

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, APRIL 6, 2009
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Prang called the meeting to order at 6:35 P.M.

PLEDGE OF ALLEGIANCE: Karina Samala led the pledge.

ROLL CALL:

PRESENT: Councilmember Duran, Councilmember Guarriello,
Councilmember Heilman, Mayor Pro Tempore Land, and
Mayor Prang.

ABSENT: None.

ALSO PRESENT: City Manager Arevalo, City Attorney Jenkins, City Clerk West,
and Assistant City Clerk Schaffer.

APPROVAL OF AGENDA:

Mayor Pro Tempore Land requested that Item 2.DD. be moved to the Excluded Consent Calendar.

Councilmember Heilman requested that Items 2.W. and 2.EE. be moved to the Excluded Consent Calendar.

Councilmember Duran requested that Item 6.A. be moved to the Consent Calendar as Item 2.II.

Mayor Prang noted his ABSTENTION on Item 2.T. and NO vote on Item 2.I.

Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land to approve the April 6, 2009 agenda as amended, and unanimously approved.

ADJOURNMENT MOTIONS:

Mayor Pro Tempore Land requested that the meeting be adjourned in memory of Aileena Shineman and Maria Valesquez, who were killed in a car accident at the corner of Fountain Avenue and La Brea Avenue. She requested that the meeting be adjourned in memory of Rhea Cohn Rosenberg, the mother of Public Facilities Commissioner Yola Dore. She requested that the meeting be adjourned in memory of long-time West Hollywood resident Rose Weitzman.

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. Gary L. Moore, Sgt. Jose R. Escobedo Jr., Staff Sgt. Raphael A. Futrell, Lance Cpl. Nelson M. Lantigua.

PRESENTATIONS:

Mayor Prang presented commendations to Equal Roots Founders Matt Pallozolo and Sara Pollaro.

Mayor Pro Tempore Land presented plaques to outgoing Neighborhood Watch Captains Conrad Corral, David Gardner, Adam Rubenstein and Marissa Harrington.

Mayor Pro Tempore Land presented a proclamation in recognition of Arbor Day.

Mayor Pro Tempore Land presented a proclamation in recognition of Earth Day.

Councilmember Heilman presented a proclamation in recognition of Denim Day.

Councilmember Heilman presented a proclamation in recognition of Earthquake Preparedness Month.

Mayor Prang presented a proclamation in recognition of National Autism Awareness Month.

1. PUBLIC COMMENT:

JACK RUBENS spoke in support of a request for the City Council to Table Item 2.V.

BEN MCCORMICK, WEST HOLLYWOOD, spoke in support of Items 2.Z. and 2.AA.

GRACIELA IPARRAGUIRRE, WEST HOLLYWOOD, spoke regarding the use of animals in medical research.

KARINA SAMALA, WEST HOLLYWOOD, spoke regarding the recent Transgender Day of Remembrance event in the City, and spoke in support of Item 2.Z.

RON EMMENS, WEST HOLLYWOOD, spoke in support of Item 2.V. and in opposition to a request for the City Council to Table Item 2.V.

ED BUCK, WEST HOLLYWOOD, spoke in support of Item 2.CC.

DEBORAH ATTOINESE, WEST HOLLYWOOD, spoke regarding the enforcement of leash laws in the City.

ROBERT SLANE, WEST HOLLYWOOD, spoke regarding his application for the Project Advisory Committee.

PAUL HABIBI, WEST HOLLYWOOD, spoke in support of a request for the City Council to Table Item 2.V.

DIANE P. DAILEY, WEST HOLLYWOOD, spoke regarding the enforcement of leash laws in the City.

RICHARD BLONS, WEST HOLLYWOOD, spoke regarding the enforcement of leash laws in the City.

CARL CRONIN, WEST HOLLYWOOD, spoke regarding the enforcement of leash laws in the City.

DAVID NASH, WEST HOLLYWOOD, spoke regarding the new business, Balliamos, in the City.

MIKE AI AND DEREK SMITH, BEVERLY HILLS, spoke regarding a recent LGBT Labor Forum in the City.

JACK MERRILL, LOS ANGELES, spoke regarding the property located at 1343 N. Laurel Avenue in the City.

RONALD SHORE, WEST HOLLYWOOD, spoke regarding the regulation of real estate signs in the City.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding public comment surrounding the property located at 1343 N. Laurel Avenue and requested clarification of recent statements made by the Assistant City Attorney. He spoke regarding the enforcement of leash laws and animal control issues in the City, and requested the City Manager to return to the City Council with a report. He spoke regarding public comment surrounding the regulation of real estate signs in the City and requested the City Manager to investigate the enforcement of real estate signage and security issues for vacant properties in the City.

Councilmember Heilman wished a speedy recovery to resident Elliot Simmons, and best wishes to Elliot's partner Michael Arrigo. He wished a speedy recover to former City Councilmember Steve Martin. He spoke regarding the enforcement of leash laws and animal control issues in the City, and requested the City Manager to return to the City Council with a report. He spoke regarding public comment surrounding Item 2.V. and a request for the City Council to Table the Item, and requested further clarification from the City Attorney. He requested that Item 2.V. be moved to the Excluded Consent Calendar.

Councilmember Duran spoke regarding a recent visit to Washington, D.C. to help secure federal stimulus package funds for the City of West Hollywood. He spoke regarding the enforcement of leash laws and animal control issues in the City, and

requested the City Manager to return to the City Council with a report. He spoke regarding the need for residents to take responsibility for their pets.

Mayor Pro Tempore Land spoke regarding the enforcement of leash laws and animal control issues in the City, and requested the City Manager to return to the City Council with a report. She spoke regarding the need for residents to take responsibility for their pets. She spoke regarding the recent Women's History Month events in the City and thanked City staff for organizing the events. She spoke regarding the Prescription Discount Card program in the City. She spoke regarding the recent National Back Up Your Birth Control Day. She spoke regarding the upcoming Mayoral Installation meeting on April 20, 2009.

Mayor Prang spoke regarding the upcoming Mayoral Installation meeting on April 20, 2009. He spoke regarding Item 2.V. and materials distributed to the City Council following the posting of the agenda. He spoke regarding a recent vandalism at the Matthew Shepard Memorial Triangle. He spoke regarding an upcoming community meeting of the West Hollywood Community Housing Corporation to discuss a proposed senior housing project at 1234 N. Hayworth Avenue. He spoke regarding the disposal of large trash items in the City and requested residents to contact the City to have them removed. He spoke regarding the enforcement of leash laws and animal control issues in the City, and requested the City Manager to return to the City Council with a report. He spoke regarding the need for residents to take responsibility for their pets.

