILABLE FOR PUBLIC INSPECTION AT CITY HALL, 8300 SANTA MONICA BLVD. AT THE LIBRARY, 715 N. SAN VICENTE BLVD., AND AT THE CITY'S WEBSITE, www.weho.org

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, MARCH 19, 2007
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

PLEDGE OF ALLEGIANCE:
ROLL CALL:
REPORT OF CLOSED SESSION AGENDA:
APPROVAL OF AGENDA:
PRESENTATIONS:

CALL TO ORDER:

SPECIAL ITEM:

A. CERTIFICATION OF ELECTION RESULTS OF THE GENERAL MUNICIPAL ELECTION OF MARCH 6, 2007: [T. WEST / C. SCHAFFER]

The City Council will consider adopting a resolution declaring the results of the General Municipal Election held on Tuesday, March 6, 2007.

RECOMMENDATIONS: 1) Declare Abbe Land, John Heilman, and Sal Guarriello elected as Member of the City Council to a full term of four years; and 2) Adopt Resolution No. 07-3505, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, RECITING THE FACT OF THE GENERAL ELECTION HELD ON MARCH 6, 2007, 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, Abbe Land, John Heilman, and Sal Guarriello.

- 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 19, 2007 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 15, 2007.

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 5, 2007.

2.C. DEMAND REGISTER NO. 574, RESOLUTION NO. 07-3500:

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

RECOMMENDATION: Approve Demand Register No. 573 and adopt Resolution No. 07-3500, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 573."

2.D. TREASURER'S REPORTS FOR SEPTEMBER 2006 AND OCTOBER 2006: [A. GANDHY]

The City Council will receive the Treasurer's Reports for the months ended September and October, 2006 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 claims of Meriam Bendat, Villa Las Brisas HOA, and Mercury Insurance (Losacco) and refer to the City's claims adjuster.

2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from various Commissions and/or Advisory Boards on actions taken at their recent meetings.

RECOMMENDATION: Receive and file.

2.G. A RESOLUTION CONDEMNING DISCRIMINATORY COMMENTS ABOUT GAY & LESBIAN AMERICANS MADE BY CHAIRMAN OF THE JOINT CHIEFS OF STAFF, GENERAL PETER PACE, & CALL FOR HIS RESIGNATION: [J. PRANG / J. KURPIES]

The City Council will consider adopting a resolution condemning discriminatory comments about gay and lesbian Americans made by Chairman of the Joint Chiefs of Staff, General Peter Pace, and call for his resignation.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3504, "A RESOLUTION CONDEMNING DISCRIMINATORY COMMENTS ABOUT GAY & LESBIAN AMERICANS MADE BY CHAIRMAN OF THE JOINT CHIEFS OF STAFF, GENERAL PETER PACE, & CALL FOR HIS RESIGNATION"; and 2) Send copies of the resolution to President George Bush, US Secretary of Defense, the Joint Chiefs of Staff, Senators Boxer and Feinstein, Congressmember Henry Waxman, Chairs of the Armed Services Committees of the Senate and House, and the Servicemembers Legal Defense Network.

2.H. AMENDMENT TO THE WEST HOLLYWOOD MARKETING CORPORATION CONTRACT ON BEHALF OF THE AVENUES OF ART AND DESIGN:

The City Council will consider an amendment of \$40,000 to the West Hollywood Marketing Corporation contract for March 2007 to February 2008.

RECOMMENDATION: Approve the attached contract amendment with The West Hollywood Marketing Corporation for their 2006-07 contract.

2.I. AMENDMENT TO CONTRACT WITH JEWISH FAMILY SERVICE NUTRITION PROGRAM: [L. LONG / D. DENNIS]

The City Council will authorize a contract amendment approved in the midyear budget process to increase by \$30,000 the Jewish Family Service Nutrition Program to provide congregate meals at Fairfax Towers Senior residence.

RECOMMENDATION: Authorize a contract amendment to increase by \$30,000 the Jewish Family Service Nutrition program to provide congregate meals at Fairfax Towers Senior residence retroactive to October 1, 2006 through September 30, 2007, and authorize the City Manager to sign.

