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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 3, 2008
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 3, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 28, 2008.

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 19, 2008.

- 2.C. **DEMAND REGISTER NO. 597, RESOLUTION NO. 08-3642:**

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

RECOMMENDATION: Approve Demand Register No. 597 and adopt Resolution No. 08-3642, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 597."

2.D TREASURER'S REPORT FOR JULY, AUGUST AND SEPTEMBER 2007:

The City Council will receive the Treasurer's Reports for the months ended July, August and September 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 Villa Cynthia HOA and Tinder Box #382 and refer them to the City's claims adjuster for action.

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. RESIGNATION OF JEFF YARBROUGH FROM THE LESBIAN AND GAY ADVISORY BOARD [T. WEST, C. SCHAFFER]:

The City Council will accept the resignation of Lesbian and Gay Advisory Board Member Jeff Yarbrough, effective February 8, 2008.

RECOMMENDATION: Accept with regret the resignation of Jeff Yarbrough from the Lesbian and Gay Advisory Board.

2.H. NOTICE OF COMPLETION, PLUMMER PARK FIESTA HALL PERFORMING ARTS PROJECT, PHASE ONE, CIP # 55-07-05 [L. LONG, S. BAXTER]:

The City Council will consider approving a Notice of Completion for the Plummer Park Fiesta Hall Performing Arts Project, Phase One, CIP 55-07-05.

RECOMMENDATIONS: 1) Accept the work completed by d'Escoto West Inc.; 2) Accept Los Angeles County Grant number 58K8-04-1338 as completed to the standards and specifications of the City of West Hollywood; 3) Accept State of California Department of Parks and Recreation State Contract # C2003205 as completed to the standards and specifications of the City of West Hollywood; and 4) Authorize filing a Notice of Completion by the City.

2.I. AWARD OF CONTRACTS FOR CIP 55-08-02, HAVENHURST PARK CONSTRUCTION PROJECT [L. LONG, S. BAXTER]:

The City Council will consider awarding contracts in relation to constructing the Havenhurst Park site.

RECOMMENDATIONS: 1) Accept the bid dated February 19, 2008, in the amount of \$547,700 submitted by Simgel Co., Incorporated of Los Angeles, California for the Havenhurst Park Construction Project; C.I.P. 55-08-02; 2) Accept the bid add alternate identified in this report in the amount of \$10,000; 3) Authorize the City Manager to sign an Agreement with Simgel Co., Incorporated in an amount of \$557,700 (bid amount plus bid add alternate) bid for the Havenhurst Park Construction Project, CIP 55-08-02, .; 4) Authorize the contingency expenditure of an amount not to exceed 15% of the Agreement amount as approved by the Director of the Human Services Department; 5) Reject all other bids and return associated Bid Bonds; and 6) Authorize the City Manager to sign an Agreement with Katherine Spitz and Associates, Civil Works Corporation in an amount not to exceed \$30,000 for inspection services in relation to Havenhurst Park Construction Project.

2.J. ESTABLISHMENT OF A PENALTY RELIEF PERIOD FOR DELINQUENT ACCOUNTS OF BUSINESSES LOCATED WITHIN CERTAIN BUSINESS IMPROVEMENT DISTRICTS [A. GANDHY, D. HATCHER, R. REYNOLDS, J. HUFFER]:

City Council will consider adopting a Resolution approving a penalty relief period for the Sunset Strip and Avenues of Arts and Design Business Improvement Districts through June 2008.

RECOMMENDATIONS: 1) Adopt Resolution No. 08-3643 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A PENALTY RELIEF PERIOD TO ALLOW BUSINESSES WITHIN THE SUNSET STRIP AND AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICTS TO COMPLY WITH THE LEVY OF ASSESSMENT AS REQUIRED BY ESTABLISHING ORDINANCE FREE OF PENALTIES AND INTEREST FROM MARCH 4, 2008 THROUGH JUNE 30, 2008; 2) Authorize the Director of Finance to implement the penalty relief program for those businesses with delinquent accounts within the defined areas as outlined in the above Resolution through June 2008; and 3) Authorize the Director of Finance to approve the write off accounts based on staff recommendations

2.K. APPROVAL OF ARTIST CONTRACTS FOR THE HAVENHURST AND FORMOSA PARK PROJECTS [R. REYNOLDS, A. CAMPBELL, L. LONG, S. BAXTER]:

The Council will consider approving the contracts for artists to design, fabricate and install the public art at the City's Havenhurst and Formosa park projects.