CITY MANAGER'S REPORT:

City Manager Arevalo stated that his office will return with updates to the Council as requested. He introduced the City's 25th Anniversary Project Liaisons, Chris Worland and Eva Wieland. He spoke regarding the upcoming ground-breaking on the new West Hollywood Library project.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$3,399,550.00 in expenditures and \$1,656,741.00 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.,X.,Y.,Z.,AA.,BB.,CC.,.FF.,GG.,HH.,II. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously approved with Mayor Prang voting NO on Item 2.I. and ABSTAINING on Item 2.T.**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, April 6, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, April 2, 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 March 16, 2009. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 623, RESOLUTION NO. 09-3787:

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

ACTION: Approve Demand Register No. 623 and adopt Resolution No. 09-3787, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 623." **Approved as part of the Consent Calendar.**

2.D. TREASURER'S REPORT FOR FEBRUARY 2009:

The City Council will receive the Treasurer's Report for the month ended February 2009 pursuant to Section 53646 of the Government Code of the State of California.

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

2.E CLAIMS ADMINISTRATION:

The City Council is asked to deny Claims filed against the City, as a routine administrative step in claims processing.

ACTION: 1) Deny the Claims of Raul Martinez, Raul Martinez and Winifred R. Kenley, Trustees of the Winifred R. Kenley Trust, Eric Genest, individually and as Trustee of the Eric Genest Family Trust, Eric Genest, individually and as Trustee off the Eric Genest Family Trust (#2), Anita Genest, Diana Teran, Michael J. Torgan, Marjorie Lewis, and Emely Cooper and refer them to the City's Claims Adjuster for action; and 2) Deny the Leave to Present a Late Claim of Mandana Shirazi. **Approved as part of the Consent Calendar.**

2.F. 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.G. COMMUNITY DEVELOPMENT DIRECTOR'S HEARING ACTION REPORTS [T. WEST, C. SCHAFFER]:

The City Council will receive a report from the Community Development Department concerning actions taken at recent Director's meetings.

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

2.H. DEPARTMENT OF PUBLIC WORKS PARKING VIOLATION FEE SCHEDULE [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider amending the fine amounts for parking violations as mandated by SB 1407.

ACTION: Adopt Resolution No. 09-3788, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 8 OF RESOLUTION 08-3691 ESTABLISHING FEES AND CHARGES FOR CERTAIN SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS PENALTIES FOR PARKING VIOLATIONS TO COMPLY WITH THE PROVISIONS OF SB 1407" **Approved as part of the Consent Calendar.**

2.I. CONTRACT WITH ED AW, INC. [S. KEENE, J. KEHO, J. ALKIRE]:

The City Council will consider approving a contract for environmental review and analysis for the Laurel Place Senior Housing Project at 1343 Laurel Avenue.

ACTION: Approve a contract with ED AW, Inc. for \$35,570 for environmental review and analysis services. **Approved as part of the Consent Calendar with Mayor Prang voting NO.**

2.J. CONTRACT WITH MATRIX CONSULTING GROUP [J. ENGLISH, S. KEENE]:

The Council will consider approving a contract with Matrix Consulting Group for the purpose of conducting a management study of the Planning Division's work flow operations in order to enhance and formalize those processes as well as assessing and recommending appropriate staffing levels.

ACTION: 1) Approve a contract with Matrix Consulting Group in an amount not to exceed \$40,000; and 2) Authorize the City Manager to execute the contract. **Approved as part of the Consent Calendar.**

2.K. AGREEMENT WITH NEXUSIS, INC. [A. GANDHY, B. GANDLEY]:

The City Council will consider approving the purchase of Cisco networking equipment and an agreement with NexusIS for computer consulting.

ACTION: 1) Approve the agreement with NexusIS, Inc. for the purchase, implementation, and configuration of Cisco networking equipment; 2) Authorize the City Manager to execute the contract with NexusIS, Inc. in an amount not to exceed \$139,364.51; 3) Authorize the Director of the Finance and Technology Department to approve expenditures in an amount not to exceed 10% of the original contract amount for contingencies; and 4) Authorize the Department of Finance Director to approve Change Orders and other related documents in an amount not to exceed the contingency amount. **Approved as part of the Consent Calendar.**

2.L. AGREEMENT WITH FUSIONSTORM [A. GANDHY, B. GANLEY, J. DUNCAN]:

The City Council will consider approving an agreement with Fusion Storm for the purchases of HP blade servers, Vmware software, SAN and tape backup equipment and for computer consulting services.

ACTION: 1) Approve the purchase of HP blade servers, Vmware software and SAN and tape backup equipment from FusionStorm in the amount of \$137,635.72; 2) Approve an agreement with FusionStorm in an amount not to exceed \$50,000 for computer consulting; and 3) Authorize the City Manager to execute the contract with FusionStorm. **Approved as part of the Consent Calendar.**

2.M. AWARD OF CONTRACT FOR CIP 55-08/09-06, ANNUAL MAINTENANCE AND REPAIR OF STREETS, ALLEYS AND CROSSWALKS [L. LONG, S. BAXTER]:

The City Council will consider awarding a two year contract for the Annual Maintenance and Repair of Streets, Alleys and Crosswalks.

ACTION: 1) Accept the bid dated March 12, 2009, in the amount of \$361,227.50 submitted by Sequel Contractors, Incorporated of Santa Fe Springs, California; 2) Authorize the City Manager to sign a two year Agreement with Sequel Contractors, Incorporated in an amount of \$361,227.50 for the Annual Maintenance and Repair of Streets, Alleys and Crosswalks, CIP 55-08/09-06; 3) Authorize the expenditure of an amount not to exceed 15% of the Agreement amount as approved by the Director of the Human Services Department; and 4) Reject all other bids and return associated Bid Bonds. **Approved as part of the Consent Calendar.**

2.N. AGREEMENT EXTENSION - JANITORIAL SERVICES [L. LONG, S. BAXTER]:

The City Council will consider approving a one year extension to the existing Agreement for Janitorial Services.

ACTION: 1) Approve the Third Amendment to Agreement with Diversified Maintenance Services, Incorporated for providing base janitorial services including day porter services and recycling services in the amount of \$540,011.04 for fiscal year 2009/2010; 2) Approve the Third Amendment to Agreement with Diversified Maintenance Services, Incorporated for providing other related janitorial services and urgency / emergency janitorial services at those unit costs established in the Amendment as said services are required and funding is available; and 3) Authorize the City Manager to execute the Third Amendment to Agreement. **Approved as part of the Consent Calendar.**

2.O. APPROVAL OF A CHANGE ORDER FOR CONCRETE REPAIR PROGRAM, CIP 0905 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approval of a change order to Concrete Repair Program CIP 0905 for unanticipated concrete repairs needed in the intersection of Robertson Blvd/Beverly Blvd.