2.J. APPROVAL OF FINAL TRACT MAP NO. 60131 FOR THE CONDOMINIUM PROJECT LOCATED AT 341-343 HUNTLEY DRIVE: [J. ENGLISH / S. PERLSTEIN]

The City Council will consider the approval of Final Tract Map No. 60131, a two unit condominium, located on Huntley Drive, between Beverly Boulevard and Rosewood Avenue.

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 66474.6 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 of 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. 60131; 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 60131 the certificate that embodies the approval of said map; 4) Authorize the Director of Finance to increase the budgeted revenues in the Park Development Fund by \$10,760.00 (account number 210-471001).

2.K. APPROVAL OF FINAL TRACT MAP NO. 61441 FOR THE CONDOMINIUM PROJECT LOCATED AT 901 HANCOCK AVENUE: [J. ENGLISH / S. PERLSTEIN]

The City Council will consider the approval of Final Tract Map No. 61441, a mixed use project with 40 residential units and retail space, located on the northwest corner of Santa Monica Boulevard and Hancock Avenue. 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 66474.6 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 of 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. 61441; 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 61441 the certificate, which embodies the approval of said map; and 4) Authorize the Director of Finance to increase the budgeted revenues in the Park Development Fund by \$126,269.14 (account number 210-471001).

2.L. AWARD OF A CONSTRUCTION CONTRACT FOR THE FULLER AVENUE AND GARDNER STREET PAVING PROGRAM, CIP 0702: [S. PERLSTEIN / J. ENGLISH]

The City Council will consider approval of a construction contract for street paving on Fuller Avenue and Gardner Street.

RECOMMENDATIONS: 1) Accept the bid dated February 28, 2007, submitted by Palp Inc. dba Excel Paving Company; 2) Authorize the City Manager to enter into a contract with Palp Inc. dba Excel Paving Company, in the amount of \$220,185 for the construction of CIP 0702, the Fuller Avenue and Gardner Street Paving Program; and 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 15% of the contract amount.

2.M. USE OF WATERLESS URINALS IN CITY BUILDINGS: [L. LONG / S. BAXTER]

The City Council will receive and file a report from the Public Facilities Commission regarding waterless urinals and a recommendation on their future use in City facilities.

RECOMMENDATIONS: 1) Receive and file this report regarding waterless urinals; and 2) As recommended by the Public Facilities Commission, that waterless urinals be installed at City buildings when newly constructed or when their restrooms are renovated.

2.N. A RESOLUTION CALLING ON THE MOTION PICTURE INDUSTRY PENSION & HEALTH PLAN (MPIPHP) TO PROVIDE EQUAL PENSION BENEFITS TO DOMESTIC PARTNERS: [J. DURAN / H. MOLINA / N. TESKE]

The City Council of the City of West Hollywood will consider adopting a resolution calling on the Motion Picture Industry Pension & Health Plan (MPIPHP) to provide equal pension benefits to domestic partners.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3501, "A RESOLUTION CALLING ON THE MOTION PICTURE INDUSTRY PENSION & HEALTH PLAN (MPIPHP) TO PROVIDE EQUAL PENSION BENEFITS TO DOMESTIC PARTNERS"; and 2) Direct staff to send copies of signed resolution to the Alliance of Motion Picture and Television Producers (AMPTP), the MPIPHP, the International Alliance of Theatrical Stage Employees (IATSE), and the IATSE Local 871.

2.O. CITY CO-SPONSORSHIP AND VIDEO TAPING OF THE DOMESTIC PARTNERS FREE TAX SEMINAR: [J. PRANG / J. KURPIES]

The City Council will consider co-hosting, along with State Board of Equalization Vice Chair Judy Chu, LA Gay & Lesbian Center and Equality California, a Domestic Partners Free Tax Seminar.

RECOMMENDATIONS: 1) Authorize the City co-sponsorship of Domestic Partners Fee Tax Seminar; and 2) Direct staff to publicize the City of West Hollywood's co-sponsorship of the event and allow resources to fund the taping of the seminar for airing on local cable access.

