

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, MAY 18, 2009
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Land called the meeting to order at 6:39 P.M.

PLEDGE OF ALLEGIANCE: Andrew Rakos and his family 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, City Clerk West,
and Assistant City Clerk Schaffer.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins 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 two (2) items of Anticipated Initiation of Litigation were added to the agenda, including an Item regarding the Law Enforcement Services Trust Fund. He stated that one (1) Item of Acquisition of Real Estate, regarding the property located at 1234 Hayworth, was added to the agenda. He stated that the closed session adjourned at 6:30 P.M. with one (1) reportable action taken, an initiation of litigation regarding the Law Enforcement Litigation Trust Fund.

APPROVAL OF AGENDA:

Staff requested that Items, 2.Z. and 2.AA. be TABLED.

Councilmember Duran noted his RECUSAL on Item 2.W. due to the affiliation of his law firm with Christopher Street West.

Councilmember Prang requested that Items 2.R. and 2.X. be moved to the Excluded Consent Calendar.

Mayor Land noted her RECUSAL on Items 2.H. and 2.K.

Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman to approve the May 18, 2009 agenda as amended, and unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Prang requested that the meeting be adjourned in memory of Si Frumkin, a leader in the Soviet Jewish Community.

Mayor Land requested that the meeting be adjourned in memory of Mark Landon, the son of actor Michael Landon.

Councilmember Duran requested that the meeting be adjourned in memory of Roger McFarland, the former Executive Director of Broadway Cares, and an HIV/AIDS activist. He 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. Jake R. Velloza, Spc. Jeremiah P. McCleery, Spc. Shawn D. Sykes, Pvt. Justin P. Hartford, Staff Sgt. Randy S. Agno, Maj. Steven Hutchison, Pfc. Michael E. Yates Jr., Commander Charles K. Springle, Maj. Matthew P. Houseal, Sgt. Christian E. Bueno-Galdos, Spc. Jacob D. Barton, Cpl. Ryan C. McGhee.

PRESENTATIONS:

Mayor Pro Tempore Heilman presented commendations to the Pacific Hills High School Basketball Team.

Councilmember Prang presented a proclamation in recognition of Harvey Milk Day.

Mayor Land presented a proclamation in recognition of Historic Preservation Celebration Day.

Mayor Land presented a proclamation in recognition of HIV Prevention Month.

1. PUBLIC COMMENT:

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke in support of Item 2.Q. and spoke in opposition to Item 2.X.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in opposition to Item 2.X.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding Item 2.I. and expressed concerns regarding the purchase price for the property located at 1234 Hayworth.

SHIRLEY BUSHNELL, PACOIMA, thanked the City Council for their ongoing support of the transgender community and spoke in support of Item. 2.Z.

ANDY DOYLE AND JAIME BYRNE, spoke regarding a recent fund raiser hosted by the West Hollywood Fire Department to raise money for Muscular Dystrophy, and thanked the City for assisting in organizing the event.

RODNEY SCOTT, EXECUTIVE DIRECTOR OF CHRISTOPHER STREET WEST, spoke regarding the upcoming Gay Pride events in the City and thanked the City Council and City staff for their ongoing support.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding various local, state, and national issues.

ROBERT BRAND, WEST HOLLYWOOD, spoke in support of Item 3.A.

ED BUCK, WEST HOLLYWOOD, spoke in support of Item 2.X. He spoke regarding the acquisition of the property located at 1234 N. Hayworth Avenue and expressed concerns regarding the appraisal of the property.

LYNN HOOPINGARNER, WEST HOLLYWOOD, spoke regarding access to City Council agenda items on the City's website.

JESSICA AUSTIN, LOS ANGELES, spoke in support of Item 2.X.

MICHAEL LEGON, WEST HOLLYWOOD, spoke regarding public safety issues and possible profiling on behalf of the West Hollywood Sherriff's Department.

COUNCILMEMBER COMMENTS:

Councilmember Horvath thanked Tom Demille for his gift to the City.

Councilmember Duran spoke regarding the pending decision of the California Supreme Court concerning same-sex marriage, and spoke regarding the need for any demonstrations following the decision to be non-violent. He spoke regarding public comment surrounding possible profiling on behalf of the West Hollywood Sherriff's Department, and requested further information from the West Hollywood Sheriff's Captain.

Councilmember Prang spoke regarding public comment surrounding possible profiling on behalf of the West Hollywood Sherriff's Department, and provided clarification on the efforts being taken by the City and the Sherriff's Department, and requested further information from the West Hollywood Sheriff's Captain. He spoke regarding his recent attendance at the California Contract Cities Association annual conference. He spoke regarding the Fairfax High School Orchestra who recently received first place at a regional competition. He spoke regarding the upcoming West Hollywood Chamber of Commerce Job Fair in the City. He spoke regarding the lifting of parking restrictions in the City in recognition of Memorial Day. He spoke regarding the upcoming free electronic waste and document shredding event for residents in the City.

Mayor Pro Tempore Heilman spoke regarding the upcoming City of West Hollywood Design Tour event in the City. He requested staff to investigate the public comment surrounding access to City Council agenda items on the City's website. He spoke regarding public comment surrounding the appraisal of the property located at 1234

Hayworth Avenue. He spoke regarding public comment surrounding possible profiling on behalf of the West Hollywood Sheriff's Department, and requested further information from the West Hollywood Sheriff's Captain.

