

**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**

Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office at 8300 Santa Monica Boulevard, West Hollywood, California, during normal business hours. They will also be available for inspection during the City Council meeting at the City Clerk's table.

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) 848-6409 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, AUGUST 18, 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:

ADJOURNMENT MOTIONS:

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, August 18, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 14, 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 July 21, 2008.

- 2.C. **DEMAND REGISTER NO. 607, RESOLUTION NO. 08-3722:**

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

RECOMMENDATION: Approve Demand Register No. 607 and adopt Resolution No. 08-3722, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 607."

2.D DEMAND REGISTER NO. 608, RESOLUTION NO. 08-3723:

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

RECOMMENDATION: Approve Demand Register No. 608 and adopt Resolution No. 08-3723, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 608."

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 Margaret Ella DeMonte and Colleen Kerns and refer to the City's claims adjuster.

2.F. ORDINANCE NO. 08-788 (2ND READING), AMENDING TITLE 10, CHAPTER 10.08.250 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 10 PREFERENTIAL PARKING REGULATIONS ON THE 1000 BLOCK OF SPAULDING AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-788, a proposed ordinance amending Title 10, Chapter 10.08.250 of the West Hollywood Municipal Code implementing District 10 preferential parking regulations on the 1000 block of Spaulding Avenue and amending the West Hollywood Municipal Code.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 08-788, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.250 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 10 PREFERENTIAL PARKING REGULATIONS ON THE 1000 BLOCK OF SPAULDING AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

2.G. ORDINANCE NO. 08-789 (2ND READING), AMENDING SECTION 9.04.040 OF CHAPTER 9.04 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING OBSTRUCTING ENTRANCES [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-789, a proposed ordinance amending Section 9.04.040 of Chapter 9.04 of the West Hollywood Municipal Code regarding obstructing entrances.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 08-789, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD

AMENDING SECTION 9.04.040 OF CHAPTER 9.04 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING OBSTRUCTING ENTRANCES.”

2.H. ORDINANCE NO. 08-790 (2ND READING), ESTABLISHING VIDEO FRANCHISE FEES, PEG FEES, PENALTIES AND OTHER RELATED MATTERS FOR STATE VIDEO FRANCHISE AGREEMENTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-790, a proposed ordinance establishing video franchise fees, peg fees, penalties and other related matters for state video franchise agreements and amending the West Hollywood Municipal Code.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 08-790, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING VIDEO FRANCHISE FEES, PEG FEES, PENALTIES AND OTHER RELATED MATTERS FOR STATE VIDEO FRANCHISE AGREEMENTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.”

2.I. ORDINANCE NO. 08-792 (2ND READING), MODIFYING INTERIM ORDINANCE NO. 07-767U WHICH REGULATES THE ISSUANCE OF PERMITS FOR CONSTRUCTION OF NEW MULTI-FAMILY STRUCTURES IN THE R3 AND R4 ZONING DISTRICTS THAT ARE IN CONFLICT WITH INTERIM ZONING STANDARDS [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-792, a proposed ordinance modifying Interim Ordinance No. 07-767U which regulates the issuance of permits for construction of new multi-family structures in the R3 and R4 zoning districts that are in conflict with interim zoning standards.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 08-792, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD MODIFYING INTERIM ORDINANCE NO. 07-767U WHICH REGULATES THE ISSUANCE OF PERMITS FOR CONSTRUCTION OF NEW MULTI-FAMILY STRUCTURES IN THE R3 AND R4 ZONING DISTRICTS THAT ARE IN CONFLICT WITH INTERIM ZONING STANDARDS.”

2.J. ORDINANCE NO. 08-793 (2ND READING), APPROVING ZONING TEXT AMENDMENT 2008-002 RELATING TO THE INSTALLATION OF ENHANCED VAPOR RECOVERY EQUIPMENT AT SERVICE STATIONS [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-793, a proposed ordinance approving Zoning Text Amendment 2008-002 relating to the installation of enhanced vapor recovery equipment at service stations.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 08-793, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2008-002 RELATING TO THE INSTALLATION OF ENHANCED VAPOR RECOVERY EQUIPMENT AT SERVICE STATIONS."

