

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, MAY 16, 2011
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Duran called the meeting to order at 6:37 PM.

PLEDGE OF ALLEGIANCE: Norma Kemper led the pledge.

ROLL CALL:

PRESENT: Councilmember D'Amico, Councilmember Heilman, Councilmember Land, Mayor Pro Tempore Prang, and Mayor Duran.

ABSENT: None.

ALSO PRESENT: City Manager Arevalo, City Attorney Jenkins, Interim City Clerk Schaffer and Administrative Specialist IV Eric Matikosh.

APPROVAL OF AGENDA:

Mayor Duran requested that Item 2.O. be moved to the Excluded Consent Calendar.

Mayor Pro Tempore Prang requested that Item 2.Z. be moved to the Excluded Consent Calendar.

Motion by Councilmember Land, seconded by Mayor Pro Tempore Prang to approve the May 16, 2011 agenda as amended, and unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Land requested that the meeting be adjourned in memory of Jerry Pitts, a resident of the Senior Care Center. She requested that the meeting be adjourned in memory of David Rivera, the brother of Fernando Adame.

Mayor Pro Tempore Prang requested that the meeting be adjourned in memory of Julia Emelina Delgado, the mother of Public Works Director Oscar Delgado.

Mayor 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 Amaru Aguilar, 1st Lieutenant Demetrius M. Frison, Sergeant Ken K. Hermogino, Specialist Riley S. Spaulding, and Corporal Kevin W. White.

PRESENTATIONS:

Councilmembers Heilman and Land presented commendations to members of the West Hollywood Women's Leadership Conference Steering Committee.

Councilmember Land presented a proclamation for Bike to Work Week.

Councilmember D'Amico presented a proclamation for Public Works Week to the Department of Public Works' Sharon Perlstein, City Engineer, and Facilities and Landscape Division's Kevin Trudeau and Helen Collins.

Councilmember Land presented proclamations to Gardner Street Elementary, Laurel School, and West Hollywood Elementary.

1. PUBLIC COMMENT:

RYAN FARBER, FROM THE AVENUES, spoke in support of Item 2.T.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke regarding the business categories listed in Item 2.Q.

GRACIELA IPARRAGUIRRE, WEST HOLLYWOOD, spoke in opposition to Item 2.Y.

JOAN HENEHAN, PAST CHAIR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of Item 2.Y.

TERRY TOLBA, WEST HOLLYWOOD, spoke in support of Item 2.Y.

NORMA KEMPER, WEST HOLLYWOOD, spoke in support of Item 2.U.

MARK OLSON, FROM SOUTHERN CALIFORNIA EDISON, spoke regarding upcoming energy saving programs in the City.

CHRISTINA SIMOS, WEST HOLLYWOOD, spoke regarding the Summer Camp program funding.

MAX GESCHWIND, WEST HOLLYWOOD, spoke regarding the upcoming election to elect a member of the Los Angeles Community College District and encouraged residents to vote.

STEVE MARTIN, WEST HOLLLYWOOD, spoke regarding the upcoming election to elect a member of the Los Angeles Community College District and encouraged residents to vote.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding after hours business permits in the City.

DARREN GOLD, FROM THE AVENUES, spoke regarding the recent City-wide Yard Sale Event, spoke in support of Item 2.T., and spoke regarding Item 5.A. and requested Council to solicit more input from the business community.

COUNCILMEMBER COMMENTS:

Councilmember Land spoke regarding public comment surrounding Item 2.Q. and how business categories are listed in the Item. She spoke regarding the National League of Cities Discount Prescription Drug Program. She spoke in support of Item 2.Y. She spoke regarding the National League of Cities recognition of the Russian Advisory Board for their immigrant information and cultural exchange programs. She thanked everyone who participated in the recent Russian Veterans' event at Plummer Park. She spoke regarding the upcoming enrollment day at the Laurel Middle School.

Councilmember Prang thanked everyone who participated in the recent City-wide Yard Sale event. He also spoke regarding the City's recent E-Waste and Document Shredding event. He spoke regarding the recent pedestrian crosswalk enforcement event. He spoke regarding streetlights in the City being burned out and requested City staff to investigate the issue. He spoke in support of Item 2.Y., but requested the business to list their address as West Hollywood. He spoke regarding his recent attendance at the California Contract Cities Conference in Indian Wells.

Mayor Duran commented on his participation in the upcoming AIDS Life Cycle event. He spoke regarding an upcoming Equality California event to discuss the issue of placing marriage equality on the California ballot again. He spoke regarding two upcoming ribbon cuttings for new banks in West Hollywood. He spoke regarding the upcoming Christopher Street West Pride events in the City.

CITY MANAGER'S REPORT:

City Manager Arevalo commented on the state budget proceedings in Sacramento and impacts on local redevelopment funds. He spoke regarding the City's efforts to protect redevelopment funds. He spoke regarding the City's annual budget process.