Mayor Land spoke regarding public comment surrounding possible profiling on behalf of the West Hollywood Sheriff's Department, and requested further information from the West Hollywood Sheriff's Captain. She requested staff to investigate the public comment surrounding access to City Council agenda items on the City's website. She spoke regarding the upcoming Avenues of Art and Design Walk event in the City. She thanked the Recreation staff, and the business community, for organizing the recent Chalk and Art event in the City. She spoke regarding Planning Commissioner Marc Yeber, and his absence at several upcoming Planning Commission meetings to accommodate his travel plans to China.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding public comment surrounding possible profiling on behalf of the West Hollywood Sheriff's Department, and provided clarification of the efforts currently being taken by the City and the West Hollywood Sheriff's Department to investigate the issue. He spoke regarding public comment surrounding the appraisal of the property located at 1234 Hayworth, and the City's efforts to ensure the validity of the appraisal, including a peer review of the appraisal document. He stated that the City will conduct its own appraisal in future real estate acquisition efforts.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$1,151,915.00 in expenditures and \$642,159.00 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.,S.,T.,U.,V.,W.,Y.,BB.,CC.

Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Duran and unanimously approved with Items 2.Z. and 2.A.A. being TABLED; Councilmember Duran RECUSED on Item 2.W.; and Mayor Land RECUSED on Items 2.H. and 2.K.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, May 18, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 14, 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 4 and May 6, 2009. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 626, RESOLUTION NO. 09-3807:

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

ACTION: Approve Demand Register No. 626 and adopt Resolution No. 09-3807, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 626" **Approved as part of the Consent Calendar.**

2.D. ORDINANCE NO. 09-810 (2ND READING), AMENDING WHMC § 17.08.010(11), TO CLARIFY THAT, FOR PURPOSES OF THE RENT STABILIZATION ORDINANCE, THE TERM "LANDLORD" INCLUDES SUCCESSORS IN INTEREST [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 09-810, a proposed ordinance amending WHMC § 17.08.010(11), to clarify that, for purposes of the Rent Stabilization Ordinance, the term "landlord" includes successors in interest.

ACTION: Waive further reading and adopt Ordinance No. 09-810, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING WHMC § 17.08.010(11), TO CLARIFY THAT, FOR PURPOSES OF THE RENT STABILIZATION ORDINANCE, THE TERM "LANDLORD" INCLUDES SUCCESSORS IN INTEREST." **Approved as part of the Consent Calendar.**

2.E. ORDINANCE NO. 09-811 (2ND READING), PERTAINING TO THE MANAGER REQUIREMENT FOR PUBLIC EATING WITH ALCOHOL LICENSES [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 09-811, a proposed ordinance pertaining to the manager requirement for public eating with alcohol licenses.

ACTION: Waive further reading and adopt Ordinance No. 09-811, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PERTAINING TO THE MANAGER REQUIREMENT FOR PUBLIC EATING WITH ALCOHOL LICENSES." **Approved as part of the Consent Calendar.**

2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive a report from the Public Facilities Commission on actions taken at their recent meetings.

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

2.G. ATTENDANCE REPORTS AND UPDATES FOR CITY COMMISSIONS, ADVISORY BOARDS, AND THE PROJECT ADVISORY COMMITTEE [T. WEST, C. SCHAFFER]:

The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between February 2008 and

February 2009. The Council will also consider excusing the absences of several members; receive and file a list of members who have not completed the ethics training required by Assembly Bill 1234; and consider reducing the number of Disabilities Advisory Board Members from nine (9) to seven (7).

ACTION: 1) Receive and file the attendance reports; 2) Excuse absences, due to personal reasons, for: Suzanne Dietrich (Disabilities Advisory Board); Anna Swett (Disabilities Advisory Board); Pat Langlois (Lesbian and Gay Advisory Board); Jimmy Palmieri (Lesbian and Gay Advisory Board); Elisabeth Sandberg (Lesbian and Gay Advisory Board); Ruth Tittle (Lesbian and Gay Advisory Board); Steve Pargamanik (Russian Advisory Board); Shirley Kaplan (Senior Advisory Board); Mike Mansdorf (Senior Advisory Board); Muriel Schoichet (Senior Advisory Board); and Sofya Davidovich (Women's Advisory Board); 3) Excuse absences, due to professional reasons, for: Beverly Denenberg (Arts and Cultural Affairs Commission); Jon Bailey (Arts and Cultural Affairs Commission); Bryeon Earle (Lesbian and Gay Advisory Board); Bill Gordon (Lesbian and Gay Advisory Board); and Howard Jacobs (Rent Stabilization Commission); 4) Receive and file a report listing all Commissioners, Advisory Board Members, and Project Advisory Committee members who have not completed the 2-hour bi-annual ethics training required by AB 1234; and 5) Reduce the number of Disabilities Advisory Board Members from nine (9) to seven (7), rescind Resolution No. 03-2948, and adopt Resolution No. 09-3829, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGARDING THE ORGANIZATION OF CITY APPOINTED ADVISORY BOARDS." **Approved as part of the Consent Calendar.**

2.H. RE-PROGRAMMING OF SOCIAL SERVICES CONTRACT SAVINGS [L. LONG, D. DENNIS]:

The City Council will authorize expenditure of \$66,000 in savings from 2007-08 Social Services contracts.

ACTION: 1) Authorize the Director of Finance and Technology to increase revenue account 100-461001 by \$66,000 and expenditure account 100-3-05-53-536023 by \$66,000; and 2) Approve contract amendments with the following agencies to be funded from \$66,000 in savings from the 2007-08 Social Services contracts and authorize the City Manager to sign: a) Aid for AIDS for the urgent fund: \$5,000; b) National Council of Jewish Women for the urgent fund: \$8,500; and c) \$2,500 for the Social Services agencies listed on the attached chart for program costs in the current grant period. **Approved as part of the Consent Calendar with Mayor Land RECUSED.**

2.I. WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION SECOND AND THIRD QUARTER REPORTS FOR 2008-2009 [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:

The City Council will receive the Second and Third Quarter Reports of the West Hollywood Community Housing Corporation (WHCHC) for Fiscal Year 2008-2009.

ACTION: Receive and file the FY 2008-2009 Second and Third Quarter Reports of the West Hollywood Community Housing Corporation.
Approved as part of the Consent Calendar.

2.J. STREET MAINTENANCE ASSESSMENT FOR FISCAL YEAR 2009-2010 [A. GANDHY, B. ROSEN]:

The City Council will consider adopting a resolution determining and imposing a street maintenance assessment within the 1996 Street Maintenance Assessment District for Fiscal Year 2009-2010. The assessment rate is unchanged from 2008-2009.

ACTION: Adopt Resolution No. 09-3808, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 2009-2010 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2009-2010. PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982, CHAPTER 6.4 OF PART 1 OF DIVISION 2 OF TITLE 5 OF THE CALIFORNIA GOVERNMENT CODE." **Approved as part of the Consent Calendar.**

2.K. APPROVAL OF FINAL TRACT MAP NO. 60515 FOR THE CONDOMINIUM PROJECT LOCATED AT 8703 WEST KNOLL DRIVE [O. DELGADO, S. PERLSTEIN]:

The City Council will consider the approval of Final Tract Map No. 60515, a seven unit condominium, located on the north side of West Knoll Drive between Hancock Avenue and Westmount Drive.

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. 60515; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 60515 the certificate that embodies the approval of said map. **Approved as part of the Consent Calendar with Mayor Land RECUSED.**

2.L. APPROVAL OF A CONTRACT FOR CIP 0910, REPAIR AND REPLACEMENT OF STORM DRAIN CATCH BASIN DEBRIS SCREEN DEVICES [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approval of a contract with a vendor to repair and replace storm drain catch basin retrofit debris screen devices for preventing entry of trash into the storm drain system.

ACTION: Authorize the City Manager to enter into a contract with G2 Construction, Inc., in an amount not to exceed \$40,575 for CIP 0910, Repair and Replacement of Storm Drain Catch Basin Debris Screen Devices at 32 catch basin locations. **Approved as part of the Consent Calendar.**

2.M. AWARD OF TWO YEAR CONTRACT FOR WATER FEATURE MAINTENANCE AND REPAIR SERVICES [L. LONG, S. BAXTER]:

The City Council will consider awarding a two year contract for water feature maintenance and repair services.

ACTION: 1) Accept the proposal dated May 11, 2009, in the amount of \$122,160 submitted by David Bricker Pool Service, Inc. of Los Angeles, California; 2) Authorize the City Manager to sign a two year Agreement with David Bricker Pool Service, Incorporated in an amount not to exceed \$122,160 for Water Feature/Fountain Annual Maintenance and Repair Services; and 3) Reject remaining proposal. **Approved as part of the Consent Calendar.**

2.N. AMEND AGREEMENT FOR SERVICES WITH GLOBAL GREEN USA [P. AREVALO, L. BELSANTI, K. KRIETZMAN]:

The City Council will consider amending an existing Agreement for Services with Global Green, USA to provide continued environmental services for the City Manager's Department.

ACTION: 1) Approve an amendment to the existing Agreement for Services with Global Green, USA to increase the not-to-exceed amount from twenty-five thousand (\$25,000.00) by an additional fifteen thousand (\$15,000); and 2) Authorize the City Manager to sign the amended agreement. **Approved as part of the Consent Calendar.**

2.O. AMENDMENT TO AGREEMENT WITH CBM CONSULTING, INC. TO PROVIDE DESIGN AND CONSTRUCTION MANAGEMENT SERVICES [O. DELGADO, J. ROCCO]:

The City Council will consider approving an amendment to the contract with CBM Consulting, Inc. to provide the design and construction management for the City operated lot located at 8459 Sunset Boulevard.

ACTION: 1) Amend contract with CBM Consulting, Inc. to provide the design and construction management for the City operated lot located at 8459 Sunset Boulevard. Amend the current agreement to increase the "not-to-exceed" amount of \$88,860 by and additional \$46,000, for a total of

\$134,860; and 2) Authorize the City Manager to sign the Amendment.
Approved as part of the Consent Calendar.

2.P. AUTHORIZATION TO ISSUE A JOINT REQUEST FOR QUALIFICATIONS (RFQ) TO EVALUATE PARKING CITATION PROCESSING OPERATIONS [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider authorizing staff to proceed with a joint Request For Qualifications (RFQ), for parking citation processing services with the cities of Beverly Hills and Santa Monica.

ACTION: Authorize staff to participate in a joint RFQ process for parking citation processing with the cities of Beverly Hills and Santa Monica.
Approved as part of the Consent Calendar.

2.Q. CONSIDERATION OF CHANGES TO THE TAXI COUPON PROGRAM [L. LONG, D. DENNIS, J. ROONEY]:

The City Council will consider recommended changes to the taxi coupon program and increase the budget effective fiscal year 2009-10 using the Transportation Program Enhancement Fee revenue.

