

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, APRIL 4, 2011
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Heilman called the meeting to order at 6:37 P.M.

PLEDGE OF ALLEGIANCE: Steven Golightly led the pledge.

ROLL CALL:

PRESENT: Councilmember D'Amico, 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 Administrative Specialist Vespoint.

APPROVAL OF AGENDA:

Motion by Councilmember Land, seconded by Councilmember Duran, to approve the April 4, 2011 agenda as amended, and unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Land requested that the meeting be adjourned in memory of Saul Minzer, father of Gary Minzer.

Councilmember Prang requested that the meeting be adjourned in memory of Shirley Milter Green, grandmother of Aaron Green.

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: Specialist Dennis C. Poulin, Sergeant 1st Class Ofren Arrechaga, Staff Sergeant Frank E. Adamski III, Specialist Jameson Lindskog, Private 1st Class Jeremy P. Faulkner, Private 1st Class Dustin J. Feldhaus, Staff Sergeant Bryan A. Burgess, Specialist Justin D. Ross, Petty Officer 1st Class Vincent A. Filpi III, Private 1st Class Michael C. Mahr, Staff Sergeant Joshua S. Gire, Staff Sergeant James M. Malachowski, Staff Sergeant Mecolus C. McDaniel, Corporal Donald R. Mickler, Private 1st Class Rudy A. Acosta, Lance Corporal Christopher S. Meis, Sergeant Travis M. Tompkins, Private First Class Arturo E. Rodriguez, Sergeant Daehan Park, Corporal Ian M. Muller, Private 1st Class Andrew M. Harper, Staff Sergeant Eric S. Trueblood, Corporal Loren M. Buffalo, Specialist Andrew P. Wade, Corporal Brandon S. Hocking, Private 1st Class Kalin C. Johnson, Senior Airman Michael J. Hinkle II

Mayor Heilman requested that the meeting be adjourned in memory of actress and AIDS activist Elizabeth Taylor. He requested that the meeting be adjourned in memory of Vice-Presidential candidate Geraldine Ferraro.

PRESENTATIONS:

Councilmember Land presented a Child Abuse Prevention Month proclamation to representatives from the Prevention Council and from the Youth Advocates Coalition: Judy Chaisson, LAUSD; Cristian Valencia, Penny Lane; Sam Borelli, Youth Advocacy Coalition; Khush Cooper, Holarchy Consulting; and Steve Krantz, PFLAG.

Mayor Heilman presented an Arbor Day proclamation to Dr. Steven Golightly, Chair of the Public Facilities Commission.

1. PUBLIC COMMENT:

ISABELLA RODRIGUEZ, THE TRANSGENDER LAW CENTER, LOS ANGELES, spoke in support of Item 2.M.

JAKE FINNEY, WEST HOLLYWOOD, spoke in support of Item 2.M

ROSLYN LOTHIDGE, WEST HOLLYWOOD, expressed concerns about West Hollywood Library employees.

A. LEE WALKUP, WEST HOLLYWOOD, spoke about the Stonewall Democratic Club's "Stoney" Awards.

LAUREN MEISTER, WEST HOLLYWOOD, thanked the City Council and City Manager for their letters to the City of Los Angeles City relative to the use of the Sofitel as a helipad.

WENDY GOLDMAN, WEST HOLLYWOOD, spoke in support of the Women's Leadership Conference, and the AGE March L.A.

LARRY BLOCK, WEST HOLLYWOOD, spoke in support of the City Council officially recognizing Boy's Town in West Hollywood.

MICHAEL SIDLER, WEST HOLLYWOOD, thanked Abbe Land for presenting a proclamation on the subject of Child Abuse Prevention Month. She also expressed concerns about staff.

COUNCILMEMBER COMMENTS:

Councilmember Land spoke regarding the upcoming Women's Leadership Conference. She thanked the Board of Directors of The Avenues for the March 16 Avenues of Art and Design event. She reminded residents of the City's participation in the SOVA pantry food drive. She spoke about the Discount Prescription Program. She thanked

and congratulated City staff associated with the Sunset Strip Beautification Project on winning the Construction Management Association of America award.

Councilmember Prang spoke regarding the Citywide Yard Sale to be held May 14 and 15.

Mayor Pro Tempore Duran spoke regarding closed captioning at City Hall and in West Hollywood Park Auditorium during Council meetings. He stated that he is open to looking at Boy's Town from a historical point-of-view. He spoke about the potential perception of his use of the word "tranny" as being offensive.

Mayor Heilman spoke regarding the upcoming Women's Leadership conference with special emphasis the speaker Valerie Plame and the documentary "Fair Game". He spoke about the potential historical element of the intersection of San Vicente and Santa Monica. He spoke about April being Earthquake Preparedness Month.

CITY MANAGER'S REPORT: None

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$587,935.00 in expenditures and \$0 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. **Motion by Councilmember Prang, seconded by Councilmember Land and unanimously approved, with Councilmember Prang voting NO on Item 2.J.**

The following routine matters can be acted upon by one motion. Individual items may be removed by the Council for separate discussion. Items removed for separate discussion will be heard following New Business Items. The title is deemed to be read and further reading waived of any ordinance listed on the consent calendar for introduction or adoption.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, April 4, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 31, 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 March 21, 2011. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 671, RESOLUTION NO. 11-4143:

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

ACTION: Approve Demand Register No. 671 and adopt Resolution No. 11-4143, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 671". **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 Jose Peixto and Maureen Fischer and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

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

2.F. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1102, STREET PAVING PROGRAM: HOLLOWAY DR, HORN AVE, PALM AVE, SHERBOURNE DR, SHOREHAM DR, AND WESTMOUNT DR. [O. DELGADO, S. PERLSTEIN]:

The City Council will consider awarding a construction contract for the Street Paving Program: Holloway Dr, Horn Ave, Palm Ave, Sherbourne Dr, Shoreham Dr, and Westmount Dr., CIP 1102.

ACTION: 1) Accept the bid dated March 17, 2011 submitted by Hardy and Harper, Inc.; 2) Authorize the City Manager to enter into a contract with Hardy and Harper, Inc. in the amount of \$377,000 for the construction of CIP 1102, Street Paving Program: Holloway Dr, Horn Ave, Palm Ave, Sherbourne Dr, Shoreham Dr, and Westmount Dr.; and 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 15% of the contract amount. **Approved as part of the Consent Calendar.**

2.G. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1107, METRO RAPID BUS TRAFFIC SIGNAL SYSTEM INTERCONNECT (SAN VICENTE BLVD TO MELROSE AVE). [O. DELGADO, S. PERLSTEIN]:

The City Council will consider awarding a construction contract for CIP 1107, Metro Rapid Bus Traffic Signal System Interconnect (San Vicente Blvd to Melrose Avenue).

ACTION: 1) Accept the bid dated March 16, 2011 submitted by Freeway Electric, Inc.; 2) Authorize the City Manager to enter into a contract with

Freeway Electric, Inc. in the amount of \$65,650 for the construction of CIP 1107, Metro Rapid Bus Traffic Signal System Interconnect (San Vicente Blvd to Melrose Avenue); and 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 15% of the contract amount. **Approved as part of the Consent Calendar.**

2.H. APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES ON CIP 1102, STREET PAVING PROGRAM, AND CIP 1107 METRO RAPID BUS TRAFFIC SIGNAL SYSTEM INTERCONNECT [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving professional service agreements with RBF Consulting for construction management and inspection services on two public works construction projects, CIP 1102 Street Paving Program and CIP 1107 Metro Rapid Bus Traffic Signal System Interconnect.

ACTION: 1) Approve a professional services Agreement in an amount not to exceed \$63,889 with RBF Consulting for construction management and inspection services on CIP 1102 Street Paving Program, and authorize the City Manager to sign the Agreement; and 2) Approve a professional services Agreement in an amount not to exceed \$51,396 with RBF Consulting for construction management and inspection services on CIP 1107 Metro Rapid Bus Traffic Signal System Interconnect, and authorize the City Manager to sign the Agreement. **Approved as part of the Consent Calendar.**

2.I. EVALUATION OF CITY-SUBSIDIZED TRANSPORTATION PROGRAMS—PHASE ONE RECOMMENDATIONS [S. BAXTER, D. DENNIS, P. SLOANE]:

The Council will receive and file the proposed phase one recommendations on the City's subsidized transportation programs for seniors and people living with disabilities.

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

2.J. DENIAL OF CULTURAL RESOURCE DESIGNATION OF 1128 NORTH LARRABEE STREET [A. MCINTOSH, J. KEHO, A. CASTILLO]:

The City Council will consider denying the property located at 1128 North Larrabee Street as a local cultural resource.

ACTION: Adopt Resolution No. 11-4144: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING DESIGNATION OF THE PROPERTY LOCATED AT 1128 NORTH LARRABEE STREET, WEST HOLLYWOOD, CALIFORNIA, AS A LOCAL CULTURAL RESOURCE." **Approved as part of the Consent Calendar noting Councilmember Prang's NO vote.**

2.K. RE-PROGRAMMING SUBSTANCE ABUSE RECOVERY FUNDS [S. BAXTER, D. GIUGNI]:

The City Council will approve the reprogramming of the remaining funds from the 2010-11 Rainbow Bridge Community Services contract for residential substance abuse recovery services.

ACTION: 1) Augment the contract with McIntyre House for an additional \$30,000 to increase the number of West Hollywood community members in residential substance abuse recovery from ten to nineteen annually effective April 1 to September 30, 2011; and 2) Release an abbreviated RFP in the summer for allocation of the remaining \$21,450 in unspent Rainbow Bridge contract funds from this grant period to be combined with \$38,601 from the 2011-12 grant period for a total of \$60,051 for substance abuse recovery services. **Approved as part of the Consent Calendar.**

2.L. CO-SPONSORSHIP OF “TEEN BULLYING” FORUM, PRESENTED BY THE NATIONAL COUNCIL OF JEWISH WOMEN-LOS ANGELES CHAPTER [A. LAND, C. PLANCK, J. PRANG, M. HAIBACH]:

The City Council will consider co-sponsoring an educational forum on Teen Bullying, presented by the National Council of Jewish Women-Los Angeles Chapter (NCJW-LA).

ACTION: 1) Approve city co-sponsorship for Teen Bullying educational forum, including usage of City logo in NCJW-LA-generated promotional materials; and 2) Direct Public Information staff to provide promotional assistance for the event, including, but not limited to, inclusion of event information on the City’s website, news briefs and on its City Channel. **Approved as part of the Consent Calendar.**

2.M. CO-SPONSORSHIP OF SIXTH ANNUAL TRANSGENDER LEADERSHIP SUMMIT [A. LAND, C. PLANCK, T. MANDEL, C. LOPEZ]:

The City Council will consider co-sponsoring the sixth annual Transgender Leadership Summit, scheduled to take place in West Hollywood in July, 2011.

ACTION: 1) Direct the Human Services Department, specifically Recreation and Social Services divisions, to waive the fees for the use of Plummer Park facilities July 22-24, 2011; and 2) Direct Public Information staff to provide promotional assistance for the event, including, but not limited to, inclusion of event information on the City’s website, news briefs and on its City Channel. **Approved as part of the Consent Calendar.**

THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD HOUSING AUTHORITY: 7:25 P.M.

The Housing Authority approved the minutes from the October 18, 2010 meeting; and adopted the Section 8 Administrative Plan for fiscal year 2011-2012 via Resolution HA 11-026 approving and accepting the loan with the City of West Hollywood for the

Eastside Project Area. The actions are more fully described in the West Hollywood Community Development Commission minutes.

THE WEST HOLLYWOOD HOUSING AUTHORITY RECESSED AND RECONVENED AS THE CITY COUNCIL: 7:31 P.M.

3. PUBLIC HEARINGS:

3.A. PUBLIC HEARING TO SOLICIT COMMENTS ON THE ISSUANCE OF TAX-EXEMPT BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO BE REPAID BY MONARCH SANTA MONICA VENTURE LP [A. WINDERMAN, A. GANDHY, G. SCHUCHARD]:

The City Council will hold a public hearing to consider approval of a resolution granting the California Statewide Communities Development Authority (CSCDA) authorization and direction to issue tax exempt bonds on behalf of Monarch Santa Monica Venture LP for the development of a mixed use commercial and multifamily rental housing development that includes affordable apartments at 1122 N. Detroit Street, 7113 through 7119 Santa Monica Boulevard, and 1111 North La Brea Avenue known as Monarch Santa Monica & La Brea Apartments ("Project"). The adoption of the resolution will not require the City to be financially obligated nor liable, nor provide any financing to acquire, construct, finance or refinance the Project.

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

Allyne Winderman, Director of Rent Stabilization and Housing, presented background information as outlined in the staff report dated April 4, 2011.

Mayor Heilman opened the public hearing and the following speaker came forward.

MICHAEL SIDLER, WEST HOLLYWOOD, spoke about the safety of current and future buildings under the auspices of the California Statewide Communities Development Authority.

ACTION: 1) Conduct a public hearing under the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") in connection with the proposed issuance of tax-exempt bonds by the California Statewide Communities Development Authority in an amount not to exceed \$80,000,000 for the purpose of financing the acquisition, construction, and equipping of Monarch Santa Monica & La Brea Apartments, a mixed used commercial and 184 unit multifamily rental housing development located at 1122 N. Detroit Street, 7113 through 7119 Santa Monica Boulevard, and 1111 North La Brea Avenue, West Hollywood, California (the "Project"); and 2) Adopt Resolution No. 11-4145, "A RESOLUTION OF THE CITY COUNCIL

OF THE CITY OF WEST HOLLYWOOD APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS FOR THE DEVELOPMENT OF A MIXED USE RESIDENTIAL APARTMENT PROJECT BY MONARCH SANTA MONICA VENTURE, L.P., TO BE REPAID BY MONARCH SANTA MONICA VENTURE LP." **Motion by Councilmember Duran seconded by Councilmember Land and unanimously approved.**

3.B. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A FIVE-UNIT CONDOMINIUM PROJECT LOCATED AT 1019 SAN VICENTE BLVD. [A. MCINTOSH, J. KEHO, L. YELTON]:

The City Council will hold a public hearing to consider an appeal by Brian Winters, regarding the Planning Commission's approval of a project to demolish four units and construct a four-story, five-unit condominium building with 11 semi-subterranean parking spaces for the property located at 1019 San Vicente Boulevard.

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

Laurie Yelton, Associate Planner of the Community Development Department, presented background information as outlined in the staff report dated April 4, 2011 and recommended the Council continue the item to the April 25 meeting because the EIR was not fully included in the agenda packet.

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

AMIT APEL, WOODLAND HILLS, THE APPLICANT made himself available for questions.

GARY PIERSON, WEST HOLLYWOOD, spoke in support of the appeal and against the application.

JOHN CONTE, WEST HOLLYWOOD, spoke in support of the appeal and against the application.

Mayor Heilman closed the public hearing.

ACTION: *Remand to the Planning Commission for revised design review.* **Motion by Councilmember Prang, seconded by Councilmember Land and approved, with Councilmember D'Amico voting NO.**

4. UNFINISHED BUSINESS:

4.A. PUBLIC SAFETY UPDATE [K. COOK, K. FRASER, A. WHITTLE, 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 Anthony Whittle, provided background information as outlined in the staff report dated September 20, 2010 provided background information as outlined in the staff report dated April 4, 2011.

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.

Councilmember Land thanked everyone for all their work in bringing the Item forward.

ESTHER BAUM, WEST HOLLYWOOD, spoke about dog waste and pedestrian cell phone use.

MICHAEL SIDLER, WEST HOLLYWOOD, welcomed new Fire Chief Whitten and spoke about issues surrounding nighttime establishments.

SAMUEL BORRELLI, WEST HOLLYWOOD, spoke in support of the City's Public Safety Team and educational efforts. He also spoke about personal responsibility relative to public safety.

Mayor Pro Tempore Duran asked Captain Frasier about burglary statistics. He stated his interest in doing a survey of buildings in West Hollywood in need of seismic retrofitting. He stated his interest in renewing crystal meth abuse education.

Mayor Heilman spoke about coordinating any seismic retrofitting survey with the Housing Division.

Councilmember Prang welcomed the new Assistant Fire Chief. He expressed his concerns about late-night assaults. He stated concerns about Community Quality of Life Issues.

Councilmember D'Amico spoke about public safety issues surrounding the closing times of late-night establishments.

Councilmember Land spoke about educating new residents on public safety issues. She spoke about CERT classes and having graduates aware of neighborhood watch programs. She spoke in favor of the domestic violence response team. She spoke about the distractions that occur while texting.

Mayor Heilman thanked the Sheriff for their outreach to the community. He spoke about alcohol-related establishments on the Westside and requested staff to work proactively with businesses to promote safety.

ACTION: 1) *Approve the following public safety priorities including: a) Continue to work with local businesses, residents, and neighboring jurisdictions to promote neighborhood livability and mitigate impacts from nighttime establishments; b) Continue to collaborate with the Residential and Commercial Code Compliance Divisions to address various nuisance issues, including dogs off leash, inappropriate disposal of dog waste, and noise; c) Monitor and adjust traffic enforcement deployment as needed to address speeding vehicles, driving while using cell phones and “distracted movement”, bicycles on sidewalks, and other traffic violations; d) Continue to aggressively address criminal transient issues, and assist Social Services with overall homelessness issues; e) Continue to provide attentive customer service; and f) 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. APPEAL OF THE PLANNING COMMISSION’S APPROVAL OF AN EIGHT-UNIT CONDOMINIUM PROJECT LOCATED AT 7914 NORTON AVENUE [A. MCINTOSH, J. KEHO, L. YELTON]:

On February 22, 2011, the City Council held a public hearing to consider an appeal by Lynn Russell of the Planning Commission’s approval of a project to demolish a one-story, 10-unit apartment building in order to construct a four-story, eight-unit condominium building for the property located at 7914 Norton Avenue. The City Council on a 4-1 vote (Heilman voting no), directed staff to return with a resolution upholding the appeal and denying the project. On March 11, 2011, staff received a letter from the applicant’s representative requesting that the City Council withhold from adopting a denial resolution and allow the applicant to re-design the project and bring it back before the City Council at a later date. (ATTACHMENT A). If the City Council agrees to permit a re-design, the item will be re-noticed for a future public hearing by the City Council. If the Council were to accept the applicant’s request, the applicant would not be required to re-apply and pay fees for a new project.

Laurie Yelton, Associate Planner of the Community Development Department, presented background information as outlined in the staff report dated April 4, 2011.

IRA HANDELMAN, WOODLAND HILLS, spoke in support of the staff report.

CASSANDRA SILVER, WEST HOLLYWOOD, expressed wariness about staff's recommendation and expressed concerns about the trees currently in the area.

ACTION: *Staff recommends that the City Council not deny the project at this time and instead allow the applicant to return at a future City Council meeting with a re-designed project.* **Motion by Councilmember Duran, seconded by Councilmember Land and unanimously approved.**

5. NEW BUSINESS: None

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None

6. LEGISLATIVE: None

COUNCILMEMBER COMMENTS: None

ADJOURNMENT: The City Council adjourned at 8:37 p.m. to in memory of Solomon Minser, Shirley Miltergreen, Elizabeth Taylor, Geraldine Ferraro and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting. They adjourned to a the next special meeting of the City Council, which will be on Monday, April 25 2011 at 6:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.