

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, SEPTEMBER 20, 2010
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Heilman called the meeting to order at 6:32 P.M.

PLEDGE OF ALLEGIANCE: Jeffrey Seymour led the pledge.

ROLL CALL:

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

ABSENT: None.

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

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 was one (1) public speaker. He stated that the closed session adjourned at 6:25 P.M. with no reportable action taken.

APPROVAL OF AGENDA:

Motion by Mayor Pro Tempore Duran, seconded by Councilmember Prang to CONTINUE Item 3.A. to a date uncertain, and unanimously approved.

Councilmember Land requested that Item 4.B. be moved to the Excluded Consent Calendar as Item 2.X.

Carried by Consensus of the Council to approve the September 20, 2010 agenda as amended, and unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Horvath requested that the meeting be adjourned in memory of Roderick Mann, the husband of Anastasia Mann.

Councilmember Prang requested that the meeting be adjourned in memory of Jill Jackson, a New Orleans sportscaster and gossip columnist, and a long-time West Hollywood resident.

Councilmember Land requested that the meeting be adjourned in memory of Jill Jackson and Roderick Mann.

Mayor Pro Tempore Duran requested that the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Spc. Deangelo B. Snow, Sgt. John F. Burner III, Sgt. Aaron K. Kramer, Senior Airman Daniel Ray Sanchez, Senior Airman James A. Hansen, 1st Lt. Todd W. Weaver, Cpl. John Christian Bishop, Pvt. James Fleet McClamrock, Sgt. Philip Chad Jenkins, Cpl. Philip Gerald Eichner Charte.

PRESENTATIONS:

Councilmember Prang presented a plaque for outgoing commissioner Catherine Hahn.

Rachel Michelin, Executive Director of California Women Lead made a presentation to Councilmember Abbe Land in recognition of receiving the California Women Lead's MOVER Award for Elected Woman of the Year.

Mayor Heilman and Councilmember Land presented a proclamation to Rita Norton in recognition of her 90th birthday.

Mayor Heilman wished Councilmember Abbe Land a happy birthday.

Councilmember Land presented a proclamation to David Cooley of The Abbey.

Roz Helfand made a presentation of highlights regarding the upcoming West Hollywood Book Fair on September 26, 2010.

1. PUBLIC COMMENT:

MARY SILVERSTEIN AND STEPHEN CLARK, spoke in support of Item 2.R.

LINDA CAUTHEN, WEST HOLLYWOOD, spoke in support of Item 2.R.

DAN KOONTZ, WEST HOLLYWOOD, spoke in support of Item 2.R.

ROB BERGSTEIN, WEST HOLLYWOOD, spoke regarding the recent natural gas explosion in Northern California and related concerns for West Hollywood residents.

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

SAM BORELLI, WEST HOLLYWOOD, spoke regarding a pedestrian safety campaign.

RYAN FARBER, WEST HOLLYWOOD, spoke regarding the recent Fashion's Night Out event and thanked everyone who participated.

DARREN GOLD, LOS ANGELES, spoke regarding the recent Fashion's Night Out event and thanked everyone who participated.

LETICIA YATES, WEST HOLLYWOOD, spoke regarding the recent Fashion's Night Out event and thanked everyone who participated.

JOAN HENEHAN, CHAIR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke regarding the recent Fashion's Night Out event and the upcoming Career Fair.

STEVEN GREENE, WEST HOLLYWOOD, spoke regarding the Draft EIR for the Westside subway extension by the Los Angeles County Transportation Authority, which is currently available for public review.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke regarding the red-bagging of parking meters in the City.

JACK ALLENDORFER, WEST HOLLYWOOD, spoke regarding political positions of the Tea Party and Proposition 8.

ESTHER BAUM, WEST HOLLYWOOD, wished Rita Norton a happy birthday. She spoke regarding Item 2.R. and requested clarification regarding the selection of the Los Angeles Housing Partnership to purchase the affordable housing units.

BISSER STOYANOV, WEST HOLLYWOOD, spoke regarding the inclusion of the American-Bulgarian Literary Club at the West Hollywood Book Fair.

MARCY NORTON, WEST HOLLYWOOD, wished her mother Rita Norton a happy birthday and thanked the City Council for helping celebrate her birthday.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding Item 2.R. She spoke regarding her recent attendance at a General Plan review meeting. She spoke regarding a recent gas explosion in Northern California. She spoke regarding Friends of the Library fundraisers.

