

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JUNE 1, 2009
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Land called the meeting to order at 5:51 PM.

PLEDGE OF ALLEGIANCE: Jeanne Dobrin led the pledge.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: City Manager Arevalo, City Attorney Jenkins, Assistant City
Clerk Schaffer, Administrative Specialist Vespoint.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins reported that the closed session was called to order at 5:00 P.M. He stated that there was one (1) public speaker, who spoke regarding the Norwich Community Garden Item on the agenda. City Attorney Jenkins stated that the owner of the garden gave notice of the end of the lease of the garden, and the City Council directed staff to contact the owner regarding the possibility of renewing the lease. He stated that the closed session adjourned with no other reportable action.

APPROVAL OF AGENDA:

Mayor Pro Tempore Heilman requested that Item 2F be moved to Excluded Consent.

Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman to approve the June 1, 2009 agenda as amended, and unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Horvath requested the meeting be adjourned in memory of Dr. George Tiller, the reproductive health services provider in Kansas who was recently murdered.

Councilmember Duran requested the meeting be adjourned in memory of Christopher Scott, a former employee of Fiesta Cantina.

PRESENTATIONS:

Mayor Pro Tempore Heilman presented a commendation to Charles Cohen, owner of the Pacific Design Center, in commemoration of the PDC's continued affiliation with the Museum of Contemporary Art.

Council presented a commendation to Rodney Scott in commemoration of LGBT Pride month.

1. PUBLIC COMMENT:

ALAN BERNSTEIN, WEST HOLLWYOOD, spoke in support of renaming Holloway Veterans Park after Councilmember Guarriello.

ANDY HARLAND, WEST HOLLYWOOD, spoke in support of renaming Holloway Veterans Park after Councilmember Guarriello.

MARK OLSON, SOUTHERN CALIFORNIA EDISON, distributed the State of the Utility Report to the Council.

TOM DEMILLE, WEST HOLLYWOOD, spoke on various local, state and federal issues.

ESTHER BAUM, WEST HOLLWYOOD, spoke in appreciation of the new library groundbreaking ceremony.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of Charles Cohen being honored by the Council. She spoke in support of the City Could purchasing the property at 417 Norwich for use as a community garden. She spoke in appreciation Richard Settle's Memorial Day event.

COUNCILMEMBER COMMENTS:

Councilmember Horvath thanked City staff for the successful SOVA Food Pantry food drive. She spoke regarding public comment surrounding creating more green space on the Eastside of the City. She spoke regarding an upcoming vigil, sponsored by the Hollywood Chapter of the National Organization of Women, in honor of Dr. George Tiller. She thanked the Senior Advisory Board and City staff for organizing the recent Senior Month events in the City.

Councilmember Duran thanked the Sherriff's department for their help in organizing the recent protest of the California Supreme Court's decision to uphold Proposition 8. He spoke regarding an upcoming joint concert of the Gay Men's Chorus and the Fairfax High School Band. He requested the City Manager to return to the City Council with a report on funding for HIV/AIDS services programs in the State of California. He congratulated Mayor Pro Tempore Heilman for his years of hard work on the new West Hollywood Library project.

Councilmember Prang thanked everyone involved in helping to bring the new West Hollywood Library project to fruition. He spoke in opposition to Council meetings being rescheduled to an earlier time.

Mayor Pro Tempore Heilman thanked his fellow Councilmembers, past and present, and the community for helping to bring the new West Hollywood Library project to

fruition. He thanked City staff and local businesses for organizing the recent Avenues of Art and Design event in the City. He commended staff for organizing the recent electronic waste event and thanked residents for participating. He spoke regarding the first Structures and Style tour event, in which newly designed West Hollywood hotels were featured.

Mayor Land reminded the community of the upcoming Russian community awards and festival. She acknowledged Rodney Scott for his contribution to the recent demonstration regarding the California Supreme Court's decision to uphold Proposition 8. She spoke regarding Item 2.U. and an upcoming West Hollywood Health Care forum in the City. She requested the City Manager to return to the City Council with a report on funding for HIV/AIDS services programs in the State of California. She announced the new West Hollywood Green Building Manual, available at City Hall. She spoke regarding the recent death of Dr. George Tiller, stating that she had previously met him, and referring to him as an inspiration.

CITY MANAGER'S REPORT: None.

FISCAL IMPACT ON CONSENT CALENDAR:

Assistant City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$226,355.00 in expenditures and \$18,000.00 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 Mayor Pro Tempore Heilman, seconded by Councilmember Duran and unanimously approved with Councilmember Prang ABSTAINING on Item 2.G.**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, June 1, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 28, 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 May 13, 2009 and May 18, 2009. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 627, RESOLUTION NO. 09-3830:

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

ACTION: Approve Demand Register No. 627 and adopt Resolution No. 09-3830, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 627 ." **Approved as part of the Consent Calendar.**

2.D. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive a report from the Project Advisory Committee and the Public Safety Commission on actions taken at their recent meetings.