ACTION: Authorize the City Engineer to issue a Change Order to Kacey Construction in the amount of \$57,000 to construct concrete pavement repairs in the intersection of Robertson Blvd/Beverly Blvd. **Approved as part of the Consent Calendar.**

2.P. AMEND AGREEMENT FOR PROFESSIONAL SERVICES: PREPARATION OF CITY'S ANNUAL SPECIAL ASSESSMENT DISTRICT REPORT [A. GANDHY, B. ROSEN]:

The City Council will consider approving an amendment to professional services agreement with RR Brown and Associates for the preparation of the City's Annual Special Assessment District Report.

ACTION: Authorize the City Manager to execute an amendment to the professional services agreement with RR Brown and Associates for the preparation of the City's Annual Special Assessment District Report. **Approved as part of the Consent Calendar.**

2.Q. AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 [J. ENGLISH, L. BELSANTI]:

The City Council will consider authorizing staff to apply for and then accept, if applicable, formula allocation and competitive grant funding as part of the American Recovery and Reinvestment Act of 2009.

ACTION: Authorize staff to apply for and accept, if applicable, formula allocation and competitive grant funding as part of the American Recovery and Reinvestment Act of 2009. **Approved as part of the Consent Calendar.**

2.R. GRANT APPLICATION AND EXPENDITURE PLAN FOR THE JUSTICE ASSISTANCE GRANT (JAG) [K. COOK, B. GOLDMAN]:

The City Council will consider authorizing Public Safety staff to apply for and then accept, if applicable, the US Department of Justice's Bureau of Justice Assistance allocation for the Justice Assistance Grant (JAG) Program as part of the American Recovery and Reinvestment Act of 2009.

ACTION: 1) Authorize staff to apply for and accept, if applicable, the US Department of Justice's Bureau of Justice Assistance's projected allocation to the City of West Hollywood of \$156,741 for the Justice Assistance Grant (JAG) Program as part of the American Recovery and Reinvestment Act of 2009; 2) If the grant is awarded, authorize the Director of Finance to adjust the budget in fiscal year 2008-09 to reflect the projected grant award of \$156,741 for a total of \$156,741 in increased budgeted expenditures and revenues; 3) Authorize staff to enter into an agreement with the City of Los Angeles who is the distributor of the funds with City Attorney approval; 4) Authorize the expenditure of JAG funds for the continuation and expansion of the City Parks Patrol Program; 5) Authorize the expenditure of remaining grant funds to be used for special patrols as necessary with the approval of the City Manager, the Public Safety Manager, and the Sheriff's Captain; and 6) Authorize the City Manager to reprogram any savings and interest earnings towards the City

Parks Patrol Program or special patrols. **Approved as part of the Consent Calendar.**

2.S. SUBMISSION OF LACMTA CALL FOR PROJECTS GRANT APPLICATIONS [O. DELGADO, S. PERLSTEIN]:

The City Council will consider authorization to submit two Call for Projects Grant Applications to the LACMTA.

ACTION: 1) Authorize submission of a LACMTA Call for Projects Application for installation of Pedestrian Countdown Signals and Push Buttons at Various Signalized Intersections Citywide; and 2) Authorize submission of a LACMTA Call for Projects Application for Design and Construction of the La Brea Avenue Streetscape Project. **Approved as part of the Consent Calendar.**

2.T. APPROVAL OF FINAL TRACT MAP NO. 65801 FOR THE CONDOMINIUM PROJECT LOCATED AT 1200 SWEETZER AVENUE [O. DELGADO, S. PERLSTEIN]:

The City Council will consider the approval of Final Tract Map No. 65801, a ten unit condominium, located on the north east corner of Sweetzer Avenue and Norton Avenue.

ACTION: 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. 65801; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 65801 the certificate that embodies the approval of said map. **Approved as part of the Consent Calendar with Mayor Prang ABSTAINING.**

2.U. CONSENT TO HOLD A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION TO AMEND THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA [A. WINDERMAN, R. BURNLEY, E. SAVAGE]:

The City Council and the Community Development Commission, operating as a redevelopment agency ("Agency"), will consider approving the resolutions consenting to a joint public hearing of the City Council and the Agency on the proposed Second Amendment to the Redevelopment Plan

for the East Side Project Area for purposes of extending the time limit for commencement of eminent domain proceedings.

ACTION: Adopt Resolution No. 09-3789, "A RESOLUTION OF THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION CONSENTING TO A JOINT PUBLIC HEARING WITH THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ON THE PROPOSED SECOND AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA." **Approved as part of the Consent Calendar.**

2.V. THE DESIGNATION OF THE PROPERTY LOCATED AT 1228 FLORES AVENUE AS A LOCAL CULTURAL RESOURCE [S. KEENE, J. KEHO, J. ALKIRE]:

The City Council will consider designating the buildings located at 1228 Flores Street as a Local Cultural Resource

ACTION: This Item was moved to the Excluded Consent Calendar.

2.W. HOUSE OF BLUES REVIEW [J. ENGLISH, L. BELSANTI, K. COOK, B. GOLDMAN, O. DELGADO, J. AUBEL]:

The City Council will receive staff's investigation of all appropriate permits, conditions, law enforcement and life/fire/safety records and neighborhood complaints to determine the compliance of the House of Blues

ACTION: This Item was moved to the Excluded Consent Calendar.

2.X. DEVELOPMENT OF A BEST PRACTICES GUIDE FOR NIGHTLIFE ESTABLISHMENTS [K. COOK, B. SMITH, B. GOLDMAN]:

The City Council will receive an update on the initial progress made toward developing a Best Practices Guide for Nightlife Establishments in the City of West Hollywood.

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

2.Y. ACCEPT A GIFT OF SCULPTURE BY ARTIST LEONARD CAVE AND INSTALL THE SCULPTURE IN KINGS ROAD PARK [R. REYNOLDS, J. HUFFER, A. CAMPBELL]:

The Council will consider accepting a sculpture by artist Leonard Cave as a gift from the current owner, Judith Sobol, and approving the installation of the sculpture in Kings Road Park.

ACTION: Accept the sculpture as a gift to the City and approve its installation in Kings Road Park. **Approved as part of the Consent Calendar.**

2.Z. PROPOSED TRANSGENDER MEMORIAL [K. COOK, B. SMITH, D. ESCOVEDO]:

The City Council will consider approving the design and installation of a Transgender Memorial.

ACTION: Approve the design and installation of a Transgender Memorial at Crescent Heights and Santa Monica Boulevard. **Approved as part of the Consent Calendar.**

2.AA. 2009 RAINBOW KEY AWARDS [J. BOOK]:

The City Council will consider approving honorees for the 2009 Rainbow Key Awards, to be held in June 2009 in conjunction with Pride Month activities, based on recommendations from the Lesbian and Gay Advisory Board.

