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(Article IV, Chapter 7, W.H.M.C.)**

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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, DECEMBER 17, 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:

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, December 17, 2007 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, December 13, 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 December 3, 2007.

2.C. DEMAND REGISTER NO. 592, RESOLUTION NO. 07-3627:

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

RECOMMENDATION: Approve Demand Register No. 592 and adopt Resolution No. 07-3627, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 592."

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 Lev Timashpolsky, Elizabeth Caputo-Grosso, Mark Reilly, and David Cohn and refer them to the City's Claims Adjuster for action.

2.E. ORDINANCE NO. 07-780 (2ND READING), ADOPTING A NEGATIVE DECLARATION, APPROVING GENERAL PLAN AMENDMENT 2006-004, ZONING TEXT AMENDMENT 2006-003, AND ZONING MAP AMENDMENT 2007-003, AND APPROVING DEVELOPMENT AGREEMENT 2006-003 FOR THE PROPERTY LOCATED AT 9001-9017 SANTA MONICA BOULEVARD: [T. WEST / C. SCHAFFER]

The City Council will waive further reading and adopt Ordinance No. 07-780, a proposed ordinance to allow altered development standards with approval of a development agreement for properties in the Community Commercial Zoning District and located along Santa Monica Boulevard and approving a development agreement for the property located at 9001-9017 Santa Monica Boulevard.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 07-780, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING A NEGATIVE DECLARATION, APPROVING GENERAL PLAN AMENDMENT 2006-004, ZONING TEXT AMENDMENT 2006-003, AND ZONING MAP AMENDMENT 2007-003 TO ALLOW ALTERED DEVELOPMENT STANDARDS WITH APPROVAL OF A DEVELOPMENT AGREEMENT FOR PROPERTIES IN THE COMMUNITY COMMERCIAL ZONING DISTRICT AND LOCATED ALONG SANTA MONICA BOULEVARD AND APPROVING DEVELOPMENT AGREEMENT 2006-003 BETWEEN THE CITY OF WEST HOLLYWOOD AND WEHO PARTNERS, LLC FOR THE PROPERTY LOCATED AT 9001-9017 SANTA MONICA BOULEVARD, IN WEST HOLLYWOOD, CALIFORNIA."

2.F. 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.G. AWARD OF AGREEMENT FOR GENERAL CONTRACTING SERVICES: [L. LONG / S. BAXTER]

The City Council will consider awarding an Agreement for general contracting services with Saturn Systems, Incorporated.

RECOMMENDATIONS: 1) Authorize the City Manager to sign an Agreement with Saturn Systems, Incorporated for general contracting work in an amount of \$98,000; and 2) Authorize the expenditure of an amount not to exceed 20% of the Agreement amount as approved by the Director of the Human Services.

2.H. APPROVAL OF A DEED OF GIFT TO DONATE A FOSSIL TO THE NATURAL HISTORY MUSEUM OF LOS ANGELES COUNTY: [S PERLSTEIN / J. ENGLISH]

The City Council will consider approval of a Deed of Gift to donate a fossil fragment to the Natural History Museum of Los Angeles County.

RECOMMENDATION: Authorize the City Manager to execute the Deed of Gift to donate a fossil to the Natural History Museum of Los Angeles County.

2.I. APPROVAL OF TWO-YEAR CONTRACT FOR BOOK FAIR CONSULTANT: [L. LONG / N. BEARD / C. WORLAND]

The City Council will consider approving a two-year contract with Roz Helfand to help in coordinating the annual West Hollywood Book Fair.

RECOMMENDATIONS: 1) Authorize the City Manager to enter into a two-year contract between the City and Roz Helfand in an amount not to exceed \$30,000 each fiscal year; and 2) Authorize the Director of Finance and Technology to transfer unappropriated general funds of \$15,000 to the Recreation Division Budget 100-3-05-51-535011.

2.J. COMMEMORATING THE 15th ANNIVERSARY OF THE WOMEN'S ADVISORY BOARD: [A. LAND / L. BELSANTI / L. FOOKS]

The City Council will consider a recommendation to commemorate the 15th Anniversary of the West Hollywood Women's Advisory Board.