FISCAL IMPACT ON CONSENT CALENDAR:

Interim City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$2,102,066.00 in expenditures and \$344,345.00 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar, 2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M., N,P,Q,R,S,T,U,V,W,X,Y. **Motion by Councilmember Land, seconded by Councilmember Heilman and unanimously approved.**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, May 16, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 12, 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 May 2, 2011. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 674, RESOLUTION NO. 11-4154:

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

ACTION: Approve Demand Register No. 674 and adopt Resolution No. 11-4154, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 674". **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 Raya Mikhlina 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 reports from the Arts and Cultural Affairs Commission and the Disabilities Advisory Board on actions taken at their recent meetings.

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

2.F. ATTENDANCE REPORTS FOR CITY COMMISSIONS, ADVISORY BOARDS, AND THE PROJECT ADVISORY COMMITTEE [C. SCHAFFER]:

The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between February 2010 - February 2011. The Council will also consider excusing absences of a commissioner due to personal reasons.

ACTION: 1) Receive and file the attendance reports; and 2) Excuse absences, due to personal reasons, for: Steven Davis (Human Services Commission). **Approved as part of the Consent Calendar.**

2.G. LEVY OF ANNUAL ASSESSMENT FOR SANTA MONICA BOULEVARD MAINTENANCE DISTRICT [P. AREVALO, J. HUFFER, M. LOUIE]:

The City Council will consider adopting resolutions for the proposed levy of assessments for the Santa Monica Boulevard Maintenance District for fiscal year 2011-2012 which provides for holiday decorations, sidewalk steam cleaning and trash can and bus bench cleaning and repair; and set a public hearing for June 6, 2011.

ACTION: 1) Adopt Resolution Number 11-4155 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD

INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2011-2012 FISCAL YEAR PURSUANT TO PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE”; 2) Adopt Resolution Number 11-4156, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ENGINEER FOR THE 2011-2012 FISCAL YEAR IN CONNECTION WITH THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT”; 3) Adopt Resolution Number 11-4157, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2011-2012 FISCAL YEAR PURSUANT TO PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO”; and 4) Direct staff to notice a public hearing to be held on June 6, 2011 to hear protests or objections to the levy of the assessment for fiscal year 2011-2012.
Approved as part of the Consent Calendar.

2.H. STREET MAINTENANCE ASSESSMENT FOR FISCAL YEAR 2011-2012 [A. GANDHY, B. ROSEN]:

The City Council will consider adopting a resolution determining and imposing a street maintenance assessment within the 1996 Street Maintenance Assessment District for Fiscal Year 2011-2012. The assessment rate is unchanged from 2010-2011.

ACTION: Adopt Resolution No. 11-4158, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 2011-2012 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2011-2012. PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982, CHAPTER 6.4 OF PART 1 OF DIVISION 2 OF TITLE 5 OF THE CALIFORNIA GOVERNMENT CODE.” **Approved as part of the Consent Calendar.**

2.I. NOTICE OF COMPLETION FOR CIP 1105, SANTA MONICA BLVD. GUTTER DRAIN AND PAVEMENT IMPROVEMENTS BETWEEN PALM AVE. AND HANCOCK AVE. [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Notice of Completion for the Santa Monica Blvd. Gutter Drain and Pavement Improvements between Palm Ave. and Hancock Ave., CIP 1105 by West Coast Structures dba Western Structures.

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; and 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.J. NOTICE OF COMPLETION FOR CIP 1106 CONCRETE REPAIR PROGRAM [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Notice of Completion for CIP 1106 Concrete Repair Program by CJ Construction.

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; and 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.K. CONSTRUCTION CONTRACT FOR A PUBLIC PARKING LOT AT 9056 SUNSET BLVD, CIP 1108 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider awarding a construction contract for the construction of a 25 space public parking lot at 9056 Sunset Boulevard, CIP 1108.

ACTION: 1) Accept the bid dated April 20, 2011, submitted by Palp, Inc. dba Excel Paving Company; 2) Authorize the City Manager to enter into a contract with Palp, Inc. dba Excel Paving Company in the amount of \$111,660.00 for the construction of CIP 1108, Public Parking Lot at 9056 Sunset Blvd.; 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; 4) Relieve the low bidder, Wertniggs Engineering Co., of their bid due to a mistake in the bid which qualifies for relief pursuant to Sections 5101 and 5103 of the California Public Contract Code; and 5) Authorize the Director of Finance and Technology Services to allocate \$128,409 from the undesignated reserves in the Parking Improvement Fund and to increase budgeted expenditures in 213-4-08-82-707018, 9056 Sunset Blvd – Parking Lot by \$128,409. **Approved as part of the Consent Calendar.**

2.L. PROFESSIONAL AGREEMENT FOR AUDIT SERVICES WITH THE ACCOUNTING FIRM OF LANCE, SOLL & LUNGHARD, CPA'S [A. GANDHY, G. SCHUCHARD]:

The City Council will consider approving a 3–year agreement renewal with Lance, Soll & Lunghard for professional audit services. An option for two 1 year extensions after 2013 is presented for review purposes only. Any consideration for extensions will be brought back to the City Council for approval.

ACTION: Approve a 3-year agreement with Lance, Soll & Lunghard, in an amount not-to-exceed \$241,515, for professional audit services for Fiscal Years Ending 2011 through 2013 as outlined in Exhibit A and authorize the City Manager to approve. **Approved as part of the Consent Calendar.**

2.M. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE WEST HOLLYWOOD MANAGEMENT ASSOCIATION FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2016 [V. LOVE, T. BROWN]:

The City Council will consider approving the Memorandum of Understanding (MOU) with the West Hollywood Management Association (WHMA) for the period of July 1, 2011, through June 30, 2016.

ACTION: 1) Approve the Memorandum of Understanding with WHMA which incorporates the agreements in the attached tentative agreements; and 2) Authorize the City Manager to execute the Memorandum of Understandings on behalf of the City. **Approved as part of the Consent Calendar.**

2.N. AUTHORIZE A CONTRACT WITH BRIGHTSTARR FOR THE DEVELOPMENT AND RE-DESIGN OF THE WEST HOLLYWOOD INTRANET PAGE [V. LOVE, T. BROWN]:

The City Council will consider authorizing a contract with Brightstarr U.S. LLC for the development, re-design and implementation of an upgraded City intranet page.

ACTION: 1) Authorize a contract with Brightstarr U.S.LLC for the development, re-design and implementation of a new intranet page; and 2) Authorize the City Manager to enter into a contract with Brightstarr in an amount not to exceed \$30,000. **Approved as part of the Consent Calendar.**

2.O. 25TH ANNIVERSARY CAPITAL PROJECT: RECOMMENDED DATES FOR THE NEW WEST HOLLYWOOD LIBRARY DEDICATION AND GRAND OPENING AND 10th ANNUAL BOOK FAIR EVENTS [P. AREVALO, J. ENGLISH, J. HUFFER, S. BAXTER, O. WALKER, H. GOSS]:

This item was moved to the Excluded Consent Calendar.

2.P. CHRISTOPHER STREET WEST 41st ANNUAL LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PRIDE CELEBRATION AND PARADE IN WEST HOLLYWOOD [S. BAXTER, O. WALKER, C. SMITH]:

The City Council will consider a request from Christopher Street West for the 2011 Lesbian, Gay, Bisexual and Transgender Pride Celebration Events scheduled for Friday June 10, Saturday June, 11, and Sunday, June 12, 2011.

ACTION: 1) Authorize the City Manager to enter into an agreement/contract permitting the 2011 Lesbian, Gay, Bisexual and Transgender event as outlined in Exhibit A; 2) Approve the use of West Hollywood Park and City property with fee waivers in the amount of \$115,635.00 as described in Exhibit B, for the 2011 Lesbian, Gay, Bisexual, and Transgender Pride event; 3) Approve Purple Party/Dyke March hours of 5:00 pm to 12:00 am Friday, June 10, 2011 and Festival hours of 12:00 pm to 12:00 am for Saturday, June 11, 2011 and 11:00 am to 11:00 pm for Sunday, June 12, 2011; 4) Approve the use of Santa Monica Boulevard for the PRIDE Parade on Sunday, June 12, 2011 from 11:00 am to 5:00 pm; and 5) Approve the Dyke March to take place along Santa Monica Boulevard in eastbound lanes to West Knoll Drive and return in westbound lanes to San Vicente Boulevard on Friday, June 10, 2011 from 7:30 pm to 9:30 pm with a rolling closure to begin at approximately 8:00 pm. **Approved as part of the Consent Calendar.**

2.Q. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE AVENUES – ART, FASHION & DESIGN [P. AREVALO, J. HUFFER, M. LOUIE]:

The City Council will consider adopting three resolutions as the first steps in the implementation process of establishing The Avenues – Art, Fashion & Design District West Hollywood for fiscal year 2011-2012; and set a public hearing on June 6, 2011.

ACTION: 1) Adopt Resolution No. 11-4159 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2011-2012 IN CONNECTION WITH THE AVENUES ART, FASHION & DESIGN DISTRICT”; 2) Adopt Resolution No. 11-4160 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2011-2012 IN CONNECTION WITH AVENUES ART, FASHION & DESIGN DISTRICT”; 3) Adopt Resolution No. 11-4161 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE AVENUES ART, FASHION & DESIGN DISTRICT FOR FISCAL YEAR 2011-2012 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO”; and 4) Direct staff to notice a public hearing to be held on June 6, 2011 to hear protests or objections to the levy of the assessment for fiscal year 2011-2012. **Approved as part of the Consent Calendar.**

2.R. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING & BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE) [P. AREVALO, J. HUFFER, M. LOUIE]:

The City Council will consider renewing the Hotel Marketing Benefit Zone of the West Hollywood Business Improvement Area for fiscal year 2011-

2012 that funds the visitor marketing activities of the West Hollywood Marketing and Visitors Business Bureau (MVB) by adopting three resolutions; and set a public hearing for June 6, 2011.

ACTION: 1) Adopt Resolution No. 11-4162, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2011-2012 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA"; 2) Adopt Resolution No. 11-4163, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2011-2012 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA"; 3) Adopt Resolution No. 11-4164, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY A CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2011-2012 AND SETTING A TIME AND PLACE OF A HEARING TO CONSIDER SUCH A CHARGE"; and 4) Direct staff to notice a public hearing to be held on June 6, 2011 to hear protests or objections to the levy of assessment for fiscal year 2011-2012. **Approved as part of the Consent Calendar.**

2.S. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT [P. AREVALO, J. HUFFER, M. LOUIE]:

The City Council will consider adopting three resolutions as the first steps in the annual implementation process of the Sunset Strip Business Improvement District for fiscal year 2011-2012; and set a public hearing for June 6, 2011.

ACTION: 1) Adopt Resolution No. 11-4165, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2011-2012 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT"; 2) Adopt Resolution No. 11-4166, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2011-2012 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT"; 3) Adopt Resolution No. 11-4167, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2011-2012 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO"; and 4) Direct staff to notice a public hearing to be held on June 6, 2011 to hear protests or objections to the

levy of the assessment for fiscal year 2011-2012. **Approved as part of the Consent Calendar.**

2.T. SPONSORSHIP OF WEST HOLLYWOOD FASHION'S NIGHT OUT EVENT [P. AREVALO, J. HUFFER, M. LOUIE]:

The City Council will consider sponsorship of the Avenues of Art, Fashion & Design (The Avenues) "Fashion's Night Out" West Hollywood event on Thursday, September 8, 2011.

ACTION: 1) Approve sponsorship of the Avenues of Art, Fashion & Design district "Fashion's Night Out" West Hollywood event and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Waive special event permits and associated fees; 3) Direct the Public Information Office to utilize all appropriate communications tools to promote the event, including, but not limited to the City's website, and social media tools; and 4) Authorize the City Manager to sign and execute any necessary documents or forms. **Approved as part of the Consent Calendar.**

2.U. GRANT APPLICATION FOR THE COPS HIRING PROGRAM 2011 [K. COOK, K. FRASER]:

The City Council will consider authorizing Public Safety staff to investigate and apply for a grant, if applicable, from the United States Department of Justice's COPS Hiring Program 2011.

ACTION: 1) Authorize staff to investigate and apply for a grant, if applicable, from the United States Department of Justice's COPS Hiring Program 2011 for the potential use of supplementing early morning patrol; and 2) Direct staff to return to City Council for permission to accept the grant, if applicable. **Approved as part of the Consent Calendar.**

2.V. SUPPORTING AB 117: EQUAL BENEFITS IN STATE CONTRACTING (KEHOE) [J. PRANG, M. HAIBACH, J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution supporting AB 117 (Kehoe), which would prohibit state agencies from entering into a contract of \$100,000 or more with businesses that discriminate based on the gender or sexual orientation of the spouse or domestic partner of an employee in providing employee benefits.

ACTION: 1) Adopt Resolution No. 11-4168, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING AB 117 (KEHOE): EQUAL BENEFITS IN STATE CONTRACTING"; and 2) Direct staff to send copies of signed resolutions to appropriate legislators. **Approved as part of the Consent Calendar.**

2.W. SUPPORT ASSEMBLY BILL (AB) 491 (PORTANTINO), HIV TESTING, AS AMENDED, MAY 3, 2011 [J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution in support of AB 491 (Portantino), which introduces changes to existing statute as it relates to HIV testing in non-clinical settings.

ACTION: 1) Adopt Resolution 11-4169 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING AB 491 (PORTANTINO), HIV TESTING, AS AMENDED, MAY 3, 2011"; and 2) Direct staff to send copies of signed resolutions to Assembly Members Anthony Portantino and Mike Feuer, Senator Fran Pavley, and other key legislators. **Approved as part of the Consent Calendar.**

2.X. SUPPORT SB 861 (CORBETT) CURBING USE OF CONFLICT MINERALS FROM THE CONGO THROUGH RESTRICTIONS ON PUBLIC CONTRACTS [J. HEILMAN, F. SOLOMON, P. KOEHLER]:

The City Council will consider adopting a resolution in support of California Senate Bill 861 that would curb the use of conflict minerals from the Congo through restrictions on public contracts.

ACTION: 1) Adopt Resolution 11-4170 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB BILL 861 (CORBETT) CURBING USE OF CONFLICT MINERALS FROM THE CONGO THROUGH RESTRICTIONS ON PUBLIC CONTRACTS"; and 2) Direct staff to send copies of signed resolutions to Senator Ellen Corbett, Senator Fran Pavley, Assemblymember Mike Feuer, and John Prendergast of the Enough Project. **Approved as part of the Consent Calendar.**

2.Y. SPONSORSHIP OF THE HUDSON'S WEST HOLLYWOOD BLOCK PARTY [J. DURAN, H. MOLINA]:

The City Council will consider approving a sponsorship of the WEST HOLLYWOOD BLOCK PARTY at The Hudson's.

ACTION: 1) Approve sponsorship of The Hudsons West Hollywood Block Party; 2) .Approve a waiver of special event and encroachment fees; and 3) Authorize the temporary closure of the road connecting Santa Monica Boulevard with Crescent Heights (north-east corner). **Approved as part of the Consent Calendar.**

2.Z. SPONSORSHIP OF THE ELTON JOHN AIDS FOUNDATION (EJAF) 2012 ANNUAL GALA [J. DURAN, H. MOLINA, J. PRANG, M. HAIBACH]:

This item was moved to the Excluded Consent Calendar.

3. PUBLIC HEARINGS:

3.A. REVIEW OF THE CITY SEWER SERVICE CHARGE FOR FISCAL YEAR 2011-12 [O, DELGADO, S. PERLSTEIN]:

The City Council will consider approving the City Sewer Service Charge rates for the FY 11-12 program.

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

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated May 16, 2011.

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

Mayor Duran closed the public hearing.

Mayor Pro Tempore Prang requested clarification regarding the relationship between the City Sewer Service Charge and charges from the Los Angeles County Sanitation District.

ACTION: 1) Make a finding that there is no majority protest by property owners within the assessment area; and 2) Approve Resolution No. 11-4171, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SEWER SERVICES FOR FISCAL YEAR 2011-2012 PURSUANT TO CHAPTER 15.12 OF ARTICLE 1 OF TITLE 15 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE." **Motion by Mayor Pro Tempore Prang, seconded by Councilmember Land, and unanimously approved.**

3.B. REVIEW OF THE CITY SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE CHARGE FOR FISCAL YEAR 2011-12 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving the Solid Waste and Recyclable Material Collection and Disposal Service Charge rates for FY 11-12.

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

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated May 16, 2011.

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

Mayor Duran closed the public hearing.

Mayor Duran requested staff to investigate the possibility of processing 100% of all waste in the City at Athens Services' Materials Recovery Facility.

ACTION: 1) Make a finding that there is no majority protest by property owners within the assessment area; 2) Approve Resolution No. 11-4172, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST

HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SOLID WASTE AND RECYCLING SERVICES FOR FISCAL YEAR 2011-12 PURSUANT TO TITLE 15, CHAPTER 15.48 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE"; and 3) Approve Resolution No. 11-4173, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE CONSUMER PRICE INDEX FOR ALL URBAN CUSTOMERS (CPI-U) INCREASE TO RATES FOR SOLID WASTE SERVICES FOR COMMERCIAL AND MULTI UNIT (OVER FOUR UNITS) RESIDENTIAL PROPERTIES." **Motion by Councilmember Land, seconded by Councilmember Heilman, and unanimously approved.**

4. UNFINISHED BUSINESS:

4.A. CHARTER SCHOOL DISTRICT FEASIBILITY STUDY [S. BAXTER, D. DENNIS]:

The City Council authorized a feasibility study regarding the establishment of a Charter School District in West Hollywood.

Daphne Dennis, Social Services Manager, provided background information as outlined in the staff report dated May 16, 2011.

ACTION: Staff recommends continued support for joint programming for our local public schools to enhance the quality of public education and does not recommend the establishment of a separate school district given the factors outlined below which hinder its feasibility. **Carried by Consensus of the Council.**

5. NEW BUSINESS:

5.A. WEST HOLLYWOOD AS A FUR-FREE CITY [J. D'AMICO, M. REX]:

The City Council will consider approving an ordinance prohibiting the sales of fur apparel products, encouraging the promotion of West Hollywood as a destination for cruelty-free and animal welfare events and establishing West Hollywood as the Humane Capitol of the United States.

Councilmember D'Amico provided background information as outlined in the staff report dated May 16, 2011.

LINDSEY LEBBY, LOS ANGELES, spoke in opposition to the Item.

JOAN HENEHAN, PAST CHAIR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in favor of further consultation with local businesses that would be impacted by the prohibition.

ELLEN LAVINTHAL, BEVERLY HILLS, spoke in support of the Item.

SHANNON KEITH, LOS ANGELES, spoke in support of the Item.

KATIE CLEARY, LOS ANGELES, spoke in support of the Item.

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

MICHELE MARZ, WEST HOLLYWOOD, spoke in support of the Item.

DOUG FINE, WEST HOLLYWOOD, spoke in opposition to the Item.

DANIEL WACHTENHEIM, WEST HOLLYWOOD, spoke in opposition to the Item.

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

JENNIFER CONRAD, SANTA MONICA, spoke in support of the Item.

JIM JENSVOLD, LOS ANGELES, spoke in support of the Item.

FAWN, WEST HOLLYWOOD, spoke in support of the Item.

JEFFREY LEYMAN, WEST HOLLYWOOD, spoke in opposition to the Item.

The following individuals submitted slips in support of the Item: Cindy Beal, West Hollywood; Chris DeRose, West Hollywood; Charles Harmison, West Hollywood; Inger Eppeland, West Hollywood; Graciela Iparraguirre, West Hollywood; Elaine Hendrix, West Hollywood; Alexandria Cooper, Los Angeles; Bryan Monell, Beverly Hills; Lenka Fill, Long Beach; Prabhat Guatam, Los Angeles; Tim Webber, Culver City; Rory Freedman, Los Angeles.

Councilmember Land thanked everyone who came out and spoke regarding the Item. She spoke in opposition to personally wearing fur. She expressed concerns regarding impacts on businesses and residents in association with the proposed ban and spoke in support of more input from the community regarding the issue. She spoke regarding the need to investigate the issue of consistency with the proposed ban and spoke regarding the need for the ordinance to be as carefully crafted as possible so it can serve as a model for other cities.

Councilmember Heilman spoke in support of the proposed ban in concept. He expressed concerns regarding businesses in the City that currently have a fur inventory and how they will deal with that inventory if a ban is adopted. He spoke in support of more input from the business

community in drafting the ordinance to help mitigate impacts in association with the proposed ban.

Mayor Pro Tempore Prang thanked Councilmember D'Amico for bringing the Item forward. He spoke regarding the City's history of supporting animal welfare legislation. He spoke in favor of further discussion with businesses potentially affected by a ban. He spoke regarding the city's legislation being a potential model for other cities.

Mayor Duran spoke in support of the item as presented.

Councilmember D'Amico thanked his fellow Councilmembers for their thoughts and spoke in favor of establishing a timeframe from the City Manager and City Attorney for drafting an ordinance. He spoke in support of reaching out to the business community for their input in drafting the ordinance.

ACTION: 1) Direct the City Attorney and City Manager to work with staff to draft a citywide ordinance prohibiting the sales of apparel fur products in West Hollywood; with additional direction to the City Manager to convene a working group that includes members of the business community to investigate the issues surrounding the ordinance and report back to Council with a timeline for bringing the proposed ordinance forward; and 2) Direct staff to work with the West Hollywood Chamber of Commerce, the West Hollywood Visitors and Convention Bureau, the Sunset Strip Business Association and the Avenues – Art, Fashion and Design District, local businesses and non-profit organizations to develop a strategic plan to establish and promote West Hollywood as a destination for the humane movement, including cruelty-free fashion shows and conferences. **Motion by Councilmember D'Amico as amended, seconded by Mayor Pro Tempore Prang and unanimously approved.**

5.B. COMMISSION, ADVISORY BOARD, AND PROJECT ADVISORY COMMITTEE APPOINTMENTS AND RE-APPOINTMENTS [C. SCHAFFER]:

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

Mayor Duran requested postponing appointments for all at-large commission seats, all advisory boards, and for the East Side Project Advisory Committee.

STEVE PARGAMANIK, WEST HOLLYWOOD, spoke regarding his application for the Project Advisory Committee.

ACTION: 1) Councilmember D'Amico made the following direct appointments: Human Services Commission – Steven Davis, Public

Facilities Commission – Richard Maggio, Rent Stabilization Commission – Eric Thompson.

2) Councilmember Heilman made the following direct re-appointments: Historic Preservation Commission – Paul Rice, Rent Stabilization Commission – David Gregoire.

3) Councilmember Land made the following direct re-appointments: Arts and Cultural Affairs Commission – Beverly Denenberg, Business License Commission – Pat Rogers, Historic Preservation Commission – Edward Levin, Human Services Commission – Ruth Cislowski, Planning Commission – Marc Yeber, Public Facilities Commission – Elena Goldenberg, Public Safety Commission – Norma Kemper, Rent Stabilization Commission – Agassi Topchian; Transportation Commission – Steve Wayland.

4) Mayor Pro Tempore Prang made the following direct appointments and re-appointments: Business License Commission – Jim Kazakos, Historic Preservation Commission – Brad Torgan, Human Services Commission – Heidi Schink, Planning Commission – Donald Deluccio, Public Facilities Commission – Steven Golightly, Public Safety Commission – Sofia Komskaya, Rent Stabilization Commission – Charles Henry; Transportation Commission – Steven Greene.

5) Mayor Duran made the following appointments and re-appointments: Arts and Cultural Affairs Commission – J. Dallas Dishman, Historic Preservation Commission – Bruce Kaye, Human Services Commission – Brian Pendleton, Planning Commission – Roy Huebner, Public Facilities Commission – Keith Anthony, Public Safety Commission – Desiree Sol, Rent Stabilization Commission – H. Gail Sanes, Transportation Commission – Leon Shparaga.

5.C. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE FOR SUMMER 2011 [C. SCHAFFER]:

The City Council will consider revising the City Council Regular Meeting Schedule for the summer months of 2011.

ACTION: The City Council cancelled the meetings of July 5, 2011 and August 1, 2011.

EXCLUDED CONSENT CALENDAR:

2.O. 25TH ANNIVERSARY CAPITAL PROJECT: RECOMMENDED DATES FOR THE NEW WEST HOLLYWOOD LIBRARY DEDICATION AND GRAND OPENING AND 10th ANNUAL BOOK FAIR EVENTS [P. AREVALO, J. ENGLISH, J. HUFFER, S. BAXTER, O. WALKER, H. GOSS]:

The City Council will consider dates for a series of events celebrating the Dedication and Grand Opening of the new West Hollywood Library and the 10th Annual Book Fair and approve the use of the Library for the West Hollywood Library Fund fundraising event.

Mayor Duran requested clarification from staff regarding the choice to hold the events on separate days. He spoke in support of a combined advertising campaign for both events.

ACTION: 1) Authorize the New West Hollywood Library Dedication and Grand Opening event on Saturday, October 1, 2011; 2) Authorize the 10th Annual West Hollywood Book Fair event on Sunday, October 2, 2011; 3) Approve the closure of San Vicente Boulevard between Melrose Avenue and Santa Monica Boulevard from 12 midnight on Saturday, October 1, 2011 through 6 a.m. on Monday, October 3, 2011; 4) Authorize the West Hollywood Library Fund to use the new West Hollywood Library building for a special evening event on Saturday, September 24, 2011; 5) Direct appropriate City staff to work with the West Hollywood Library Fund and the County of Los Angeles Public Library to limit impact of service delivery related to these events; 6) Approve waiver of all City permit fees that may be applicable including, but not limited to, special event fees, facility usage fees and inspection fees; and 7) Direct Public Information Office staff to market, promote, and coordinate the Dedication and Grand Opening of the new West Hollywood Library and the 10th Annual West Hollywood Book Fair. **Motion by Mayor Duran, seconded by Councilmember Land, and unanimously approved.**

2.Z. SPONSORSHIP OF THE ELTON JOHN AIDS FOUNDATION (EJAF) 2012 ANNUAL GALA [J. DURAN, H. MOLINA, J. PRANG, M. HAIBACH]:

The City Council will consider approving a sponsorship of the EJAF annual gala and the use of a portion of West Hollywood Park for such event.

Mayor Pro Tempore Prang spoke regarding the possibility of the City working with the Elton John Aids Foundation and the Pacific Design Center to find a solution for the EJAF's Annual Gala to continue to be held at the Pacific Design Center.

VIRGINIA FOUT spoke regarding her role as Producer of the Elton John AIDS Foundation Annual Gala. She spoke regarding the growing size of the event and space limitations at the Pacific Design Center.

Mayor Duran spoke regarding competing space needs for events of this size in the City and spoke regarding the need for the City to compete with Hollywood to retain these types of events in West Hollywood.

Councilmember Heilman spoke in support of retaining the event in the City. He spoke in support of the City Manager entering into discussions with the Elton John Aids Foundation and the Pacific Design Center to explore the possibility of continuing to hold the event at the Pacific Design Center. He expressed concerns regarding waiving fees for all organizations who wish to hold their events in West Hollywood Park.

Councilmember Land thanked the Foundation for its efforts and spoke in support of giving direction to the City Manager to explore other options and venues for the event.

Councilmember D'Amico requested clarification from Virginia Fout regarding the possibility of continuing to hold the event at the Pacific Design Center given space limitations. He spoke regarding the need to continue moving forward with approvals for the event to ensure it can be held in West Hollywood.

Mayor Duran spoke regarding the limitations on space at the Pacific Design Center and the feasibility of continuing to hold the event there. He spoke regarding the possibility of the event being moved outside the City if a solution is not found.

Mayor Pro Tempore Prang stated his support of moving forward with the staff recommendations to ensure that the event stays in the City, while the City investigates the possibility of continuing to hold the event at the Pacific Design Center in the future.

Councilmember Heilman spoke regarding the possibility of expanding the event onto San Vicente Boulevard from the Pacific Design Center.

Councilmember Land spoke regarding the need to take action to keep the event in the City and requested that the City Manager report back to Council at the meeting of June 6, 2011.

Councilmember Heilman requested that the City Manager include a cost analysis of the fees associated with holding the event in West Hollywood Park as part of his report back to Council.

ACTION: 1) Approve sponsorship of the Elton John AIDS Foundation (EJAF) annual gala in concept; 2) Direct the City Manager to return to Council with a report that includes: a) a complete mapping and logistics of holding the event in West Hollywood Park; b) a report on outreach to the Pacific Design Center and the Elton John AIDS Foundation regarding the

possibility of holding the Annual Gala at the Design Center either in the current year or in future years; and c) a cost analysis of holding the event in West Hollywood Park and a proposal for fee waivers. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Prang and unanimously approved.**

PUBLIC COMMENT:

MICHAEL SIDLER, WEST HOLLYWOOD, spoke regarding her previous attendance at a Planning Commission meeting.

6. LEGISLATIVE:

6.A. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUSINESS LICENSE ORDINANCE GOVERNING MEDICAL MARIJUANA COLLECTIVES BY AUTHORIZING ADOPTION OF OPERATIONAL GUIDELINES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [O. DELGADO, J. AUBEL]:

The City Council will consider an ordinance adopting guidelines that will clarify the existing operating requirements for Medical Marijuana Collectives.

Jeffrey Aubel, Code Compliance Manager, provided background information as outlined in the staff report dated May 16, 2011.

JASON BECK, WEST HOLLYWOOD, spoke in support of the Item and spoke in support of amendments to the operational guidelines for medical marijuana collectives prior to their adoption.

ANDREW KRAMER, WEST HOLLYWOOD, spoke in support of the Item and spoke in support of amendments to the operational guidelines for medical marijuana collectives prior to their adoption.

Councilmember Land requested clarification from staff on the proposed changes to the operational guidelines requested by the collectives.

City Attorney Jenkins provided clarification regarding the proposed ordinance, which allows the City Council to adopt the operational guidelines for medical marijuana collectives by resolution at a later date.

Councilmember D'Amico requested clarification of the guidelines presented in the staff report regarding acquisition of medical marijuana and the need for further oversight by the City. He requested clarification regarding the collection of names during the acquisition process and expressed concerns regarding patients' privacy.

Mayor Duran expressed concerns regarding the guidelines in the staff report concerning acquisition and spoke regarding ongoing issues with the D.E.A. and the City's attempts to adhere to the guidelines provided by the California Attorney General. He spoke in support of the need to explore issues with the supply-side of medical marijuana as guidelines are developed. He spoke regarding the issue of medical marijuana transportation and the need to continue to consult changing State law.

City Attorney Jenkins noted a typographical error in the ordinance.

ACTION: Introduce on first reading Ordinance No. 11-865, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUSINESS LICENSE ORDINANCE GOVERNING MEDICAL MARIJUANA COLLECTIVES BY AUTHORIZING ADOPTION OF OPERATIONAL GUIDELINES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE. **Motion by Councilmember Land, seconded by Mayor Pro Tempore Prang, and unanimously approved.**

6.B. ORDINANCE AMENDING CITY'S MUNICIPAL CODE REGARDING LIMITATIONS ON CONTRIBUTIONS TO INDEPENDENT COMMITTEES [M. JENKINS, C. SCHAFFER]:

The City Council will consider adopting an ordinance that would amend the City's Municipal Code to eliminate limits on contributions to independent committees.

City Attorney Michael Jenkins provided background information as outlined in the staff report dated May 16, 2011.

Councilmember Heilman expressed concerns regarding removing limitations on contributions to independent committees and the potential for corruption.

Councilmember D'Amico requested clarification from the City Attorney regarding the implications of a possible lawsuit if the City does not adopt the proposed ordinance.

ACTION: Introduce on first reading Ordinance No. 11-866, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING WEST HOLLYWOOD MUNICIPAL CODE SECTION 2.76.030 OF CHAPTER 2.76 REGARDING ELECTION AND CAMPAIGN REGULATIONS." **Motion by Mayor Pro Tempore Prang, seconded by Mayor Duran and approved with Councilmember Heilman voting NO.**

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 9:35 p.m. to in memory of Jerry Pitts, David Rivera, Julia Emelina Delgado, and all the soldiers who died in Iraq and

Afghanistan since the last City Council meeting. It adjourned to its next regular meeting, which will be on Monday, June 6, 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 6th day of June, 2011 by the following vote:

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

JOHN J. DURAN, MAYOR

ATTEST:

COREY SCHAFFER, INTERIM CITY CLERK