

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, MARCH 7, 2011
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Heilman called the meeting to order at 6:38 P.M.

PLEDGE OF ALLEGIANCE: Anne Marie Williams 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, City Clerk West
and Assistant City Clerk Schaffer.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins reported that the closed session was called to order at 6:00 P.M. He stated that there were no public speakers. He stated that the closed session adjourned at 6:30 P.M. with no reportable action taken.

APPROVAL OF AGENDA:

Councilmember Land requested that Item 2.G. be moved to Excluded Consent Calendar.

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

Motion by Councilmember Land, seconded by Councilmember Horvath, to approve the March 7, 2011 agenda as amended, and unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Horvath requested that the meeting be adjourned in memory of Carol Golden, a long-time West Hollywood resident. She requested that the meeting be adjourned in memory of Reverend Peter Gomes, the first African American minister of Harvard's Church.

Councilmember Prang requested that the meeting be adjourned in memory of Dr. M. Michael Eisenberg, father of Public Facilities Commissioner Elyse Eisenberg.

Councilmember Land requested that the meeting be adjourned in memory of Dr. M. Michael Eisenberg, father of Public Facilities Commissioner Elyse Eisenberg.

Mayor Pro Tempore Duran requested that the meeting be adjourned in memory of Hortensia Huerta, mother-in-law of Council Deputy Hernan Molina. 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: Specialist Jason M. Weaver, Senior Airman Nicholas J. Alden, Private 1st Class Jr., David Fahey, Staff Sergeant Chauncy R. Mays, Specialist Rudolph R. Hizon Specialist Christopher G. Stark, Sergeant Kristopher J. Gould, Specialist Brian Tabada, Specialist Andrew C. Wilfahrt, Staff Sergeant Jerome Firtamag, Corporal Johnathan W. Taylor.

PRESENTATIONS:

Mayor Pro Tempore Duran presented a proclamation to Team to End AIDS.

Councilmember Horvath presented a proclamation to Elton Naswood of the Red Circle Project at AIDS Project Los Angeles

Mayor Heilman presented a proclamation to Richard Noble of the National Civil Rights March Across America and founder of the Los Angeles Chapter of Queer Nation.

Mayor Heilman and the City Council unveiled the Women's History Month Banners.

1. PUBLIC COMMENT:

BARBARA ROSE BROOKER, SAN FRANCISCO, spoke in support of Item 2.R.

DARREN GOLD, LOS ANGELES, spoke in support of Item 2.N.

RYAN FARBER, BEVERLY HILLS, spoke in support of Item 2.N.

MITO AVILES, WEST HOLLYWOOD, spoke regarding the West Hollywood General Municipal Election on March 8, 2011.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding the West Hollywood General Municipal Election on March 8, 2011.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke regarding the West Hollywood General Municipal Election on March 8, 2011.

MICHAEL SIDLER, WEST HOLLYWOOD, spoke regarding her public comments during a recent City Council Meeting.

LUCAS JOHN, WEST HOLLYWOOD, spoke regarding the West Hollywood General Municipal Election on March 8, 2011.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding the West Hollywood General Municipal Election on March 8, 2011.

PETE BURRA spoke regarding Item 2.G. and an impending state law regarding the same issue.

GENEVIEVE MORRILL, PRESIDENT AND C.E.O. OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, expressed concerns regarding Item 2.G. and spoke in support of exempting all businesses currently in operation that are affected by the law.

DAVID NASH, WEST HOLLYWOOD, spoke regarding affordable housing issues in the City.

JOHN CLEARY, LOS ANGELES, spoke regarding the West Hollywood General Municipal Election on March 8, 2011.

RICK WATTS, WEST HOLLYWOOD, spoke regarding the West Hollywood General Municipal Election on March 8, 2011.

COUNCILMEMBER COMMENTS:

Councilmember Prang spoke regarding an upcoming Community Development Director's Hearing in the City and expressed concerns regarding the number of businesses in the City seeking extended hours permits. He requested the City Manager to return to Council with an Item to discuss the issue. He spoke regarding the West Hollywood General Municipal Election on March 8, 2011 and encouraged residents to vote, and expressed his opposition to Measure A on the ballot.

Councilmember Horvath spoke regarding the social services group Being Alive in the City and provided clarification that they are not being evicted from their current space. She spoke regarding the recent meeting of the West Hollywood Community Response Team for Domestic Violence. She spoke regarding the West Hollywood General Municipal Election on March 8, 2011 and encouraged residents to vote. She spoke regarding the upcoming Women's Leadership Conference events in the City. She thanked everyone who helped organize Women's History Month. She spoke regarding the upcoming Sunset Strip Music Festival. She encouraged residents to keep their dogs on leashes in public.

Councilmember Land spoke regarding the recent meeting of the Bicycle Task Force. She spoke regarding the recent opening of the parking structure at the new West Hollywood Library. She spoke regarding the recent International Women's Day event in the City. She spoke regarding her recent attendance at the SOVA Food Pantry's opening of their new facility. She spoke regarding her recent attendance at the Heidi Drucker Dance Company performance in the City. She spoke regarding the West Hollywood General Municipal Election on March 8, 2011 and encouraged residents to vote, and expressed her opposition to Measure A on the ballot.

Mayor Pro Tempore Duran spoke regarding his recent trip to New York City to encourage more tourism to the City of West Hollywood. He spoke regarding the West

Hollywood General Municipal Election on March 8, 2011 and encouraged residents to vote.

Mayor Heilman spoke regarding the upcoming Los Angeles Marathon which will go through West Hollywood. He spoke regarding the West Hollywood General Municipal Election on March 8, 2011 and encouraged residents to vote

CITY MANAGER'S REPORT:

City Manager Arevalo provided clarification regarding upcoming special patrols to address the issue of off-leash dogs in the City. He provided clarification regarding the issuance of bonds regarding the Plummer Park renovations and affordable housing projects in the City.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$355,000.00 in expenditures and \$-11,072.00 in potential revenue.

2. CONSENT CALENDAR:

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

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, March 7, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 3, 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 22, 2011. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 669, RESOLUTION NO. 11-4134:

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

ACTION: Approve Demand Register No. 669 and adopt Resolution No. 11-4134, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 669" **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 Brian Dent, O Bar and Daniel O'Connor and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. SUBMITTAL OF THE CITY OF WEST HOLLYWOOD'S COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2010 [A. GANDHY, G. SCHUCHARD]:

The City Council will receive the Comprehensive Annual Financial Report for the City of West Hollywood for the fiscal year ending June 30, 2010.

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

2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from various Commissions on actions taken at their recent meetings.

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

2.G. 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.H. WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION FIRST AND SECOND QUARTER REPORT FOR 2010-2011 [A. WINDERMAN, J. SKORNECK, R. BURNLEY]:

The City Council will receive the combined First and Second Quarter Report of the West Hollywood Community Housing Corporation (WHCHC) for Fiscal Year 2010-2011.

ACTION: Receive and file the First and Second Quarter Report for 2010-2011. **Approved as part of the Consent Calendar.**

2.I. NOTICE OF COMPLETION, THE SAL GUARRIELLO VETERANS' MEMORIAL FEATURE PROJECT, C.I.P. 55-10/11-01 [S. BAXTER, S. CAMPBELL, H. COLLINS]:

The City Council will consider accepting of the improvements completed by Vido Samarzich, Inc. and authorizing the filing of a Notice of Completion for the Sal Guarriello Veterans' Memorial Water Feature Project, C.I.P. 55-10/11-01.

ACTION: It is recommended that the City Council accept the improvements and authorize the following: 1) Filing a Notice of

Completion with the County Recorder; 2) Final payment to contractor at the end of the 35 day lien period; 3) Release the Performance Bond on the date of recordation of the Notice of Completion; and 4) 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.J. NOTICE OF COMPLETION, WEST HOLLYWOOD POOL FIRST AID AND TRAINING ROOM REMODEL – WEST HOLLYWOOD PARK, CAPITAL IMPROVEMENT PROJECT 55-10/11-02 [S. BAXTER, S. CAMPBELL, D. GONZALEZ]:

The City Council will consider accepting the improvements completed by Omega Construction and authorizing the filing of a Notice of Completion for the West Hollywood Park First Aid and Training Room Remodel – West Hollywood Park, Capital Improvement Project 55-10/11-02.

ACTION: It is recommended that the City Council accept the improvements and authorize the following: 1) Filing a Notice of Completion with the County Recorder; 2) Final payment to contractor at the end of the 35 day lien period; 3) Release the Performance Bond on the date of recordation of the Notice of Completion; and 4) 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.K. SUPPORT FOR SCAG COMPASS BLUEPRINT AWARD NOMINATION FOR THE DRAFT CLIMATE ACTION PLAN [A. MCINTOSH, J. KEHO, B. SIEGL]:

The City Council will consider submitting a letter in support of the nomination of the City of West Hollywood Draft Climate Action Plan for a Southern California Association of Governments (SCAG) Compass Blueprint 2011 Recognition Award.

ACTION: Authorize the Mayor to sign a letter of support for the SCAG Compass Blueprint 2011 Recognition Awards. **Approved as part of the Consent Calendar.**

2.L. TRAFFIC CALMING PILOT PROJECT – CHICANES [J. PRANG, M. HAIBACH]:

The City Council will consider authorizing a traffic calming pilot test project utilizing “chicanes,” pavement markings as opposed to fixed road-narrowing impediments.

ACTION: 1) Direct Transportation Department to identify an appropriate location within the City to create a residential traffic calming pilot project utilizing artificial pavement markings, known as “chicanes” to create extra turns in a roadway, effectively used on city streets to slow traffic; returning to Council within 90 days; and 2) Direct Finance Department to allocate funds to conduct the test from the Neighborhood Traffic Budget. **Approved as part of the Consent Calendar.**

2.M. ADVANCEMENT OF THE ART AND ARTIST SELECTION PROCESS FOR THE CIVIC ART COMPONENT OF THE 25th ANNIVERSARY CAPITAL PROJECT – PLUMMER PARK MASTER PLAN IMPLEMENTATION PHASE I [P. AREVALO, J. HUFFER, A. CAMPBELL, S. BAXTER]:

The City Council will review the recommendation of the Art Process Team and Arts and Cultural Affairs Commission for the selection of an artist to design, fabricate and install public art work(s) for the Plummer Park Master Plan Implementation – Phase 1.

ACTION: 1) Approve Ed Carpenter as public artist to design, fabricate and install public art work(s) for the Plummer Park Master Plan Implementation – Phase 1 in an amount not to exceed \$330,000 including fees and reimbursables; and 2) Authorize City Manager to negotiate, sign and execute the agreements for services for the artist, and any documents or forms necessary for the successful implementation of this process and approve any minor modifications. **Approved as part of the Consent Calendar.**

2.N. SPONSORSHIP OF THE AVENUES ART & DESIGN WALK 2011 [P. AREVALO, J. HUFFER, M. LOUIE]:

The City Council will consider sponsorship of the 14th Annual Art & Design Walk, including waiving city-related event permit fees, encroachment permit fees, and lifting parking restrictions in The Avenues of Art, Fashion and Design Business Improvement District (BID) during the event on Friday, March 25 and Saturday, March 26, 2011.

ACTION: 1) Approve sponsorship of The Avenues' "Art & Design Walk" and authorize the use of the City name and logo on invitations, programs and other collateral materials; 2) Authorize Economic Development and Public Information to publicize the event on the City's website and social media tools; 3) Approve a waiver of special event permit fees and other City-related fees for The Avenues Art & Design Walk to be held on March 25-26, 2011. Approve in kind support in the form of fee waivers totaling \$3,372 as outlined; 4) Authorize the closure of Melrose Avenue between Robertson Boulevard and La Peer Drive from 1:00 pm to no later than 7:00 p.m. Saturday, March 26, 2011 with event starting at 3:00 p.m.; 5) Waive residential permit parking on Saturday, March 26, 2011 between the hours of 2:00 p.m. and 6:00 p.m. in Permit Parking Districts 1 and 2; waive enforcement at parking meters on Beverly Boulevard, Melrose Avenue, Robertson Boulevard and any side streets in the Avenues of Art & Design district from 1:00 p.m. to 6:00 p.m.; waive enforcement at parking meters on Melrose Ave from 2:00 p.m. to 10:00 p.m.; authorize the issuance of four (4) hour validation coupons for the West Hollywood Park Parking Garage to be used by guests of the Art & Design Walk on Saturday, March 26, 2011; 6) Direct the BID to conduct neighborhood and business outreach in advance of the event through attendance at neighborhood meetings, fliers, emails and other appropriate means of

communication; and 7) Authorize the City Manager to sign and execute any necessary documents or forms. **Approved as part of the Consent Calendar.**

2.O. ESTABLISHMENT OF A WORKING GROUP TO ENHANCE THE CITY'S SOCIAL MARKETING/MEDIA EFFORTS [A. LAND, C. PLANCK]:

The City Council will consider the establishment of a working group to enhance the City's social marketing/media efforts.

ACTION: 1) Direct the City Manager's Department to create a working group to focus on the City's social marketing/media efforts; 2) Direct working group to develop strategies to enhance the City of West Hollywood's efforts in the area of social marketing/media, beginning with an assessment of customer identification and use; and 3) Direct working group to develop recommendations for enhancing the City's efforts in the area of social marketing/media to be delivered to the City Council for its review by September 2011. **Approved as part of the Consent Calendar.**

2.P. SUPPORT OF THE EARTH CHARTER INITIATIVE [L. HORVATH, I. PINE]:

The City Council will consider adopting a resolution supporting The Earth Charter Initiative.

ACTION: Adopt Resolution No. 11-4135, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE EARTH CHARTER INITIATIVE." **Approved as part of the Consent Calendar.**

2.Q. SUPPORT OF THE AMERICAN EQUALITY BILL [J. HEILMAN, F. SOLOMON, G. LANDE]:

The City Council will consider adopting a resolution in support of The American Equality Bill, AEB.

ACTION: 1) Adopt Resolution No. 11-4136, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE AMERICAN EQUALITY BILL"; 2) Direct staff to send letters to Senator Barbara Boxer, Senator Dianne Feinstein and Representative Henry Waxman, asking them to sponsor the bill; and 3) Direct staff to send copies of the signed resolution to Senator Barbara Boxer, Senator Dianne Feinstein, Representative Henry Waxman, the AEB organizers, Human Rights Campaign, Equality California, National Gay and Lesbian Task Force, Pride @ Work, and the ACLU. **Approved as part of the Consent Calendar.**

2.R CO-SPONSORSHIP OF THE AGE MARCH SATURDAY, MAY 21, 2011 IN WEST HOLLYWOOD [A. LAND, C. PLANCK, L. HORVATH, I. PINE]:

The City Council will consider co-sponsoring the Age March on Saturday, May 21, 2011 in West Hollywood.

ACTION: 1) Approve City co-sponsorship of the Age March and the use of the City's name and logo on printed materials for the event; 2) Approve waiver of rental fees at City facilities; and 3) Authorize staff to develop a walking route with event organizers which does not involve street closures. **Approved as part of the Consent Calendar.**

2.S. CO-SPONSORSHIP OF THE STONEWALL YOUNG DEMOCRATS' VOTER REGISTRATION DRIVE [J. PRANG, M. HAIBACH, L. HORVATH, I. PINE]:

The City Council will consider co-sponsorship of the Stonewall Young Democrats voter registration drive on March 12, 2011.

ACTION: This Item was TABLED.

THE CITY COUNCIL RECESSED AND RECONVENED AS THE COMMUNITY DEVELOPMENT COMMISSION: 7:44 P.M.

The Community Development Commission approved the minutes from the February 22, 2011 meeting; approved a loan agreement with Alternative Living for the Aging for an affordable housing development at 937 N. Fairfax Avenue; and adopted a resolution to convey three properties located at 7530 Santa Monica Boulevard, 1060 Sierra Bonita Avenue, and 1151-1155 Detroit Street, to the City of West Hollywood. The actions are more fully described in the West Hollywood Community Development Commission minutes.

THE COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE CITY COUNCIL: 8:02 P.M.

3. PUBLIC HEARINGS: None

4. UNFINISHED BUSINESS: None

5. NEW BUSINESS:

5.A ACCEPTANCE OF GRANT DEED FOR THREE PROPERTIES OWNED BY THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION [A. WINDERMAN, A. GANDHY]:

The City Council will consider accepting the grant deeds for three properties located at 7530 Santa Monica Boulevard and 1060 Sierra Bonita Avenue, 7718 Santa Monica Boulevard, and 1151-1155 Detroit Street, to the City of West Hollywood.

ACTION: 1) Accept the grant deeds for three properties located at 7530 Santa Monica Boulevard and 1060 Sierra Bonita Avenue, 7718 Santa Monica Boulevard, and 1151-1155 Detroit Street, to the City of West Hollywood; 2) Approve Resolution No. 11-4137, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ACCEPTING THE GRANT FROM THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE PROPERTIES

LOCATED AT 7530 SANTA MONICA BOULEVARD AND 1060 SIERRA BONITA AVENUE (APN 530-019-900), 7718 SANTA MONICA BOULEVARD (APN 5530-016-900), AND 1155 DETROIT STREET (APNs 5531-009-900 and 5531-009-901)", 3) Authorize the Mayor to sign the Certificates of Acceptance; and 4) Direct the City Clerk to certify the adoption of this Resolution and cause the grant deeds to be recorded in the Office of the County Recorder. **Motion by Mayor Pro Tempore Duran, seconded by Councilmember Prang and unanimously approved.**

EXCLUDED CONSENT CALENDAR:

2.G. 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.

JAUQUELINE HERNANDEZ spoke in support of the Item.

JENNIFER PAUL spoke in opposition to the 12-month exemption in the ordinance for the current businesses.

STEVEN GALLEGOS spoke in opposition to the 12-month exemption in the ordinance for the current businesses.

Councilmember Land spoke in support of state legislation to address the issue of tobacco sales near schools and expressed concerns regarding the hardships of the proposed legislation on existing businesses. She spoke in support of a longer extension for transferability for the existing businesses that are affected by the legislation.

Mayor Pro Tempore Duran spoke in opposition to the Item.

Mayor Heilman spoke regarding the differences between the schools in West Hollywood from other Cities.

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 to delete the language "between January 1, 2011 and January 1, 2012,". **Motion by Councilmember Land, seconded by Councilmember Prang and approved with Mayor Pro Tempore Duran voting NO.**

PUBLIC COMMENT:

MARCY NORTON, WEST HOLLYWOOD, spoke regarding the Women's History Month events in the City.

TY HALEN, WOODLAND HILLS, spoke regarding public comments and attendance at City Council meetings. He spoke regarding the General Municipal Election on March 8, 2011.

6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 8:21 P.M. in memory of Carol Golden, Reverend Peter Gomes, Dr. M. Michael Eisenberg, Hortensia Huerta, 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 21, 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 21st day of March, 2011 by the following vote:

AYES:	Councilmember:	D'Amico, 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