COUNCILMEMBER COMMENTS:

Councilmember Land wished happy birthday to John Duran and Corri Planck. She spoke regarding a local production of "Dear Harvey" about the life of Harvey Milk. She thanked everyone who worked on the recent Fashion's Night Out event. She spoke regarding the upcoming Nationwide Prescription Drug Take Back Day. She spoke regarding an upcoming hazardous waste disposal event in the City of Beverly Hills. She spoke regarding earthquake shut-off valves and Earthquake Safety Month and requested a report from the City Manager regarding the possibility of a program to increase public awareness. She spoke regarding the six-month mark of the National Healthcare Reforms and spoke regarding provisions that have now gone into effect. She spoke regarding the public comments about the Tea Party, and reminded residents that the City is not able to support individual candidates. She encouraged everyone to vote in upcoming elections.

Mayor Pro Tempore Duran spoke regarding a possible upcoming vote in the Senate on the "Don't Ask, Don't Tell" law. He spoke regarding his recent trip to view the new San Francisco AIDS Memorial, and the possibility of creating an AIDS Memorial in West Hollywood. He requested the City Manager and staff to explore the possibility of creating an event to combine the annual lighting of holiday lights in the City in conjunction with World AIDS Day.

Councilmember Horvath noted her NO vote on Items 2.E., 2.F., and 2.G. and provided clarification regarding her concerns surrounding the proposed project. She provided additional clarification regarding Item 2.I. She spoke regarding an upcoming community meeting regarding the Los Angeles Metro Westside Subway Extension and encouraged residents to participate. She congratulated the American Cancer Society on the success of their recent Cancer Relay for Life fundraiser. She spoke regarding the Bicycle Task Force and reminded residents that applications are still being accepted. She spoke regarding the upcoming meeting to discuss the Draft General Plan.

Councilmember Prang spoke regarding an upcoming community meeting regarding the Los Angeles Metro Westside Subway Extension and encouraged residents to participate. He spoke regarding his recent attendance at the League of California Cities Annual Congress, and his decision to step-down as co-chair of the Gay and Lesbian Elected Officials Caucus. He announced that Greg Pettis of Cathedral City was elected to replace him as co-chair.

Mayor Heilman spoke regarding an upcoming community meeting regarding the Los Angeles Metro Westside Subway Extension and encouraged residents to participate. He spoke regarding the upcoming West Hollywood Book Fair. He spoke regarding the recent Fashion's Night Out event and thanked everyone who participated. He spoke regarding Item 2.R. and provided clarification regarding the selection of the Los Angeles Housing Partnership to purchase the affordable housing units. He thanked Public Safety regarding their efforts to promote pedestrian safety.

CITY MANAGER'S REPORT: None.

FISCAL IMPACT ON CONSENT CALENDAR:

Assistant City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$1,529,699.00 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.,I.,J.,K.,L.,M.,N.,O.,P.,Q.,R.,S.,T.,U.,V.,W.,X. **Motion by Councilmember Land, seconded by Councilmember Prang and unanimously approved with Councilmember Horvath voting NO on Items 2.E., 2.F., and 2.G.**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, September 20, 2010 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, September 16, 2010.

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 September 7, 2010. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 658, RESOLUTION NO. 10-4083:

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

ACTION: Approve Demand Register No. 658 and adopt Resolution No. 10-4083, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 658." **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 claim of Russell Johnson and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. ORDINANCE NO. 10-854 (2ND READING), ADOPTING ZONING MAP AMENDMENT 2010-001 IN CONJUNCTION WITH THE PROPOSED MIXED USE HOTEL DEVELOPMENT LOCATED AT 8418-8432 SUNSET BOULEVARD [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 10-854, a proposed ordinance adopting Zoning Map Amendment 2010-001 in conjunction with the proposed mixed use hotel development located at 8418-8432 Sunset Boulevard, 8477-8481 De Longpre Avenue, 1326 North Olive Drive, and 1310 North Olive Drive.

ACTION: Waive further reading and adopt Ordinance No. 10-854, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADOPTING ZONING MAP AMENDMENT 2010-001 IN CONJUNCTION WITH THE PROPOSED MIXED USE HOTEL DEVELOPMENT LOCATED AT 8418-8432 SUNSET BOULEVARD, 8477-8481 DE LONGPRE AVENUE, 1326 NORTH OLIVE DRIVE, AND 1310 NORTH OLIVE DRIVE, WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar, with Councilmember Horvath voting NO.**

2.F. ORDINANCE NO. 10-855 (2ND READING), ADOPTING ZONING MAP AMENDMENT 2010-002, IN CONJUNCTION WITH PROPOSED

DEVELOPMENT AGREEMENT 2007-001 FOR THE PROPERTY LOCATED AT 8418-8432 SUNSET BOULEVARD [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 10-855, a proposed ordinance adopting Zoning Map Amendment 2010-002, in conjunction with proposed Development Agreement 2007-001 for the property located at 8418-8432 Sunset Boulevard, 8477-8481 De Longpre Avenue, 1326 North Olive Drive, and 1310 North Olive Drive.

