

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, FEBRUARY 17, 2009
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Prang called the meeting to order at 6:30 P.M.

PLEDGE OF ALLEGIANCE: Carole Ellis led the pledge.

ROLL CALL:

PRESENT: Councilmember Duran, Councilmember Guarriello, Mayor Pro Tempore Land, and Mayor Prang. Councilmember Heilman arrived at the meeting following the Presentations.

ABSENT: None.

ALSO PRESENT: City Manager Arevalo, Acting City Attorney John Cotti, City Clerk West, and Assistant City Clerk Schaffer.

REPORT OF CLOSED SESSION AGENDA:

Acting City Attorney John Cotti reported that the closed session was called to order at 6:00 P.M. He stated that there were no public speakers. He stated that the closed session adjourned at 6:15 P.M. with no reportable action taken.

APPROVAL OF AGENDA:

Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land, to approve the February 17, 2009 agenda and approved with Councilmember Heilman being ABSENT for the vote.

ADJOURNMENT MOTIONS:

Councilmember Guarriello requested that the meeting be adjourned in memory of Anna Maggio, the mother of Rent Stabilization Commissioner Richard Maggio.

Mayor Prang requested that the meeting be adjourned in memory of James Whitmore, a distinguished actor and the father of West Hollywood resident Steve Whitmore.

Councilmember Duran requested that the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Spc. Darrell L. Fernandez, Spc. Christopher P. Sweet, Spc. James M. Dorsey, Sgt. Joshua A. Ward, Pfc. Jonathan R. Roberge, Pfc. Albert R. Jex, Lt. Col. Garnet R. Derby, Pvt. Ryan Wrathall.

PRESENTATIONS:

Mayor Pro Tempore Land presented a proclamation in recognition of Reuse a Shoe Month.

Mayor Prang presented a proclamation in recognition of Responsible Pet Guardianship Month.

1. PUBLIC COMMENT:

City Manager Arevalo provided additional clarification on Item 2.U. on the agenda.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding Item 2.U. and the upcoming General Municipal Election in the City.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke regarding construction issues related to Items 2.H., 2.I., and 2.J. on the agenda. He spoke in support of Item 2.U.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City and spoke in support of Item 2.U.

ED BUCK, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City.

LEO TERRELL, LOS ANGELES, spoke regarding the recent termination of a COSTCO employee due to alleged discrimination.

BRUCE KASPER, PLAYA DEL REY, spoke regarding people who have been infected with the HIV virus through blood transfusions and requested the City Council to support the Steve Grissom Relief Fund Act.

ALEX GHAFARI, LOS ANGELES, spoke regarding people who have been infected with the HIV virus through blood transfusions and requested the City Council to support the Steve Grissom Relief Fund Act.

NOELLE SIMEON, WINNETKA, spoke regarding her infection with the HIV virus through a blood transfusion and requested the City Council to support the Steve Grissom Relief Fund Act.

CHRISTINA TACORONTI, SAN DIEGO, spoke in support of Item 2.T.

EVELYN GRAY, WEST HOLLYWOOD, spoke in support of Item 2.T.

SUSAN ANDERSON, LOS ANGELES, spoke regarding upcoming events at the West Hollywood Library.

DAN BERKOWITZ, WEST HOLLYWOOD, spoke regarding upcoming LGBT events in the City and spoke in support of Item 2.S.

CAROLE, ELLIS, LOS ANGELES, spoke in support of Item 2.T.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City.

SAMUEL BORELLI, WEST HOLLYWOOD, spoke regarding vehicle burglary prevention and provided information for residents.

LYNN HOOPINGARNER, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City and a candidate's forum to be sponsored by several neighborhood groups in the City.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding Item 2.U. and spoke in support of the City televising an upcoming candidate's forum that is being sponsored by several neighborhood groups in the City.