ACTION: 1) Raise the value of the taxi coupon book from the current \$24 to \$28 to partially offset the increase in taxi rates approved by the City Council and effective July 1, 2009; 2) Cap the taxi coupon book sales at 16,250 annually, an increase of 4,770 over current sales, to allow for a modest increase in use; and 3) Apply the new Transportation Enhancement Program Fee to increase the reimbursement budget for the taxi coupon program by \$112,000 annually to \$412,000. **Approved as part of the Consent Calendar.**

2.R. INCLUSIONARY UNITS AT 901 HANCOCK AVENUE [A. WINDERMAN, J. SKORNECK]:

City Council will consider amending the Agreement Imposing Restrictions on Real Property for the seven inclusionary housing units at 901 Hancock Avenue changing the unit designation as seven One Bedroom/Loft units rather than seven Single Units, confirming that the tenants will have access to rooftop amenities, and updating various other provisions to be consistent with current City policy.

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

2.S. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will consider adopting three resolutions as the first steps in the implementation process of the Sunset Strip Business Improvement District for fiscal year 2009-2010; and set a public hearing for June 15, 2009.

ACTION: 1) Adopt Resolution No. 09-3809, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING

AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2009-2010 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT"; 2) Adopt Resolution No. 09-3810, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2009-2010 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT"; 3) Adopt Resolution No. 09-3811, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2009-2010 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO"; and 4) Direct staff to notice a public hearing to be held on June 15, 2009 to hear protests or objections to the levy of the assessment for fiscal year 2009-2010. **Approved as part of the Consent Calendar.**

2.T. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING & BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE) [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will consider renewing the Hotel Marketing Benefit Zone of the West Hollywood Business Improvement Area for fiscal year 2009-2010 that funds the visitor marketing activities of the West Hollywood Marketing and Visitors Business Bureau (MVB) by adopting three resolutions; and set a public hearing for June 15, 2009.

ACTION: 1) Adopt Resolution No. 09-3812, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2009-2010 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA"; 2) Adopt Resolution No. 09-3813, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2009-2010 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA"; 3) Adopt Resolution No. 09-3814, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY A CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2009-2010 AND SETTING A TIME AND PLACE OF A HEARING TO CONSIDER SUCH A CHARGE"; and 4) Direct staff to notice a public hearing to be held on June 15, 2009 to hear protests or objections to the levy of assessment for fiscal year 2009-2010. **Approved as part of the Consent Calendar.**

2.U. LEVY OF ANNUAL ASSESSMENT FOR SANTA MONICA BOULEVARD MAINTENANCE DISTRICT [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will consider adopting resolutions for the proposed levy of assessments for the Santa Monica Boulevard Maintenance District for fiscal year 2009-2010 which provides for holiday decorations, sidewalk steam cleaning and trash can and bus bench cleaning and repair; and set a public hearing for June 15, 2009.

ACTION: 1) Adopt Resolution Number 09-3815, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2009-2010 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE"; 2) Adopt Resolution Number 09-3816, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ENGINEER FOR THE 2009-2010 FISCAL YEAR IN CONNECTION WITH THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT"; 3) Adopt Resolution Number 09-3817, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2009-2010 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO"; and 4) Direct staff to notice a public hearing to be held on June 15, 2009 to hear protests or objections to the levy of the assessment for fiscal year 2009-2010. **Approved as part of the Consent Calendar.**

2.V. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will consider adopting three resolutions as the first steps in the implementation process of the Avenues of Art and Design Business Improvement District for fiscal year 2009-2010; and set a public hearing on June 15, 2009.

ACTION: 1) Adopt Resolution No. 09-3818 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2009-2010 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT"; 2) Adopt Resolution No. 09-3819 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2009-2010 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN

BUSINESS IMPROVEMENT DISTRICT”; 3) Adopt Resolution No. 09-3820 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2009-2010 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO”; 4) Approve an increase of \$20,000 to the base assessment budget of \$85,000 to supplement salary for marketing consulting services providing additional marketing and promotional services to the BID as approved by Council on June 16, 2007; and 5) Direct staff to notice a public hearing to be held on June 15, 2009 to hear protests or objections to the levy of the assessment for fiscal year 2009-2010. **Approved as part of the Consent Calendar.**

2.W. CHRISTOPHER STREET WEST 39th ANNUAL LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PRIDE CELEBRATION AND PARADE IN WEST HOLLYWOOD [L. LONG,. N. BEARD, C. SMITH]:

The City Council will consider this annual request from Christopher Street West relative to the 2009 Pride Celebration June 12 – June 14, 2009.

ACTION: 1) Approve the use of West Hollywood Park and City property with a fee waiver, as outlined in exhibit A, for the 2009 Lesbian, Gay, Bisexual, and Transgender Pride Celebration, 2) Authorize the City Manager to enter into an agreement/contract permitting the event; 3) Allow the Dyke March to march along Santa Monica Blvd in westbound lanes to West Knoll and return in eastbound lanes on Santa Monica Blvd to San Vicente on Friday, June 12th 2009; and 4) Approve Festival hours of 12pm to 12 Midnight for Saturday, June 13th, 2009 and 11am to 10pm for Sunday, June 14th, 2009. **Approved as part of the Consent Calendar with Councilmember Duran RECUSED.**

2.X. A RESOLUTION CALLING FOR THE DISAFFILIATION OF THE ANDAZ HYATT AND ITS PARENT COMPANY THE HYATT CORPORATION FROM THE MANCHESTER HYATT [A. LAND, C. PLANCK, J. DURAN, H. MOLINA, P. INDALL]:

The City Council will consider a resolution calling for the removal of affiliation between Andaz Hyatt and the Hyatt Corporation with Doug Manchester and the Grand Hyatt in San Diego.

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

2.Y. MARCH FOR TRANS-UNITY PRIDE [K. COOK, B. SMITH]:

The City Council will consider a request for a rolling closure on Santa Monica Boulevard between La Brea Boulevard and Gardner Street on Saturday, June 6, 2009 from 9:30 AM to 11 AM to accommodate a march in celebration of Trans-Unity Pride co-sponsored by the Transgender Task Force.

ACTION: 1) Approve a rolling closure on Santa Monica Boulevard between La Brea Boulevard and Gardner Street on Saturday June 6, 2009

from 9:30 AM to 11 AM to accommodate a march in celebration of Trans-Unity Pride; and 2) Waive special event permit fees of \$800.00.
Approved as part of the Consent Calendar.

2.Z. RE-DESIGNATION OF CITY TRANSGENDER TASK FORCE AS TRANSGENDER ADVISORY BOARD [J. PRANG, J. STEVENS]:

The City Council will consider re-designating the Transgender Task Force as the Transgender Advisory Board.

ACTION: This Item was TABLED.

2.AA. FEASIBILITY STUDY FOR WEST HOLLYWOOD COMPANION ANIMAL RESOURCE CENTER [J. PRANG, J. STEVENS]:

The City Council will consider directing the City Manager to conduct a needs assessment surveying the availability of companion animal resources and determine the feasibility of establishing a companion animal resources center in West Hollywood.

ACTION: This Item was TABLED.

2.BB. SUPPORT OF THE LOCAL LAW ENFORCEMENT CRIMES ACT OF 2009, HR 1913 (CONYERS) [J. DURAN, H. MOLINA, E. VALENCIA]:

The City Council will consider adopting a resolution in support of the Local Law Enforcement Hate Crimes Prevention Act of 2009, HR 1913 (Conyers)

ACTION: 1) Adopt Resolution 09-3822 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE LOCAL LAW ENFORCEMENT CRIMES ACT OF 2009, HR 1913 (CONYERS)"; and 2) Send copies of the signed resolutions to Senators Dianne Feinstein and Barbara Boxer, U.S. Representative Henry Waxman, U.S. Representative John Conyers, State Senator Fran Pavley, Assemblymember Mike Feuer, Pride At Work and the Human Rights Coalition. **Approved as part of the Consent Calendar.**

2.CC. SUPPORT OF THE FEDERAL EMPLOYEES PAID PARENTAL LEAVE ACT, S. 354 (WEBB) & H.R. 626 (MALONEY) [C. PLANCK, L. FOOKS, P. INDALL]:

The City Council will consider adopting a resolution in support of The Federal Employees Paid Parental Leave Act, S. 354 (Webb) & H.R. 626 (Maloney).

ACTION: 1) Adopt Resolution No. 09-3823, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE FEDERAL EMPLOYEES PAID PARENTAL LEAVE ACT, S. 354 (WEBB) & H.R. 626 (MALONEY)"; and 2) Send copies of the signed resolutions to U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, and Representative Henry Waxman. **Approved as part of the Consent Calendar.**

**THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION
CONVENED FOR A JOINT PUBLIC HEARING WITH THE CITY COUNCIL: 7:43 P.M.**

The Community Development Commission approved the minutes from the April 6, 2009 meeting; and the City Council and the Community Development Commission held a public hearing and adopted resolutions regarding the proposed second amendment to the Redevelopment Plan for the East Side Project Area. The actions are more fully described in the Joint City Council and West Hollywood Community Development Commission minutes.

**THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION RECESSED
AND THE CITY COUNCIL RESUMED THEIR REGULAR AGENDA: 8:05 P.M.**

3. PUBLIC HEARINGS:

**3.A. 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.

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

John Keho, Planning Manager, provided background information as outlined in the staff report dated May 18, 2009.

Mayor Pro Tempore Heilman, Councilmember Prang, and Mayor Land disclosed recent visits to the site, and meetings with the owners, appellants, and applicants.

Councilmember Horvath and Councilmember Duran disclosed recent contact with the property owners.

Councilmember Prang RECUSED himself from further discussion of the Item due to the location of his residence within 500 feet of the proposed property.

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

JACK RUBENS, ON BEHALF OF THE APPELLANT, spoke in opposition to the Item.

TIM FURLONG AND RON EMMONS, THE APPLICANTS, spoke in support of the Item.

PAUL HABIBI, THE PROPERTY OWNER, spoke in opposition to the Item.

MARGARITA WUELLNER, MALIBU, spoke in opposition to the Item.

LISA BEACH, WEST HOLLYWOOD, spoke in support of the Item.

CONNIE SAMPERE, WEST HOLLYWOOD, spoke in support of the Item.

MARY BETH DOLAN, WEST HOLLYWOOD, spoke in support of the Item.

TINA NAIL, WEST HOLLYWOOD, spoke in support of the Item.

JAMES NOLL, WEST HOLLYWOOD, spoke in support of the Item.

JENNIFER MCGLYNN, WEST HOLLYWOOD, spoke in support of the Item.

JAMIE GONZALEZ, WEST HOLLYWOOD, spoke in support of the Item.

AGASSI TOPCHIAN, WEST HOLLYWOOD, congratulated Councilmember Horvath on her recent appointment to the Council. He spoke in support of the Item.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of the Item.

TIM FURLONG AND RON EMMONS, THE APPLICANTS, provided rebuttal.

JACK RUBENS, ON BEHALF OF THE APPELLANT, provided rebuttal.

Mayor Land closed the public hearing.

Councilmember Duran thanked everyone who spoke during public comment. He spoke regarding the need to follow the law regarding the designation of properties as a local cultural resource. He also spoke regarding the need to consider only the item before the Council which is the potential designation of the garage as a local cultural resource. He spoke regarding the significance of the particular style of garages that were built during the early 1900s, and spoke in support of the item.

Mayor Pro Tempore Heilman thanked everyone who spoke during the public hearing. He expressed concerns regarding the process of the owner in appealing the application. He spoke regarding the need to consider only the item before the Council which is the potential designation of the garage as a local cultural resource. He spoke in support of including the garage as part of the property, and in support of the Item.

Councilmember Horvath acknowledged the owner's willingness to compromise with the community regarding the designation of the house as a local cultural resource, but spoke in support of the garage being included with the house in the designation.

Mayor Land spoke in support of the Item, and in support of including the garage as part of the entire property. She spoke regarding historic preservation as a procedure to preserve history, as opposed to preventing development.

ACTION: Direct staff to return to City Council with a revised resolution which will reflect the City Council's discussion of the Item and specifically designate the garage located at 1228 Flores Street as a local cultural resource. **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Horvath and unanimously approved.**

3.B. REVIEW OF THE CITY SEWER SERVICE CHARGE FOR FISCAL YEAR 2009-10 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the City Sewer Service Charge rates for the FY 09-10 program.

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

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated May 18, 2009.

Mayor Land opened the public hearing and no speakers came forward.

Mayor Land closed the public hearing.

ACTION: 1) Make a finding that there is no majority protest by property owners within the assessment area; and 2) Approve Resolution No. 09-3825, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SEWER SERVICES FOR FISCAL YEAR 2009-2010 PURSUANT TO CHAPTER 15.12 OF ARTICLE 1 OF TITLE 15 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE." **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Horvath and unanimously approved.**

3.C. AMENDMENT OF FRANCHISE AGREEMENT FOR COMMERCIAL SOLID WASTE AND RECYCLING SERVICES [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving an amendment to the franchise agreement with Arakelian Enterprises, Inc. dba Athens Services for 100% MRF processing of commercial waste for customers served by permanent

compactors and roll-off boxes for disposal of rubbish and restaurant food waste.

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

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated May 18, 2009.

Mayor Land opened the public hearing and no speakers came forward.

Mayor Land closed the public hearing.

ACTION: Approve Amendment No. 2 to the Exclusive Franchise Agreement with Arakelian Enterprises, Inc. d.b.a. Athens Services for Integrated Solid Waste Management Services and authorize the City Manager to sign the Amendment. **Motion by Councilmember Prang, seconded by Councilmember Horvath and unanimously approved.**

3.D. REVIEW OF THE CITY SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE CHARGE FOR FISCAL YEAR 2009-10 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Solid Waste and Recyclable Material Collection and Disposal Service Charge rates for FY 09-10.

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

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated May 18, 2009.

Mayor Land opened the public hearing and no speakers came forward.

Mayor Land closed the public hearing.

ACTION: 1) Make a finding that there is no majority protest by property owners within the assessment area; 2) Approve Resolution No. 09-3826, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SOLID WASTE AND RECYCLING SERVICES FOR FISCAL YEAR 2009-10 PURSUANT TO TITLE 15, CHAPTER 15.48 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE"; and 3) Approve Resolution No. 09-3827, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING ATHENS SERVICES' REQUEST TO FOREGO THE CONSUMER PRICE INDEX FOR ALL URBAN CUSTOMERS (CPI-U) INCREASE TO RATES FOR SOLID WASTE SERVICES FOR COMMERCIAL AND MULTI UNIT (OVER FOUR UNITS) RESIDENTIAL PROPERTIES." **Motion by**

Councilmember Prang, seconded by Mayor Pro Tempore Heilman and unanimously approved.

3.E. AMENDMENT TO THE ZONING ORDINANCE TO MODIFY THE STANDARDS FOR EXTENDED HOUR BUSINESSES AND OFF-SITE SALES OF ALCOHOL. (ZONE TEXT AMENDMENT 2008-007, 2008-008) [J. ENGLISH, L. BELSANTI, S. KEENE, J. KEHO, A. GALLO]:

The City Council will continue, to a date uncertain, the public hearing to consider amendments of the City of West Hollywood Zoning Ordinance regarding standards for extended hour businesses and off-site sales of alcohol. Notices of this hearing will be re-distributed and published as required by law.

ACTION: Continue the public hearing to a date uncertain. **Carried by Consensus of the Council.**

3.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) [S. KEENE, M. RYCHLICKI, J. KEHO, D. DEGRAZIA]:

The Council will consider amendments to the General Plan, Zoning Ordinance and Zoning Map initiated by the City and applicable in all R3 and R4 zoning districts to replace the current interim zoning ordinance.

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

Susan Healy Keene, Director of Community Development, introduced Maria Rychlicki, the City's newly named Acting Community Development Director. Susan Healy Keene provided background information as outlined in the staff report dated May 18, 2009.

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

SHARON SANDOW, PRESIDENT OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in opposition to the Item.

JOAN HENEHAN, CHAIR OF THE BOARD OF DIRECTORS OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in opposition to the Item.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in opposition to the Item.

LYNN HOOPINGARNER, WEST HOLLYWOOD, spoke in opposition to the Item.

EDWARD LEVIN, WEST HOLLYWOOD, spoke in opposition to the Item.

CLAY TOOMBS, WEST HOLLYWOOD, spoke in opposition to unit size maximums, and in support of unit size averaging. He spoke in support of setting parking restrictions based on unit square footage.

JEFFREY S. HABER, LOS ANGELES, spoke in opposition to the Item. He spoke in support of an exemption for mixed-use projects.

ELYSE EISENBERG, WEST HOLLYWOOD, spoke in support of the Item. She spoke in opposition to requiring developers to build projects to maximum density.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of height averaging, and spoke regarding parking and traffic safety issues in the City.

RIC ABRAMSON, WEST HOLLYWOOD, spoke in support of replacing the Interim Zoning Ordinance. He expressed concerns regarding the proposed unit sizes, and the proposed height limits.

TODD ELLIOT, LOS ANGELES, congratulated Councilmember Horvath on her appointment to the Council. He spoke in opposition to the Item.

ANSON SNYDER, WEST HOLLYWOOD, expressed concerns regarding the process for bringing the Item forward, and expressed concerns regarding the requirement of developers to build projects to maximum density.

GENE SMITH, LOS ANGELES, spoke in support of including the preservation of existing affordable units.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of the Item.

Mayor Land requested further clarification from City Attorney Jenkins regarding the time limits of the Interim Zoning Ordinance and the impacts on delaying the decision to adopt a General Plan Amendment and Zone Text Amendment.

Mayor Pro Tempore Heilman expressed concerns regarding the time frame between the Item being presented to the City Council and the amount of time before the Interim Zoning Ordinance expires. He spoke in opposition to reverting to the zoning standards prior to the adoption of the Interim Zoning Ordinance. He spoke regarding the difficulty in balancing the need to develop new housing, while protecting existing housing; and the need to increase affordable housing units, while limiting the impact on

residential neighborhoods. He expressed concerns regarding the approval of density and height limits prior to the adoption of the revised General Plan. He spoke in support of an exemption for mixed-use projects. He expressed concerns regarding the requirement for developers to build to maximum density, and the possibility of losing creative design in future development projects. He spoke in support of averaging of unit sizes. He spoke in opposition to the proposed reduction in heights recommended by staff to the City Council. He expressed concerns regarding several aspects of the compromise resolution and ordinance being recommended.

Councilmember Horvath expressed concerns regarding the time frame between the Item being presented to the City Council and the amount of time before the Interim Zoning Ordinance expires. She spoke in opposition to reverting to the zoning standards prior to the adoption of the Interim Zoning Ordinance. She spoke regarding the need to make decisions that will protect future amendments during the revision of the General Plan. She expressed concerns regarding several aspects of the compromise resolution and ordinance being recommended.

Councilmember Duran spoke regarding the complexities of the issue. He spoke in opposition to reverting to the zoning standards prior to the adoption of the Interim Zoning Ordinance. He requested clarification from staff regarding distinctions between properties zoned as R3 and R4. He spoke regarding the need for the City to clarify its policy and goals regarding the types of housing that are most desirable in the City. He spoke in support of considering the allowance of tandem parking in some developments. He expressed concerns regarding moving the garbage storage units outside of parking areas to street level, and the need for the units to be secured. He spoke regarding the need for the City to look for areas to allow flexibility to developers to encourage creative design of future developments. He spoke in support of including guidelines and findings in the proposed General Plan and Zoning amendments to indicate to Developers the City's goals for development in the City. He spoke in support of exploring options to provide additional incentives to developers to choose the option of paying the in-lieu fee to the City's affordable housing fund. He expressed concerns regarding several aspects of the compromise resolution and ordinance being recommended.

Mayor Land spoke in opposition to reverting to the zoning standards prior to the adoption of the Interim Zoning Ordinance. She expressed concerns regarding the time frame between the Item being presented to the City Council and the amount of time before the Interim Zoning Ordinance expires. She spoke in opposition to universal height and density limits for the whole City, as opposed to looking at different needs of different areas of the City. She spoke regarding the need for the City, during the General Plan revision process, to explore way to provide incentives for developers

to develop different types and sizes of housing units. She expressed concerns regarding the requirement for developers to build to maximum density, and the possibility of losing creative design in future development projects. She spoke regarding the need for more community input during the General Plan revision process. She expressed concerns regarding several aspects of the compromise resolution and ordinance being recommended.

Councilmember Prang spoke regarding the need for the Interim Zoning Ordinance, and spoke in opposition to reverting to the zoning standards prior to the adoption of the Interim Zoning Ordinance. He expressed concerns regarding the time frame between the Item being presented to the City Council and the amount of time before the Interim Zoning Ordinance expires. He spoke regarding the conflicting housing needs in the City, including the need to develop new housing, while protecting existing housing; and the need to increase affordable housing units, while limiting the impact on residential neighborhoods. He spoke in support of the staff recommendation of proposed unit sizes, and maximum building heights. He spoke in opposition to the requirement for developers to build to maximum density. He spoke in support of moving the garbage storage units outside of parking areas to street level. Councilmember Prang spoke in opposition to the amended maximum density requirements proposed by Council, requiring project to be built to a minimum of 90% density. He expressed concerns regarding several aspects of the compromise resolution and ordinance being recommended.

RECOMMENDATIONS: Direct staff to return to Council with a revised Resolution amending the General Plan and a revised Urgency Ordinance amending the Zoning Ordinance with the following amendments: 1) adopt the Subterranean Garage Driveway Slope and Solid Waste and Recyclable Materials Storage Areas with secure locations recommended by staff to the City Council; 2) adopt the Unit Sizes recommended by staff to the Planning Commission with an amendment to increase the average unit size to 1,500 square feet in the R3 Zone, and 1,200 square feet in the R4 zone; 3) adopt the Maximum Building Height recommended by staff to the Planning Commission, which uses a targeted approach to reduce heights in most of the R3C zone and two areas of the R4 zone; 4) adopt the Maximum Density to require that projects must be built to a minimum of 90% of the density allowed by the zoning district, with a provision that projects that select a density below the maximum density allowed are still subject to the City's affordable housing requirements; and 5) direct staff to create an ongoing separate standard for projects that span both the Sunset Specific Plan and a residential zoning district. **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Prang and approved with Councilmember Duran voting NO.**

4. UNFINISHED BUSINESS: None

5. NEW BUSINESS:

5.A. APPOINTMENT OF CITY COUNCILMEMBERS AS DELEGATES AND ALTERNATES TO VARIOUS ORGANIZATIONS, COMMITTEES AND SUB-COMMITTEES [T. WEST, C. SHAFFER, G. VESPOINT]:

The City Council will consider appointments as delegates and alternates to various organizations, committees and sub-committees.

ACTION: 1) Adopt Resolution No. 09-3828, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING COUNCILMEMBER JEFFREY PRANG AS THE ALTERNATE DIRECTOR TO THE BOARD OF DIRECTORS OF LOS ANGELES COUNTY SANITATION DISTRICT NO. 4." **Carried by Consensus of the Council.**

2) The City Council made the following appointments:

Sanitation District: Delegate – Mayor Land; Alternate – Councilmember Prang.

California Contract Cities Association: Delegate – Councilmember Prang; Alternate – Attending Councilmember.

California Joint Powers Insurance Authority: Delegate – Mayor Land; Alternate – Anil Gandhi.

Los Angeles County City Selection Committee: Delegate – Mayor Land; Alternate – Councilmember Prang.

Santa Monica Bay Watershed Council: Delegate – Councilmember Duran; Alternate – Councilmember Horvath.

Westside Cities Council of Governments: Delegate – Mayor Pro Tempore Heilman; Alternate – Mayor Land.

Finance & Budget Subcommittee: Mayor Land and Mayor Pro Tempore Heilman.

EXCLUDED CONSENT CALENDAR:

2.R. INCLUSIONARY UNITS AT 901 HANCOCK AVENUE [A. WINDERMAN, J. SKORNECK]:

City Council will consider amending the Agreement Imposing Restrictions on Real Property for the seven inclusionary housing units at 901 Hancock Avenue changing the unit designation as seven One Bedroom/Loft units rather than seven Single Units, confirming that the tenants will have access to rooftop amenities, and updating various other provisions to be consistent with current City policy.

Councilmember Prang requested further clarification from staff regarding how inclusionary units are managed in the City.

ACTION: 1) Approve a First Amendment to the Agreement Imposing Restrictions on Real Property for the seven inclusionary units at 901 Hancock Avenue: a) Changing the unit designation as seven One Bedroom/Loft units rather than seven Single Units; b) Clarifying that inclusionary unit tenants will have access to common area amenities; and c) Updating certain provision concerning tenant selection and unit utilization to be consistent with current policy; and 2) Authorize the City Manager to execute the First Amendment. **Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

2.X. A RESOLUTION CALLING FOR THE DISAFFILIATION OF THE ANDAZ HYATT AND ITS PARENT COMPANY THE HYATT CORPORATION FROM THE MANCHESTER HYATT [A. LAND, C. PLANCK, J. DURAN, H. MOLINA, P. INDALL]:

The City Council will consider a resolution calling for the removal of affiliation between Andaz Hyatt and the Hyatt Corporation with Doug Manchester and the Grand Hyatt in San Diego.

Mayor Land provided clarification regarding public comments surrounding this Item.

Councilmember Prang spoke regarding the complexities of the hotel business, and expressed concerns regarding establishing punitive measures against a business in the City.

Mayor Pro Tempore Heilman expressed concerns regarding the wording of the resolution, and concerns regarding establishing punitive measures against a business in the City.

ACTION: 1) Adopt Resolution 09-3821 "A RESOLUTION CALLING FOR THE DISAFFILIATION OF THE ANDAZ HYATT AND ITS PARENT COMPANY THE HYATT CORPORATION FROM THE MANCHESTER HYATT"; with the following amendments: a) change the wording of the Resolution to "persuade the Manchester Hyatt to discontinue its discrimination policies toward gay and lesbian people and same-sex marriage"; b) include language in the resolution commending Andaz Hyatt for their ongoing support of the LGBT community; and 2) Direct staff to send copies of signed resolutions to Michel Morauw, General Manager, The Andaz Hotel and Mark S. Hoplamazian, CEO, the Hyatt Corporation, The Los Angeles Stonewall Democrats, Equality California, The Courage Campaign and Organizing with America. **Motion by Councilmember**

Prang, seconded by Mayor Pro Tempore Heilman and unanimously approved.

PUBLIC COMMENT:

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding Senate Bill 1818. She spoke regarding the purchase of the property at 1234 Hayworth.

6. LEGISLATIVE: None

COUNCILMEMBER COMMENTS:

Councilmember Prang reminded residents to vote in the May 19, 2009 election.

ADJOURNMENT: The City Council adjourned at 12:06 A.M. in memory of Si Frumkin, Mark Landon, Roger McFarland, 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, June 1, 2009 at 5:00 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 1st day of June, 2009 by the following vote:

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