ACTION: Approve 2009 Rainbow Key honorees, as follows: Lynn Ballen, Jinx Beers, Malcolm Boyd and Mark Thompson, Paul Colichman, Don Kilhefner, Diane Olson and Phillip Ray de Blicek, Jenny Pizer and David Codell, Pat Rocco, Celebration Theatre, Congregation Kol Ami, Beth Chayim Chadashim, and Metropolitan Community Church-Los Angeles. **Approved as part of the Consent Calendar.**

2.BB. A RESOLUTION MEMORIALIZING THE VICTIMS OF THE GENOCIDE OF ARMENIANS AND CONDEMNING THE HUMAN RIGHTS VIOLATIONS COMMITTED BY THE TURKISH GOVERNMENT [J. PRANG, J. STEVENS, A. LAND, C. PLANCK, L. ANDRESON]:

The City Council will consider a resolution memorializing the victims of the Genocide of Armenians and condemning the human rights violations committed by the Turkish Government.

ACTION: 1) Adopt Resolution No. 09-3790, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD HONORING THE VICTIMS OF THE GENOCIDE OF ARMENIANS AND CONDEMNING THE HUMAN RIGHTS VIOLATIONS COMMITTED BY THE TURKISH GOVERNMENT"; 2) Direct the Office of Public Information to issue a press release describing the City's decision; and 3) Lower the flags of all public facilities in West Hollywood to half-mast on April 24, 2009 to honor the victims of the Armenian Genocide. **Approved as part of the Consent Calendar.**

2.CC. SUPPORT OF PROPOSED CALIFORNIA ANIMAL WELFARE LEGISLATION: AB233, AB241, AB 242, AB243, SB250 AND AB490 [J. PRANG, J. STEVENS, J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution supporting a number of animal welfare bills currently under consideration by the California State Legislature. This legislation includes AB233 (Personal Income Tax Deductions for Pet Adoption Fees), AB241 (Limits on Dog & Cat Breeders), AB242 (Increased Dog Fighting Penalties), AB243 (Increased Penalties for Animal Abuse), SB250 (Spaying and Neutering Requirements) and AB490 (Pet Store Operation & Licensing).

ACTION: 1) Adopt Resolution No. 09-3791, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSED CALIFORNIA ANIMAL WELFARE LEGISLATION: AB233, AB241, AB242 AB243, SB250 AND AB490"; and 2) Direct staff to

send copies of the signed resolution to the Humane Society of the United States, State Senator Fran Pavley, Assemblymember Mike Feuer and Governor Arnold Schwarzenegger. **Approved as part of the Consent Calendar.**

2.DD. JOINT-USE LETTER OF INTENT FOR PROGRAMMING AT FAIRFAX HIGH SCHOOL AUDITORIUM [J. PRANG, J. STEVENS]:

The City Council will consider issuing a letter of intent to Fairfax High School declaring the City's intent to explore joint-use programming and development opportunities at Fairfax High School Auditorium.

ACTION: This Item was moved to the Excluded Consent Calendar.

2.EE. INITIATE A ZONE TEXT AMENDMENT TO THE WEST HOLLYWOOD MUNICIPAL CODE SECTION 19.58.070 "HISTORIC PRESERVATION ORDINANCE." [S. GUARRIELLO, D. SAUR, D. GEVORKYAN]:

The City Council will consider directing staff to amend the West Hollywood Municipal Code Section 19.58.070 of the Historic Preservation Designation ordinance with regards to the re-nomination process.

ACTION: This Item was moved to the Excluded Consent Calendar.

2.FF. SUPPORT OF S.327 (LEAHY), A BILL TO AMEND THE VIOLENCE AGAINST WOMEN ACT OF 1994 AND THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 [C. PLANCK, L. FOOKS., M. HORNER]:

The City Council will consider adopting a resolution in support of the bill to amend the Violence Against Women Act of 1994 and the Omnibus Crime Control and Safe Streets Act of 1968 to improve assistance to domestic and sexual violence victims and provide for technical corrections S. 327 (Leahy).

ACTION: 1) Adopt Resolution No. 09-3792, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S.327 (LEAHY), A BILL TO AMEND THE VIOLENCE AGAINST WOMEN ACT OF 1994 AND THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 TO IMPROVE ASSISTANCE TO DOMESTIC AND SEXUAL VIOLENCE VICTIMS AND PROVIDE FOR TECHNICAL CORRECTIONS"; and 2) Send copies of the signed resolutions to US Senator Patrick Leahy, U.S. Senator Dianne Feinstein, U.S. Senator Barbara Boxer, Representative Henry Waxman, Feminist Majority, and NOW. **Approved as part of the Consent Calendar.**

2.GG. SUPPORT OF GENDER EQUITY FOR HEALTH CARE COVERAGE PRICING UNDER AB 119 (JONES) AND SB 54 (LENO) [C. PLANCK, L. FOOKS, P. INDALL, E. VALENCIA]:

The City Council will consider adopting a resolution in support of Gender Equity for Health Care Coverage Pricing under AB 119 (Jones) and SB 54 (Leno).

ACTION: 1) Adopt Resolution No. 09-3793, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF GENDER EQUITY FOR HEALTH CARE COVERAGE PRICING UNDER AB 119 (JONES) AND SB 54 (LENO)"; and 2) Send copies of the signed resolutions to State Senator Fran Pavley, Assemblymember Mike Feuer, Assemblymember Dave Jones, and State Senator Mark Leno.
Approved as part of the Consent Calendar.

2.HH. SUPPORT OF H.R. 20 (RUSH), THE MELANIE-BLOCKER STOKES POSTPARTUM DEPRESSION RESEARCH AND CARE ACT AND S. 324 (MENENDEZ), THE MOM'S OPPORTUNITY TO ACCESS HEALTH, EDUCATION, RESEARCH, & SUPPORT FOR POSTPARTUM DEPRESSION ACT [C. PLANCK, L. FOOKS, M. HORNER, R. MARTINEZ]:

The City Council will consider adopting resolutions in support of H.R. 20 (Rush), the Melanie-Blocker Stokes Postpartum Depression Research and Care Act and S. 324, the Melanie-Blocker Stokes MOTHERS Act, each seeking advocacy and legislation to protect those who are vulnerable to pressure and hardships of motherhood.

ACTION: 1) Adopt Resolution No. 09-3794, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF H.R. 20 (RUSH), THE MELANIE-BLOCKER STOKES POSTPARTUM DEPRESSION RESEARCH AND CARE ACT"; 2) Adopt Resolution No. 09-3795, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S. 324 (MENENDEZ), THE MOM'S OPPORTUNITY TO ACCESS HEALTH, EDUCATION, RESEARCH, & SUPPORT FOR POSTPARTUM DEPRESSION ACT"; and 3) Send copies of the signed resolutions to Representative Bobby Rush, U.S. Senator Robert Menendez, U.S. Senator Dianne Feinstein, U.S. Senator Barbara Boxer, Representative Henry Waxman, Feminist Majority, NOW, Melanie Blocker Stokes Foundation, Planned Parenthood Federation of America, National Women's Law Center, Suicide Prevention Action Network USA, March of Dimes, American Psychological Association, American Psychiatric Association, Postpartum Support International, American College of Nurse Midwives, American College of Obstetricians and Gynecologists, Association of Maternal and Child Health Programs, Association of Women's Health, Obstetric and Neonatal Nurses, Children's Defense Fund, Depression and Bipolar Support Alliance, Family Mental Health Foundation, Mental Health America, NARAL Pro-Choice America, and National Alliance on Mental Illness.
Approved as part of the Consent Calendar.