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

2.E. 2009-2010 OPERATING BUDGET AND CAPITAL WORK PLAN UPDATE [P. AREVALO, A. GANDHY, D. WILSON]:

The City Council will receive the City of West Hollywood Operating Budget and Capital Work Plan Update for Fiscal Year 2009-2010, which will be brought back for public comment and council adoption at the June 15, 2009 meeting.

ACTION: Receive and file the City of West Hollywood Operating Budget and Capital Work Plan for Fiscal Year 2009-2010. **Approved as part of the Consent Calendar.**

2.F. AMENDMENTS TO THE GENERAL PLAN, ZONING ORDINANCE, AND ZONING MAP TO REPLACE THE INTERIM ZONING ORDINANCE WITH PERMANENT STANDARDS. (GENERAL PLAN AMENDMENT, ZONE TEXT AMENDMENT, AND ZONE MAP AMENDMENT) [M. RYCHLICKI, J. KEHO, D. DEGRAZIA]:

The City Council will consider a revised resolution amending the General Plan, Zoning Ordinance and Zoning Map to replace the current interim zoning ordinance.

ACTION: This item was moved to Excluded Consent.

2.G. THE DESIGNATION OF THE PROPERTY LOCATED AT 1228 FLORES AVENUE AS A LOCAL CULTURAL RESOURCE [M. RYCHLICKI, J. KEHO, J. ALKIRE]:

The City Council will consider a revised resolution designating the single family home and garage located at 1228 Flores Street as a Local Cultural Resource.

ACTION: Adopt Resolution No. 09-3832 : "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DESIGNATING THE EXTERIORS OF THE SINGLE FAMILY RESIDENCE AND DETACHED GARAGE LOCATED AT 1228 FLORES STREET AS A LOCAL CULTURAL RESOURCE (CULTURAL RESOURCE DESIGNATION 2007-001)." **Approved as part of the Consent Calendar, with Councilmember Prang ABSTAINING.**

2.H. AMENDMENT TO THE CONTRACT WITH THE CITY'S HEARING EXAMINER [V. LOVE, C. SCHROEDER]:

The City Council will consider the approval of an amendment to the contract for Judy A. Sherman for Hearing Examiner services.

ACTION: 1) Approve Contract Amendment No. 3 with Judy A. Sherman which increases the hourly rate to \$55.00 and shall not exceed \$35,000; and 2) Authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

2.I. ONE-YEAR EXTENSION OF LAW ENFORCEMENT SERVICES AGREEMENT WITH COUNTY OF LOS ANGELES [M. JENKINS]:

The City Council is requested to consider a one-year extension of the law enforcement services agreement with the County of Los Angeles pending further negotiation of the dispute over the liability trust fund.

ACTION: Approve the attached one-year extension of the law enforcement services agreement with the County of Los Angeles and authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

2.J. PURCHASE MOBILE COMPUTERS FROM CDCE INC. [O. DELGADO, B. GANLEY, J. AUBEL, D. MICK]:

The City Council will consider approving the purchase of 10 Mobile Computers and related hardware from CDCE Inc. The City Council will also consider approving an agreement with CDCE Inc. for maintenance and installation services.

ACTION: 1) Approve the issuance of a purchase order by the Department of Finance for the purchase of 10 Mobile computers and related hardware in the amount of \$52,582.03; 2) Approve a contract with CDCE Inc. for installation and maintenance services in the amount of \$5,070.00; and 3) Authorize City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.K. CONTRACT AWARD FOR AS NEEDED GENERAL CONSTRUCTION/PROJECT CONSULTING SERVICES [L. LONG, S. BAXTER, D. GONZALEZ]:

The City Council will consider awarding a two year contract to Heery International Inc. for general construction consulting services.

ACTION: 1) Authorize the City Manager to sign a two year Agreement with Heery International Inc, in a not to exceed amount of \$75,000 for as needed general construction consulting services; and 2) Authorize the contingency expenditure of an amount not to exceed 15% of the Agreement amount as approved by the Director of the Human Services Department. **Approved as part of the Consent Calendar.**

2.L. 25th ANNIVERSARY CAPITAL PROJECT - NOTICE OF COMPLETION, HAZARDOUS MATERIAL ABATEMENT SERVICES WEST HOLLYWOOD PARK NEW LIBRARY PROJECT C.I.P. NO. 55-08/09-07: [R. REYNOLDS, J. HUFFER]

The City Council will consider approving a Notice of Completion for Hazardous Material Abatement Services West Hollywood Park/New Library Project C.I.P. NO. 55-08/09-07.