ACTION: Waive further reading and adopt Ordinance No. 10-855, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADOPTING ZONING MAP AMENDMENT 2010-002, IN CONJUNCTION WITH PROPOSED DEVELOPMENT AGREEMENT 2007-001 FOR THE PROPERTY LOCATED AT 8418-8432 SUNSET BOULEVARD, 8477-8481 DE LONGPRE AVENUE, 1326 NORTH OLIVE DRIVE, AND 1310 NORTH OLIVE DRIVE, WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar, with Councilmember Horvath voting NO.**

2.G. ORDINANCE NO. 10-856 (2ND READING), APPROVING DEVELOPMENT AGREEMENT 2007-001 IN CONJUNCTION WITH THE PROPOSED MIXED-USE HOTEL DEVELOPMENT LOCATED AT 8418-8432 SUNSET BOULEVARD [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 10-856, a proposed ordinance approving Development Agreement 2007-001 in conjunction with the proposed mixed-use hotel development located at 8418-8432 Sunset Boulevard, 8477-8481 De Longpre Avenue, 1326 North Olive Drive, and 1310 North Olive Drive.

ACTION: Waive further reading and adopt Ordinance No. 10-856, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT 2007-001 IN CONJUNCTION WITH THE PROPOSED MIXED-USE HOTEL DEVELOPMENT LOCATED AT 8418-8432 SUNSET BOULEVARD, 8477-8481 DE LONGPRE AVENUE, 1326 NORTH OLIVE DRIVE, AND 1310 NORTH OLIVE DRIVE, WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar, with Councilmember Horvath voting NO.**

2.H. COMMISSION AND ADVISORY BOARD ACTION REPORTS [T. WEST, C. SCHAFFER]:

The City Council will receive a report from the Arts and Cultural Affairs Commission on actions taken at their recent meetings.

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

2.I. GAS SERVICE PREPAREDNESS [L. HORVATH, I. PINE]:

The City Council will consider directing the Public Works Department to work with representatives from local energy suppliers to investigate and assess energy infrastructures in West Hollywood.

ACTION: Direct the Public Works Department to work with representatives from the City of West Hollywood's energy suppliers to investigate and assess infrastructures and report back to Council.
Approved as part of the Consent Calendar.

2.J. AMENDMENT TO GRANT AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION FOR REHABILITATION OF AFFORDABLE HOUSING [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:

The City Council will consider approval of an Amendment to the Grant Agreement for the rehabilitation of affordable housing with the West Hollywood Community Housing Corporation.

ACTION: 1) Approve an Amendment to the Grant Agreement with the West Hollywood Community Housing Corporation to extend the term from one year to three years and for an increase of \$486,415 in CDBG funds for a total not to exceed \$996,857 through fiscal year 2012; and 2) Authorize City Manager to execute the Grant Agreement and related Amendment(s) to Regulatory Agreements between the City of West Hollywood and both the West Hollywood Community Housing Corporation and the Fountain Avenue Partnership in substantially the attached form.
Approved as part of the Consent Calendar.

2.K. APPROVE AN AGREEMENT WITH FUSIONSTORM [J. DUNCAN, B. GANLEY, A. GANDHY]:

The City Council will consider approving an agreement with Fusion Storm for the purchase of computer hardware, software, and consulting services.

ACTION: 1) Approve the purchase of disaster recovery hardware and software from FusionStorm in the amount of \$217,432.11; 2) Approve Amendment No. 1 to Agreement for Services with FusionStorm increasing the contract by \$80,000 for a total amount not to exceed of \$130,000 for computer consulting as well as extend the time of performance for the agreement by an additional twenty four (24) months; and 3) Authorize the City Manager to execute the amendment with FusionStorm. **Approved as part of the Consent Calendar.**

2.L. APPROVE AN AGREEMENT WITH NEXUS [E. TSIPIIS, B. GANLEY, A. GANDHY]:

The City Council will consider approving an agreement with Nexus Integrated Services, Inc. for network consulting and technology projects.