2.K. ORDINANCE NO. 08-794 (2ND READING), APPROVING ZONING TEXT AMENDMENT 2008-003 RELATING TO THE LOCATION AND ORIENTATION OF SOLAR COLLECTION SYSTEMS [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-794, a proposed ordinance approving Zoning Text Amendment 2008-003 relating to the location and orientation of solar collection systems.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 08-794, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2008-003 RELATING TO THE LOCATION AND ORIENTATION OF SOLAR COLLECTION SYSTEMS."

2.L. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

RECOMMENDATION: Receive and file.

2.M. RESIGNATIONS FROM CITY COMMISSIONS, ADVISORY BOARDS, AND COMMITTEES [T. WEST, C. SCHAFFER]:

The City Council will accept the resignation of Project Advisory Committee Member David Pacheco, effective July 15, 2008; and the resignation of Lesbian and Gay Advisory Board Member Chris Clarkin, effective July 21, 2008.

RECOMMENDATION: Accept with regret the resignation of David Pacheco from the Project Advisory Committee and Chris Clarkin from the Lesbian and Gay Advisory Board.

2.N. APPROVE CONTRACTS TO PROVIDE OFFICE SPACE FURNISHING AND INSTALLATION SERVICES [J. ENGLISH, S. KEENE, O. DELGADO]:

The City Council will consider approving contracts with Knoll Inc. and Saturn Systems Inc. to provide office space furnishing and installation services for an amount not to exceed \$107,399.23.

RECOMMENDATIONS: 1) Approve contract with Knoll Inc. for an amount not to exceed \$65,645.23 to provide materials and installation for modular work space furniture; 2) Approve contract with Saturn Systems Inc. for an amount not to exceed \$41,754 to provide general construction services; and 3) Authorize City Manager to sign the agreements.

2.O. AGREEMENT WITH DIGITAL MAP PRODUCTS TO PROVIDE CUSTOMIZED, WEB-BASED GIS SUBSCRIPTION SERVICES [S. KEENE, J. KEHO, B. SIEGL]:

The City Council will consider approving an Agreement with Digital Map Products for a three-year subscription to its customized CityGIS and Community View web-based GIS system for staff and public use, respectively.

RECOMMENDATIONS: 1) Approve a three-year Agreement with Digital Map Products for thirty thousand six hundred dollars (\$30,600) in the first year and twenty five thousand dollars (\$25,000) in the second and third years for subscription services in the Community Development Department and others; and 2) Authorize the City Manager to execute the agreement.

2.P. APPROVE AGREEMENT WITH EDEN SYSTEMS, INC. FOR THE PURCHASE AND IMPLEMENTATION OF A NEW CASHIERING SYSTEM [A. GANDHY, D. HATCHER, C. DUNCAN]:

The City Council will consider approving an agreement with Eden Systems Inc. for the purchase, implementation and maintenance of a Cashiering Module.

RECOMMENDATIONS: 1) Approve an agreement with Eden Systems Inc. in an amount not to exceed \$32,830. This amount includes a yearly maintenance fee of \$4,945; 2) Authorize the Director of Finance to approve future amendments to the agreement allowing the purchase of additional cashiering modules as needed; and 3) Authorize the City Manager to negotiate and execute all agreements.

2.Q. AWARD OF CONSTRUCTION CONTRACT FOR CIP 0901, METRO RAPID BUS PAD AND STOP IMPROVEMENTS [O. DELGADO, S. PERLSTEIN]:

The City Council will consider awarding a construction contract for CIP 0901, Metro Rapid Bus Pad and Stop Improvements.

RECOMMENDATIONS: 1) Accept the bid dated August 5, 2008 submitted by Vido Samarzich, Inc.; 2) Authorize the City Manager to enter into a contract with Vido Samarzich, Inc. in the amount of \$199,750 for the construction of CIP 0901, Metro Rapid Bus Pad And Stop Improvements; 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.R. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES ON CIP 0901, METRO RAPID BUS PAD AND STOP IMPROVEMENTS [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving a professional service agreement with RBF Consulting for construction management and inspection services on CIP 0901 Metro Rapid Bus Pad and Stop Improvements.