ACTION: 1) Accept the work and authorize the following: a) Filing a Notice of Completion by the City; b) Final payment to the contractor at the end of the 35-day lien period; c) Release of the Performance Bond on the date of recordation of the Notice of Completion; and d) Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices. **Approved as part of the Consent Calendar.**

2.M. NOTICE OF COMPLETION FOR CIP 0905 CONCRETE REPAIR PROGRAM [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Notice of Completion for CIP 0905 Concrete Repair Program by Kacey Construction.

ACTION: Accept the work and authorize the following: a) Filing a Notice of Completion by the City Engineer; b) Final payment to the contractor at the end of the 35 day lien period; c) Release of the Performance Bond on the date of recordation of the Notice of Completion; and d) Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices. **Approved as part of the Consent Calendar.**

2.N. GRANT APPLICATION FOR HAZARD MITIGATION PLAN [K. COOK, B. SMITH, S. BERRY]:

The City Council will consider authorizing staff to apply for and then accept, if applicable, a grant offered by the California Emergency Management Agency, DR-1810 Hazard Mitigation Grant Program.

ACTION: 1) Authorize staff to apply for and accept, if applicable, a grant offered by the California Emergency Management Agency, DR-1810 Hazard Mitigation Grant Program; 2) If the grant is awarded, authorize the Director of Finance to adjust the budget in fiscal year 2009-10 to reflect the projected grant award of \$18,000 for a total of \$24,000 in increased budgeted expenditures and grant revenues of \$18,000 and a transfer of \$6,000 from the Public Safety Administration budget; and 3) Authorize the expenditure of Hazard Mitigation Grant Program funds for the review and update of the City of West Hollywood's Hazard Mitigation Plan as required by the Federal Emergency Management Agency. **Approved as part of the Consent Calendar.**

2.O. DISTRICT 8 PREFERENTIAL PARKING REGULATIONS [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 Curson Avenue, between Lexington and Hampton Avenues.

ACTION: Introduce for first reading Ordinance No. 09-814, "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 CURSON AVENUE BETWEEN LEXINGTON AND HAMPTON AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE ". **Approved as part of the Consent Calendar.**

2.P. CO-SPONSORSHIP OF DOCUMENTARY [J. DURAN, H. MOLINA]:

The Council will consider co-sponsoring Nicholas Frangakis documentary focusing on LGBT families and adoption.

ACTION: 1) Approve co-sponsorship of Nicholas Frangakis' documentary focusing on LGBT families and adoption, and the social network of parents that participate in Saturdays in the Park and Family Day In the Park; 2) Authorize issuance of a letter of support for the project; and 3) Authorize the City Manager to rescind co-sponsorship at any time deemed appropriate. **Approved as part of the Consent Calendar.**

2.Q. RENAMING OF HOLLOWAY PARK VETERAN'S MEMORIAL IN HONOR OF SAL GUARRIELLO [J. PRANG, J. STEVENS, L. HORVATH, D. SAUR]:

The City Council will consider directing the Public Facilities Commission, in cooperation with city staff and the Arts & Cultural Affairs Commission, to initiate City procedures required to rename the Holloway Park Veteran's Memorial in honor of former Mayor and Councilmember Sal Guarriello.

ACTION: 1) Direct the Public Facilities Commission, in cooperation with city staff and the Arts & Cultural Affairs Commission, to initiate City procedures required to rename the Holloway Park Veteran's Memorial in honor of former Mayor and Councilmember Sal Guarriello; and 2) Direct the City Manager to authorize expenditures for design modifications to the existing Veteran's Memorial, pending design approval by the City Council. **Approved as part of the Consent Calendar.**

2.R. RESOLUTION IN SUPPORT OF SB 158 (WIGGINS) REGARDING PREVENTIVE HEALTH CARE SERVICES [A. LAND, C. PLANCK, R. MARTINEZ]:

The City Council will consider adopting a resolution in support of SB 158 (Wiggins).