RECOMMENDATIONS 1) Approve the contracts for artist Steve Roden to design, fabricate and install a public art work at the City's Havenhurst Park project at a cost of \$30,000 and for artist Karl Saliter to design, fabricate and install a public art work at the City's Formosa Park project at a cost of \$22,000, 2) Authorize the Director of Finance to increase budgeted expenditures in account 209-1-01-10-531005 Contract Services by \$52,000 and to increase budgeted revenues in account 209-471002 Art & Beautification Fees by \$52,000; and 3) Authorize the City Manager to sign the contracts.

2.L. A RESOLUTION IN SUPPORT OF "INTERNATIONAL WOMEN'S DAY: MARCH 8TH AGAINST THE WAR" RALLY [J. DURAN, H. MOLINA, T. LIN]:

The City Council will consider supporting the "International Women's Day: March 8th Against the War" rally.

RECOMMENDATION: Adopt Resolution No. 08-3644, "A RESOLUTION IN SUPPORT OF 'INTERNATIONAL WOMEN'S DAY: MARCH 8TH AGAINST THE WAR' RALLY."

2.M APPROVAL OF MANAGEMENT ANALYST POSITION (ACE) [V. LOVE, L. BOCK, S, SCHUMACHER]:

The City Council will consider a request to upgrade the previously approved position of Management Specialist in the City Manager's Division to a Management Analyst.

RECOMMENDATION: Authorize the upgrade of the vacant Management Specialist position in the City Manager's Department to Management Analyst.

2.N. A RESOLUTION IN SUPPORT OF THE GLOBAL CAMPAIGN FOR MICROBICIDES AND THE MICROBICIDE DEVELOPMENT ACT OF 2007 [A. LAND, L. BELSANTI, J. HEILMAN, F. SOLOMON]:

The City Council will consider supporting a resolution in support of the Global Campaign for Microbicides and the Microbicide Development Act of 2007.

RECOMMENDATIONS: 1) Adopt Resolution No. 08-3645, "A RESOLUTION IN SUPPORT OF THE GLOBAL CAMPAIGN FOR MICROBICIDES AND THE MICROBICIDE DEVELOPMENT ACT OF 2007"; 2) Direct staff to coordinate an awareness activity for the 3rd Annual National Women and Girls HIV/AIDS Awareness Day on March 10, 2008 that incorporates information regarding microbicides; and 3) Send copies of the signed resolution to the Global Campaign for Microbicides, Senator Barack Obama, Senator Olympia Snowe, Senator Barbara Boxer, Senator Dianne Feinstein, Representative Jan Schakowsky, Representative Chris Shays and Representative Henry Waxman.

3. PUBLIC HEARINGS:

3.A. APPEAL OF PLANNING COMMISSION'S APPROVAL OF A REQUEST TO DEMOLISH AN EXISTING SINGLE FAMILY RESIDENTIAL STRUCTURE AND CONSTRUCT A NEW EIGHT-UNIT MULTI-FAMILY RESIDENTIAL CONDOMINIUM STRUCTURE (1223 LARRABEE) [S. KEENE, J. KEHO, J. ALKIRE]:

This item is regarding two appeals of the Planning Commission's approval of Demolition Permit Development Permit 2006-44, and Tentative Tract Map 2006-21 to demolish a single family residence and construct a new eight (8) unit condominium building at 1223 Larrabee Street.

RECOMMENDATIONS: Staff recommends that the City Council hold a public hearing, consider all pertinent testimony, deny the appeal of Ginger Canzoneri, deny the appeal of Douglas Decker and uphold the Planning Commission's decision to adopt the Negative Declaration, approve the project, and adopt the following resolutions: 1) Resolution No. 08-____: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF GINGER CANZONERI, DENYING THE APPEAL OF DOUGLAS DECKER, ADOPTING A NEGATIVE DECLARATION, AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2006-030 AND DEVELOPMENT PERMIT 2006-044, FOR THE DEMOLITION OF AN EXISTING SINGLE FAMILY RESIDENCE AND THE CONSTRUCTION OF A NEW EIGHT-UNIT MULTI-FAMILY RESIDENTIAL STRUCTURE, FOR THE PROPERTY LOCATED AT 1223 LARRABEE STREET, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A); and 2) Resolution No. 08-____: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF GINGER CANZONERI, DENYING THE APPEAL OF DOUGLAS DECKER AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF TENTATIVE TRACT MAP 2006-021, FOR THE DEVELOPMENT OF EIGHT (8) CONDOMINIUM UNITS, FOR THE PROPERTY LOCATED AT 1223 N. LARRABEE STREET, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT B)

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. KEEN/J. KEHO/J. ALKIRE]:

The City Council will consider an Appeal of the Planning Commission Resolution PC 05-661 amending Conditional Use Permit (CUP) 2005-03 for a charter elementary school to use the existing school facilities located at 1261-1265 Fairfax Avenue.

RECOMMENDATION: Adopt Resolution No 08-____: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PARTIALLY APPROVING THE APPEAL OF JOHN CORBETT, AND AMENDING CONDITIONAL USE PERMIT 2005-03 FOR A CHARTER

ELEMENTARY SCHOOL LOCATED AT 1261-1265 FAIRFAX AVENUE
IN WEST HOLLYWOOD, CALIFORNIA.”

4. UNFINISHED BUSINESS:

4.A. ESTABLISH CONDITIONS AND CRITERIA FOR AMENDING PARKING REGULATIONS IN PREFERENTIAL PARKING DISTRICTS [O. DELGADO/D. NORTE]

The City Council will consider an ordinance establishing conditions and criteria for amending parking regulations in preferential parking districts.

RECOMMENDATION: Introduce for first reading Ordinance 08-_____, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08 BY ADDING SECTION 10.08.157 ESTABLISHING CONDITIONS AND CRITERIA FOR AMENDING PREFERENTIAL PARKING REGULATIONS AND AMENDING THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE”.

4.B. APPOINTMENT OF A REPRESENTATIVE TO THE LOS ANGELES COUNTY WEST VECTOR ABATEMENT CONTROL DISTRICT [T. WEST, C. SCHAFFER]:

The City Council will consider making an appointment to the Los Angeles County West Vector Abatement Control District.

RECOMMENDATION: Appoint a delegate to the Los Angeles County West Vector Abatement Control District.

4.C. COMMISSION, ADVISORY BOARD, AND PROJECT ADVISORY COMMITTEE APPOINTMENTS AND RE-APPOINTMENTS [T. WEST, C. SCHAFFER]:

The City Council will consider making direct and at-large appointments to City Commissions, Advisory Boards, and Committees.

RECOMMENDATION: The Council will make appointments to Boards and Commissions as detailed in the Staff Report.

4.D UPDATE CAMPAIGN FINANCE REVIEW PROGRESS [M. JENKINS, T. WEST]:

The City Council will receive an update on the progress of the Campaign Finance Review Committee.

RECOMMENDATION: Receive and file.

5. NEW BUSINESS:

5.A. AGREEMENT TO PROVIDE MICROFICHE CONVERSION SERVICES [T. WEST, C. SCHAFFER]:

The City Council will consider approving an agreement with Data Microlmaging Company to provide scanning, digital conversion, and indexing services for property records maintained by the City which are currently only available on Microfiche.

RECOMMENDATIONS: 1) Approve an agreement with Data Microlmaging Company in an amount not-to-exceed \$50,000 for scanning, digital conversion, and indexing of documents on Microfiche; 2) Authorize the City Manager to execute agreement; and 3) Authorize the Director of Finance & Technology Services to allocate \$50,000 from the General Fund Unreserved Fund Balance and increase budgeted expenditures by \$50,000 in the City Clerk's Division, Professional Services line item (100-1-02-26-531004).

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 Monday, March 17, 2008 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
March 17, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
April 7, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
April 21, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.
May 5, 2008	Monday	6:30 PM	Regular Meeting	W.H. Park Aud.

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**CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, MARCH 3, 2008**

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.

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

Hoffman Street, LLC v. City of West Hollywood
Los Angeles Superior Court, Case No. BS 111413

Dobrin et al v. City of West Hollywood
Los Angeles Superior Court, BS 112928

Claim of Tom Benedetti

AFFIDAVIT OF POSTING

State of California)
County of Los Angeles)
City of West Hollywood)

I declare under penalty of perjury that I am employed by the City of West Hollywood in the Administrative Services Department in the Office of the City Clerk and that I posted this agenda on:

Date: Feb. 28, 2008

Signature _____
Catherine Ross, Deputy Clerk