2.P. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 391 (LIEU), WHICH ENHANCES MUNICIPAL REPRESENTATION ON THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD) BOARD OF DIRECTORS: [J. PRANG / J. KURPIES / N. TESKE]

The City Council will consider adopting a resolution in support of AB 391 (Lieu), which enhances municipal representation on the South Coast Air Quality Management District Board of Directors.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3502, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 391 (LIEU), WHICH ENHANCES MUNICIPAL REPRESENTATION ON THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD) BOARD OF DIRECTORS"; and 2) Direct staff to send copies of signed resolution to Assemblymember Mike Feuer, Assemblymember Ted Lieu, Senator Sheila Kuehl, and Governor Arnold Schwarzenegger.

2.Q. SUPPORT OF AB 1654 – ALLOWING LOCAL GOVERNMENTS TO AUTHORIZE ALL-MAIL BALLOT ELECTIONS: [V. LOVE / T. WEST]

The City Council will consider approving a resolution in support of AB 1654 which will allow local government to authorize all-mail ballot elections.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3503, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1654 (HUFFMAN), ALLOWING LOCAL GOVERNMENTS TO AUTHORIZE ALL-MAIL BALLOT ELECTIONS"; and 2) Direct staff to send signed copies of the resolution to Assembly Members Hoffman, DeSaulnier, Sadana and all appropriate parties.

2.R. YEAR-END REPORT ON SOCIAL SERVICES PROGRAMS: [L. LONG / D. DENNIS]

The City Council will receive the year-end report of Social Services contract programs for 2005-06.

RECOMMENDATION: Receive and file the year-end report.

THE CITY COUNCIL WILL RECESS AND RECONVENE AS THE WEST HOLLYWOOD HOUSING AUTHORITY: (see attached Housing Authority Agenda)

THE WEST HOLLYWOOD HOUSING AUTHORITY WILL RECESS AND RECONVENE AS THE CITY COUNCIL:

3. PUBLIC HEARINGS:

3.A. AMENDMENT OF THE MUNICIPAL CODE AND ZONING ORDINANCE REQUIREMENTS PERTAINING TO CHAIN-LINK FENCING: [T. BLOUNT]

The City Council will consider an amendment of the City of West Hollywood Municipal Code and Zoning Ordinance requirements pertaining to vacant, abandoned, and undeveloped properties and chain-link fencing. RECOMMENDATION: Introduce on first reading Ordinance No. 07-752 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO AMEND TITLES 7 (HEALTH) AND 19 (ZONING ORDINANCE) OF MUNICIPAL CODE AMENDING THE THE REQUIREMENTS PERTAINING TO VACANT, ABANDONED, AND UNDEVELOPED PROPERTIES AND CHAIN-LINK FENCING." (Attachment A)

3.B. APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A REQUEST TO CONSTRUCT ONE DWELLING UNIT BEHIND AN EXISTING SINGLE FAMILY HOUSE AND A TENTATIVE TRACT MAP FOR CONDOMINIUM SUBDIVISION AT 7719 NORTON AVENUE: [S. HEALY KEENE / J. KEHO / R. HEILIGMAN]

The appellant submitted a petition with 50 signatures of residents, property owners, and business owners of the City which allowed for the appeal filing fee to be waived (WHMC 19.76.030.D) upon its submission on May 30, 2006. After further investigation, four of the signatures were confirmed to be invalid.

RECOMMENDATION: Staff recommends that the City Council continue the appeal to the April 16, 2007 City Council meeting date in order to allow the applicant to obtain alternative valid signatures or submit the filing fee for the appeal.

4. UNFINISHED BUSINESS:

4.A. None.

5. NEW BUSINESS:

5.A. ELECTION OF MAYOR AND MAYOR PRO TEMPORE: [T. WEST / C. SCHAFFER]

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 May 7, 2007 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.