ACTION: 1) Approve the contract with Nexus Integrated Services, Inc. for network consulting and technology projects for next three years; 2) Authorize the City Manager to execute the contract with Nexus Integrated Services, Inc. in an amount not to exceed \$300,000.00 for network consulting and technology projects; 3) Authorize the Director of the Finance and Technology to approve expenditures in an amount not to exceed 10% of the original contract amount for contingencies; and 4) Authorize Department of Finance Director to approve Change Orders and

other related documents in an amount not to exceed the contingency amount. **Approved as part of the Consent Calendar.**

2.M. APPROVE A MAINTENANCE AGREEMENT WITH NEXUS [B. GANLEY, E. TSIPIS, A. GANDHY]:

The City Council will consider approving the renewal of a maintenance agreement with Nexus Integrated Services, Inc.

ACTION: 1) Approve the contract with Nexus Integrated Services, Inc. for the renewal of maintenance for the phone system as well as City's network infrastructure for the next three years; 2) Authorize the City Manager to execute the contract with Nexus Integrated Services, Inc. in an amount not to exceed \$74,850.00 for the renewal of the maintenance agreement; 3) Authorize the Director of the Finance and Technology to approve expenditures in an amount not to exceed 10% of the original contract amount for any equipment that might be added under maintenance; and 4) Authorize Department of Finance Director to approve Change Orders and other related documents in an amount not to exceed the contingency amount. **Approved as part of the Consent Calendar.**

2.N. APPROVE AN AGREEMENT WITH COMPUCOM [J. DUNCAN, B. GANLEY, A. GANDHY]:

The City Council will consider approving a renewal agreement with CompuCom Systems, Inc. for software licensing.

ACTION: 1) Approve a three year renewal agreement with CompuCom Systems Inc. allowing for the purchase of Microsoft software licenses in the amount of \$70,337.62 per year; 2) Authorize the City Manager to execute the contract; and 3) Authorize the expenditure of an additional amount not to exceed \$25,000.00 per year to maintain software licensing compliance, as approved by the Director of the Finance and Technology Services Department. **Approved as part of the Consent Calendar.**

2.O. AGREEMENT WITH SAM SCHWARTZ ENGINEERING FOR ANALYSIS OF WESTSIDE SUBWAY EXTENSION DEIS/EIR [J. ENGLISH, L. BELSANTI]:

The City Council will consider approval of an agreement with Sam Schwartz Engineering to prepare an analysis of the Westside Subway Draft Environmental Impact Statement / Environmental Impact Report (DEIS/EIR).

ACTION: Authorize the City Manager to execute an agreement with Sam Schwartz Engineering in an amount not to exceed \$63,356.34 for transit consulting services to prepare an analysis of the Westside Subway DEIS/EIR and provide the City's comments to Metro on the DEIS/EIR. **Approved as part of the Consent Calendar.**

2.P. DESIGNATION OF THE PROPERTY LOCATED AT 1237 VISTA STREET AS A LOCAL CULTURAL RESOURCE [A. MCINTOSH / J. KEHO, J. ALKIRE]:

The City Council will consider designating the property located at 1237 Vista Street as a Local Cultural Resource.

ACTION: Adopt Resolution No. 10-4084, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE EXTERIOR OF THE STRUCTURE LOCATED AT 1237 N. VISTA STREET, WEST HOLLYWOOD, CALIFORNIA AS A LOCAL CULTURAL RESOURCE (CULTURAL RESOURCE DESIGNATION 010-009)."
Approved as part of the Consent Calendar.

2.Q. DESIGNATION OF THE PROPERTY LOCATED AT 1241 VISTA STREET AS A LOCAL CULTURAL RESOURCE [A. MACINTOSH, J. KEHO, J. ALKIRE]:

The City Council will consider designating the property located at 1241 Vista Street as a Local Cultural Resource.

ACTION: Adopt Resolution No. 10-4085, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE EXTERIOR OF THE STRUCTURE LOCATED AT 1241 N. VISTA STREET, WEST HOLLYWOOD, CALIFORNIA AS A LOCAL CULTURAL RESOURCE (CULTURAL RESOURCE DESIGNATION 010-010)."
Approved as part of the Consent Calendar.