Councilmember Heilman apologized for arriving late to the meeting. He requested that the meeting be adjourned in memory of Riva Greenstein, the mother of Nancy Greenstein. He spoke regarding Item 2.U., spoke in support of televising an upcoming candidate's forum that is being sponsored by several neighborhood groups in the City, and requested the City Manager to provide a report on the issue.

Councilmember Duran spoke regarding Item 2.U., spoke in support of televising an upcoming candidate's forum that is being sponsored by several neighborhood groups in the City, and requested the City Manager to provide a report on the issue. He spoke in support of including religious and social service agencies who wish to participate in the candidate's forum. He spoke regarding public comments surrounding people who have been infected with the HIV virus through blood transfusions and provided clarification on the proposed legislation titled the Steve Grissom Relief Fund Act. He recused himself on Item 2.U. due to his candidacy in the upcoming General Municipal Election.

Mayor Pro Tempore Land spoke regarding public comments surrounding people who have been infected with the HIV virus through blood transfusions and provided clarification on the proposed legislation titled the Steve Grissom Relief Fund Act. She spoke regarding Item 2.U., spoke in support of televising an upcoming candidate's forum that is being sponsored by several neighborhood groups in the City, and requested the City Manager to provide a report on the issue. She requested the City Manager to provide clarification of the construction schedule of the new West Hollywood Library and the temporary parking lot in West Hollywood Park. She provided clarification on Item 2.Q. and announced an upcoming mixer being hosted by the West Hollywood Chamber of Commerce. She thanked City staff member Andrew Campbell and the Project Advisory Committee for organizing the installation art exhibit in Plummer Park. She spoke regarding her recent trip to Washington, D.C. to meet with legislators and the City's Federal lobbyist to investigate potential national funding opportunities for various City projects.

Mayor Prang spoke regarding the upcoming dedication of the new Havenhurst Pocket Park. He spoke regarding the West Hollywood Employment Services and Training Program and encouraged residents to take advantage of the program. He thanked City staff member Andrew Campbell and the Arts and Cultural Affairs Commission for organizing the recent Reception for the Arts at Plummer Park. He thanked Fire Captain Mark Viles for his service to the City and wished him well in his retirement. He provided further clarification regarding Item 2.S. He provided further clarification regarding Item 2.H. He spoke regarding Item 2.U., spoke in support of televising an upcoming candidate's forum that is being sponsored by several neighborhood groups in the City, and requested the City Manager to provide a report on the issue. He recused himself on Item 2.U. due to his candidacy in the upcoming General Municipal Election.

CITY MANAGER'S REPORT:

City Manager Arevalo provided clarification on Item 2.U., and spoke regarding the possibility of relocating the upcoming candidate's forum being hosted by neighborhood groups to facilitate televising of the event. He stated that the City will work with the organizers to ensure that the event is televised. He spoke regarding the upcoming construction of a temporary parking structure and the construction of the West Hollywood Library, provided clarification on the timeline of the projects, and provided clarification on funding for the projects.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$731,859.00 in expenditures and \$-2750.00 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,N.,O.,P.,Q.,R.,S.,T.,U. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and unanimously approved with Mayor Prang and Councilmember Duran RECUSING themselves on Item 2.U.**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Tuesday, February 17, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 12, 2009.

ACTION: Receive and file. **Approved as part of the Consent Calendar.**

2.B. APPROVAL OF MINUTES:

The City Council is requested to approve the minutes of prior Council meetings.

ACTION: Approve the minutes of February 2, 2009. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 620, RESOLUTION NO. 09-3770:

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

ACTION: Approve Demand Register No. 620 and adopt Resolution No. 09-3770, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 620." **Approved as part of the Consent Calendar.**

2.D. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

ACTION: Receive and file. **Approved as part of the Consent Calendar.**

2.E. ORDINANCE NO. 09-807 (2ND READING), AMENDING § 17.52.010 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO PROTECT RESIDENTIAL TENANTS FROM BEING EVICTED BECAUSE THEIR HOUSEHOLD HAS GROWN AS THE RESULT OF THE ADDITION OF DEPENDENT CHILDREN [T. WEST, C. SCHAFFER]

The City Council will waive further reading and adopt Ordinance No. 09-807, a proposed ordinance amending § 17.52.010 of the West Hollywood Municipal Code to protect residential tenants from being evicted because their household has grown as the result of the addition of dependent children.