City Council Agenda Monday, March 19, 2007 Page 9

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. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING AMENDMENTS TO LOS ANGELES COUNTY CODE REGARDING LICENSING FEES AND TO REQUIRE MANDATORY SPAYING AND NEUTERING FOR DOGS AND CATS / ADOPTION OF A RESOLUTION AMENDING RESOLUTION NO. 06-3433 TO INCLUDE A FEE SCHEDULE FOR DOG AND CAT LICENSES: [J. DURAN / J. PRANG / M. JENKINS]

The City Council will consider introduction of an ordinance adopting by reference amendments to Los Angeles County Code Title 10-Animals including the requirement that all dogs over the age of four months be implanted with an identifying microchip; repeals the County's fee schedule for dogs and cats and sets new fees; exempts senior citizens, disabled persons, and persons of low income from licensing fees for dogs and cats that have been spayed or neutered; amends Chapter 9.48 to require that all dogs and cats kept in the City of West Hollywood be spayed or neutered.

The City Council will also consider adoption of Resolution No. 07-____ amending Resolution No. 06-3433 to include licensing fees for dogs and cats.

RECOMMENDATION: 1) Introduce on first reading Ordinance No. 07-753, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING AMENDMENTS TO LOS ANGELES COUNTY CODE TITLE 10-ANIMALS BY REFERENCE, REPEALING SECTIONS 10.90.010VI.A AND 10.90.010VI.B COUNTY LICENSING FEES FOR DOGS AND CATS AND AMENDING CHAPTER 9.48 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO REQUIRE MANDATORY SPAYING AND NEUTERING FOR DOGS AND CATS"; and 2) Adopt Resolution No. 07-_____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING RESOLUTION NO. 06-3433 TO INCLUDE A FEE SCHEDULE FOR DOG AND CAT LICENSES"

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 16, 2007 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The previously-scheduled April 2 City Council meeting is cancelled.

UPCOMING MEETING SCHEDULE

Date	Day	Time	Meeting Type	Location
April 16	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
May 7	Monday	6:30 PM	Installation	TBA
May 21	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
June 4	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

City Council Agendas and Staff Reports are available on-line at

www.weho.org

CITY OF WEST HOLLYWOOD HOUSING AUTHORITY AGENDA MONDAY, MARCH 19, 2007

6:30 P.M. 647 N. SAN VICENTE – WEST HOLLYWOOD PARK AUDITORIUM

To comply with the Americans with Disabilities Act of 1990, if you require special assistance to attend or participate in this meeting, please call the City Clerk's Office at (323) 848-6409 at least 48 hours prior to the meeting. The City TDD line for hearing impaired is (323) 848-6496.

- 1. CALL TO ORDER:
- 2. ROLL CALL:
- 3. APPROVAL OF THE AGENDA:
- 4. PUBLIC COMMENTS: This time has been set aside for members of the public to address the Housing Authority within the subject matter jurisdiction of the Housing Authority. Although the Housing Authority values your comments, pursuant to the Brown Act it generally cannot take any action on items not listed on the posted agenda. Two minutes will be assigned for each speaker.
- 5. COMMISSIONER COMMENTS:
- 6. CONSENT CALENDAR:

The following routine matters can be acted upon by one motion. Individual items may be removed by the Housing Authority for separate discussion.

6.A. APPROVAL OF MINUTES:

The Housing Authority is requested to approve the minutes of prior Housing Authority meetings.

RECOMMENDATION: Approve the minutes of the meeting of April 3, 2006.

7. PUBLIC HEARING:

7.A. A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF WEST HOLLYWOOD ADOPTING THE ANNUAL PLAN FOR FISCAL YEAR 2007-2008: [A. WINDERMAN / Y. QUARKER]

The Housing Authority will conduct a public hearing on the proposed adoption of an Annual Plan for Fiscal Year 2007—2008.

RECOMMENDATIONS: 1) Adopt Resolution No. HA 07-20, "A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF WEST HOLLYWOOD ADOPTING THE ANNUAL PLAN FOR FISCAL YEAR 2007-2008, AND AUTHORIZING THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES TO SUBMIT THESE PLANS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ON BEHALF OF WEST HOLLYWOOD"; and 2) Adopt the Public Housing Authority (PHA) Certifications of Compliance with the PHA Plans and Related Regulations to Accompany the Annual Plan.

8. ADJOURNMENT:

Case No. SC091086

CITY COUNCIL CITY OF WEST HOLLYWOOD

CLOSED SESSION AGENDA

MONDAY, MARCH 19, 2007

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.