RECOMMENDATIONS: Direct staff to coordinate 15th Anniversary activities with the Women's Advisory Board.

2.K. CONTRACT WITH DON MARUSKA & COMPANY, INC, CONSULTANT: [P. AREVALO / K. KRIETZMAN]

The Council will consider approving a Contract with Don Maruska & Company, Inc. for the purposes of providing guidance for the Executive Team in developing strategic directions on critical issues and providing other services to the City Manager as needed and as outlined in the Scope of Services.

RECOMMENDATION: 1) Approve Contract with Don Maruska & Company, Inc. in an amount not to exceed \$50,000 and authorize the City Manager to sign.

2.L. GRANT EXPENDITURE UPDATE FOR THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF) PROGRAM: [K. COOK]

The City Council will consider authorizing Public Safety staff to utilize the remaining Supplemental Law Enforcement Services Fund (SLESF) funds for the City's Park Security Program.

RECOMMENDATION: Authorize the City Manager to reprogram all savings and interest earnings from the Supplemental Law Enforcement Services Fund (SLESF) grant program towards the City's Park Security Program or other special patrols.

2.M. HYBRID VEHICLE PURCHASE: [L. LONG / S. BAXTER / H. GOSS / S. BAILEY]

The City Council will consider authorizing the purchase of three hybrid vehicles.

RECOMMENDATIONS: 1) Authorize the Finance Department to issue a Purchase Order to Galpin Ford of North Hills, California in an amount of \$79,473.87 for the purchase of three 2008 Ford Escape Hybrids; and 2) Declare one 1999 Ford Passenger Van and one 1987 Ford Econoline Cargo Truck as surplus and authorize staff to sell these vehicles at a future date with funds received being deposited into the General Fund.

2.N. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE CALIFORNIA PROPERTY OWNERS AND FARMLAND PROTECTION ACT: [J. HEILMAN / F. SOLOMON / A. LAND / L. BELSANTI / P. INDALL]

The City Council will consider adopting a resolution in opposition of the California Property Owners and Farmland Protection Act.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3628, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION OF THE CALIFORNIA PROPERTY OWNERS AND FARMLAND PROTECTION ACT"; and 2) Direct staff to send copies of signed resolution to Assemblymember Mike Feuer, Senator Sheila Kuehl, Governor Schwarzenegger, the West Hollywood Housing Corporation, the Coalition for Economic Survival, the League of California Cities, League of California Homeowners and California League of Conservation Voters.

2.O. REVIEW OF STREET PEDDLER'S LICENSES: [A. LAND / L. BELSANTI]

The City Council will consider directing the Department of Public Works to prepare a review of the City's street peddler's licenses.

RECOMMENDATION: Direct the Department of Public Works to prepare a review of the City's street peddler's licenses.

2.P. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE NATIONAL LEAGUE OF CITIES' PLATFORM FOR STRENGTHENING FAMILIES AND IMPROVING OUTCOMES FOR CHILDREN AND YOUTH: [J. PRANG / J. KURPIES]

The City Council will consider adopting a resolution in support of the National League of Cities Platform for Strengthening Families and Improving Outcomes for Children and Youth.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3629, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE CITY PLATFORM DEVELOPED BY THE NATIONAL LEAGUE OF CITIES TO STRENGTHEN FAMILIES AND IMPROVE OUTCOMES FOR CHILDREN AND YOUTH" and 2) Direct staff to send a copy of the signed resolution to Assemblymember Mike Feuer, Senator Sheila Kuehl, Governor Schwarzenegger, and the National League of Cities.

2.Q. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF ACA 8 (DE LA TORRE), AB 887 (DE LA TORRE) AND THE HOMEOWNERS AND PRIVATE PROPERTY PROTECTION ACT: [J. HEILMAN / F. SOLOMON / P. INDALL]

The City Council will consider adopting a resolution in support of ACA 8 (De La Torre), AB 887 (De La Torre) and the Homeowners and Private Property Protection Act.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3630, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE HOMEOWNERS AND PRIVATE PROPERTY PROTECTION ACT"; and 2) Direct staff to send copies of signed resolution to Assemblymember Mike Feuer, State Senator Sheila Kuehl, Governor Schwarzenegger, the West Hollywood Housing Corporation, the League of California Cities, the Coalition for Economic Survival, League of California Homeowners and the California League of Conservation Voters.