2.II. (6.A.) AMEND THE NOISE ORDINANCE PERTAINING TO CONSTRUCTION [O. DELGADO, J. AUBEL]:

The City Council will consider adopting an ordinance to amend Title 9, Chapter 9.08 Section 030. of the West Hollywood Municipal Code further

defining the term "construction" and amending subsection (f) of section 050 of the same chapter relating to the allowed hours of construction.

ACTION: Introduce on first reading Ordinance No. 09-808, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE NOISE ORDINANCE PERTAINING TO THE DEFINITION OF CONSTRUCTION, PROHIBITED CONSTRUCTION HOURS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE. **Approved as part of the Consent Calendar.**

THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD HOUSING AUTHORITY: 8:00 P.M.

The Housing Authority administered the oath of office to newly appointed Tenant Commissioner Felix Braginskiy; approved the minutes of the March 16, 2009 meeting; and adopted the Section 8 Administrative Plan for Fiscal Year 2009-2010. The actions are more fully described in the West Hollywood Housing Authority minutes.

THE WEST HOLLYWOOD HOUSING AUTHORITY RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 8:12 P.M.

The Community Development Commission approved the minutes from the March 16, 2009 meeting; and adopted a resolution consenting to a joint public hearing with the City Council of the City of West Hollywood. The actions are more fully described in the West Hollywood Community Development Commission minutes.

THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE CITY COUNCIL: 8:13 P.M.

3. PUBLIC HEARINGS:

3.A. TAXICAB FRANCHISE AMENDMENTS [O. DELGADO, J. ROCCO, R. WINRADER]:

The City Council will consider approval of various amendments to the Taxicab Franchise Agreement including the increase of taximeter rates.

City Clerk West stated that the Item was noticed as required by law.

Rob Winrader, Taxi Specialist, provided background information as outlined in the staff report dated April 6, 2009.

Mayor Prang opened the public hearing and the following speakers came forward:

WILLIAM ROUSE, ON BEHALF OF YELLOW CAB, spoke in support of the Item. He spoke regarding concerns surrounding taxicab companies in the City that do not use all of their allotted licenses.

EDIK ELYASI, ON BEHALF OF THE BEVERLY HILLS TAXICAB COMPANY, spoke in support of the Item.

MARTIN SHATAICHYAN, ON BEHALF OF CITY CAB, spoke in support of the Item.

YEVGENY SMOLYAR, PORTER RANCH, spoke in support of the Item.

MALESE ADAMU, LOS ANGELES, spoke in support of the Item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding customer service issues with taxicabs in the City. She spoke regarding meter drop rate issues with taxicabs in the City.

Mayor Prang closed the public hearing.

Councilmember Duran thanked City staff and the Transportation Commission for bringing the Item forward. He spoke in support of the Item. He requested clarification from staff regarding public comment surrounding taxicab companies that do not use all of their allotted licenses.

Councilmember Guarriello thanked City staff and the Transportation Commission for bringing the Item forward. He spoke in support of the Item.

Councilmember Heilman thanked City staff and the Transportation Commission for bringing the Item forward. He spoke in support of the Item. He spoke regarding the need to protect the residents from excessive fee increases. He requested staff to explore the possibility of using a regional approach to assess taxicab fees, possibly through the Westside Cities Council of Governments. He requested staff to explore the possibility of increasing City shuttle services to provide transportation for seniors and disabled residents to local grocery stores.

Mayor Pro Tempore Land thanked City staff and the Transportation Commission for bringing the Item forward. She spoke in support of the Item. She requested staff to investigate possible revocation of licenses that are allotted, but go unused. She requested staff to explore the possibility of using a regional approach to assess taxicab fees, possibly through the Westside Cities Council of Governments. She requested staff to continue to look at customer service issues with taxicab companies in the City.

Mayor Prang thanked City staff and the Transportation Commission for bringing the Item forward. He spoke in support of the Item. He requested staff to explore the possibility of using a regional approach to assess taxicab fees, possibly through the Westside Cities Council of Governments. He requested staff to investigate possible revocation of licenses that are allotted, but go unused. He expressed concerns surrounding transferring additional City revenue from taxicabs into the Dial-A-Ride program.

Councilmember Duran expressed concerns regarding the possibility of using a regional approach to assess taxicab fees, and the potential impacts on the City's control over police power. He requested staff to provide more analysis to the City Council on the issue.

ACTION: 1) Approve an amendment to the Taxicab Franchise Agreement extending the term to June 30, 2010; 2) Approve an amendment for an additional two one year terms to the current Taxicab Franchise Agreement to begin July 1, 2010 through June 30, 2012; 3) Authorize staff to begin inspection and sealing of 522 allocated taxicabs for operation in the City of West Hollywood beginning in May 2009; 4) Adopt Resolution No. 09-3796, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD LINKING/INDEXING TAXI METER RATES TO BE EQUAL TO THOSE CURRENTLY IN EFFECT IN LOS ANGELES"; 5) Increase flat rate to LAX from \$35.00 to \$40.00; and 6) Approve the establishment of a Transportation Program Enhancement Fee of \$215.00 per vehicle at the renewal of the franchise period. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and unanimously approved.**

4. UNFINISHED BUSINESS:

4.B. SPONSORSHIP AND CITY SUPPORT OF THE 2009 SUNSET STRIP MUSIC FESTIVAL [R. REYNOLDS, J. HUFFER]:

The City Council will consider sponsorship of the Sunset Strip Music Festival including a closure of a portion of Sunset Boulevard for a street music festival component of the event.

Jeffrey Huffer, Economic Development Manager, provided background information as outlined in the staff report dated April 6, 2009.

MICHAEL DUDDIE, WEST HOLLYWOOD, spoke in support of the Item.

TODD STEADMAN, EXECUTIVE DIRECTOR OF THE SUNSET STRIP BUSINESS ASSOCIATION, spoke in support of the Item.

JOAN HENEHAN, CHAIR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the Item.

MIKE MAGLIERI, PRESIDENT OF THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT, spoke in support of the Item.

VICTORIA JOYCE, WEST HOLLYWOOD, spoke in support of the Item.

