

**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
CITY COUNCIL REORGANIZATION & INSTALLATION MEETING
AGENDA
MONDAY, MAY 7, 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

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

REPORT OF CLOSED SESSION AGENDA:

APPROVAL OF AGENDA:

**JUDGE WILLIAM STERLING ADMINISTERS THE OATH OF OFFICE TO THE
NEWLY ELECTED MAYOR JOHN DURAN:**

WEST HOLLYWOOD CITY CLERK TOM WEST ADMINISTERS THE OATH OF OFFICE TO THE NEWLY ELECTED MAYOR PRO TEMPORE JEFFREY PRANG:

INTRODUCTION OF DIGNITARIES:

PRESENTATION TO OUTGOING MAYOR HEILMAN:

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.

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.

1.A. PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS WHICH HAVE NOT BEEN REMOVED FROM THE CONSENT CALENDAR:

1.B. PUBLIC COMMENTS, GENERAL INTEREST:

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, May 7, 2007 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 3, 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 April 16, 2007.

2.C. DEMAND REGISTER NO. 577, RESOLUTION NO. 07-3517:

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

RECOMMENDATION: Approve Demand Register No. 577 and adopt Resolution No. 07-3517, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 577."

2.D. TREASURER'S REPORT FOR NOVEMBER 2006, DECEMBER 2006, AND JANUARY 2007: [A. GANDHY]

The City Council will receive the Treasurer's Report for the months ended November 2006, December 2006, and January 2007 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 Monico Ramos Espinosa and refer to the City's claims adjuster.

2.F. ORDINANCE NO. 07-753 (2ND READING), ADOPTING THE CITY OF WEST HOLLYWOOD PARKING CODE AS CHAPTER 10.07 AND AMENDING THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE: [T. WEST / C. SCHAFFER]

The City Council will waive further reading and adopt Ordinance No. 07-753, a proposed ordinance adopting the City of West Hollywood Parking Code as Chapter 10.07 and amending the City of West Hollywood Municipal Code.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 07-753, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING THE CITY OF WEST HOLLYWOOD PARKING CODE AS CHAPTER 10.07 AND AMENDING THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE."

2.G. ORDINANCE NO. 07-754 (2ND READING), APPROVING ZONE TEXT AMENDMENT 2005-010 AMENDING TITLE 19 OF THE ZONING ORDINANCE TO MODIFY PARKING REQUIREMENTS FOR AUTOMATED TELLER MACHINES NOT ASSOCIATED WITH AN ON-SITE FINANCIAL INSTITUTION: [T. WEST / C. SCHAFFER]

The City Council will waive further reading and adopt Ordinance No. 07-754, a proposed ordinance approving Zone Text Amendment 2005-010 amending Title 19 of the Zoning Ordinance to modify parking requirements for automated teller machines not associated with an on-site financial institution.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 07-754, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD

APPROVING ZONE TEXT AMENDMENT 2005-010 AMENDING TITLE 19 OF THE ZONING ORDINANCE TO MODIFY PARKING REQUIREMENTS FOR AUTOMATED TELLER MACHINES NOT ASSOCIATED WITH AN ON-SITE FINANCIAL INSTITUTION.”

2.H. 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.I. RESIGNATION OF CLYDE WOOD FROM THE TRANSPORTATION COMMISSION AND OLGA URALTSEVA FROM THE RUSSIAN ADVISORY BOARD: [T. WEST / C. SCHAFFER]

The City Council will accept the resignation of Transportation Commissioner Clyde Wood, effective April 10, 2007, and Russian Advisory Board Member Olga Uraltseva, effective April 17, 2007.

RECOMMENDATION: Accept with regret the resignation of Clyde Wood from the Transportation Commission and Olga Uraltseva from the Russian Advisory Board.

2.J. ASSIGNMENT AGREEMENT BETWEEN THE CITY OF RANCHO PALOS VERDES AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS: [J. ENGLISH / T. SLIMMER / J. ROONEY]

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

RECOMMENDATIONS: 1) Approve a Prop A fund trade agreement with the City of Rancho Palos Verdes for \$847,000 West Hollywood General Funds in exchange for \$1,100,000 City of Rancho Palos Verdes Prop A Funds; 2) Authorize the City Manager to execute the agreement; 3) Authorize the Director of Finance to appropriate \$354,989 from the unallocated reserves in the General Fund to Expenditure for Traded Funds (100-3-08-83-531016); and 4) Authorize the Director of Finance to increase budgeted revenues in the Prop A Fund, Account No. 203-42101 by \$687,675.

2.K. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE LAW OFFICES OF KIESEL, BOUCHER & LARSON, LLP AND BARON & BUDD, P.C.: [M. JENKINS]

This item requests that the City Council approve a professional service agreement with the Law Offices of Kiesel, Boucher & Larson LLP and Baron & Budd, P.C. to provide litigation services in connection with a lawsuit to be filed by the City against online hotel booking services to recover transient occupancy taxes for reservations made online for rooms in hotels located in West Hollywood.