2.R. DISPOSITION OF 1250 HARPER AVENUE INCLUSIONARY UNITS [A. WINDERMAN, J. SKORNECK, E. SAVAGE]:

The City Council will consider recommending a hybrid approach to the disposition of eight inclusionary units at 1250 Harper Avenue (known as the Ramona development) that would involve sales to eligible prior tenants and assignment to the remaining units to the nonprofit Los Angeles Housing Partnership (LAHP) for subsequent rental to households on the City inclusionary housing wait list.

ACTION: 1) Authorize the City Manager to designate the nonprofit Los Angeles Housing Partnership (LAHP) to purchase inclusionary units at 1250 Harper Avenue that are not purchased by prior tenants; and 2) Authorize the City Manager to execute documents as necessary to facilitate this transaction between the GTO Harper LLC ("GTO"), the developer of 1250 Harper Avenue, and LAHP. **Approved as part of the Consent Calendar.**

2.S. HAZARD MITIGATION PLAN – FIVE YEAR UPDATE [K. COOK, B. SMITH, S. BERRY]:

The City Council will consider approving the City of West Hollywood's updated Hazard Mitigation Plan.

ACTION: 1) Adopt Resolution No. 10-4086, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE UPDATED HAZARD MITIGATION PLAN"; 2) Direct staff to forward copies of the Hazard Mitigation Plan and Resolution No. 10-4086 to the California Emergency Management Agency and the Federal Emergency Management Agency; and 3) Authorize staff to make modifications to the

Hazard Mitigation Plan as necessary before the next formal update.
Approved as part of the Consent Calendar.

2.T. NOTICE OF COMPLETION FOR CIP 1009 PAVEMENT REPAIRS (ALLEYS & RESIDENTIAL STREETS NORTH OF SANTA MONICA BLVD.) [S. PERLSTEIN, O. DELGADO]:

The City Council will consider approving the Notice of Completion for Pavement Repairs: Alleys & Residential Streets (north of Santa Monica Blvd), CIP 1009 by Ruiz Engineering Co.

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, 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.U. SUPPORT OF SB 929 (PAVLEY), HEAVY METALS [L. HORVATH, I. PINE]:

The City Council will consider a resolution supporting SB 929 (Pavley), heavy metals.

ACTION: 1) Adopt Resolution No. 10-4087, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 929 (PAVLEY) HEAVY METALS"; and 2) Direct staff to send signed copies of the adopted resolution to Senator Fran Pavley, Assemblymember Ted Lieu, Assemblymember Mike Feuer, Senator Loni Hancock, Assemblymember Fiona Ma, Assemblymember Lori Saldana, Assemblymember Tom Torlakson and Governor Arnold Schwarzenegger. **Approved as part of the Consent Calendar.**

2.V. SUPPORT OF HR 2262 (SANCHEZ) AND S.3739 (CASEY), THE SAFE SCHOOLS IMPROVEMENT ACT [L. HORVATH, I. PINE]:

The City Council will consider a resolution supporting HR 2262 (Sanchez) and S.3739 (Casey), The Safe Schools Improvement Act

ACTION: 1) Adopt Resolution No. 10-4088, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF HR 2262 (SANCHEZ) AND S. 3739 (CASEY), THE SAFE SCHOOLS IMPROVEMENT ACT"; and 2) Direct staff to send signed copies of the adopted resolution to Congresswoman Linda Sanchez, Congressman Howard Berman, Congresswoman Judy Chu, Congresswoman Susan Davis, Congressman Sam Farr, Congressman Bob Filner, Congressman John Garamendi, Congressman Michael Honda, Congresswoman Barbara Lee, Congresswoman Zoe Lofgren, Congresswoman Doris Matsui, Congresswoman Grace Napolitano, Congresswoman Lucille Roybal-Allard, Congresswoman Loretta Sanchez, Congressman Brad Sherman, Congresswoman Jackie Speier, Congressman Pete Stark, Congresswoman Maxine Waters, Congresswoman Lynn Woolsey,

Senator Robert Casey, Senator Rolland Burris, Senator Sherrod Brown, Senator Jeff Merkley, Senator Amy Klobuchar, Senator Kirsten Gillibrand, Senator Patty Murray, Senator Maria Cantwell, Senator Russ Feingold, Senator Bernie Sanders, Senator Ron Wyden, Senator Barbara Boxer, Senator Dianne Feinstein and Shawn Gaylord—GLSEN Policy Director and Jenny Betz—GLSEN Education Manager. **Approved as part of the Consent Calendar.**

2.W. SUPPORT OF SJR 28 (KEHOE) – 2020 CENSUS INCLUSION RESOLUTION [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON, P. KOEHLER]:

The City Council will consider adopting a resolution in support of SJR 28 (Kehoe) – 2020 census inclusion resolution. SJR 28 urges the US Congress and President to pass a law requiring the US Census Bureau to collect data on sexual orientation and gender identity beginning with the 2020 Census.