NIC ADLER, LOS ANGELES, spoke in support of the Item.

IGOR NICHOLAS, WEST HOLLYWOOD, spoke in support of the Item.

NORMA KEMPER, WEST HOLLYWOOD, spoke in support of the Item.

JOSHUA BURKS, WEST HOLLYWOOD, spoke in support of the Item.

KARMEN BECK, LOS ANGELES, spoke in support of the Item.

ASH-RABIE, WEST HOLLYWOOD, spoke in support of the Item.

MICHEL MORAUW, WEST HOLLYWOOD, spoke in support of the Item.

ANDREW BILANZICH, WEST HOLLYWOOD; ANDRE SLAUGHTER, WEST HOLLYWOOD; COURTNEY KEMP, LOS ANGELES; GREG KVORKIAN, WEST HOLLYWOOD; AND NANCY LUPICA, STUDIO CITY, all expressed support for the Item.

Councilmember Heilman thanked all the members of the public who spoke in support of the Item, all the businesses on the Sunset Strip who participated in last year's event, and the Sunset Strip Business Improvement District for organizing the event. He spoke in support of the Item.

Councilmember Guarriello thanked all the members of the public who spoke in support of the Item, all the businesses on the Sunset Strip who participated in last year's event, and the Sunset Strip Business Improvement District for organizing the event. He spoke in support of the Item.

Mayor Pro Tempore Land thanked all the members of the public who spoke in support of the Item, all the businesses on the Sunset Strip who participated in last year's event, and the Sunset Strip Business Improvement District for organizing the event. She spoke in support of the Item.

Councilmember Duran thanked all the members of the public who spoke in support of the Item, all the businesses on the Sunset Strip who participated in last year's event, and the Sunset Strip Business

Improvement District for organizing the event. He spoke in support of the Item.

Mayor Prang thanked all the members of the public who spoke in support of the Item, all the businesses on the Sunset Strip who participated in last year's event, and the Sunset Strip Business Improvement District for organizing the event. He spoke in support of the Item. He expressed concerns regarding outreach and notification for the Los Angeles residents north of the Sunset Strip.

ACTION: 1) Approve sponsorship of the Sunset Strip Music Event and authorize the use of the City name and logo on invitations, programs and other collateral materials; 2) Authorize Economic Development and Public Information and Human Services Departments to work with the Sunset Strip Business Association and the event producers to organize and publicize the event; 3) Approve a waiver of special event permit fees for the Sunset Boulevard Music Festival to be held on September 10 - 12, 2009 on Sunset Boulevard in West Hollywood; 4) Authorize the closure of Sunset Boulevard between San Vicente/Clark and Doheny Drive from 7:00 am Saturday, September 12, 2009 until no later than 7:00 am on Sunday, September 13, 2009; 5) Direct the Sunset Strip Business Association and event producers to conduct neighborhood and business meetings in advance of the Festival and to mail notices to the adjacent businesses and residents in West Hollywood and Los Angeles; 6) Authorize the Director of Finance and Technology Services to allocate as part of the Fiscal Year 2009-10 City Budget \$50,000 to the Public Safety line item "Police - Special Events" 100-2-04-04-534320 for Sheriff and Fire support and to allocate \$25,000 to the Human Services, Special Events line item 100-3-05-51-535013 for barricade company services related to the street closure for a total of \$75,000 in City support; 7) Approve in kind support in the form of fee waivers for the event totals an additional \$4,900 (Class A Special Event Permit Fee - \$2,400; Encroachment Permit and Meters - \$1,500; Building and Safety Inspection Fees and overtime labor - \$1,000); and 8) Authorize the City Manager to sign and execute any documents or forms that may be necessary for the successful implementation of this event. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and unanimously approved.**

4.C. IMPLEMENTATION OF ECONOMIC HARDSHIP PACKAGE RECOMMENDATIONS [P. AREVALO, R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will consider approving implementation of the Economic Hardship Package.

Maribel Rios Louie, Economic Development Coordinator, provided background information as outlined in the staff report dated April 6, 2009.

JOAN HENEHAN, CHAIR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the Item.

TERI GUSTAFSON, WEST HOLLYWOOD, spoke in opposition to the proposed increase of special events permits allowed from 4 to 12 annually, and spoke regarding the need for better noticing to the public regarding special events.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the increase in the number of garage sale permits allowed each year. She spoke regarding previous public comments surrounding real estate signs in the City.

Councilmember Heilman expressed concerns surrounding increasing the number of special event permits allowed for Class A and Class B permits, as opposed to increasing only the number of Class C events allowed. He expressed concerns regarding revising parking requirements for art galleries and increasing parking requirements to match retail requirements.

Mayor Pro Tempore Land expressed concerns regarding revising parking requirements for art galleries and increasing parking requirements to match retail requirements. She expressed concerns surrounding increasing the number of special event permits allowed for Class A and Class B permits, as opposed to increasing only the number of Class C events allowed.

Councilmember Duran spoke in support of allowing an unlimited number of Class C special event permits. He spoke regarding parking issues in the City and the possibility of exploring more flexible zoning requirements regarding the number of required parking spaces for businesses.

Councilmember Guarriello spoke regarding the current economic climate and the impacts the economy will have on the number of special event permit requests in the City.

Mayor Prang expressed concerns regarding the proposed parking requirements. He expressed concerns surrounding increasing the number of special event permits allowed for Class A and Class B permits, as opposed to increasing only the number of Class C events allowed. He spoke regarding the longevity of the changes, and the need to re-evaluate the adjustments when the economic climate changes.

ACTION: 1) Adopt Resolution 09-3797, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 5 OF RESOLUTION 08-3691 ESTABLISHING FEES AND CHARGES FOR SERVICES FOR RECREATION (SPECIAL EVENTS)" reducing

Type C Special Event Permit fees for applications submitted beginning April 7, 2009. (Attachment A); 2) Direct Department of Public Works to create a 5-Year Plan for managing parking needs of the City and report back to Council once a year on the progress of the plan; 3) Direct Staff to proceed on the development of Zone Text Amendments that would: a) Increase the number of outdoor sales events from 4 to 8; b) Increase the number of special events on private property from 4 to 12; and c) add city sponsored events as the 5th exemption from the requirements for a temporary use or special event permit; 4) Receive and file interpretation allowing DJ's as ambient music in restaurants; 5) Introduce on first reading Ordinance No. 09-809, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUSINESS LICENSE ORDINANCE PERTAINING TO DANCE AND ENTERTAINMENT PROMOTERS LICENSE" allowing promoters to apply for a single permit (Attachment B); 6) Direct Staff to continue to move forward with examining the recommendations presented as "pending" and "long-term" in the March 16, 2009 staff report and report back to Council as appropriate; 7) Approve staff recommendation to remove amending the City's signage ordinance from the Economic Hardship Package with respect to eliminating time limits on signage; and 8) Authorize the Economic Development Department to enter into an agreement to co- sponsor with the West Hollywood Marketing & Visitors Bureau (MVB) to develop a West Hollywood shop and dine program aimed at local residents and regional visitors in the amount of \$25,000, to be matched by the same amount by the MVB. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land and unanimously approved with the following amendments: 1) increase the number of special events permits from four (4) to twelve (12), with the additional eight (8) permits to be limited to Class C Permits; 2) request Community Development staff to return to Council with a comprehensive report on special events permit requests in the City; and 3) provide a grandfather clause for businesses currently zoned as Art Galleries and Wholesale Design Showrooms, to apply for new retail business permits as if they meet the Off-Street Parking and Loading Standards for General Retail Stores, for a certain period of time.**

4.D. COMMISSION APPOINTMENTS [T. WEST, C. SCHAFFER]:

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

ACTION:

The City Council made the following at-large appointments to the Project Advisory Committee – Eleanor Barrett, David A. Aghaei, William Leahy, Lisa Andreson.