2.R. SUPPORT OF ISSUING A POSTAL STAMP IN HONOR OF MAYOR TOM BRADLEY: [J. DURAN / H. MOLINA / P. INDALL]

The City Council will consider adopting a resolution in support of issuing a postal stamp in honor of Mayor Tom Bradley.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3631, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF ISSUING A POSTAL STAMP IN HONOR OF MAYOR TOM BRADLEY"; and 2) Direct staff to send copies of the signed resolution to the League of California Cities and the Citizens Stamp Advisory Committee of the United States Postal Service.

**2.S. SUPPORT OF THE CITY OF LOS ANGELES HIV TESTING INITIATIVE:
[J. DURAN / H. MOLINA / P. INDALL]**

The City Council will consider adopting a resolution in support of the City of Los Angeles HIV Testing Initiative.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3632, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE CITY OF LOS ANGELES HIV TESTING INITIATIVE"; and 2) Authorize the City Manager to sign the Memorandum of Understanding (MOU) and direct staff to send copies of signed resolution to Stephen David Simon, AIDS Coordinator for the City of Los Angeles.

2.T. RECOGNIZING DECEMBER 20, 2007 AS A DAY WITHOUT A BAG: [J. PRANG / J. KURPIES / A. LAND / L. BELSANTI / T. LIN]

The City Council will consider adopting a resolution recognizing December 20, 2007 as A Day Without a Bag.

RECOMMENDATIONS: 1) Adopt Resolution No. 07-3633, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN RECOGNITION OF DECEMBER 20, 2007 AS A DAY WITHOUT A BAG"; and 2) Direct staff to send copies of the resolution to Heal the Bay to help promote this event.

THE CITY COUNCIL WILL RECESS AND RECONVENE AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: See attached Community Development Commission Agenda.

THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION WILL RECESS AND RECONVENE AS THE CITY COUNCIL:

3. PUBLIC HEARINGS:

3.A. APPEAL OF PLANNING COMMISSION APPROVAL OF REQUEST TO DEMOLISH AN EXISTING SIX (6) UNIT MULTI-FAMILY APARTMENT BUILDING AND CONSTRUCT A NEW SIXTEEN (16) UNIT RESIDENTIAL CONDOMINIUM STRUCTURE: [S. HEALY KEENE / J. KEHO / J. NOEL]

An appeal of the Planning Commission's approval of permits to demolish a six unit apartment complex consisting of two, two-story buildings and construct a new four-story, sixteen unit condominium building with one level of subterranean parking.

RECOMMENDATIONS: Staff recommends that the City Council hold a public hearing, consider all pertinent testimony, deny the appeal and uphold the Planning Commission's certification of the Environmental Impact Report and approval the project, and adopt the following two resolutions: 1) Resolution No. 07-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF SCOTT WILSON AND HEAVENLY WILSON AND

UPHOLDING THE PLANNING COMMISSION'S DECISION TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT, AND CONDITIONALLY APPROVE DEMOLITION PERMIT (DMP) 004-013, AND DEVELOPMENT PERMIT (DVP) 2004-012, FOR THE DEMOLITION OF TWO EXSITING STRUCTURES ON SITE INCLUDING SIX (6) RESIDENTIAL UNITS AND THE CONSTRUCTION OF A NEW SIXTEEN (16) UNIT CONDOMINIUM BUILDING LOCATED AT 1342-1346 HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA"; and 2) Resolution No. 07-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF HEAVENLY WILSON AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO CONDITIONALLY APPROVE TENTATIVE TRACT 68379 (TENTATIVE TRACT MAP 2007-007) FOR THE PROPERTY LOCATED AT 1342-1346 HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA."