RECOMMENDATIONS: 1) Approve the professional services agreement with the Law Offices of Kiesel, Boucher & Larson and Baron & Budd for legal services; and 2) Authorize the Mayor to sign the agreement.

2.L. WEST HOLLYWOOD PARK POOL REPAIR: [L. LONG / N. BEARD / S. BAXTER]

City Council is requested to award a contract to Sea Clear Pools for the re-plastering of the West Hollywood Park swimming pool.

RECOMMENDATIONS: 1) Accept the bid dated January 14, 2007 submitted by Sea Clear Pools of Torrance, California, in the amount of \$30,360.00 for the re-plastering of the West Hollywood Park swimming pool; 2) Authorize the expenditure of an amount not to exceed \$ 3,360 for contingencies as approved by the Director of the Human Services Department; and 3) Authorize the City Manager to sign the associated Contract Agreement.

2.M. AGREEMENT FOR SERVICES WITH BBDR PACIFIC FOR THE DEVELOPMENT OF COLLATERAL MATERIALS IN CONNECTION WITH THE CITY'S ECONOMIC DEVELOPMENT AND BUSINESS ATTRACTION PROGRAMS AND INITIATIVES: [R. REYNOLDS / J. HUFFER]

The City Council will consider approving an agreement for services with BBDR Pacific for the development of collateral materials in connection with the City's Economic Development and Business Attraction programs and initiatives.

RECOMMENDATIONS: 1) Approve the Agreement for Services/Amendment with BBDR Pacific in an amount not to exceed \$35,600; 2) Authorize City Manager to execute and sign necessary documents; and 3) Authorize the expenditure in an amount not to exceed \$3,560 for contingencies as authorized by the Director of Economic Development and Special Projects.

2.N. CONSIDERATION OF RECOMMENDATIONS TO WAIVE PERMIT FEES AND LIFT PARKING RESTRICTIONS FOR THE ART AND DESIGN WALK 2007: [R. REYNOLDS / J. HUFFER / M. LOUIE]

The City Council will consider a recommendation waiving event permit fees and lifting parking restrictions in the Avenues of Art and Design Business Improvement District during the afternoon and evening of Saturday June 2, 2007, for the 10th Annual Art & Design Walk.

RECOMMENDATIONS: 1) Waive all City fees associated with the Annual Art & Design Walk 2007; 2) Waive residential permit parking between the hours of 3:00 p.m. and 11:00 p.m. on Saturday, June 2, 2007 in Permit Parking Districts 1 and 2; and 3) Waive enforcement at parking meters on Beverly Boulevard, Melrose Avenue, Robertson Blvd. and any side streets in the Avenues of Art and Design district from 3:00 p.m. to 6:00 p.m. on the same day.

2.O. A RESOLUTION DECLARING FRIDAY, JUNE 1, 2007 AS “WATCH YOUR MOUTH DAY: A DAY WITHOUT HATE SPEECH” IN WEST HOLLYWOOD: [R. RYAN / S. BERRY]

The City Council will consider declaring Friday, June 1, 2007 as “Watch Your Mouth Day: A Day Without Hate Speech” in West Hollywood.

RECOMMENDATION: Adopt Resolution No. 07-3518, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DECLARING FRIDAY, JUNE 1, 2007 AS ‘WATCH YOUR MOUTH DAY: A DAY WITHOUT HATE SPEECH’ IN WEST HOLLYWOOD.”

2.P. APPROVAL OF FINAL TRACT MAP NO. 62397 FOR THE CONDOMINIUM PROJECT LOCATED AT 950 ORANGE GROVE AVENUE: [J. ENGLISH / S. PERLSTEIN]

The City Council will consider the approval of Final Tract Map No. 62397, a five unit condominium, located on Orange Grove Avenue, between Romaine Street and Willoughby 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. 62397. 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 62397 the certificate that embodies the approval of said map.

2.Q. NOTICE OF COMPLETION, PLUMMER PARK GENERAL IMPROVEMENTS GRANT, GRANT NUMBER 58K8-95-0328, COUNTY OF LOS ANGELES DEPARTMENT OF PARKS AND RECREATION, REGIONAL PARK AND OPEN SPACE DISTRICT: [L. LONG / S. BAXTER]

The City Council will consider approving a Notice of Completion for the Plummer Park General Improvements Grant, (Grant Number 58K8-95-0328).

RECOMMENDATIONS: 1) Accept Grant #58K8-95-0328 as completed to the standards and specifications of the City of West Hollywood; 2) Accept the work completed by Civil Works Inc., Saturn Systems Inc., and Systems Source Inc.; and 3) Authorize filing a Notice of Completion by the City.