4.A. UPDATE OF THE 2008-2009 OPERATING BUDGET, CAPITAL WORK PLAN, AND VISION 2020 ACCOMPLISHMENTS [P. AREVALO, A. GANDHY, D. HATCHER, D. WILSON]:

(This Item was heard out of order at the request of the City Manager)

The City Council will receive and file the mid-year budget update of the City's 2008-09 Operating Budget and Capital Work Plan, Primary Strategic Goals and New Initiatives.

City Manager Arevalo provided background information as outlined in the staff report dated April 6, 2009.

JEANNE DOBRIN, WEST HOLLYWOOD, expressed concerns regarding the increase in hotels in the City.

Mayor Pro Tempore Land thanked Finance staff and the City Council for their careful guardianship of the City's finances. She spoke regarding upcoming California initiatives that might impact the City's budget. She spoke regarding the possibility of the City providing additional aid to non-profit organizations with federal stimulus money. She spoke regarding outreach to the community about programs and services during the current economic climate.

ACTION: Receive and file. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and unanimously approved.**

5. NEW BUSINESS: None

EXCLUDED CONSENT CALENDAR:

2.V. THE DESIGNATION OF THE PROPERTY LOCATED AT 1228 FLORES AVENUE AS A LOCAL CULTURAL RESOURCE [S. KEENE, J. KEHO, J. ALKIRE]:

The City Council will consider designating the buildings located at 1228 Flores Street as a Local Cultural Resource.

ACTION: This Item was continued to a date uncertain, with direction to staff to return to Council with a noticed Public Hearing to adopt a resolution designating the exterior structure located at 1228 Flores Street as a local cultural resource (Cultural Resource Designation 2007-001), and to consider the inclusion of a small garage located at the rear of the property in the local cultural resource designation. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land and unanimously approved.**

2.W. HOUSE OF BLUES REVIEW [J. ENGLISH, L. BELSANTI, K. COOK, B. GOLDMAN, O. DELGADO, J. AUBEL]:

The City Council will receive staff's investigation of all appropriate permits, conditions, law enforcement and life/fire/safety records and neighborhood complaints to determine the compliance of the House of Blues.

MARCUS MCLITUS, LOS ANGELES, GENERAL MANAGER OF THE HOUSE OF BLUES, provided clarification of the ongoing efforts of the House of Blues to improve safety issues.

Councilmember Heilman spoke regarding a recent public safety incident at the House of Blues and requested clarification from the West Hollywood Sheriff's Department on efforts to improve the City's response for future incidents.

ACTION: Receive and file. **Motion by Councilmember Duran, seconded by Mayor Pro Tempore Land and unanimously approved.**

2.DD. JOINT-USE LETTER OF INTENT FOR PROGRAMMING AT FAIRFAX HIGH SCHOOL AUDITORIUM [J. PRANG, J. STEVENS]:

The City Council will consider issuing a letter of intent to Fairfax High School declaring the City's intent to explore joint-use programming and development opportunities at Fairfax High School Auditorium.

MAYOR PRANG AND DAVID SIEDELMAN, ASSISTANT PRINCIPAL OF FAIRFAX HIGH SCHOOL, provided background information as outlined in the staff report dated April 6, 2009.

Mayor Pro Tempore Land spoke regarding City funds that are currently allotted for renovations of the performance space at Fiesta Hall in the City, and concerns surrounding providing additional funds for a performance space outside the City.

WHITNEY WESTON, WEST HOLLYWOOD, spoke in support of the Item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the Item.

ED BUCK, WEST HOLLYWOOD, spoke in support of the Item.

Councilmember Duran disclosed that he is currently the Vice Chair of the Board of Directors of the Los Angeles Gay Men's Chorus. He spoke in support of referring the Item to the Arts and Cultural Affairs Commission for review.

Councilmember Heilman spoke regarding the need to include Finance staff in future discussions. He spoke in support of the City expanding the discussion to include other joint-use opportunities with the Los Angeles Unified School District. He spoke regarding possible conflicts of interest for Mayor Prang, due to his relationship with his partner who is the director of the Fairfax High School Marching Band.

ACTION: 1) Direct the City Manager to issue the letter of intent to Fairfax High School Principal Edward Zubiate; 2) Direct the City Arts & Cultural

Affairs staff to report back to the City Council with recommendations for partnership opportunities within 90 days; and 3) Direct staff to send copies of the signed letter of intent to Fairfax High School Director of Development Joyce Kleifield, LAUSD Joint Use and Innovation Fund Development Interim Director Ana M. Laso and LAUSD School Boardmember Marlene Canter, LAUSD Boardmember-Elect Steve Zimmer and LAUSD Superintendent Ramon C. Cortines. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and approved with Mayor Prang ABSTAINING; and with the following additional direction to staff: 1) refer the Item to the Arts and Cultural Affairs Commission for review; and 2) explore the possibility of the City expanding the discussion to include other joint-use opportunities with the Los Angeles Unified School District.**

2.EE. INITIATE A ZONE TEXT AMENDMENT TO THE WEST HOLLYWOOD MUNICIPAL CODE SECTION 19.58.070 “HISTORIC PRESERVATION ORDINANCE.” [S. GUARRIELLO, D. SAUR, D. GEVORKYAN]:

The City Council will consider directing staff to amend the West Hollywood Municipal Code Section 19.58.070 of the Historic Preservation Designation ordinance with regards to the re-nomination process.

Councilmember Guarriello provided background information as outlined in the staff report dated April 6, 2009.

RIC ABRAMSON, WEST HOLLYWOOD, spoke in support of the Item. He spoke in support of including a special condition for properties with a change of ownership.

GLADYS MONASTER, WEST HOLLYWOOD, spoke in support of the Item.