ACTION: Waive further reading and adopt Ordinance No. 09-807, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING § 17.52.010 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO PROTECT RESIDENTIAL TENANTS FROM BEING EVICTED BECAUSE THEIR HOUSEHOLD HAS GROWN AS THE RESULT OF THE ADDITION OF DEPENDENT CHILDREN." **Approved as part of the Consent Calendar.**

2.F. AWARD OF CONTRACT FOR CIP 55-09-01, WEST HOLLYWOOD PARK TEMPORARY POWER PROJECT [L. LONG, R. REYNOLDS, S. BAXTER, J. HUFFER]

The City Council will consider awarding a contract to the lowest responsive bidder for the installation of temporary power at West Hollywood Park.

ACTION: 1) Accept the bid dated January 29, 2009, in the amount of \$86,750 for the original scope of work and accept the bid alternate in the amount of \$4,000 for a total award of \$90,750 as submitted by and McKoy Electric Company, Los Angeles, California; 2) Authorize the City Manager to sign an Agreement with McKoy Electric Company in an amount of \$90,750 for the West Hollywood Park Temporary Power Project, CIP 55-09-01; 3) Authorize the Director of Economic Development and Special Projects, or his designee, to negotiate and execute one or more change

orders to the contract with Mckoy Electric Company for related, additional but unforeseen work, which may develop during the project; the total value of which shall not exceed a 20% contingency of the original contract amount; and 4) Reject all other bids and return associated Bid Bonds.
Approved as part of the Consent Calendar.

2.G. APPROVAL OF THE GENERAL SERVICES AGREEMENT WITH LOS ANGELES COUNTY [O. DELGADO, S. PERLSTEIN]

The City Council will consider renewal of the City's General Services Agreement with Los Angeles County to ensure continuation of various contract County services.

ACTION: Adopt Resolution No. 09-3771, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONCERNING PERFORMANCE OF CERTAIN GENERAL SERVICES TO AND FOR THE CITY OF WEST HOLLYWOOD BY THE COUNTY OF LOS ANGELES AND AUTHORIZING THE EXECUTION OF AN AGREEMENT RELATING THERETO." **Approved as part of the Consent Calendar.**

2.H. AWARD OF CONSTRUCTION CONTRACT FOR WEST HOLLYWOOD PARK PARKING LOT ON BALL FIELD, CIP 0906 [O. DELGADO, S. PERLSTEIN]

The City Council will consider awarding a construction contract for the construction of a temporary parking lot on the West Hollywood Park ball field, for parking during Phase 1 Implementation of the West Hollywood Park Master Plan.

ACTION: 1) Accept the bid dated February 4, 2009, submitted by Century Paving, Inc.; 2) Authorize the City Manager to enter into a contract with Century Paving, Inc. in the amount of \$154,875 for the construction of CIP 0906, West Hollywood Park Parking Lot on Ball Field.; 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.
Approved as part of the Consent Calendar.

2.I. AWARD OF CONSTRUCTION CONTRACT FOR SAN VICENTE BLVD. STREET PAVING PROJECT, CIP 0904 [O. DELGADO, S. PERLSTEIN]

The City Council will consider awarding a construction contract for the San Vicente Blvd. Street Paving Project, CIP 0904.

ACTION: 1) Accept the bid dated February 5, 2009, submitted by E.C. Construction Co.; 2) Authorize the City Manager to enter into a contract with E.C. Construction Co. in the amount of \$277,859.98 for the construction of CIP 0904, San Vicente Blvd. Street Paving Project; 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. **Approved as part of the Consent Calendar.**

2.J. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT AND

INSPECTION SERVICES ON CIP 0904, SAN VICENTE BLVD STREET PAVING PROJECT [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 0904 San Vicente Blvd Street Paving Project.

ACTION: Approve a professional services Agreement in an amount not to exceed \$55,627 with RBF Consulting for construction management and inspection services on CIP 0904 San Vicente Blvd Street Paving Project, and authorize the City Manager to sign the Agreement. **Approved as part of the Consent Calendar.**

2.K. PURCHASE AGREEMENT WITH J & J, INC. FOR PROCUREMENT OF 18 REPLACEMENT PROGRAMMABLE TRAFFIC SIGNAL HEAD FIXTURES [O. DELGADO, S. PERLSTEIN]

The City Council will consider approving a purchase agreement with J & J, Inc. for procurement of 18 signal head fixtures for installation at various locations citywide.

ACTION: Authorize the City Manager to execute a Purchase Agreement with J & J, Inc. not to exceed \$52,000 for procurement of 18 replacement programmable traffic signal head fixtures. **Approved as part of the Consent Calendar.**

2.L. TAXICAB FRANCHISE AMENDMENT

The City Council will consider a sixty (60) day extension to the existing Taxicab Franchise Agreement.

ACTION: Approve an amendment to the Taxicab Franchise Agreement extending the current contract term to April 30, 2009. **Approved as part of the Consent Calendar.**

2.M. NOTICE OF COMPLETION, KINGS ROAD PARK REPAIRS, C.I.P #: 55-08/09-04 [L. LONG, S. BAXTER]

The City Council will consider approving a Notice of Completion for the Kings Road Park Repairs, C.I.P # 55-08/09-04.

ACTION: 1) Accept the work completed by California Averland, Incorporated of Los Angeles, California; and 2) Authorize filing the project's Notice of Completion by the City. **Approved as part of the Consent Calendar.**

2.N. AUTHORIZATION TO AMEND AND RESTATE THE MEMORANDUM OF UNDERSTANDING WITH THE WEST HOLLYWOOD LIBRARY FUND [R. REYNOLDS, J. HUFFER]

The City Council will consider authorizing the "Amended and Restated Memorandum of Understanding" between the City of West Hollywood and the West Hollywood Library Fund.

ACTION: Authorize the Mayor to execute the "Amended and Restated Memorandum of Understanding" with the West Hollywood Library Fund. **Approved as part of the Consent Calendar.**

2.O. WEST HOLLYWOOD DESIGN AND ARCHITECTURAL HOTEL TOUR PROGRAM OVERVIEW AND BUDGET [R. REYNOLDS, J. HUFFER, M. LOUIE]

The City Council will receive a report outlining a concept for the West Hollywood Design and Architecture Hotel Tour as well as consider approving an agreement for services for event production with Persona Studios for \$16,000.

ACTION: 1) Approve the event concept and budget as outlined; 2) Authorize the Finance Director to appropriate \$16,000 from unallocated General Fund reserves to be used toward the production of the event and placed in Economic Development Line Item 100-1-01-10-531004; and 3) Authorize the City Manager to sign and execute all necessary agreements. **Approved as part of the Consent Calendar.**

2.P. INSTALLATION OF WOMEN'S HISTORY MONTH BANNERS ALONG SANTA MONICA BOULEVARD [L. BELSANTI, L. FOOKS]

The City Council will consider a request from the West Hollywood Women's Advisory Board to authorize the installation of Women's History Month banners from March 1, 2009 to April 1, 2009, along Santa Monica Blvd between La Cienega and Crescent Heights.

ACTION: Direct staff to approve the installation of 34 pole banners on the north and south sides of Santa Monica Boulevard between La Cienega and Crescent Heights from March 1, 2009 – April 1, 2009. **Approved as part of the Consent Calendar.**

2.Q. WOMEN'S HISTORY MONTH 2009 [C. PLANK, L. FOOKS]

The City Council will consider approval of programming in celebration of Women's History Month 2009.

ACTION: Approve programming for Women's History Month 2009 and direct the appropriate City staff to work with the Women's Advisory Board to coordinate the production and promotion of Women's History Month. **Approved as part of the Consent Calendar.**

2.R. CO-SPONSORSHIP OF THE RAPE TREATMENT CENTER'S 7TH ANNUAL JOHN VARVATOS EVENT BENEFITING STUART HOUSE [L. LONG, N. BEARD, C. SMITH]

The City Council of West Hollywood will consider co-sponsoring the March 8th, 2009 Rape Treatment Center's 7th Annual John Varvatos Event benefiting Stuart House, a facility created to serve sexually abused children and their families.

ACTION: 1) Approve the City co-sponsorship of the March 8th, 2009, 7th Annual John Varvatos Event to benefit Stuart House; 2) Waive special event fees associated with the event, approximately \$2,750.00; and 3) Approve the proposed street closure. **Approved as part of the Consent Calendar.**

2.S. CO-SPONSORSHIP OF THE COMEDY STORE'S SHEEZZ FUNNY: LGBT COMEDY NIGHT FUNDRAISER FOR MARRIAGE EQUALITY [J. PRANG, J. STEVENS]

The City Council will consider co-sponsorship of "Sheezz Funny," an LGBT Comedy Night fundraiser at the Comedy Store organized in support of marriage equality with all proceeds donated to the Courage Campaign.

ACTION: Authorize co-sponsorship of the Sheezz Funny LGBT Comedy Night on Friday, February 20, 2009, which includes: A) Authorize the waiver of all applicable City of West Hollywood Special Event Fees; and b) Authorize the use of the City of West Hollywood logo in promotional and press materials, with a coordinated media advisory distributed by the City's Office of Public Information. **Approved as part of the Consent Calendar.**

2.T. RESOLUTION IN SUPPORT OF THE BAN ON THE CRUEL PRACTICE OF FORCE FED FOIE GRAS PRODUCTION [C. PLANK, H. MOLINA, E. VALENCIA]

The City Council will consider adopting a resolution in support of the ban on the practice of force-feeding ducks and geese for the production of foie gras.

ACTION: 1) Adopt Resolution 09-3772 "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE BAN ON THE CRUEL PRACTICE OF FORCE FED FOIE GRAS PRODUCTION"; 2) Direct staff to send copies of signed resolution to California State Senator Sheila Keuhl and Assemblymember Mike Feuer, Animal Protection and Rescue League, The American Society for the Prevention of Cruelty to Animals, The Humane Society of the United States, and People for the Ethical Treatment of Animals; and 3) Direct staff to contact restaurants and grocery stores that sell foie gras informing them of SB1520 soon to be in effect and to consider removing foie gras from their menus before the law takes place. **Approved as part of the Consent Calendar.**

2.U. TELEVISED BROADCAST OF WEST HOLLYWOOD CITY COUNCIL CANDIDATES FORUM [P. AREVALO]

The City Council will consider the televising of a City Council Candidate Debate in preparation for the March 3, 2009 municipal election.

ACTION: 1) Identify potential dates for City Council Candidate Debate which are agreeable for all candidates; 2) Authorize staff to secure an appropriate venue; and 3) Provide a live-cablecast on West Hollywood CATV Channel 6. **Approved as part of the Consent Calendar with Mayor Prang and Councilmember Duran being RECUSED.**

3. PUBLIC HEARINGS: NONE

4. UNFINISHED BUSINESS: NONE

5. NEW BUSINESS: NONE

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE: NONE

COUNCILMEMBER COMMENTS:

Councilmember Heilman spoke regarding a recent neighborhood meeting to discuss issues at an Iranian Temple located in the City. He requested City staff to investigate what current restrictions exist on the property and to return to the City Council with a report on the issue.

ADJOURNMENT: The City Council adjourned at 7:24 P.M. in memory of Anna Maggio, James Whitmore, Riva Greenstein, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting. They adjourned to their next regular meeting, which will be on Monday, March 2nd, 2009 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.