2.R. A RESOLUTION IN SUPPORT OF TRANS UNITY AND DECLARING THE WEEK OF MAY 28 – JUNE 3, 2007 AS “TRANSGENDER AWARENESS AND APPRECIATION WEEK” IN WEST HOLLYWOOD: [R. RYAN]

The City Council will consider declaring the week of May 28 – June 3, 2007, as “Transgender Awareness and Appreciation Week” in West Hollywood.

RECOMMENDATION: Adopt Resolution No. 07-3519, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF TRANS UNITY AND DECLARING THE WEEK OF MAY 28 - JUNE 3, 2007 AS ‘TRANSGENDER AWARENESS AND APPRECIATION WEEK’ IN WEST HOLLYWOOD.”

2.S. CO-SPONSORSHIP OF AN EDUCATIONAL FORUM ON THE INTRODUCTION IN THE 110TH CONGRESS OF THE EMPLOYMENT NON-DISCRIMINATION ACT (ENDA): [J. DURAN / H. MOLINA]

The City Council will consider authorizing a co-sponsorship of an educational forum on May 30, 2007 at West Hollywood Park.

RECOMMENDATIONS: 1) Approve co-sponsorship of an educational forum on the introduction in the 110th Congress of the Employment Non-Discrimination Act (ENDA) of 2007 at West Hollywood Park on Wednesday, May 30, 2007; and 2) Direct City staff to assist with production of the forum.

2.T. LEAD-BASED PAINT REMEDIATION GRANT APPLICATION TO THE U.S. CONFERENCE OF MAYORS: [A. WINDERMAN / J. SKORNECK / E. SAVAGE]

The City Council will consider authorizing a grant application to the U.S. Conference of Mayors CUSP program for a lead-based paint remediation demonstration project.

RECOMMENDATION: Authorize staff to submit a grant application to the U.S. Conference of Mayors for a lead-based paint remediation demonstration project.

2.U. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO SB 964 (ROMERO), AMENDING THE BROWN ACT: [J. PRANG / J. KURPIES / N. TESKE]

The City Council will consider adopting a resolution in opposition to SB 964 (Romero), amending the Brown Act.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3520, “A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO SB 964 (ROMERO), AMENDING THE BROWN ACT”; and 2) Direct staff to send copies of signed resolution to Assemblymember Mike Feuer, Senator Gloria Romero, Senator Sheila Kuehl, and Governor Arnold Schwarzenegger.

2.V. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO AB 889 (LIEU), ESTABLISHING A METRO GREEN LINE CONSTRUCTION AUTHORITY: [J. HEILMAN / F. SOLOMON / N. TESKE]

The City Council will consider adopting a resolution in opposition to AB 889 (Lieu), establishing a Metro Green Line Construction Authority.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3521, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO AB 889 (LIEU), ESTABLISHING A METRO GREEN LINE CONSTRUCTION AUTHORITY"; and 2) Direct staff to send copies of signed the resolution to Assemblymember Mike Feuer, Assemblymember Ted Lieu, Senator Sheila Kuehl, and Governor Arnold Schwarzenegger.

2.W. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE GOVERNOR'S PROPOSED REALLOCATION OF PUBLIC TRANSIT FUNDS IN THE FY 2007-2008 BUDGET: [J. HEILMAN / F. SOLOMON / D. WILSON]

The City Council will consider adopting a resolution in opposition to the Governor's proposed reallocation of public transit funds in the FY 2007-2008 budget.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3522, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE GOVERNOR'S PROPOSED REALLOCATION OF PUBLIC TRANSIT FUNDS IN THE FY 2007-2008 BUDGET"; and 2) Direct staff to send copies of the signed resolution to Assemblymember Mike Feuer, Senator Sheila Kuehl, Governor Arnold Schwarzenegger and leadership of the Senate and Assembly.

3. PUBLIC HEARINGS:

3.A. None.

4. UNFINISHED BUSINESS:

4.A. COMMISSION AND ADVISORY BOARD APPOINTMENTS: [T. WEST / C. SCHAFFER]

The City Council will consider making direct appointments to City Commissions.

RECOMMENDATION: Call for nominations for a direct appointment for the following Commission: a) Planning Commission - 1direct appointment (Land).

MAYOR COMMENTS: Comments from Mayor John Duran will be presented at this time.

ADJOURNMENT: Mayor Duran will adjourn to the next regular meeting, which will be on Monday, May 21, 2007 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
May 21	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
June 4	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
June 18	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
July 2	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 COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, MAY 7, 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.

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

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

Case No. BS105664;

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

Case No. BS090402

1112 Investment Co., LLC v. City of West Hollywood, Los Angeles County Superior Court

Case No. BS096872

CONFERENCE WITH LABOR NEGOTIATORG.C. 54957.6

City Negotiator: Vivian Love

Employee Organizations: All Units