ACTION: 1) Adopt Resolution No. 10-4089, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SJR 28 (KEHOE) - 2020 CENSUS INCLUSION RESOLUTION”; and 2) Direct Staff to send copies of the signed resolution to State Senator Christine Kehoe, State Senator Mark Leno, Assemblymember Tom Ammiano, Speaker of the Assembly John A. Perez, Representative Henry A. Waxman, Senator Barbara Boxer, Senator Dianne Feinstein, President Barack Obama, Equality California, AIDS Project East Bay, AIDS Service Center, Family Health Centers of San Diego, National Center for Lesbian Rights, Human Rights Campaign, and the Transgender Law Center. **Approved as part of the Consent Calendar.**

2.X. (4.B.) 25TH ANNIVERSARY CAPITAL PROJECT - WEST HOLLYWOOD PARK MASTER PLAN PHASE 1B (NORTH PARK EXPANSION) CONFIRMATION OF DESIGN ELEMENTS AND AUTHORIZATION TO PROCEED INTO DESIGN PHASES [P. AREVALO, J. ENGLISH, J. HUFFER, S. BAXTER]:

The City Council will review and consider final recommendations and optional add-alternatives for an expanded alternative for development of Phase 1B of the West Hollywood Park Implementation Project as the result of findings from a pre-design study review and authorize the project to proceed into the design phase of the construction process.

ACTION: 1) Confirm programming elements of West Hollywood Park Phase 1B related to Pre-Design Study Review; 2) Adopt modified and updated project budget for entirety of West Hollywood Park Master Plan Phase 1 Implementation and New Library Project; 3) Authorize staff to have design team proceed into Schematic Design and Design Development phases of design; and 4) Direct staff to return to City Council at the end of Design Development for final confirmation of scope, determination of auditorium improvements and budget prior to

construction documents, permitting and bidding phases. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION TO DESIGNATE THE PROPERTY AT 1422 NORTH SWEETZER AVENUE AS A LOCAL CULTURAL RESOURCE [A. MCINTOSH, J. KEHO, A. CASTILLO]:

The City Council will hold a public hearing to consider an appeal by Edwin Silver regarding the Historic Preservation Commission's recommendation to the City Council to designate the property at 1422 North Sweetzer Avenue as a local cultural resource.

ACTION: Continue this Item to a date uncertain. **Carried by Consensus of the Council.**

3.B. MONARCH MIXED USE PROJECT AT SANTA MONICA BOULEVARD AND LA BREA AVENUE [A. MCINTOSH, J. KEHO, F. CONTRERAS]:

The Council will consider a mixed-use project known as Monarch at Santa Monica and La Brea. The project will include 184 residential units (including 37 affordable units) and 13,350 square feet of commercial space. The project involves General Plan and Zoning Map amendments for the northwestern most parcel of the four-parcel property so that it conforms to the overall zoning of the project site. The proposal requires certification of the Final Environmental Impact Report ("EIR") along with adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations due to potential significant and unavoidable Noise (Construction) and Traffic/Circulation impacts.

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

Francisco Contreras, Senior Planner, provided background information as outlined in the staff report dated September 20, 2010.

Councilmember Horvath, Councilmember Land, Councilmember Prang, Mayor Pro Tempore Duran, and Mayor Heilman disclosed recent site visits and meetings with the applicants.

Councilmember Prang requested clarification regarding the approval of the tentative tract map in the proposed project.

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

JEFF SEYMOUR AND KEVIN NEWMAN, ON BEHALF OF THE APPLICANT, spoke in support of the Item.

BOE TRUMBULL, WEST HOLLYWOOD, spoke in support of the Item.

ROB BERGSTEIN, WEST HOLLYWOOD, spoke in support of the Item.

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

ESTHER BAUM, WEST HOLLYWOOD, spoke in support of the Item.

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

MICHELLE EISENBERG, WEST HOLLYWOOD, spoke regarding the inclusion of public art in the project.

JOEL MARK, WEST HOLLYWOOD, spoke in support of the Item.

ALEXANDER FREEDMAN, HOLLYWOOD, spoke in support of the Item.

ORRIN KARP, OAK PARK, spoke in support of the Item.