ACTION: Direct the staff of the Community Development Department to initiate a zone text amendment of Section 19.58.070 as follows: 1) Lengthen the period of time required to pass, before a property may be brought forth for re-nomination for historic preservation, from the current five (5) years to ten (10) years; 2) The amendment will include that any new evidence presented for re-nomination must be submitted to the Historic Preservation Committee no later than twelve months after the City’s decision to deny historic status; 3) The amended ordinance will prohibit re-nominating a property for Historic Preservation before the maturity of the ten (10) years; 4) The amendment will include all properties that have been considered and denied by the City five years prior to the date of the amendment; and 5) Staff to report back within thirty (30) days. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and approved with Councilmember Duran voting NO; and with the following amendments: Amend the proposed ordinance to read as follows: 1) Section 19.58.070 – paragraph 3 – “A particular**

potential cultural resource may be evaluated by the City only once in any ten-year period in any context- as either an individual resource or as part of a district - unless the application is made by the owner of the property”; 2) Section 19.58.070 – paragraph 4 – “At any time, the City Council may, on its own initiative, reconsider the designation or non-designation decision in any case where new information, material to the decision to designate a cultural resource, which was not discovered through the exercise of due diligence at the time of the original designation, has been uncovered, or when the City Council discovers that the information upon which it made its determination regarding designation was false. Wherever applicable, this process must follow the nomination process outlined in Sections 19.58.050, 19.58.060, and 19.58.070, above. (See also Section 19.58.080, Removal of Designated Resources from Local Register).”

PUBLIC COMMENT:

MICHAEL POLES, WEST HOLLYWOOD, spoke regarding traffic and safety issues on Greenacre Avenue in the City.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding real estate sign regulations in the City of West Hollywood and the City of Beverly Hills.

6. LEGISLATIVE:

6.A. AMEND THE NOISE ORDINANCE PERTAINING TO CONSTRUCTION [O. DELGADO, J. AUBEL]:

The City Council will consider adopting an ordinance to amend Title 9, Chapter 9.08 Section 030. of the West Hollywood Municipal Code further defining the term “construction” and amending subsection (f) of section 050 of the same chapter relating to the allowed hours of construction.

ACTION: This item was moved to the Consent Calendar as Item 2.II.

6.B CAMPAIGN FINANCE REFORM ORDINANCE [M. JENKINS, T. WEST]:

The City Council will consider an ordinance amending the regulations governing contributions to Municipal Election campaigns for City Council Offices and amending the West Hollywood Municipal Code.

City Attorney Mike Jenkins provided background information as outlined in the staff report dated April 6, 2009.

PHILIP HOSKINS, WEST HOLLYWOOD, spoke in support of the Item. He spoke in support of more public education in City elections.

ED BUCK, WEST HOLLYWOOD, spoke in support of the Item. He spoke in support of more public education in City elections.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the Item.

Councilmember Heilman expressed concerns regarding the proposed provision requiring candidates and committees to deplete existing campaign accounts to not more than \$50 on the date that is two years prior to the next election, and the inability for candidates to cover basic fees between elections. He spoke in support of allowing candidates to move additional funds into an office-holder account to cover ongoing expenses incurred by elected officials. He expressed concerns regarding the ability of the City to regulate Political Action Committees (PACs). He spoke in support of reducing the contribution limit from \$1,000 to \$500 per election. He spoke in support of the City increasing its voter outreach efforts, and in support of the City sponsoring candidate forums. He spoke in support of an all-mail ballot election, and requested the City Clerk's office to investigate the possibility of a pilot project with the State. He spoke regarding the need for increased voter outreach and providing opportunities for all candidates to be heard by the public.

Councilmember Guarriello requested clarification from the City Attorney regarding the provision for remedies for campaign contribution violations, which would require the candidate to remit the amount in excess of the limit to the City, to be used to finance voter education and get-out-the-vote programs. He spoke in opposition to an all-mail ballot election.

Mayor Pro Tempore Land thanked the Campaign Finance Review Committee, the City Attorney and the City Clerk for bringing the Item forward. She expressed concerns that campaign finance reform will not increase voter participation, and stressed the need for the City to do more voter outreach and education on an ongoing basis. She expressed concerns regarding the proposed provision requiring candidates and committees to deplete existing campaign accounts to not more than \$50 on the date that is two years prior to the next election, and the inability for candidates to cover basic fees between elections. She spoke in support of allowing candidates to move additional funds into an office-holder account to cover ongoing expenses incurred by elected officials.

Councilmember Duran spoke in opposition to an all-mail ballot election. He spoke in support of more voter education and outreach, particular more information provided to voters by mail. He spoke in support of reducing the contribution limit from \$1,000 to \$500 per election. He expressed concerns regarding the ability of the City to regulate Political Action Committees (PACs). He expressed concerns regarding the proposed provision requiring candidates and committees to deplete existing campaign accounts to not more than \$50 on the date that is two

years prior to the next election, and the inability for candidates to cover basic fees between elections. He spoke in support of allowing candidates to move additional funds into an office-holder account to cover ongoing expenses incurred by elected officials. He spoke in opposition to the provision requiring the candidate to remit excess campaign contributions to the City, rather than return them to the donor.

Mayor Prang thanked the Campaign Finance Review Committee, the City Attorney and the City Clerk for bringing the Item forward. He stated that the ordinance is only a first step in campaign finance review, and spoke regarding the need to continue analyzing the ordinance and make improvements. He spoke in support of limiting the period of time for campaign fund raising. He spoke in support of reducing the contribution limit from \$1,000 to \$500 per election. He spoke in support of clearly defining the campaign fund raising period for each election cycle. He spoke in support of an all-mail ballot election. He requested further clarification from the City Attorney regarding contributions from candidates' spouses or domestic partners. He spoke in opposition to the proposed provision requiring candidates and committees to deplete existing campaign accounts to not more than \$50 on the date that is two years prior to the next election, and spoke in support of allowing candidates to move additional money into an office-holder account to cover expenses incurred by elected officials. He spoke in support of setting an annual dollar limit for expenditures from office-holder accounts. He spoke regarding the provision requiring the candidate to remit excess campaign contributions to the City, rather than return them to the donor, and spoke in support of punitive action for the candidate who receives the excess contributions.

ACTION: Direct the City Attorney and the City Clerk to return to Council with a revised ordinance amending the regulations governing contributions to municipal general election campaigns for City Council offices; with revisions to Section 2.76.050 - Campaign Accounts, and Section 2.76.060 - Remedies for Violations. **Carried by Consensus of the Council.**

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 11:32 P.M. in memory of Aileena Shineman, Maria Valesquez, Rhea Cohn Rosenberg, Rose Weitzman, 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, April 20, 2009 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 20^h day of April, 2009 by the following vote:

AYES:	Councilmember:	Duran, Prang, Mayor Pro Tempore Heilman, and Mayor Land.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.

ABBE LAND, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK