

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, FEBRUARY 22, 2011
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

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

PLEDGE OF ALLEGIANCE: Ruth Tittle 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, Acting City Attorney Kovacevich, City Clerk West and Assistant City Clerk Schaffer.

REPORT OF CLOSED SESSION AGENDA:

Acting City Attorney Kovacevich 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 the closed session adjourned at 6:20 P.M. with no reportable action taken.

APPROVAL OF AGENDA:

City Clerk West stated a change to the minutes of February 7, 2011.

Councilmember Horvath requested that Item 2.S. be TABLED.

Councilmember Prang requested that Item 2.H. be moved to the Excluded Consent Calendar.

Mayor Heilman requested that Item 2.L. be moved to the Excluded Consent Calendar.

Motion by Councilmember Land, seconded by Councilmember Horvath, to approve the February 22, 2011 agenda as amended, and unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Horvath requested that the meeting be adjourned in memory of Glen Allen, a long-time firefighter with the Los Angeles Fire Department. She requested that the meeting be adjourned in memory of Harry Moore, a film producer and author.

Councilmember Land requested that the meeting be adjourned in memory of Gail Imler Marin, a long-time West Hollywood resident.

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: Sergeant Matthew J. Deyoung, Specialist Jonathan A. Pilgeram, Staff Sergeant Bradley C. Hart, Specialist Nathan B. Carse, Lance Corporal Aaron M. Swanson, Sergeant Patrick R. Carroll, Airman Christoffer P. Johnson, Airman 1st Class Corey C. Owens, Specialist Lashawn D. Evans.

Mayor Heilman requested that the meeting be adjourned in memory of Ellis Wilson, the father of City staff member David Wilson.

PRESENTATIONS:

Councilmember Horvath presented a proclamation in recognition of National Teen Dating Violence Awareness and Prevention Month.

Councilmember Horvath presented a proclamation to the Black AIDS Institute in recognition of the Greater Than AIDS Campaign.

Mayor Heilman and the City Council presented certificates to the graduates of the CTE Academy

1. PUBLIC COMMENT:

REINA MARTINEZ, LOS ANGELES, spoke in support of Items 2.P. and 2.R.

SERENA JOSEL, LOS ANGELES, spoke in support of Items 2.P., 2.Q. and 2.R.

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

IVY BOTTINI, WEST HOLLYWOOD, spoke regarding women's rights issues both globally and in regards to the West Hollywood General Municipal Election on March 8, 2011.

MICHAEL SIDLER, WEST HOLLYWOOD, spoke regarding the Iranian American Jewish Center.

JACQUELINE HERNANDEZ, LOS ANGELES, spoke in support of Item 2.G.

JAMES CURTIS, WEST HOLLYWOOD, spoke regarding the upcoming West Hollywood General Municipal Election on March 8, 2011.

JENNIFER PAUL, LOS ANGELES, spoke in support of Item 2.G.

STEVEN GALLEGOS spoke in support of Item 2.G.

PETE BURRA, LOS ANGELES, spoke in opposition to Item 2.H.

VICTOR OLMECZENKO, WEST HOLLYWOOD, spoke in opposition to Item 2.K.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the upcoming West Hollywood General Municipal Election on March 8, 2011.

STEVE PARGAMANIK, WEST HOLLYWOOD, requested that the City Council adjourn the meeting in memory of his grandmother Anna Krakorich. He spoke regarding rent stabilization issues in the City.

GENEVIEVE MORRILL, PRESIDENT AND CEO OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in opposition to Item 2.H.

COUNCILMEMBER COMMENTS:

Councilmember Prang spoke regarding the upcoming West Hollywood General Municipal Election on March 8, 2011 and encouraged residents to vote. He thanked City staff and the Public Facilities Commission on the recent dedication of the Laurel Park in the City.

Councilmember Horvath spoke regarding the upcoming Women's Leadership Conference in the City. She spoke regarding an upcoming panel discussion regarding domestic violence in coordination with the National Council of Jewish Women. She spoke regarding two upcoming volunteer and fundraising events for the West Hollywood Elementary School. She spoke regarding her recent attendance at the Baby Dragon Fundraiser event sponsored by the City to raise money for crystal meth programs.

Mayor Pro Tempore Duran spoke regarding his recent attendance at the Baby Dragon Fundraiser event sponsored by the City to raise money for crystal meth programs. He noted his NO vote on Item 2.G. and ABSTAINED on Item 2.M. He welcomed resident Jeanne Dobrin back to the City Council meetings. He spoke regarding an upcoming event at the Los Angeles Gay and Lesbian Center called "The Gay Adult, Calling Ourselves Into Being." He spoke regarding an upcoming event to welcome a prominent Russian LGBT activist to the City.

Councilmember Land spoke regarding possible state budget cuts which would impact adult day health care programs and requested the City Manager to work with the City's lobbyist in Sacramento to lobby on behalf of preserving the funds. She thanked the public speakers who spoke regarding Items 2.P., 2.Q., and 2.R.

Mayor Heilman spoke regarding public comment surrounding Item 2.K. and spoke regarding the need for the City to express opposition to state budget cuts that will impact West Hollywood residents and local redevelopment. He spoke regarding the upcoming opening of the new parking structure associated with the new West Hollywood Library. He spoke regarding the upcoming Women's Leadership Conference in the City and encouraged residents to participate. He spoke regarding the upcoming West Hollywood General Municipal Election on March 8, 2011.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding public comment surrounding Item 2.K. and provided clarification of proposed state budget cuts and the proposed shift of social services to counties and municipalities. He spoke regarding the need for the City to monitor proposed state budget cuts and take actions to try to mitigate their impacts on West Hollywood residents and redevelopment.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$28,500.00 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.,I.,J.,K.,M.,N.,O.,P.,Q.,R.,T.,U. **Motion by Councilmember Land, seconded by Mayor Pro Tempore Duran and approved with Items 2.H. and 2.L. being moved to the Excluded Consent Calendar; Item 2.S. being TABLED; Mayor Pro Tempore Duran and Councilmember Horvath voting NO on Item 2.G.; and Mayor Pro Tempore Duran ABSTAINING on Item 2.M.**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Tuesday, February 22, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 17, 2011.

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 February 7, 2011. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 668, RESOLUTION NO. 11-4126:

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

ACTION: Approve Demand Register No. 668 and adopt Resolution No. 11-4126, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 668" **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 Kiara Rios and Anthony Frunzi and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. TREASURER'S REPORTS FOR AUGUST AND SEPTEMBER 2010 [A. GANDHY, G. SCHUCHARD]:

The City Council will receive the Treasurer's Report for the months ended August and September 2010 pursuant to Section 53646 of the Government Code of the State of California.

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

2.F. PROPOSED RESOLUTION APPROVING A LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA [A GANDHY, G. SCHUCHARD]:

The City Council will consider amending the loan agreement between the City of West Hollywood and the West Hollywood Community Development Commission (CDC) for the East Side Redevelopment Project.

ACTION: 1) Adopt Resolution No. 11-4127, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA"; and 2) Authorize the City Manager to execute the Loan Documents. **Approved as part of the Consent Calendar.**

2.G. ORDINANCE NO. 11-863 (2ND READING), TO PROHIBIT SMOKING IN OUTDOOR DINING AND OTHER PUBLIC AREAS AND ELIMINATE EXISTING REGULATIONS THAT ARE DUPLICATIVE OF STATE LAW [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 11-863, a proposed ordinance to prohibit smoking in outdoor dining and other public areas and eliminate existing regulations that are duplicative of state law.

ACTION: Waive further reading and adopt Ordinance No. 11-863, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO PROHIBIT SMOKING IN OUTDOOR DINING AND OTHER PUBLIC AREAS AND ELIMINATE EXISTING REGULATIONS THAT ARE DUPLICATIVE OF STATE LAW." **Approved as part of the Consent Calendar with Councilmember Horvath and Mayor Pro Tempore Duran voting NO.**

2.H. ORDINANCE NO. 11-864 (2ND READING), PROHIBITING THE SALE OF TOBACCO PRODUCTS WITHIN 600 FEET OF SCHOOLS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 11-864, a proposed ordinance prohibiting the sale of tobacco products within 600 feet of schools and amending the West Hollywood Municipal Code.

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

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

The City Council will accept the resignations of Project Advisory Committee Member Randy Steinberg, effective February 8, 2011; and Rent Stabilization Commissioner Josh Kurpies, effective February 10, 2011.

ACTION: Accept with regret the resignation of Randy Steinberg from the Project Advisory Committee and Josh Kurpies from the Rent Stabilization Commission. **Approved as part of the Consent Calendar.**

2.J. SUBMISSION OF A GRANT APPLICATION FOR THE SANTA MONICA BAY RESTORATION COMMISSION PROPOSITION 84 GRANT PROGRAM [O. DELGADO, S. PERLSTEIN]:

The City Council will consider authorization to submit a Grant Application to the Santa Monica Bay Restoration Commission for the Proposition 84 Grant Program.

ACTION: Authorize submission of a Santa Monica Bay Restoration Commission Proposition 84 Grant Application for construction of the Stormwater Infiltration Parkways component of the La Brea Avenue Streetscape Project. **Approved as part of the Consent Calendar.**

2.K. OPPOSE GOVERNOR JERRY BROWN'S PROPOSAL TO ELIMINATE REDEVELOPMENT AGENCIES IN CALIFORNIA [P. AREVALO, H. MOLINA]:

The City Council will consider adopting a resolution opposing Governor Brown's proposal to eliminate redevelopment agencies in California.

ACTION: 1) Adopt Resolution 11-4128 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO GOVERNOR JERRY BROWN'S PROPOSAL TO ELIMINATE REDEVELOPMENT AGENCIES IN CALIFORNIA"; and 2) Direct staff to send copies of the adopted resolution to Governor Jerry Brown, Senator Fran Pavley and Assembly Member Mike Feuer. **Approved as part of the Consent Calendar.**

2.L. 1210 AND 1221 KINGS ROAD PERMANENT MEDIANS [A. MCINTOSH, F. CONTRERAS, W. DAVIS]:

The Council will consider the permanent installation of medians at 1210 and 1221 Kings Road. The test medians have satisfied their goal by reducing the 85th percentile speed on Kings Road by 6 miles per hour (from 33 miles per hour to 27 miles per hour) and the neighborhood and Transportation Commission support the permanent devices.

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

2.M. SUPPORT OF AB 144 (PORTANTINO) OPEN CARRY BAN [A. LAND, C. PLANCK, L. HORVATH, I. PINE, P. KOEHLER]:

The City Council will consider adopting a resolution in support of AB 144 (Portantino) the open carry ban.

ACTION: 1) Adopt Resolution No. 11-4129, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 144 (PORTANTINO) OPEN CARRY BAN"; and 2) Direct staff to send copies of the signed resolution to Assemblymember Anthony Portantino, Assemblymember Mike Feuer, Governor Jerry Brown, Los Angeles Council President Eric Garcetti, Los Angeles Councilmember Paul Koretz, Women Against Gun Violence, the Brady Campaign to Prevent Gun Violence, the Peace Officers Research Association of California and the California Police Chiefs Association. **Approved as part of the Consent Calendar with Mayor Pro Tempore Duran ABSTAINING.**

2.N. CREATION OF ORDINANCE BANNING PLASTIC, SINGLE-USE CARRYOUT SHOPPING BAGS [A. LAND, C. PLANCK, J. PRANG, M. HAIBACH]:

The City Council will consider adopting an ordinance to ban plastic, single-use carryout shopping bags from grocery and other retail establishments in West Hollywood.

ACTION: 1) Direct staff to retain the services of an environmental consultant to conduct an Environmental Impact Report (EIR) related to a ban on single-use plastic bags; and 2) Direct staff to return to the City Council with a draft EIR and a draft ordinance banning the use of single-use plastic bags for Council consideration. **Approved as part of the Consent Calendar.**

2.O. WEST HOLLYWOOD TEEN SUMMIT [A. LAND, C. PLANCK, J. HEILMAN, F.SOLOMON]:

The City Council will consider holding a Teen Summit every two years, beginning in January/February 2012 to address the needs of the teenage population in West Hollywood.

ACTION: Direct the Human Services Department, specifically Recreation and Social Services divisions, to establish a summit to take place every two years, beginning in early 2012, to address the needs and concerns for teenagers in the City. **Approved as part of the Consent Calendar.**

2.P. OPPOSE H.R. 217 (PENCE) TITLE X ABORTION PROVIDER PROHIBITION ACT & HOUSE CONTINUING RESOLUTION TO ELIMINATE THE TITLE X FAMILY PLANNING PROGRAM [L. HORVATH, I. PINE, A. LAND, C. PLANCK, A. GIROUX, E. BARRATT]:

The City Council will consider adopting a resolution opposing the Title X Abortion Provider Prohibition Act and the House Continuing Resolution to eliminate the Title X family planning program.

ACTION: 1) Adopt Resolution No. 11-4130, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING H.R. 217 (PENCE): TITLE X ABORTION PROVIDER PROHIBITION ACT & HOUSE CONTINUING RESOLUTION"; and 2) Direct staff to send copies of the adopted resolution to the members of the House Committee on Energy and Commerce, Subcommittee on Health, Congressman Henry Waxman, Senator Barbara Boxer, Senator Dianne Feinstein, Rep. Nancy Pelosi, Rep. Steny Hoyer, Members of the House Appropriation Committee, the Feminist Majority, the National Organization for Women, NARAL Pro-Choice, America and Planned Parenthood. **Approved as part of the Consent Calendar.**

2.Q. OPPOSING HR3 (SMITH) "NO TAXPAYER FUNDING FOR ABORTION ACT" [L. HORVATH, I. PINE, A. LAND, C. PLANCK]:

The City Council will consider adopting a resolution opposing HR 3 (Smith) "No Taxpayer Funding for Abortion Act."

ACTION: 1) Adopt Resolution No. 11-4131, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING HR3 (SMITH) NO TAXPAYER FUNDING FOR ABORTION ACT"; and 2) Direct staff to send copies of the adopted resolution to Rep. Chris Smith, Rep. Daniel Lungren, Rep. Gary Miller, Rep. Kevin McCarthy; Members of the House Judiciary Committee, Subcommittee on the Constitution, Members of the House Energy and Commerce Committee, Subcommittee on Health, Members of the House Committee on Ways & Means, Rep. Trent Franks, Chairman, Rep. Steve Chabot, Rep. Randy Forbes, Rep. Steve King, Rep. Jim Jordan, Rep. Jerrold Nadler, Rep. Mike Quigley, Rep. John Conyers, Rep. Bobby Scott, and Rep. Mike Pence; Rep. Henry Waxman, Rep. Brad Sherman, Rep. Howard Berman, the Feminist Majority, the National Organization for Women, NARAL Pro-Choice, America and Planned Parenthood. **Approved as part of the Consent Calendar.**

2.R. CONDEMNING HR 358 (PITTS) PROTECT LIFE ACT [L. HORVATH, I. PINE]:

The City Council will consider adopting a resolution condemning HR 358 (PITTS) Protect Life Act.

ACTION: 1) Adopt Resolution No. 11-4132, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING HR 358 (PITTS) PROTECT LIFE ACT"; and 2) Direct staff to send copies of the adopted resolution to the House Energy and Commerce Committee's Subcommittee on Health, Congressman Henry Waxman, the Feminist Majority, the National Organization for Women, NARAL Pro-Choice, America and Planned Parenthood. **Approved as part of the Consent Calendar.**

2.S. WEST HOLLYWOOD IMPLEMENTATION OF TRUTH IN FUR LABELING ACT [L. HORVATH, I. PINE]:

The City Council will consider creating a local education and implementation plan for the recently signed federal legislation Truth in Fur Labeling Act.

ACTION: This Item was TABLED.

2.T. WOMEN'S HISTORY MONTH 2011 [C. PLANCK, L. FOOKS]:

The City Council will consider approval of programming in celebration of Women's History Month 2011.

ACTION: Approve programming for Women's History Month 2011 and direct the appropriate City staff to work with the Women's Advisory Board to coordinate the production and promotion of Women's History Month.
Approved as part of the Consent Calendar.

2.U. INSTALLATION OF WOMEN'S HISTORY MONTH BANNERS ALONG SANTA MONICA BOULEVARD [C. PLANCK, L. FOOKS]:

The City Council will consider a request from the West Hollywood Women's Advisory Board to authorize the installation of Women's History Month banners from March 9, 2011 to April 1, 2011, along Santa Monica Blvd between La Cienega and Crescent Heights.

ACTION: Direct staff to approve the installation of 40 pole banners on the north and south sides of Santa Monica Boulevard between La Cienega and Crescent Heights from March 9, 2011 – April 1, 2011. **Approved as part of the Consent Calendar.**

THE CITY COUNCIL RECESSED AND RECONVENED AS THE COMMUNITY DEVELOPMENT COMMISSION: 7:37 P.M.

The Community Development Commission approved the minutes from the February 7, 2011 meeting; adopted a resolution approving a loan for the Eastside Project Area; and approved the issuance of Tax Allocation Bonds Series A (Tax-Exempt, Non-Housing) and Series B (Taxable, Housing) secured by tax increment revenue. The actions are more fully described in the West Hollywood Community Development Commission minutes.

THE COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE PUBLIC FINANCE AUTHORITY: 7:43 P.M.

The Public Finance Authority approved the minutes from the June 15, 2009 meeting, and approved the issuance of Tax Allocation Bonds Series A (Tax-Exempt, Non-Housing) and Series B (Taxable, Housing) secured by tax increment revenue. The actions are more fully described in the West Hollywood Public Finance Authority minutes.

THE PUBLIC FINANCE AUTHORITY RECESSED AND RECONVENED AS THE CITY COUNCIL: 7:44 P.M.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF AN EIGHT-UNIT CONDOMINIUM PROJECT LOCATED AT 7914 NORTON AVENUE [A. MCINTOSH, J. KEHO, L. YELTON]:

The City Council will hold a public hearing to consider an appeal by Lynn Russell regarding the Planning Commission's approval of a project to demolish a one-story, 10-unit apartment building to construct a four-story, eight-unit condominium building for the property located at 7914 West Norton Avenue.

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

Councilmember Horvath, Councilmember Land, Councilmember Prang, and Mayor Heilman disclosed recent site visits and meetings with the appellant.

Laurie Yelton, Associate Planner, provided background information as outlined in the staff report dated February 22, 2011.

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

LYNN RUSSELL, THE APPELLANT, spoke in opposition to the Item and in support of the appeal.

SIAVASH KHAJEZADEH, THE APPLICANT, spoke in support of the Item and in opposition to the appeal.

CASSANDRA SILVER, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

PETER DUDAR, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

SALLY MARR, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

LYNN RUSSELL, THE APPELLANT, provided rebuttal.

SIAVASH KHAJEZADEH, THE APPLICANT, provided rebuttal.

Mayor Heilman closed the public hearing.

Councilmember Horvath requested clarification from staff regarding the current number of parking spaces on the property and the number of spaces in the proposed project. She requested clarification regarding the current occupancy of the building and the heights of surrounding buildings.

Councilmember Land spoke regarding the Ellis Act and provided clarification that State law allows landlords to remove their properties from the rental market. She requested clarification from staff regarding the building's potential for a historic preservation designation. She requested clarification regarding the removal of trees in the proposed project.

Councilmember Prang requested clarification from staff regarding the proposed height of the project. He requested clarification regarding the definition of the proposed project as an exemplary design. He requested clarification of the size of the proposed units and the current units on the site.

Mayor Heilman spoke regarding other development projects in the area and their compatibility with the neighborhood. Mayor Heilman spoke regarding issues surrounding the current vacant building on the lot.

Councilmember Land expressed concerns regarding the scale of the proposed project in relation to the neighborhood.

Mayor Heilman spoke in support of the proposed height and compatibility of the proposed project with the neighborhood.

Mayor Pro Tempore Duran spoke in support of the need for a project design to be exemplary in proposed projects where the number of units will be decreased. He spoke in support of the appeal and in opposition to the proposed project.

Councilmember Prang spoke in opposition to four-story buildings on Norton Avenue. He spoke in support of the appeal and in opposition to the proposed project.

ACTION: Grant the appeal of Lynn Russell to deny the proposed construction of a four-story, eight unit condominium building located at 7914 Norton Avenue, West Hollywood, California. **Motion by Mayor Pro Tempore Duran, seconded by Councilmember Prang and approved with Mayor Heilman voting NO.**

3.B. DISCUSSION OF MOBILITY POLICIES, INCLUDING PARKING, BICYCLES, AND TRANSIT; AND ALL REMAINING TOPICS

**CONTAINED IN THE COMPREHENSIVE GENERAL PLAN UPDATE,
CLIMATE ACTION PLAN, AND ENVIRONMENTAL IMPACT REPORT
[A. MCINTOSH, J. KEHO, B. SIEGL, C. CORRAO]:**

The City Council will discuss policies contained in the Mobility Chapter, including unbundling parking, bicycles, and mass transit; discuss age-friendly policies throughout the Draft General Plan; address all other remaining topics previously identified by the City Council for discussion; and hold a continued public hearing regarding the Draft West Hollywood General Plan 2035, Draft Climate Action Plan, and Final Environmental Impact Report, Mitigation Monitoring and Reporting Program, and a Statement of Overriding Considerations.

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

Bianca Siegl, Senior Planner, provided background information as outlined in the staff report dated February 22, 2011.

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

KEVIN BURTON, WEST HOLLYWOOD, spoke in support of the Item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to unbundling of parking in the City.

Bicycle Discussion

Councilmember Land spoke in support of exploring additional ways to improve bicycle mobility in conjunction with the General Plan revision.

Councilmember Horvath spoke in support of exploring the possibility of creating bicycle sharing programs in the City.

Mayor Pro Tempore Duran spoke regarding the difficulties of competing space interests between bicycles, pedestrians and motor vehicles in the City, and the need to monitor impacts of any bicycle programs that are implemented in the future.

Mayor Heilman spoke in support of the bicycle programs in the revised General Plan.

Long-term Transit Discussion

Councilmember Prang and Mayor Heilman spoke regarding the possibility of the inclusion of alternative rail options for the City of West Hollywood if the Subway Red Line is not going to run through the City.

Councilmember Land spoke in support of exploring methods to reduce traffic in the City. She spoke in support of continuing to monitor the possibility of the Subway Red Line running through the City.

Councilmember Horvath spoke in support of re-evaluating current transportation resources in the City to maximize their value to residents.

Mayor Pro Tempore Duran spoke in support of exploring the possibility of better use of the MTA Yard located in the City, particularly in conjunction with reactivating discussion with the Los Angeles Metropolitan Transit Authority regarding the possibility of the Subway Red Line running through West Hollywood.

Parking Discussion

Mayor Heilman expressed concerns regarding implementation issues associated with unbundling of parking. He spoke in support of including language in the revised General Plan to make the unbundling of parking as a potential option in the future and allowing for the possibility of a pilot program to explore the issue. He spoke regarding current condominium buildings in the City that already have unbundled parking.

Councilmember Land spoke in support of the concept of unbundling parking, but requested clarification from staff regarding implementation issues.

Mayor Pro Tempore Duran spoke regarding current issues surrounding apartment buildings in the City where tenants are creating hidden agreements with landlords or other tenants for unused parking spaces, particularly spaces that are being rented for storage. He spoke in support of exploring options to work with landlords to ensure that parking spaces are being used for parking. He spoke in support of working with businesses in the City that have parking that is not being used at night to allow for public parking during off-hours. He spoke in support of comparing transportation issues in West Hollywood and Los Angeles to other cities that are similar in geographic layout.

Councilmember Horvath requested clarification from staff regarding other cities who have implemented the unbundling of parking and the existence of complex rail services in those communities.

Councilmember Prang spoke in support of working with businesses in the City that have parking that is not being used at night to allow for public parking during off-hours. He expressed concerns regarding implementation issues associated with the unbundling of parking, and spoke in support of creating a pilot program to explore the issue.

Other Topic Discussions

Mayor Pro Tempore Duran spoke in support of exploring the possibility of providing bonuses or incentives to non-profit organizations to encourage them to remain in West Hollywood.

Councilmember Land spoke regarding Historic Preservation and spoke in support of including language in the revised General Plan to explore methods to strengthen the Mills Act to encourage more historic preservation. She spoke in support of including language in the Economic Development section of the revised General Plan to ensure that we promote retail stores that are appropriate for the City and the particular neighborhood. She spoke in support of encouraging a diversity of employment in the City in association with the Economic Development section of the revised General Plan. She spoke in support of language to encourage educational institutions to seek location the City. She spoke in support of creating requirements for building design in future development projects that mitigate noise impacts on surrounding neighbors.

Mayor Heilman spoke in support of encouraging a diversity of employment in the City in association with the Economic Development section of the revised General Plan. He spoke in support of language to encourage educational institutions to seek locations in the City. He spoke in support of language to require new businesses in the City to maintain adequate security systems. He spoke regarding the Age-Friendly Policies section of the revised General Plan and requested clarification from staff regarding this section.

Mayor Pro Tempore Duran expressed concerns regarding additional security requirements for businesses and the need to protect citizens' rights to privacy.

Councilmember Horvath spoke in support of the Age-Friendly Policies section of the revised General Plan and spoke regarding the different needs of the City's senior community.

ACTION: 1) Hold a discussion of specific issues and information presented in the Draft General Plan and provide direction to staff regarding these policies; and 2) Continue the public hearing to a date certain of March 21, 2011. **Carried by Consensus of the Council.**

4. **UNFINISHED BUSINESS: None**

5. **NEW BUSINESS:**

5.A. **APPROVAL TO ISSUE TAX ALLOCATION BONDS SERIES A (TAX-EXEMPT, NON-HOUSING) AND SERIES B (TAXABLE, HOUSING)**

SECURED BY TAX INCREMENT REVENUE [A. GANDHY, D. HATCHER, D.WILSON, G. SCHUCHARD, A. WINDERMAN]:

The City Council will consider approving the issuance and sale of up to \$40 million of Tax Exempt, Non-Housing and \$15 million of Taxable, Housing Bonds.

ACTION: 1) Adopt Resolution No. 11-4133, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ISSUANCE BY THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION OF TWO ISSUES OF TAX ALLOCATION BONDS"; 2) Authorize the Director of Finance to execute bond documents necessary to issue Bonds, provided that the bond size does not exceed \$40 million for Series 'A' Tax Exempt, Non-Housing, the true interest cost does not exceed 8.65% per annum, the bond discount does not exceed 1.15% of the bond principal, and the bond term does not exceed 30 years; and 3) Authorize the Director of Finance to execute bond documents necessary to issue Bonds provided that the bond size does not exceed \$15 million for Series 'B' Taxable, Housing, the true interest cost does not exceed 11% per annum, the discount does not exceed 1.15% of bond principal, and the bond term does not exceed 30 years. **Motion by Mayor Pro Tempore Duran, seconded by Councilmember Land and unanimously approved.**

5.B APPOINTMENTS FOR COMMISSIONS [T. WEST, C. SCHAFER]:

The City Council will consider making an appointment to the Rent Stabilization Commission.

ACTION: Councilmember Prang made the following direct appointment: Charles Henry - Rent Stabilization Commission.

EXCLUDED CONSENT CALENDAR:

2.H. ORDINANCE NO. 11-864 (2ND READING), PROHIBITING THE SALE OF TOBACCO PRODUCTS WITHIN 600 FEET OF SCHOOLS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 11-864, a proposed ordinance prohibiting the sale of tobacco products within 600 feet of schools and amending the West Hollywood Municipal Code.

Councilmember Prang spoke in support of re-introducing the ordinance on 1st reading, with an amendment to the ordinance to allow a 12-month exemption for any businesses that are currently in the process of transferring ownership.

JENNIFER PAUL spoke in support of the ordinance as presented in the staff report.

STEVEN GALLEGOS spoke in support of the ordinance as presented in the staff report.

JEANNE DOBRIN, WEST HOLLYWOOD, requested clarification from the Council regarding the proposed changes to the ordinance.

JACQUELINE HERNANDEZ, LOS ANGELES, spoke in support of the ordinance as presented in the staff report.

MINAL PATEL, CULVER CITY, spoke in support of the ordinance as presented in the staff report.

Mayor Pro Tempore Duran spoke in opposition to the proposed ordinance.

ACTION: Re-introduce on 1st reading Ordinance No. 11-864, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING THE SALE OF TOBACCO PRODUCTS WITHIN 600 FEET OF SCHOOLS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE;" with an amendment to Section 7.32.040, Paragraph a. to read "Any tobacco retailer whose business is operating in compliance with Title 5 of the West Hollywood Municipal Code on January 1, 2011, regardless of any change or transfer of ownership of the business between January 1, 2011 and January 1, 2012, or establishment of a school after January 1, 2011, within 600 feet of the business; provided that if a tobacco retailer has for any reason an interruption of the continuity of business for a period in excess of six months, it must comply with the requirements of this chapter in order to reopen for business;" **Motion by Councilmember Prang, seconded by Councilmember Horvath and approved with Mayor Pro Tempore Duran voting NO.**

2.L. 1210 AND 1221 KINGS ROAD PERMANENT MEDIANS [A. MCINTOSH, F. CONTRERAS, W. DAVIS]:

The Council will consider the permanent installation of medians at 1210 and 1221 Kings Road. The test medians have satisfied their goal by reducing the 85th percentile speed on Kings Road by 6 miles per hour (from 33 miles per hour to 27 miles per hour) and the neighborhood and Transportation Commission support the permanent devices.

Mayor Heilman requested clarification from staff regarding steps being taken to address concerns raised by residents in the area and directed staff to investigate steps to address these concerns during implementation.

ACTION: Approve the installation of permanent medians along the frontage of 1210 and 1221 Kings Road. **Motion by Councilmember Land, seconded by Mayor Heilman and unanimously approved.**

PUBLIC COMMENT:

YOLA DORE, WEST HOLLYWOOD, spoke regarding the upcoming West Hollywood General Municipal Election on March 8, 2011.

6. LEGISLATIVE: None

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 10:17 P.M. in memory of Glen Allen, Gail Imler Marin, Ellis Wilson, Anna Krakorich, 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, March 7, 2011 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 7th day of March, 2011 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