

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, OCTOBER 19, 2009  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

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

**PLEDGE OF ALLEGIANCE:** Esther Baum led the pledge.

**ROLL CALL:**

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

ABSENT: None.

ALSO PRESENT: Assistant City Manager English, Acting City Attorney  
Kovacevich, City Clerk West, and Assistant City Clerk Schaffer.

**APPROVAL OF AGENDA:**

Staff requested that Item 2.I. be TABLED.

Councilmember Prang requested that Item 6.A. be moved to the Consent Calendar as Item 2.Q.

**Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman to approve the October 19, 2009 agenda as amended, and unanimously approved.**

**ADJOURNMENT MOTIONS:**

Councilmember Horvath requested that the meeting be adjourned in memory of Nancy N. Daly, an activist and philanthropist. She requested that the meeting be adjourned in memory of Xander Ryan, a West Hollywood resident.

Councilmember Duran requested that the meeting be adjourned in memory of Mary Catherine Slimmer, the grandmother of City staff member Terri Slimmer. 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: Sgt. Titus R. Reynolds, Staff Sgt. Jack M. Martin III, Sgt. Edward B. Smith, Maj. Tad T. Hervas, Spc. Paul E. Andersen.

**PRESENTATIONS:**

Councilmember Horvath presented a proclamation in recognition of Love Your Body Day.

Councilmember Duran presented a plaque to Council Deputy Michael Haibach in recognition of his service on the Arts and Cultural Affairs Commission.

Mayor Land announced the launch of a new website, [www.disability.gov](http://www.disability.gov), which provides information for people living with disabilities.

Mayor Land presented a commendation in recognition of the 20<sup>th</sup> anniversary of PAWS/LA.

Mayor Land presented a plaque to Councilmember Horvath in recognition of her service on the Women's Advisory Board.

Councilmember Prang presented commendations to the organizers of a new organization called Layers of Love, which provides birthday celebrations for young people living with HIV/AIDS.

#### **1. PUBLIC COMMENT:**

ESTHER BAUM, WEST HOLLYWOOD, spoke in opposition to Item 2.I. and Item 2.P.

DESIREE JADE SOL, WEST HOLLYWOOD, spoke in support of Item 2.G.

STEVE PARGAMANIK, WEST HOLLYWOOD, spoke regarding two trees that were recently lost in the City, and spoke regarding a recent gang fight in Plummer Park.

DAN BERKOWITZ, WEST HOLLYWOOD, spoke regarding a collaboration between the Lesbian and Gay Advisory Board and the Arts and Cultural Affairs Commission to provide programming for the 2010 Gay Pride Month.

MARCY NORTON, WEST HOLLYWOOD, spoke regarding letters being sent to residents offering assistance in paying their homeowner property taxes, and stated the document erroneously appears to be from a government agency.

#### **COUNCILMEMBER COMMENTS:**

Mayor Land spoke regarding public comment surrounding letters being sent to residents regarding the reassessment of their homeowner property taxes and stated that residents can have their property taxes reassessed for free by contacting the L.A. County Assessor's Office.

Councilmember Prang spoke regarding public comment surrounding letters being sent to residents regarding the reassessment of their homeowner property taxes and stated that residents can have their property taxes reassessed for free by contacting the L.A. County Assessor's Office. He provided further clarification of Item 2.O.

Mayor Pro Tempore Heilman thanked everyone who organized and participated in the recent AIDS Walk in the City. He spoke regarding public comment surrounding the loss of trees in the City and requested the City Manager's office to investigate the issue.

Councilmember Duran thanked everyone who organized and participated in the recent AIDS Walk in the City. He requested staff to work with AIDS Project Los Angeles to ensure that there are enough trash receptacles provided during future AIDS Walks. He spoke regarding his recent performance in the Laramie Project event. He spoke regarding a recent protest in the City by Reverend Fred Phelps.

Councilmember Horvath congratulated the graduates of the L.A. Sheriff's Bears Program. She spoke regarding her recent attendance at the National March for Equality in Washington, D.C. She thanked everyone who organized and participated in the recent AIDS Walk in the City. She wished Councilmember Duran a happy birthday.

Mayor Land thanked everyone who organized and participated in the recent AIDS Walk in the City. She spoke regarding the upcoming "Our City, Our Children" town hall forum in the City. She spoke regarding the recent community forum advocating for quality health care for lesbian, bisexual and transgender women. She provided further clarification of Item 2.N. She spoke regarding the upcoming document shredding and e-waste event at the City.

**CITY MANAGER'S REPORT: None.**

**FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk West stated that the fiscal impact on the Consent Calendar is \$153,712.00 in expenditures and \$0.00 in potential revenue.

**2. CONSENT CALENDAR:**

**ACTION:** Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H.,J.,K.,L.,M.,N.,O.,P.,Q. **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Prang and unanimously approved with Item 2.I. being TABLED.**

**2.A. POSTING OF AGENDA:**

*The agenda for the meeting of Monday, October 19, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, October 15, 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 October 5, 2009. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NO. 636, RESOLUTION NO. 09-3913:**

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

**ACTION:** Approve Demand Register No. 636 and adopt Resolution No. 09-3913, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 636." **Approved as part of the Consent Calendar.**

**2.D. CLAIMS ADMINISTRATION:**

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

**ACTION:** Deny the claims of Phyllis Dubow and George Medlock and refer to the City's claims adjuster for action. **Approved as part of the Consent Calendar.**

**2.E. COMMUNITY DEVELOPMENT DIRECTOR'S HEARING ACTION REPORTS:**

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

*The City Council will accept the resignation of Lesbian and Gay Advisory Board Member David "Tradd" Keaton, effective October 5, 2009.*

**ACTION:** Accept with regret the resignation of David "Tradd" Keaton from the Lesbian and Gay Advisory Board. **Approved as part of the Consent Calendar.**

**2.G. TRANSGENDER ADVISORY BOARD [K. COOK, B. SMITH, D. ESCOBEDO, C. SCHAFFER]:**

*The City Council will receive a proposal from staff regarding the proposed board structure and implementation of the Transgender Advisory Board, including number of members and criteria for membership.*

**ACTION:** 1) Approve the transition of the Transgender Task Force into the Transgender Advisory Board, to be comprised of seven (7) members to meet the first Wednesday of the month, at West Hollywood City Hall at 7:00 PM; 2) Rescind Resolution 09-3829 and adopt resolution 09-3914, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGARDING THE ORGANIZATION OF THE CITY APPOINTED ADVISORY BOARDS"; 3) Direct the City Clerk to notice and accept applications for the Transgender Advisory Board. The Transgender Task Force does not have consistent appointed members therefore application will need to be advertised; 4) Approve the recommended bylaws of the Transgender Advisory Board; and 5) Authorize the Director of Finance to allocate \$2,100 (\$50 a member, 7 members for 6 months) from the unallocated General Fund reserves to 100-1-01-18-534112. **Approved as part of the Consent Calendar.**

**2.H. HUD SECTION 202 APPLICATION FOR AFFORDABLE SENIOR HOUSING AT 1234 HAYWORTH AVENUE [A. WINDERMAN, R. SKORNECK, E. SAVAGE]:**

*The City Council will consider approving a financing commitment letter to support an application for US Department of Housing and Urban Development (HUD) Section 202 grant funding to rehabilitate an existing 48-unit development at 1234 Hayworth Avenue as affordable senior housing.*

**ACTION:** 1) Approve a financing commitment letter sufficient to apply for Department of Housing and Urban Development (HUD) Section 202 program funding; and 2) Affirm the City commitment to provide all remaining development funds, which are estimated at \$8,207,744 (a reduction of approximately \$2.1 million from its prior commitment), in the event that no other funding sources materialize to facilitate the Section 202 application. **Approved as part of the Consent Calendar.**

**2.I. ARTIST CONTRACT FOR THE DESIGN PHASE OF THE PUBLIC ART COMPONENT OF THE 25<sup>th</sup> ANNIVERSARY CAPITAL PROJECT - WEST HOLLYWOOD PARK [R. REYNOLDS, J. HUFFER, A. CAMPBELL]:**

*The City Council will consider approving an agreement for services with artist Shepard Fairey for the design phase of a work of art as the public art component of the 25<sup>th</sup> Anniversary Capital Project - West Hollywood Park Phase 1 Implementation and New West Hollywood Library Project.*

**ACTION:** This Item was TABLED.

**2.J. NOTICE OF COMPLETION, FORMOSA PARK CONSTRUCTION PROJECT, CIP # 55-08/09-02 [L. LONG, S. BAXTER, D. GONZALEZ]:**

*The City Council will consider approving a Notice of Completion for the Formosa Park Construction Project, C.I.P # 55-08/09-02.*

**ACTION:** Accept the work and authorize the following: a) Filing of the Notices of Completion by the City; b) Final payment to the contractors at the end of the 35 day lien period; c) Release of the Performance Bonds on the date of recordation of the Notice of Completion; and d) Release of the Payment Bonds 35 days after the date of recordation of the Notice of Completion. **Approved as part of the Consent Calendar.**

**2.K. ACCEPTANCE OF EASEMENTS AND RIGHT OF WAY FOR PUBLIC STREET AND SIDEWALK PURPOSES ON RAMAGE STREET, KEITH AVENUE, AND ROBERTSON BOULEVARD [O. DELGADO, S. PERLSTEIN]:**

*The City Council will consider accepting easements and right of way for street and sidewalk purposes along the Pavilions Market frontages on Ramage Street, Keith Avenue, and Robertson Blvd.*

**ACTION:** 1) Adopt Resolution No. 09-3915, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ACCEPTING

THE GRANT OF EASEMENTS AND RIGHT OF WAY FOR PUBLIC STREET AND SIDEWALK PURPOSES ON RAMAGE STREET, KEITH AVENUE, AND ROBERTSON BOULEVARD IN THE CITY OF WEST HOLLYWOOD"; and 2) Direct the City Clerk to submit certified copies of Resolution No. 09-3915 and the Easements in Attachments A, B and C for recordation by the office of the Recorder of the County of Los Angeles.  
**Approved as part of the Consent Calendar.**

**2.L. 2009 SUMMER SOUNDS CONCERT EVALUATION REPORT [R. REYNOLDS, J. HUFFER, A. CAMPBELL]:**

*The City Council will receive a report regarding the 2009 Summer Sounds Concert Series.*

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

**2.M. 2009 PRIDE MONTH EVALUATION REPORT [R. REYNOLDS, J. HUFFER, A. CAMPBELL]:**

*The City Council will receive a report regarding the 2009 Pride Month.*

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

**2.N. SUPPORT OF PARTNERSHIP WITH DR. SUSAN LOVE/AVON 'ARMY OF WOMEN' BREAST CANCER RESEARCH AND PREVENTION CAMPAIGN [A. LAND, C. PLANCK, L. HORVATH, I. PINE]:**

*The City Council will consider supporting a partnership between the City of West Hollywood and the Dr. Susan Love/Avon "Army of Women" Breast Cancer Research and Prevention campaign.*

**ACTION:** 1) The City will enter into a partnership with the Dr. Susan Love/Avon "Army of Women" Breast Cancer Research and Prevention campaign; and 2) The City will support outreach efforts to add West Hollywood women to the "Army of Women," including, but not limited to, co-sponsoring events and other educational opportunities throughout the year. **Approved as part of the Consent Calendar.**

**2.O. CITYWIDE YARD SALE PROGRAM [J. PRANG, M. HAIBACH, J. HEILMAN, F. SOLOMON]:**

*The City Council will consider the merits of implementing a Citywide Yard Sale Program in the City of West Hollywood.*

**ACTION:** 1) Designate and promote one day each year as West Hollywood's Citywide Yard Sale, beginning in Summer 2010; 2) Direct staff to develop costs and submit program for funding in 2010-11 budget; 3) Direct staff to create an inter-departmental committee to develop and coordinate the event; and 4) Direct PIO to promote the event citywide.  
**Approved as part of the Consent Calendar.**

**2.P. CONTRACT WITH BOA SUNSET, LLC, TO CATER AND HOST THE CITYHOOD CELEBRATION [H. GOSS]:**

*The City Council will consider authorizing a contract with BOA Sunset, LLC, to cater and host the City of West Hollywood 25<sup>th</sup> Anniversary of Cityhood Celebration on Sunday, November 22, 2009 from 4 p.m. to 8 p.m.*

**ACTION:** 1) Authorize a contract with BOA Sunset, LLC, to cater and host the Cityhood Celebration; and 2) Authorize the City Manager to sign and execute the agreement with BOA Sunset, LLC, in an amount not to exceed \$65,000. **Approved as part of the Consent Calendar.**

**2.Q. (6.A.) AMENDMENT TO PARKING CODE REGARDING TAXICAB STANDS-USE RESTRICTIONS [O. DELGADO, J. ROCCO, D. NORTE]:**

*The City Council will consider an amendment to the City's Municipal Code to implement clean up language regarding the use of taxicab stands.*

**ACTION:** Introduce for first reading, Ordinance No. 09-831, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 10.07.310 OF TITLE 10 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING PERMITTED TAXICAB STANDS".  
**Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS: None**

**4. UNFINISHED BUSINESS: None**

**5. NEW BUSINESS:**

**5.A. TRAFFIC STUDY THRESHOLDS [A. MCINTOSH, T. SLIMMER]:**

*The City Council will consider the Transportation Commission recommendation to adopt new traffic study thresholds used for purposes of determining the traffic impacts of development.*

Deputy City Manager Anne Browning McIntosh, and Terri Slimmer, Transportation and Transit Manager, provided background information as outlined in the staff report dated October 19, 2009.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in support of the Item.

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

DAVID WARREN, WEST HOLLYWOOD, expressed concerns regarding the proposed numerical thresholds.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of the Item.

JEANNE DOBRIN, WEST HOLLYWOOD, expressed concerns regarding over-development in the City.

TODD ELLIOTT, LOS ANGELES, spoke in support of the Item.

Mayor Land thanked City staff and the Transportation Commission for bringing the Item forward.

Councilmember Horvath requested clarification from Staff regarding the determination of the proposed numerical thresholds.

Councilmember Prang thanked City staff and the Transportation Commission for bringing the Item forward. He spoke in support of the ongoing monitoring of the proposed thresholds.

Mayor Pro Tempore Heilman spoke in support of the new methodology, which would allow the City to impose mitigations on developers. He spoke in support of the Item.

Mayor Land spoke in support of the Item and spoke in support of the ongoing monitoring of the proposed thresholds.

**ACTION:** Staff recommends that the City Council adopt the new traffic study thresholds for development. **Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

**EXCLUDED CONSENT CALENDAR: None.**

**PUBLIC COMMENT: None.**

**6. LEGISLATIVE:**

**6.A. AMENDMENT TO PARKING CODE REGARDING TAXICAB STANDS-USE RESTRICTIONS [O. DELGADO, J. ROCCO, D. NORTE]:**

*The City Council will consider an amendment to the City's Municipal Code to implement clean up language regarding the use of taxicab stands.*

**ACTION: This Item was moved to the Consent Calendar as Item 2.Q.**

**COUNCILMEMBER COMMENTS: None.**

**ADJOURNMENT:** The City Council adjourned at 7:47 P.M. in memory of Nancy N. Daly, Xander Ryan, Mary Catherine Slimmer, 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, November 2, 2009 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.