NAUM TURETSKIY, WEST HOLLYWOOD, spoke in support of the Item.

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

RAISA SOKOLOVSKY, WEST HOLLYWOOD, spoke in support of the Item.

SHPAURT BORIS, LOS ANGELES, spoke in support of the Item.

ROD STONE, ON BEHALF OF THE APPLICANT, spoke in support of the Item.

Councilmember Land requested clarification from staff regarding issues raised by the Planning Commission concerning the design of the project and the inclusion of the tentative tract map in the proposed project.

Councilmember Prang spoke in support of the project and thanked everyone who helped bring the project forward. He expressed concerns regarding the project design, in particular the inclusion of the bold colors on the façade of the project. He expressed concerns regarding the inclusion of the tentative tract map in the project. He spoke in support of the double row of trees along the sidewalk in the project.

Councilmember Horvath spoke in support of the project design. She spoke regarding the inclusion of the tentative tract map in the project and spoke regarding other similar projects that have included a tract map. She

spoke regarding possible traffic issues associated with this project in conjunction with other possible upcoming projects in the area. She requested clarification regarding the parking requirements if the project were converted into condominiums.

Councilmember Land thanked everyone who helped bring the project forward and everyone who came out to speak regarding the Item. She spoke in support of the project and in support of the benefits to the Eastside of the City. She spoke in support of the inclusion of the tentative tract map in the proposed project.

Mayor Pro Tempore Duran spoke in support of the inclusion of the tentative tract map in the proposed project. He spoke in support of the double row of trees along the sidewalk in the project, the breaking up of the massing in the project, the open air restaurant in the corner of the project, and in support of the outdoor patios. He expressed concerns regarding the conformity in the aesthetics of the project design, and spoke in support of more bold design elements in the project.

Mayor Heilman spoke in support of the inclusion of the tentative tract map in the proposed project. He spoke in opposition to the Planning Commission's recommendation of a plaza space similar to the plaza in the Gateway Project. He spoke in support of the open air restaurant in the corner of the project. He spoke in support of the project. He spoke in support of the inclusion of public art in the project to enhance the aesthetic design.

Mayor Heilman closed the public hearing.

ACTION: Hold a public hearing, consider all pertinent testimony, approve the application request and adopt: 1) Resolution No. 10-4090, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT ("EIR"), ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS IN CONJUNCTION WITH THE PROPOSED MIXED USE PROJECT LOCATED AT 7113-7125 SANTA MONICA BOULEVARD, 1122 N. DETROIT STREET, AND 1111 N. LA BREA AVENUE, WEST HOLLYWOOD, CALIFORNIA" (ATTACHMENT A); **Motion by Mayor Pro Tempore Duran, seconded by Councilmember Land and unanimously approved.** 2) Resolution No. 10-4091, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING GENERAL PLAN AMENDMENT 009-003 IN CONJUNCTION WITH THE PROPOSED MIXED USE PROJECT LOCATED AT 7113-7125 SANTA MONICA BOULEVARD, 1122 N. DETROIT STREET, AND 1111 N. LA BREA AVENUE, WEST HOLLYWOOD, CALIFORNIA" (ATTACHMENT B) with an amendment to

Section 4 (Finding No. 3), to read, "The General Plan Amendment will contribute significant benefits to the City by adding 37 affordable inclusionary units to the City's housing stock..."; **Motion by Councilmember Land, seconded by Mayor Pro Tempore Duran and unanimously approved.** 3) Introduce on first reading Ordinance No. 10-857, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADOPTING ZONE MAP AMENDMENT 009-006 IN CONJUNCTION WITH THE PROPOSED MIXED USE PROJECT LOCATED AT 7113-7125 SANTA MONICA BOULEVARD, 1122 N. DETROIT STREET, AND 1111 N. LA BREA AVENUE, WEST HOLLYWOOD, CALIFORNIA" (ATTACHMENT C) with an amendment to Section 4 (Finding No. 3), to read, "The Zoning Map Amendment will contribute significant benefits to the City by adding 37 affordable inclusionary units to the City's housing stock..."; **Motion by Councilmember Land, seconded by Mayor Pro Tempore Duran and unanimously approved.** 4) Resolution No. 10-4092, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING DEMOLITION PERMIT 008-023, DEVELOPMENT PERMIT 008-037, AND TENTATIVE TRACT MAP 71005 (TTM 009-001) TO DEMOLISH ALL COMMERCIAL STRUCTURES AND ASSOCIATED SURFACE PARKING LOTS ON FOUR PARCELS FOR THE CONSTRUCTION OF A SIX-STORY BUILDING CONTAINING 184 RESIDENTIAL RENTAL UNITS (INCLUDING 37 AFFORDABLE INCLUSIONARY UNITS), 13,350 SQUARE FEET OF GROUND LEVEL RETAIL AND RESTAURANT USES, 24,380 SQUARE FEET OF OPEN SPACE, AND GROUND-LEVEL AND SUBTERRANEAN PARKING CONTAINING 304 PARKING SPACES FOR THE MIXED USE PROJECT LOCATED AT 7113-7125 SANTA MONICA BOULEVARD, 1122 N. DETROIT STREET, AND 1111 N. LA BREA AVENUE, WEST HOLLYWOOD, CALIFORNIA" (ATTACHMENT D), with additional direction to remove Condition PC-2 from the Resolution; and 5) provide additional direction to staff and the developer to continue to search for ways to enhance the project design, particularly through the use of public art at the site. **Motion by Mayor Pro Tempore Duran, seconded by Councilmember Land and unanimously approved.**