Deleted: 0201

Deleted: to Civil Works Corp., for the CIP

Deleted: 0201

Deleted: 0403 Concrete Repair

Deleted: Project

Deleted: Program.

Deleted: December 18, 2002

Deleted: January 28, 2004

Formatted: Bullets and Numbering

Deleted: Civil Works Corp

Deleted: Civil Works Corp

Deleted: 332,450.00

Deleted: 268,125.00

Deleted: CIP0201

Deleted: 2

RECOMMENDATION: Approve a professional services Agreement in an amount not to exceed \$65, 000 with RBF Consulting for construction management and inspection services on CIP 0901 Metro Rapid Bus Pad and Stop Improvements, and authorize the City Manager to sign the Agreement.

2.S. EXTENSION OF AGREEMENT WITH JOHNSON'S SUPER SERVICE TO PROVIDE VEHICLE TOWING AND STORAGE SERVICES [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider approving a one year extension to the agreement with Johnson's Super Service to provide vehicle towing and storage services.

RECOMMENDATIONS: 1) Approve a one year extension to the agreement with Johnson's Super Service to provide vehicle towing and storage services for the City of West Hollywood through December 31, 2009; and 2) Authorize the City Manager to sign the agreement.

2.T. APPROVAL OF CONCESSIONS AGREEMENT WITH COAST PARKING INC. TO OPERATE VALET PARKING SERVICES FOR THE PUBLIC ON CITY SURFACE LOTS [O. DELGADO, J. ROCCO, R. MARQUEZ]:

The City Council will consider approval of a one year contract with two 1-year extensions with Coast Parking Inc. to provide public valet parking services.

RECOMMENDATIONS: 1) Approve an agreement with Coast Parking Inc. to provide valet parking services for the City of West Hollywood; 2) Approve an agreement term of one (1) year, beginning September 1, 2008 through August 31, 2009 with Coast Parking Inc. for the use of five City parking lots for \$15,000 per month (\$180,000 annually); and 3) Authorize the City Manager to sign the agreement.

2.U. AUTHORIZATION TO APPROVE AN AGREEMENT FOR CONSULTANT SERVICES WITH JOAN SATT [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving a contract with Joan Satt, a consultant, to provide public education for the City's solid waste and recycling programs.

RECOMMENDATION: Approve a contract with Joan Satt for professional consulting services for a total amount not to exceed \$40,000 for solid waste and recycling public education, and authorize the City Manager to execute the agreement.

2.V. AGREEMENT TO PROVIDE ELECTION SERVICES FOR THE MARCH 3, 2009 GENERAL MUNICIPAL ELECTION [T. WEST, C. SCHAFFER]:

The City Council will consider approving an agreement with Martin and Chapman Company to provide election supplies and related services for

the upcoming General Municipal Election to be held on Tuesday, March 3, 2009.

RECOMMENDATIONS: 1) Approve an agreement with Martin and Chapman Company in an amount not-to-exceed \$83,000 for Election Services for the General Municipal Election to be held on March 3, 2009; 2) Authorize the City Clerk to issue Change Orders not to exceed 10% of the original proposal; and 3) Authorize the City Manager to execute agreement.

2.W. APPROVAL OF FINAL TRACT MAP NO. 61859 FOR THE CONDOMINIUM PROJECT LOCATED AT 1236 - 1250 HARPER AVENUE [O. DELGADO, S. PERLSTEIN]:

The City Council will consider the approval of Final Tract Map No. 61859, a forty unit condominium, located on Harper Avenue, between Norton Avenue and Fountain 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. 61859; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 61859 the certificate that embodies the approval of said map.

2.X. APPROVAL OF FINAL TRACT MAP NO. 62131 FOR THE CONDOMINIUM PROJECT LOCATED AT 1029 VISTA STREET [O. DELGADO, S. PERLSTEIN]:

The City Council will consider the approval of Final Tract Map No. 62131, a five unit condominium, located on Vista Street, between Santa Monica Boulevard and Romaine Street.

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; and 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. 62131; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 62131 the certificate that embodies the approval of said map.

2.Y. IMPLEMENTATION OF DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7600 BLOCK OF LEXINGTON AVENUE [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider a petition for preferential parking filed by residents representing a majority of the residential dwelling units on the 7600 block of Lexington Avenue.

RECOMMENDATION: Introduce for first reading Ordinance No. 08-795, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7600 BLOCK OF LEXINGTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

2.Z. IMPLEMENTATION OF DISTRICT 10 PREFERENTIAL PARKING REGULATIONS ON THE 1000 BLOCK OF ORANGE GROVE AVENUE [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider a petition for preferential parking filed by residents representing a majority of the residential dwelling units on the 1000 block of Orange Grove Avenue.

RECOMMENDATION: Introduce for first reading Ordinance No. 08-796, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.250 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 10 PREFERENTIAL PARKING REGULATIONS ON THE 1000 BLOCK OF ORANGE GROVE AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

2.AA. SCHEDULING A SECOND COMMUNITY MEETING FOR THE GENERAL PLAN UPDATE PROJECT [S. KEENE, J. KEHO, F. STEFAN]:

The City Council will consider a proposed community-wide General Plan Update community meeting for Saturday, November 8, 2008 at Fiesta Hall (Plummer Park). This would be the second community-wide meeting for the General Plan Update process and would focus on possible visions for West Hollywood in the year 2030.

RECOMMENDATION: Direct staff to hold a General Plan Community Fair on November 8, 2008 and to begin noticing and outreach for the event.

2.BB. SAN VICENTE/ROBERTSON BLVD. ROAD CLOSURE REQUEST - EMMY EVENT [L. LONG, N. BEARD, C. SMITH]:

The City Council will consider a request to close San Vicente Blvd. between Melrose Ave. and Santa Monica Blvd. and Robertson Blvd. between Melrose Ave. and Santa Monica Blvd. on Sunday, September 21, 2008 from 3pm to 2am on Monday September 22, 2008 in support of the HBO Emmy event at the Pacific Design Center.

RECOMMENDATION: Approve the closure of San Vicente Blvd. between Melrose Ave. and Santa Monica Blvd. and approve the closure of Robertson Blvd. between Melrose Ave. and Santa Monica Blvd. on Sunday, September 21, 2008 from 3pm to 2am on Monday, September 22, 2008.

2.CC. AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IMPOSING A BAN ON PLASTIC, SINGLE USE, CARRYOUT SHOPPING BAGS [S. GUARRIELLO, D. SAUR, A. LAND, C. PLANCK, D. GEVORKYAN]:

The City Council of The City of West Hollywood will consider adopting an ordinance to ban plastic single use, carryout, shopping bags from grocery and retail establishments in West Hollywood.

RECOMMENDATIONS: 1) Direct the City Attorney to research the feasibility of drafting an ordinance that will establish a municipal code implementing a ban on all forms of single use, plastic bags from all West Hollywood grocery and retail stores.; 2) Direct staff to institute a collaboration with Athens Services to form a "Reusable Shopping Bag" outreach/education program to assist West Hollywood businesses and consumers to adjust to the new ordinance; 3) The ban would take effect six months after the establishment of the ordinance to give retailers adequate time to adjust operations accordingly to the new provisions of the ordinance; and 4) Direct staff to send a letter to Assemblyman Mike Feuer, Senator Fran Pavley, and to the California League of Cities to support a statewide ban on single-use carryout plastic shopping bags.

2.DD. A RESOLUTION IN SUPPORT OF H.R. 5842 AND H.R. 5843 [J. DURAN, H. MOLINA]:

The City Council will consider adopting resolutions in support of two bills introduced by Congressman Barney Frank of Massachusetts.

RECOMMENDATIONS: 1) Adopt Resolution 08-3724, "A RESOLUTION IN SUPPORT OF H.R. 5842 – THE MEDICAL MARIJUANA PATIENT PROTECTION ACT"; 2) Adopt Resolution 08-3725, "A RESOLUTION IN SUPPORT OF H.R. 5843 – ACT TO REMOVE FEDERAL PENALTIES FOR THE PERSONAL USE OF MARIJUANA BY RESPONSIBLE ADULTS"; and 3) Direct staff to send copies of signed resolutions to Congressmen Henry Waxman and Barney Frank, Senators Dianne Feinstein and Barbara Boxer, and other legislators and governmental agencies.

2.EE. A RESOLUTION TO NAME MAY 1, 2009 AS SILVER STAR BANNER DAY IN THE CITY OF WEST HOLLYWOOD IN HONOR OF FALLEN MEMBERS OF THE AMERICAN ARMED FORCES [J. PRANG, J. STEVENS]:

The City Council will consider adopting a resolution to name May 1, 2009 as "Silver Star Banner Day" in the City of West Hollywood in honor of fallen or injured members of the American Armed Forces.

RECOMMENDATIONS: 1) Adopt Resolution No. 08-3726, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO NAME MAY 1, 2009 AS SILVER STAR BANNER DAY IN THE CITY OR WEST HOLLYWOOD IN HONOR OF FALLEN MEMBERS OF THE AMERICAN ARMED FORCES."; and 2) Direct staff to send copies of signed resolutions to Silver Star Families of America Veteran's Affairs Director Kathy Landess and Silver Star Families of America Founder Chief Steven J. Newton (ret).

2.FF. A RESOLUTION IN SUPPORT OF HR 5887 (MC KEON), THE SOLEDAD CANYON MINE ACT, ENDING MINING OPERATIONS IN SOLEDAD CANYON [J. PRANG, J. STEVENS, S. GUARRIELLO, D. SAUR]:

The City Council will consider adopting a resolution in support of HR 5887 (McKeon), which would provide the Secretary of Interior a mechanism to cancel contracts for the sale of materials CA-20139 and CA-22901 mined from Soledad Canyon near Santa Clarita, CA.

RECOMMENDATIONS: 1) Adopt Resolution No. 08-3727, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF HR 5887 (MC KEON), THE SOLEDAD CANYON MINE ACT, ENDING MINING OPERATIONS IN SOLEDAD CANYON"; and 2) Direct staff to send copies of signed resolutions to Representative Howard P. "Buck" McKeon, Representative Henry Waxman, Speaker of the House Nancy Pelosi, Senators Diane Feinstein and Barbara Boxer, Santa Clarita Mayor Bob Kellar and Victorville Mayor Terry E. Caldwell.

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. APPROVAL OF RESOLUTION FOR EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS BETWEEN THE CITY OF CERRITOS AND THE CITY OF WEST HOLLYWOOD [A. WINDERMAN, J. SKORNECK, R. BURNLEY]:

The City Council will solicit comments on the City of West Hollywood's proposed acquisition of CDBG funds from the City of Cerritos. Following the public hearing the City Council will consider approving the proposed resolution and letter of agreement.

RECOMMENDATIONS: 1) Adopt Resolution No. 08-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF CERRITOS FOR THE EXCHANGE OF CDBG FUNDS FOR THE FISCAL YEAR 2008-2009."; 2) Authorize the City Manager to execute all necessary Letters of Agreements and Amendments for the purpose of exchanging CDBG funds with the identified agency; and 3) Authorize the Director of Finance and Technology to appropriate \$206,509.41 from the General Fund Unallocated Reserves to the Expenditure for Traded Funds (100-3-06-06-531016) line item in FY 2008-2009 in recognition of receiving \$308,223 in CDBG funds.

3.B. PROPOSED RESOLUTION FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) [S. KEENE, T. SLIMMER]:

The City Council will hold a public hearing to consider adopting a resolution finding the City to be in conformance with the Los Angeles County Congestion Management Program (CMP).

RECOMMENDATION: Adopt Resolution No. 08-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN CONFORMANCE WITH THE LOS ANGELES COUNTY CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089."

4. UNFINISHED BUSINESS:

4.A. APPOINTMENT OF VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES [T. WEST, C. SCHAFFER]:

The City Council will consider appointing a Voting Delegate and Voting Delegate – Alternate(s) for the League of California Cities in preparation for their upcoming Annual Conference.

RECOMMENDATION: Appoint a Voting Delegate and Voting Delegate – Alternate(s) to the League of California Cities.

5. NEW BUSINESS: 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. AN AMENDMENT TO WHMC §17.56.010(h)(2) TO SPECIFY THAT AN OWNER OR A RESIDENT MANAGER REQUIRED TO HOLD OFFICE HOURS MUST HOLD THOSE HOURS ON THE RENTAL PREMISES [A. WINDERMAN, M. HULL, J.S. LEWIS]:

Under current law, any property with more than 16 rental units must have a resident manger and the manager must hold regular office hours. This proposed ordinance revision would not change the current law, but would clarify existing law to state explicitly that the resident manager must hold his or her office hours on the property.

RECOMMENDATION: Introduce on first reading Ordinance No. 08-____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING WHMC §17.56.010(H)(2) TO SPECIFY THAT AN OWNER OR RESIDENT MANAGER REQUIRED TO HOLD OFFICE HOURS MUST HOLD THOSE HOURS ON THE RENTAL PREMISES."

6.B INTERIM URGENCY ORDINANCE FOR EXTENDED HOURS PERMITS [J. ENGLISH, L. BELSANTI, K. COOK, B. GOLDMAN]:

The City Council will consider adopting an interim urgency ordinance to prohibit the issuance of permits for extending hours of operation between 2 a.m. and 6 a.m. If adopted, the interim urgency ordinance would be in effect for no more than 45 days during which time staff will meet with interested stakeholders and a public hearing will be held to consider the extension of the prohibition while the City develops new criteria and conditions for the issuance of extended hours permits.

RECOMMENDATIONS: 1) Adopt the following urgency ordinance: Ordinance No. 08-____, "AN INTERIM ORDINANCE OF THE CITY OF WEST HOLLYWOOD PURSUANT TO GOVERNMENT CODE SECTION 65858 PROHIBITING THE ISSUANCE OF EXTENDED HOURS PERMITS AND DECLARING THE URGENCY THEREOF." (ATTACHMENT A); 2) Direct the Assistant City Manager and the Community Development Department to develop criteria and conditions for the issuance of extended hours permits; and 3) Direct the Assistant City Manager, Economic Development Department and Public Information and Prosecution Services Department to outreach to businesses in areas with high concentration of nighttime businesses to begin the process of

exploring additional Business Improvement Districts (BID) and other solutions to reduce the impact of nighttime businesses.

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, September 15, 2008 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

| UPCOMING MEETING SCHEDULE | | | | |
|---------------------------|--------|---------|-----------------|----------------|
| Date | Day | Time | Meeting Type | Location |
| September 15 | Monday | 6:30 PM | Regular Meeting | W.H. Park Aud. |
| October 6 | Monday | 6:30 PM | Regular Meeting | W.H. Park Aud. |
| October 20 | Monday | 6:30 PM | Regular Meeting | W.H. Park Aud. |
| November 3 | 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
COMMUNITY DEVELOPMENT COMMISSION
AGENDA**

MONDAY, AUGUST 18, 2008

6:30 P.M.

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

**SMOKING IS NOT PERMITTED IN THE CITY COUNCIL CHAMBERS
(Article IV, Chapter 6, W.H.M.C.)**

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) 848-6409 at least 48 hours prior to the meeting. The City TDD line for the 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 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 July 21, 2008.

5.B CONTRACT WITH CONSULTANT PATRICIA SMITH, ASLA, AICP FOR THE LA BREA AVENUE CONCEPTUAL STREETSCAPE PLAN [A. WINDERMAN, R. BURNLEY]:

The Community Development Commission will consider approving a contract with Consultant Patricia Smith, ASLA, AICP for the La Brea Avenue Conceptual Streetscape Plan.

RECOMMENDATION: Approve a contract with Patricia Smith, ASLA, AICP for the La Brea Avenue Conceptual Streetscape Plan for \$55,000.

6. PUBLIC HEARING: None

7. UNFINISHED BUSINESS: None.

8. NEW BUSINESS: None

9. COMMUNITY DEVELOPMENT COMMISSIONER 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 Community Development Commission.

10. ADJOURNMENT:

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CLOSED SESSION AGENDA
MONDAY, AUGUST 18, 2008
6:00 P.M.**

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.

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)

Adlivankin v. City of West Hollywood, Los Angeles County Superior Court Case No. BC 376246

Save Tara v. City of West Hollywood, Los Angeles County Superior Court Case No. BS 090402

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

Threat of litigation from Olympic Avenue Ventures, Inc.