3.B. APPEAL OF PLANNING COMMISSION INTERPRETATION OF A CONDITION OF APPROVAL FOR CONDITIONAL USE PERMIT 2005-03 FOR THE CHARTER ELEMENTARY SCHOOL LOCATED AT 1261-1265 FAIRFAX AVENUE IN WEST HOLLYWOOD, CA.: [S. HEALY KEENE / J. KEHO / J. NOEL]

The City Council continued this item from its meeting of October 15, 2007 at the request of the appellant as well as the applicant for the purpose of reaching an agreement between the two parties. Due to the lack of a timely resolution to the matter, staff is recommending that the item be continued to the meeting of February 4, 2007 to allow for discussion between the appellant and applicant in the interest of reaching a compromise.

RECOMMENDATION: Continue this matter to the meeting of February 4, 2007.

4. UNFINISHED BUSINESS:

4.A. TAXICAB FRANCHISES 2-YEAR EXTENSION: [T. BROWN / T. SLIMMER / J. ENGLISH]

The City Council will receive information on the taxicab franchisees and extend the franchise agreement for the 2nd of three one-year extensions for 2007.

RECOMMENDATIONS: 1) Direct staff to inspect and seal for the one-year period February 28, 2008 through February 29, 2009 the number of franchises and their corresponding taxicabs approved to operate in the City of West Hollywood; 2) Direct staff to come back with Municipal Code amendment to permanently revoke the license of any franchised taxicab and taxicab driver proved to be in violation of rate regulations; 3) Authorize staff to not issue a taxicab permit to any taxicab not possessing a printable meter at the time of their 2008 scheduled inspection date; and 4) Direct staff to come back with Municipal Code amendment to reflect that the number of taxicabs authorized in each company's franchise agreement

shall be reduced by the number of vehicles that have not installed printable meters at the time of their 2008 scheduled inspection and/or have had taxicab licenses revoked for a violation of taxi rate regulations.

4.B. HALLOWEEN CARNAVAL 2007 REVIEW: [L. LONG / N. BEARD / K. COOK]

The City Council will review the 2007 Halloween Carnival report.

RECOMMENDATION: Receive the event report and Discuss 2007 event.

5. NEW BUSINESS:

5.A. HISTORIC RESOURCES SURVEY UPDATE: [S. HEALY KEENE / J. KEHO / F. CONTRERAS]

The City Council shall receive an update on the Historic Resources Survey and a possible Garden Court Thematic Grouping.

RECOMMENDATIONS: 1) Receive and file an update on the Historic Resources Survey; and 2) Provide direction regarding a possible Garden Court Thematic Grouping.

5.B. DIRECT STAFF TO EXAMINE THE HISTORY AND CURRENT STATUS OF THE PROPERTY AT 801 WESTBOURNE: [J. HEILMAN / F. SOLOMON / T. LIN]

The City Council will consider directing staff to examine the history and current status of the property at 801 Westbourne and to take appropriate steps to correct the unacceptable condition of the property.

RECOMMENDATION: Direct the Department of Community Development to examine the history and current status of the property at 801 Westbourne and take appropriate steps to correct the problems.

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, January 22, 2007 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
January 22	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
February 4	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
February 19	Tuesday	6:30 PM	Regular Meeting	W.H. Park Aud.
March 3	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY OF WEST HOLLYWOOD
COMMUNITY DEVELOPMENT COMMISSION
AGENDA**

MONDAY, DECEMBER 17, 2007

6:30 P.M.

**WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

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- 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 Community Development Commission on items of general interest within the subject matter jurisdiction of the Commission. Although the Commission values your comments, pursuant to the Brown Act it generally cannot take any action on items not listed on the posted agenda. Two minutes are assigned for each speaker.
- 5. CONSENT CALENDAR:**
 - 5.A. APPROVAL OF MINUTES:**

The Community Development Commission is requested to approve the minutes of prior Community Development Commission meetings.
RECOMMENDATION: Approve the minutes of the meeting on December 3, 2007.

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, DECEMBER 17, 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)

Hoffman Street, LLC v. City of West Hollywood

Los Angeles Superior Court, Case No. BS 111413

City of West Hollywood v. 8135 Norton Avenue, Inc.

Los Angeles Superior Court, Case Number SC095042

THREATENED LITIGATION.....G.C. 54956.9(b)

1 case.