ACTION: 1) Adopt Resolution 09-3833 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 158 (WIGGINS) REGARDING PREVENTIVE HEALTH CARE SERVICES THAT INCLUDES COVERAGE OF THE HUMAN PAPILOMAVIRUS VACCINE"; 2) Direct staff to send copies of signed resolution to California State Senator Patricia Wiggins, American College of Obstetrics and Gynecologists, American Cancer Society, California Medical Association, Medical Oncology Association of Southern California, Planner Parenthood Affiliates, American Academy of Pediatrics, CA NOW, Senator Fran Pavley and Assemblymember Mike Feuer; and 3) Direct staff to be involved with public health outreach to social service and health programs

of West Hollywood to urge their support of access to the HPV as part of women's annual cervical cancer screening test. **Approved as part of the Consent Calendar.**

2.S. RESOLUTION IN SUPPORT OF REDEVELOPMENT REVENUE EXCHANGE, SB 93 (KEHOE) [P. AREVALO, H. MESHAR, K. KRIETZMAN]:

The City Council will consider adopting a resolution in support of Redevelopment Revenue Exchange, SB 93 (Kehoe).

ACTION: 1) Adopt Resolution No. 09-3834, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF REDEVELOPMENT REVENUE EXCHANGE, SB 93 (KEHOE)"; and 2) Send copies of the signed resolutions to State Senator Fran Pavley, Assemblymember Mike Feuer, and Senator Christine Kehoe. **Approved as part of the Consent Calendar.**

2.T. 2010 LA MARATHON EVENT REQUEST [L. LONG, N. BEARD]:

Council will consider a request to close portions of city streets to accommodate the 2010 Los Angeles Marathon.

ACTION: Approve the event request in concept and allow the City Manager to negotiate with the Los Angeles Marathon committee for passage thru the City of West Hollywood. **Approved as part of the Consent Calendar.**

2.U. SUPPORT FOR PARTICIPATION IN "WEST HOLLYWOOD CARES ABOUT HEALTH CARE" FORUM [A. LAND, C. PLANCK, L. HORVATH, D. SAUR]:

The City Council will consider participating in a health care forum, "West Hollywood Cares About Health Care," a community discussion about the current state of health care in the United States.

ACTION: Direct staff to provide support and outreach for "West Hollywood Cares About Health Care," including community communication through our Public Information Office. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS: None.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS: None.

EXCLUDED CONSENT CALENDAR:

2.F. AMENDMENTS TO THE GENERAL PLAN, ZONING ORDINANCE, AND ZONING MAP TO REPLACE THE INTERIM ZONING ORDINANCE WITH PERMANENT STANDARDS. (GENERAL PLAN AMENDMENT,

ZONE TEXT AMENDMENT, AND ZONE MAP AMENDMENT) [M. RYCHLICKI, J. KEHO, D. DEGRAZIA]:

The City Council will consider a revised resolution amending the General Plan, Zoning Ordinance and Zoning Map to replace the current interim zoning ordinance.

Mayor Pro Tempore Heilman expressed concerns regarding zoning restrictions for certain properties on the East side and several properties on Doheny Drive. He spoke in support of revisiting the zoning requirements for these areas during the revision of the General Plan.

Mayor Land spoke in support of revisiting the zoning requirements for these areas during the revision of the General Plan.

Mayor Pro Tempore Heilman encouraged Councilmembers to visit the areas under discussion and look at buildings that were built during the current Interim Zoning Ordinance to evaluate if they fit well into the neighborhood.

Councilmember Prang spoke in support of more community outreach and participation as the City continues to revise zoning requirements and the General Plan.

ACTION: 1) Adopt Resolution No. 3831, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD AMENDING THE GENERAL PLAN AND GENERAL PLAN MAP RELATING TO PERMITTED HEIGHTS IN THE R4 AND R3C ZONING DISTRICTS"; 2) Introduce on the first reading Ordinance No. 812, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 (ZONING ORDINANCE) AND THE ZONING MAP RELATING TO PERMITTED HEIGHTS AND MAXIMUM AVERAGE UNIT SIZES IN THE R4 AND R3 ZONING DISTRICTS, AND PARKING STRUCTURE DRIVEWAY SLOPE AND TRASH PLACEMENT STANDARDS CITY-WIDE"; AND 3) Adopt the urgency ordinance: Ordinance No. 813U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 (ZONING ORDINANCE) AND THE ZONING MAP RELATING TO PERMITTED HEIGHTS AND MAXIMUM AVERAGE UNIT SIZES IN THE R4 AND R3 ZONING DISTRICTS, AND PARKING STRUCTURE DRIVEWAY SLOPE AND TRASH PLACEMENT STANDARDS CITY WIDE AND DECLARING THE URGENCY THEREOF." **Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman and approved with Councilmember Duran voting NO.**

PUBLIC COMMENT: None.

6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 6:36 P.M. in memory of Dr. George Tiller and Christopher Scott. They adjourned to their next regular meeting, which will be on Monday, June 15, 2009 at 6:30 P.M. at Fiesta Hall in Plummer Park, 1200 N. Vista Street.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 15th day of June, 2009 by the following vote:

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| AYES: | Councilmember: | Duran, Horvath, 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