4. UNFINISHED BUSINESS:

4.A. PUBLIC SAFETY UPDATE [K. COOK, CAPTAIN K. FRASER, G. BURDEN, J. AUBEL]:

The City Council will receive an update on public safety activities and give additional direction to staff.

Kristin Cook, Public Safety Manager; Sheriff's Captain Kelly Fraser; and Assistant Fire Chief Gary D. Burden, provided background information as outlined in the staff report dated September 20, 2010.

Mayor Heilman thanked everyone for all their work in bringing the Item forward.

Councilmember Prang thanked everyone for all their work in bringing the Item forward. He requested clarification regarding the increase of Part 1 Crimes in the City. He requested clarification regarding citations surrounding quality of life issues in the City and the efforts the City is making to address these issues.

Councilmember Land thanked everyone for all their work in bringing the Item forward. She spoke in support of increasing efforts to reduce cell phone use while driving, as well as increasing pedestrian safety. She spoke regarding off-lease dog issues in the City. She spoke in support of producing more public information campaigns concerning domestic violence. She spoke in support of the increase of neighborhood watch groups in the City.

Councilmember Horvath spoke in support of providing more public information regarding the reporting of domestic violence issues. She spoke regarding the possibility of creating a program for residents to use cell phones and texting to bring issues to the attention of the City Sheriff's and Fire Departments.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding issues surrounding the disposal of pet waste in the City.

ACTION: 1) Approve the following public safety priorities including: Continue to work with local businesses, residents, and neighboring jurisdictions to promote neighborhood livability and mitigate impacts from nighttime establishments; Continue to collaborate with the Commercial Code Compliance Division to address various nuisance issues, including dogs off leash, inappropriate disposal of dog waste, and noise; Monitor and adjust traffic enforcement deployment as needed to address speeding vehicles, driving while using cell phones, bicycles on sidewalks, and other traffic violations; Continue to aggressively address criminal transient issues, and assist Social Services with overall homelessness issues; Continue to provide attentive customer service; Continue to educate the community through Neighborhood Watch and the Public Safety Commission's "Live, Work, Play, Be Safe" campaign on key public safety issues; and 2) Give additional direction to staff as necessary. **Carried by Consensus of the Council.**

4.B. 25TH ANNIVERSARY CAPITAL PROJECT - WEST HOLLYWOOD PARK MASTER PLAN PHASE 1B (NORTH PARK EXPANSION) CONFIRMATION OF DESIGN ELEMENTS AND AUTHORIZATION TO PROCEED INTO DESIGN PHASES [P. AREVALO, J. ENGLISH, J. HUFFER, S. BAXTER]:

The City Council will review and consider final recommendations and optional add-alternatives for an expanded alternative for development of Phase 1B of the West Hollywood Park Implementation Project as the result of findings from a pre-design study review and authorize the project to proceed into the design phase of the construction process.

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

5. NEW BUSINESS:

5.A. COMMISSION AND ADVISORY BOARD APPOINTMENTS [T. WEST, C. SCHAFFER]:

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

ACTION: The City Council made the following at-large appointments: Russian Advisory Board – Vika Safrigina; Project Advisory Committee – Justine Block and Darren Embry.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE:

6.A. None.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 9:17 P.M. in memory of Roderick Mann, Jill Jackson, 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, October 4, 2010 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 4th day of October, 2010 by the following vote:

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

JOHN HEILMAN, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK