

**CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JULY 18, 2011
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Duran called the meeting to order at 6:52 p.m.

PLEDGE OF ALLEGIANCE: Jimmy Palmieri led the Pledge of Allegiance.

ROLL CALL:

PRESENT: Councilmember D'Amico, Councilmember Heilman, (participating via telephone from Barcelona, Spain), Councilmember Land, Mayor Pro Tempore Prang and Mayor Duran.

ABSENT: None.

ALSO PRESENT: City Manager Arevalo, City Attorney Jenkins, City Clerk Schaffer and Assistant City Clerk Quarker.

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 two (2) public comments. He stated that the closed session adjourned at 6:45 with no reportable action.

APPROVAL OF AGENDA:

City Clerk Schaffer stated that Council was provided with a revision for Item 2M prior to the meeting.

Mayor Duran requested that Items 2.N and 2.O. be moved to the Excluded Consent Calendar.

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

Motion by Councilmember Land, seconded by Councilmember D'Amico, to approve the July 18, 2011 agenda as amended. The agenda was unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Land requested the meeting be adjourned in memory of Transportation Commissioner Kathy Page. She requested that the meeting be adjourned in memory of Ramona Hahn, Congresswoman Janice Hahn's mother. She requested that the meeting be adjourned in memory of Gail Nochimson, an arts and healthcare activist whose

husband serves on the Board of The Saban Free Clinic. She requested that the meeting be adjourned in memory of former First Lady Betty Ford.

Mayor Pro Tempore Prang requested the meeting be adjourned in memory of long time resident Fanya Kutz, wife of Russian Advisory Board Member Efim Kutz. He requested that the meeting be adjourned in memory of Jean Harris, an LGBT Community activist. He requested that the meeting be adjourned in memory of Bobby Honore, son of Barry Honore, a long-time resident. He expressed kind words to the friends and family of Kathy Page and requested that the meeting be adjourned in her memory.

Mayor Duran requested the meeting be adjourned in the memory of Kathy Page. 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: Staff Sergeant Wyatt A. Goldsmith, Specialist Frank R. Gross, Sergeant Lex L. Lewis, Sergeant Jeremy R. Summers, Seaman Aaron D. Ullom, Lance Corporal Robert S. Greniger, Specialist Rafael A. Nieves Jr., Lance Corporal Norberto Mendez Hernandez, Civilian Paul Protzenko, Sergeant Christopher P. Soderlund, Sergeant 1st Class Terryl L. Pasker, Staff Sergeant Thomas J. Dodds Dudley, Sergeant Nicanor Amper IV, Specialist Preston J. Suter, Staff Sergeant Joshua A. Throckmorton, Specialist Jordan Christopher Schumann, Staff Sergeant Michael J. Garcia, Private 1st Class James A. Waters, Sergeant Chad D. Frokjer, Corporal Kyle R. Schneider, Lance Corporal Mark R. Goyet, Lance Corporal John F. Farias, Staff Sergeant Donald V. Stacy, Corporal Michael C. Nolen, Gunnery Sergeant Ralph E. Pate Jr., Technical Sergeant Daniel L. Douville, Specialist Kevin J. Hilaman, Specialist Nicholas P. Bernier, Sergeant Marlon E. Myrie, 1st Lieutenant Dimitri A. Del Castillo, Staff Sergeant Nigel D. Kelly, Specialist Nicholas C. D. Hensley, Specialist Levi E. Del Nuncio, Corporal Gurpreet Singh, Lance Corporal Jared C. Verbeek, Private 1st Class Joshua L. Jetton, Private 1st Class Gustavo A. Rios-Ordonez, Sergeant James W. Harvey II, Sergeant Steven L. Talamantez, Specialist Nathan R. Beyers, Specialist Nicholas W. Newby, Captain Matthew G. Nielson, Captain David E. Van Camp, Specialist Robert G. Tenney Jr., Specialist Matthew R. Gallagher, Staff Sergeant Russell J. Proctor, Private 1st Class Dylan Jeffrey Johnson, Specialist Marcos A. Cintron, Sergeant Glenn M. Sewell, and Staff Sergeant Nicholas P. Bellard.

PRESENTATIONS:

Councilmember Land presented a commendation to the Jeff Griffith Youth Center GED 2011 Graduates.

Mayor Duran recognized several members from an LGBT Center visiting from Beijing, China.

Councilmember Land presented a commendation to John M. Cleary, outgoing President of the Stonewall Democratic Club.

Mayor Duran presented a proclamation to the Neighborhood Watch Captains in recognition of National Night Out.

1. PUBLIC COMMENT:

KIM DOWER, WEST HOLLYWOOD, spoke in support of Item 2.N. and the upcoming West Hollywood Book Fair and encouraged all to attend.

ANNA SWETT, CHAIR OF WEST HOLLYWOOD DISABILITIES ADVISORY BOARD, requested clarification on Items 2.J. and 2.P.

GENEVIEVE MORRILL, PRESIDENT & CEO OF WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of Item 2.V. and the upcoming Hudson Block Party.

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

RUTH WILLIAMS, WEST HOLLYWOOD, offered condolences to the family of Kathy Page. She also spoke regarding the recent 4th of July event at Plummer Park.

LEE WALKUP, WEST HOLLYWOOD, spoke regarding the governor's recent signing of SB 48; legislation to include LGBT education in K-12 schools.

IVY BOTTINI, WEST HOLLYWOOD, spoke in opposition to Item 5A, the restructuring of the City's Advisory Boards.

STEVE WARD, BEVERLY HILLS, spoke regarding the design portion of the West Hollywood Park and requested the Council to consider that the current library be kept as a historical site.

JOSH GARCIA, WEST HOLLYWOOD, spoke regarding a recent incident where he was attacked and injured while walking on Robertson Blvd.

JASON PALMER, WEST HOLLYWOOD, spoke regarding the recent public safety incident where his partner Josh Garcia was attacked. He spoke regarding issues of safety in the City and a need to raise awareness about public safety. Mayor Duran requested Public Safety Staff and the City Manager to provide a report regarding the incident.

DAVID EICHMAN, LOS ANGELES, expressed his condolences for the late Kathy Page.

DANIEL GROSSMAN, SAN CARLOS, spoke in support of Item 2J.

ED BUCK, WEST HOLLYWOOD, spoke regarding a recent Community Development Director Hearing and the City's appeal process.

VIRGINIA GILLICK, WEST HOLLYWOOD, spoke in favor of keeping the current West Hollywood Library, designed by Ed Fickett, as a historical site.

JOYCE FICKETT, BEVERLY HILLS, widow of architect Ed Fickett, spoke in favor of keeping the current West Hollywood Library as a historical site.

DEBBIE COFFEY, WEST HOLLYWOOD, spoke regarding Smart Meters and possible health problems associated with them.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding increasing the current parking requirement for three-bedroom apartments from two spaces to three in the revised General Plan.

RIC RICKLES, WEST HOLLYWOOD, expressed condolences for the late Kathy Page. He also requested that the meeting be adjourned in memory of the late Betty Ford.

RICHARD GEISBRET, WEST HOLLYWOOD, expressed concerns about information he requested from the Planning Division regarding noise issues at Craig's Restaurant and Restoration Hardware.

SCOTT SCHMIDT, WEST HOLLYWOOD, expressed condolences for the late Kathy Page.

STEVE MARTIN, WEST HOLLYWOOD, thanked Mayor Duran for pulling item 2.O. for further discussion. He expressed concerns regarding the number of billboards in the City.

ALLEGRA ALLISON, WEST HOLLYWOOD, encouraged everyone to attend the last public meeting regarding the draft general plan. She expressed concerns regarding Item 2.O. and spoke in support of Item 2.J.

MARCY NORTON, WEST HOLLYWOOD, expressed condolences for the late Kathy Page. She also requested that the meeting be adjourned in memory of Betty Ford. She also spoke regarding the upcoming National Council of Jewish Women event on July 28, 2011 titled "Choice, an Interfaith Perspective."

YOLA DORE, WEST HOLLYWOOD, expressed condolences for the late Kathy Page and her family.

MAX GESCHWIND, WEST HOLLYWOOD, spoke regarding the recent 4th of July event at Plummer Park. He also requested that the meeting be adjourned in memory of Betty Ford.

CHARLES FLOWERS, WEST HOLLYWOOD, spoke in support of Item 2.O.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding issues with the City's Planning Division and their responsiveness regarding a Community Development Director's hearing. She expressed concerns regarding a proposal for unbundled parking associated with the revised General Plan.

COUNCILMEMBER COMMENTS:

Councilmember Heilman expressed condolences for the late Kathy Page. He also thanked everyone for allowing him to participate via telephone. He recognized the representatives in attendance from China. He also congratulated the students from the Jeff Griffith Youth Center who were recognized for receiving their GED. He spoke regarding the recent public safety incident on Robertson Boulevard and asked staff to look into creating a BID in the Robertson & Santa Monica area.

Councilmember Land recognized the attendance of New York State Senator Thomas Duane. She spoke regarding New York passing legislation for Marriage Equality. She also spoke regarding Bandit Taxi Cabs, cabs that have not been approved by the City of West Hollywood, and urged citizens to only get into cabs that have the seal from the City. She spoke regarding the recent 4th of July event and thanked Ruth Williams for her leadership in organizing the event. She spoke regarding upcoming events in the city, including: an art installation titled "Elemental"; the Summer Sounds concerts; and a musical version of Shakespeare's "As You Like It". She spoke regarding the National League of City's Discount Prescription Drug Program.

Senator Duane thanked the Councilmembers and their deputies. He applauded the legislation recently signed by California's Governor regarding LGBT education in schools. He spoke regarding same-sex marriage in California and the recently passed legislation in New York regarding marriage equality. He spoke regarding the new West Hollywood Library and the City's commitment to overall healthcare and social services, and offered his assistance when needed.

Councilmember D'Amico recognized Stevie Nicks and Jimmy Palmieri and their efforts to assist the Jeff Griffith Youth Center, which helps students to receive their GED. He spoke regarding public comment surrounding a recent Community Development Director's hearing and stated that he will be requesting his Planning Commissioner to request a review of the decision regarding the proposed restaurant at Laurel Hardware.

Mayor Pro Tempore Prang spoke regarding pot holes on the 1200 block of Orange Grove and requested City staff to investigate. He also spoke regarding public comment surrounding a recent Community Development Director's hearing and the need for the public to receive information in a timely manner. He spoke regarding the possibility of a moratorium on outdoor signage until the council can discuss the issue further.

Mayor Duran spoke regarding his recent participation at the annual conference of the National Association of Latino Elected Officials.

CITY MANAGER'S REPORT:

City Manager Arevalo asked Captain Frasier to speak on the recent public safety incident on Robertson Boulevard.

Captain Frasier spoke regarding the recent attack on Robertson Boulevard and expressed concern regarding the incident and assured everyone that it is not acceptable. She stated that there is an ongoing investigation and that there will be ongoing communication with the residents and businesses to prevent these types of acts. She requested residents and visitors to work together and help by calling 911 if someone comes to you for assistance. Mayor Duran also stated that the Parking Manager is working with the parking staff regarding their response to this incident.

City Manager Arevalo spoke regarding the current West Hollywood Library, and provided clarification that it is scheduled to be demolished as part of the West Hollywood Park Master Plan. He spoke regarding the environmental report and all of the research done regarding this issue. He also spoke regarding the fur ban ordinance. He stated that the City Attorney reviewed the issue and the City is moving forward with a draft ordinance, which will be brought to Council in September. He requested that an Ad-hoc committee, consisting of Councilmember D'Amico and Councilmember Prang, be created to help review the ordinance.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$333,564 in expenditures and \$0 in potential revenue.

2. CONSENT CALENDAR:

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

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, July 18, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, July 14, 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 June 20, 2011. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 677, RESOLUTION NO. 11-4193:

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

ACTION: Approve Demand Register No. 677 and adopt Resolution No. 11-4193, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 677". **Approved as part of the Consent Calendar.**

2.D. DEMAND REGISTER NO. 678, RESOLUTION NO. 11-4194:

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

ACTION: Approve Demand Register No. 678 and adopt Resolution No. 11-4194, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 678". **Approved as part of the Consent Calendar.**

2.E. 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 Ranjna Gill, Sue Tsang, Sierra Towers Condominium Association, Ken Borenstein, Jacqueline Berg and Andrew Ramlow and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.F. TREASURER'S REPORTS FOR FEBRUARY 2011 [A. GANDHY, G. SCHUCHARD]:

The City Council will receive the Treasurer's Report for the months ended February 2011 pursuant to Section 53646 of the Government Code of the State of California.

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

2.G. ORDINANCE NO. 11-868 (2ND READING), REGARDING LIVING WAGE REQUIREMENTS FOR SERVICE CONTRACTS [C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 11-868, a proposed ordinance regarding living wage requirements for service contracts.

ACTION: Waive further reading and adopt Ordinance No. 11-868, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING WEST HOLLYWOOD MUNICIPAL CODE CHAPTER 3.20, LIVING WAGE REQUIREMENTS FOR SERVICE CONTRACTS." **Approved as part of the Consent Calendar.**

2.H. A RESOLUTION ESTABLISHING A LIVING WAGE RATE FOR 2011-2012 OF \$11.42/HR WITH HEALTH BENEFIT CONTRIBUTIONS AND \$12.67/HR WITHOUT HEALTH BENEFIT CONTRIBUTIONS [V. LOVE, T. BROWN]:

The City Council will consider adopting a resolution that establishes the living wage rate for 2011-2012 to be \$11.42/hr. with health benefit contributions and \$12.67/HR without health benefit contributions effective August 17, 2011 for all new contracts and upon renewal of existing contracts that are subject to Chapter 3.20 of the Municipal Code.

ACTION: Adopt Resolution No. 11-4195 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING

PURSUANT TO MUNICIPAL CODE SECTION 3.20.040 A LIVING WAGE RATE FOR 2011-2012 OF \$11.42/HR WITH HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR AND \$12.67/HR WITHOUT HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR".
Approved as part of the Consent Calendar.

2.I. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Disabilities Advisory Board, the Public Safety Commission and the Women's Advisory Board on actions taken at their recent meetings.

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

2.J. POTENTIAL COLLABORATION WITH ZIPCAR [J. HEILMAN, F. SOLOMON]:

The City Council will consider giving direction to staff to explore a potential collaboration with Zipcar.

ACTION: 1) Direct staff to meet with representatives of Zipcar to analyze whether it is mutually beneficial to enter into an agreement with the company to provide its services to residents and visitors in the City of West Hollywood; and 2) If found to be beneficial, authorize staff to negotiate the terms of an agreement with Zipcar and present the agreement and related recommendations to the Transportation Commission and City Council for approval. **Approved as part of the Consent Calendar.**

2.K. WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION THIRD QUARTER REPORT FOR 2010-2011 AND ANNUAL CONTRACT FOR 2011-2012 [A. WINDERMAN, J. SKORNECK, R. BURNLEY]:

The City Council will receive the Third Quarter Report of the West Hollywood Community Housing Corporation (WHCHC) for Fiscal Year 2010-2011 and consider approval of an annual contract for 2011-2012.

ACTION: 1) Receive and file the Third Quarter Report for 2010-2011; and 2) Authorize the City Manager to execute the annual contract for 2011-2012 in an amount not to exceed \$225,000 in substantially the form attached. **Approved as part of the Consent Calendar.**

2.L. RESOLUTION AMENDING THE AFFORDABLE HOUSING SCHEDULE FOR THE INCLUSIONARY HOUSING PROGRAM [A. WINDERMAN, J. SKORNECK, R. BURNLEY]:

The City Council will consider adopting a resolution amending the Affordable Housing Schedules for the Inclusionary Housing Program by establishing the 2011-2012 rent levels, income requirements and unit sales price for inclusionary units.

ACTION: Adopt Resolution No. 11-4196 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE AFFORDABLE HOUSING SCHEDULES." **Approved as part of the Consent Calendar.**

2.M. APPROVAL OF ONE NEW AND ONE REVISED CLASSIFICATION SPECIFICATIONS AND AUTHORIZE RECLASSIFICATION OF FOUR POSITIONS [V. LOVE, L. BOCK, S. SCHUMACHER]:

The City Council will consider the recommendation from the Human Resources Division for approval of one revised, one new classification specification, and reclassification of four positions.

ACTION: 1) Approve the reclassification of the Digital Media Coordinator position within the Public Information and Prosecution Services Department. Approve the revised classification specification of Digital Media Coordinator. Authorize salary placement from Grade 5250 to Grade 5270. The salary difference has been included in the FY 2011-2012 budget; 2) Authorize the reclassification of one of the Administrative Specialist IV positions within the Administration Division of the Community Development Department to Administrative Coordinator. Approve the new classification specification of Administrative Coordinator and authorize salary placement from Grade 5220 to Grade 5260. The salary difference has been included in the FY 2011-2012 budget; 3) Authorize the reclassification of one Maintenance Technician position to Senior Maintenance Technician within the Facilities and Field Services Division of the Human Services Department. Authorize salary placement from Grade 5190 to Grade 5210. The salary difference has been included in the FY 2011-2012 budget; and 4) Authorize the reclassification of the Plan Check Engineer position to Senior Plan Check Engineer within the Building and Safety Division of the Community Development Department. Authorize salary placement from Grade 5270 to Grade 5290. The salary difference has been included in the FY 2011-2012 budget. **Approved as part of the Consent Calendar.**

2.N. WEST HOLLYWOOD LIBRARY GRAND OPENING AND 10TH ANNUAL BOOK FAIR [S. BAXTER, O. WALKER, C. WORLAND]:

The City Council will consider approving a contract amendment with Authentic Agency to provide production services for the 10th Annual West Hollywood Book Fair on Sunday, October 2, 2011, and signage, equipment and stage production for the Dedication and Grand Opening of the New West Hollywood Library on Saturday, October 1, 2011.

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

2.O. APPROVAL OF AGREEMENT FOR CONSULTANT SERVICES FOR CITY'S 10TH ANNUAL BOOK FAIR AND WOMEN'S LEADERSHIP CONFERENCE 2012 [S. BAXTER, O. WALKER, V. LOVE]:

The City Council will consider approving a contract with Roz Helfand to provide consulting services related to the 2011, 10th Annual Book Fair, and the Women's Leadership Conference in 2012.

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

2.P. AGREEMENT RENEWAL WITH JEWISH FAMILY SERVICES FOR RECEPTIONIST SERVICES AT THE PLUMMER PARK COMMUNITY CENTER [S. BAXTER, O. WALKER]:

The City Council will consider renewing the agreement with Jewish Family Services for reception services at the Plummer Park Community Center.

ACTION: 1) Approve a one-year agreement from July 1, 2011 through June 30, 2012 with Jewish Family Services in an amount not to exceed \$40,000 for reception area services at the Plummer Park Community Center; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.Q. APPROVAL OF MOU AGREEMENTS WITH LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY (LACMTA) RELATED TO PROPOSITION A INCENTIVE FUNDS AND THE DIAL A RIDE AND TAXI COUPON TRANSIT PROGRAMS [S. BAXTER, D. DENNIS, P. GOODMAN]:

The City Council will consider the approval of a one year agreement with the Los Angeles County Metropolitan Transit Authority (LACMTA) which will reimburse Proposition A shared incentive funds for coordination of services with the City of Beverly Hills and for reporting statistics to the National Transit Database (NTD) for the Dial A Ride and Taxi Coupon transit programs.

ACTION: 1) Authorize the City Manager to execute MOU agreements with the Los Angeles County Metropolitan Transit Authority (LACMTA) for Proposition A shared incentive funds for the coordination of services with the City of Beverly Hills and for the reporting of statistical data to the National Transit Database; and 2) Authorize the Director of Finance to accept up to twenty-five percent (25%) reimbursement of Prop A net operating costs for the Taxi Coupon and Dial A Ride programs to be re-deposited to the Prop A expense account. **Approved as part of the Consent Calendar.**

2.R. CONTRACT WITH THE CITY'S LEGISLATIVE ADVOCATE, CHRISTINE MINNEHAN & ASSOCIATES [A. WINDERMAN, D. MEADOWS]:

The City Council will consider the approval of a Contract for housing legislative advocate Christine Minnehan & Associates (CM&A).

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

2.S. CONTRACT WITH TOTAL RECALL FOR CAPTIONING OF CITY MEETINGS AND SPECIAL EVENTS [H. GOSS, S. BAXTER, D. DENNIS]:

The City Council will consider contracting with Total Recall for captioning of City Council, Planning Commission, Rent Stabilization Commission, Disability Advisory Board meetings and select City special events.

ACTION: 1) Approve a contract with Total Recall for two years for \$31,000 each year to provide captioning services for the select City

meetings and special events; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.T. APPROVAL OF AN INCREASE TO THE CHANGE ORDER CONTINGENCY FOR THE CONSTRUCTION CONTRACT FOR CIP 1107, METRO RAPID BUS TRAFFIC SIGNAL SYSTEM INTERCONNECT (IN SAN VICENTE BLVD. FROM SANTA MONICA BLVD. TO MELROSE AVE) [O. DELGADO, S. PERLSTEIN]:

The City Council will consider increasing the contingency for the City Engineer to manage Change Orders for work on the construction contract on CIP 1107, Metro Rapid Bus Traffic Signal System Interconnect (in San Vicente Blvd. from Santa Monica Blvd. to Melrose Avenue).

ACTION: Authorize the City Engineer to manage Change Orders for work on the construction contract for CIP 1107, Metro Rapid Bus Traffic Signal System Interconnect (in San Vicente Blvd. from Santa Monica Blvd. to Melrose Avenue) in an amount not to exceed 25% of the contract amount.

Approved as part of the Consent Calendar.

2.U. NATIONAL NIGHT OUT AGAINST CRIME IN WEST HOLLYWOOD [K. COOK, L. MANUKIAN]:

The City Council will consider designating Tuesday, August 2, 2011 as National Night Out in West Hollywood and approve various administrative requests to assist in the success of National Night Out events.

ACTION: 1) Proclaim August 2, 2011 "National Night Out" in West Hollywood; 2) Approve all street closures for National Night Out block parties; and 3) Approve the City's official sponsorship of all West Hollywood National Night Out events and waive all City fees associated with this event. **Approved as part of the Consent Calendar.**

2.V. CHANGE OF DATE, THE HUDSON WEST HOLLYWOOD BLOCK PARTY [S. BAXTER, O. WALKER, C. SMITH]:

The City Council will consider a requested date change for The Hudson West Hollywood Block Party.

ACTION: Approve a requested date change for The Hudson's West Hollywood Block Party from July 30, 2011 to August 13, 2011. **Approved as part of the Consent Calendar.**

2.W. A RESOLUTION IN SUPPORT OF "CLEAN L.A." [A. LAND, C. PLANCK, J. PRANG, M. HAIBACH, C. LOPEZ]:

The City Council will consider adopting a resolution in support of "Clean L.A.": a Los Angeles County pledge to promote a cleaner, safer and healthier environment for its residents.

ACTION: 1) Adopt Resolution No. 11-4197, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF CLEAN L.A.: A LOS ANGELES COUNTY PLEDGE TO PROMOTE A CLEANER, SAFER AND HEALTHIER ENVIRONMENT FOR ITS RESIDENTS"; 2) Direct Public Information staff to provide promotional

assistance for the events of Clean L.A., including, but not limited to, inclusion of resources and program information on the City's website and news briefs; and 3) Direct staff in the Department of Public Works to facilitate participation in Clean L.A. from businesses and residents. **Approved as part of the Consent Calendar.**

2.X. A RESOLUTION IN SUPPORT OF SB 568 (LOWENTHAL) RECYCLING: POLYSTYRENE FOOD CONTAINERS [A. LAND, C. PLANCK, C. LOPEZ]:

The City Council will consider adopting a resolution in support of SB 568 (Lowenthal) Recycling: Polystyrene Food Containers.

ACTION: 1) Adopt Resolution No. 11-4198, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 568 (LOWENTHAL) RECYCLING: POLYSTYRENE FOOD CONTAINERS; and 2) Direct staff to send copies of the signed resolution to State Senators Alan Lowenthal and Fran Pavley, State Assemblymembers Julia Brownley, Bob Wieckowski and Mike Feuer. **Approved as part of the Consent Calendar.**

2.Y. SUPPORT OF FIREFIGHTERS' "FILL THE BOOT" CAMPAIGN TO BENEFIT THE MUSCULAR DYSTROPHY ASSOCIATION [A. LAND, C. PLANCK]:

The City Council will consider supporting the "Fill the Boot" campaign conducted annually by firefighters throughout the country to benefit the Muscular Dystrophy Association, and in West Hollywood August 3-5, 2011.

ACTION: 1) Approve the City of West Hollywood's support for the "Fill the Boot" campaign conducted annually by firefighters throughout the country to benefit the Muscular Dystrophy Association; 2) Approve the use of the intersection at Sunset Boulevard and Doheny August 3-5 and waive special event permit fees; and 3) Direct PIO staff to assist with the coordination and promotion of the event. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. PUBLIC HEARING TO SOLICIT COMMENTS ON THE PROPOSED MASTER LOAN AGREEMENT AMONG THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY, FIRST REPUBLIC BANK AND THE CENTER FOR EARLY EDUCATION [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 enter into a Master Loan Agreement with First Republic Bank and The Center for Early Education (the "Borrower") to finance and refinance various capital improvements with respect to certain educational facilities located at 563 North Alfred

Street in West Hollywood, California (the "Project"). The adoption of the resolution will not require the City to be financially obligated nor liable, nor provide any financing to the Project.

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

Gina Schuchard, Accounting Services Manager, provided background information as outlined in the staff report dated July 18, 2011.

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

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

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the Item but spoke in opposition to bank inter-change fees.

Mayor Duran closed the public hearing

Mayor Duran provided clarification that the City of West Hollywood will have no financial obligation in association with this item.

ACTION: 1) Conduct a public hearing under the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") in connection with the proposed Master Loan Agreement by the California Statewide Communities Development Authority in an amount not to exceed \$18,000,000 for the purpose of financing and refinancing The Center for Early Education (the "Project"); and 2) Adopt Resolution No. 11-4199, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A PROPOSED MASTER LOAN AGREEMENT AMONG THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY, FIRST REPUBLIC BANK AND THE CENTER FOR EARLY EDUCATION." **Motion by Mayor Pro Tempore Prang, seconded by Councilmember Land and unanimously approved.**

3.B. REQUEST TO REPLACE AN EXISTING DOUBLE-SIDED ROOF MOUNTED BILLBOARD WITH A LARGER DOUBLE-SIDED POLE MOUNTED BILLBOARD AT 8335 SUNSET BOULEVARD [A. MCINTOSH, J. KEHO, D. DEGRAZIA]:

The Council will consider an application to replace a roof mounted double-sided 10 ft. x 30 ft. billboard with a pole mounted, v-shaped double-sided 14 ft. x 48 ft. billboard and raise the height by ten feet for a maximum height of 70 ft. The proposed project is located at 8335 Sunset Boulevard.

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

David DeGrazia, Senior Planner, provided background information as outlined in the staff report dated July 18, 2011.

Councilmember Land requested clarification regarding the billboard height in the new design.

Councilmember Heilman stated that he received a letter from the applicant and spoke with the billboard company.

Councilmember Land disclosed a site visit and the receipt of correspondence from the applicant.

Councilmember D'Amico disclosed communication with the applicant.

Mayor Pro Tempore Prang stated that he received correspondence and met with applicant.

Mayor Duran visited the site, received correspondence and spoke with the applicant.

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

MARK LEHMAN, REPRESENTING THE APPLICANT, spoke in opposition to the recommendation in the staff report and in support of the proposed billboard as revised by the applicant.

JACK WISHARD, LOS ANGELES, spoke in support of the Item and denial of the project.

PAMELA WISHARD, LOS ANGELES spoke in support of the Item and denial of the project.

LYNN HOOPINGARNER, WEST HOLLYWOOD, spoke in support of the Item and denial of the project.

LINDSAY FLORIN, LOS ANGELES, spoke in support of the Item and denial of the project.

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

Mayor Duran spoke in opposition to the Item and in support of the proposed billboard as revised by the applicant. He provided clarification and stated that this would be replacing an existing billboard and the City would receive additional revenue. He spoke regarding how the revenue

could be used and how the Council has to consider their responsibility to the constituents.

Councilmember Land spoke in support of the Item and denial of the project, particularly due to the size of the proposed billboard. She stated that there are other ways to generate revenues for City programs. However, if it is approved, she stated that she has concerns regarding the development agreement and how revenues generated from billboards are dispersed. She spoke in support of investigating the possibility of redirecting a portion of the revenues from billboards on the Sunset Strip to the Sunset Strip Business Improvement District.

Councilmember D'Amico spoke in opposition of the Item and in support of the proposed billboard as revised by the applicant. He also expressed concerns with the revenue stream surrounding this issue, and spoke in support of investigating the possibility of redirecting a portion of the revenues from billboards on the Sunset Strip to the Sunset Strip Business Improvement District. He spoke regarding the need for the City to continue to investigate how to get the most exciting signage possible on the Sunset Strip. He spoke in opposition to changing the billing period to a monthly billing, instead of a four week billing cycle.

Mayor Pro Tempore Prang spoke in opposition to the Item and in support of the proposed billboard as revised by the applicant. He spoke regarding the advertising on Sunset Strip and stated that he supports creative and thoughtful advertising. He spoke in support of a discussion to consider a moratorium on signage until Council has the opportunity for further policy discussions. He stated that the revisions that were made to the proposed billboard by the applicant, help mitigate concerns by constituents. He spoke in opposition to a portion of the funds received from billboards being allocated to the Sunset Strip BID.

Councilmember Heilman spoke in opposition to the Item and in support of the proposed billboard as revised by the applicant. He spoke in opposition to changing the billing period to a monthly billing, instead of a four week billing cycle. He spoke in favor of allowing for the restoration of the existing billboard if the development agreement is not extended for the full forty years. He spoke in opposition to a portion of the funds received from billboards being allocated to the Sunset Strip BID.

City Attorney Jenkins spoke regarding the issues surrounding what will happen at the end of this particular development agreement and how the City would not be locked into a non-conforming right, rather it would be up to the City council's discretion after 20 or 40 years to decide the plan for the site at that time. He stated that allowing the owner to resume having a right that could change over time, would not be prudent. He stated that his position is that these non-conforming rights be abated as a quid pro

quo. He further stated that the developer proposed the revised payment schedule and noted that if council approves this change to this agreement, it would have to be changed on others as well.

Mayor Duran expressed concerns regarding forcing a property owner to take on the risk of losing rights that they have already in order to enter into a development agreement.

The Consultant provided clarification on the proposed four week payment schedule.

Deputy City Manager/Director of Community Development Anne McIntosh provided clarification on the City's current billboard policy.

City Manager Arevalo provided clarification regarding the possibility of directing a portion of the revenue received from billboards to the Sunset Strip Business Improvement District; and spoke regarding the complexity of revising the entire assessment for the BID.

Councilmember Land spoke in support of including a portion of funds generated from billboards to be allocated to the BID, but expressed concerns regarding amending the entire assessment of the BID. She spoke in support of a future discussion regarding how funds from billboards are spent.

Todd Steadman, Executive Director of the Sunset Strip Business Improvement District, spoke regarding the current assessment categories and the annual rates for the Sunset BID.

Mayor Duran closed the public hearing.

Councilmember Heilman made a motion for Staff to return to Council with the appropriate resolutions and ordinances approving the application with the sign modifications; approve the development agreement with a revision to allow the owner to restore the existing sign if the agreement is not extended to the full 40 years; to retain the current proposed payment schedule; and to return with a policy discussion regarding the Sunset BID and providing an assessment to property owners of buildings with tall walls or billboards. The motion was seconded by Mayor Pro Tempore Prang.

Councilmember D'Amico proposed an amendment to include an assessment fee of \$5000 toward the Sunset BID in the development agreement.

Mayor Pro Tempore Prang spoke in opposition to the change in the development agreement regarding the 20 year reversal to the existing entitlements.

ACTION: Direct Staff to return with the appropriate resolutions and ordinances to 1) approve the application for the proposed revised billboard; 2) adopt the development agreement with the following modifications: a) include a provision that if the development agreement is not extended after the first term for an additional 20 years, the owner will have the nonconforming right to erect a sign in the same location, configuration and size as the sign that is currently on the property for an additional 20 years; and b) require the owner to contribute \$5,000 annually to the Sunset Boulevard Business Improvement District. **Motion by Councilmember Heilman, seconded by Councilmember D'Amico and approved noting Councilmember Land's NO vote.**

3.C. REQUEST TO REPLACE AN EXISTING V-SHAPED BILLBOARD WITH A TWO-SIDED BILLBOARD AND RAISE APPROXIMATELY 14 FEET IN OVERALL HEIGHT LOCATED AT 8535 SUNSET BOULEVARD [A. MCINTOSH, J. KEHO, A. GALLO]:

The City Council will consider a request to replace a two-sided 16 ft. x 25 ft. billboard atop a single-pole structure with a two-sided 14 ft. x 48 ft. billboard and raise the height by fourteen feet for a maximum height of 68 ft. The proposed project is located at 8535 Sunset Boulevard.

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

Adrian Gallo, Associate Planner, provided background information as outlined in the staff report dated July 18, 2011.

Councilmember Land disclosed a site visit and discussions with the applicant.

Councilmember D'Amico stated that he visited the driveway of a concerned resident, and had conversations with the applicant.

Mayor Pro Tempore Prang disclosed a site visit and discussions with the applicant.

Councilmember Heilman recused himself from this item because of the proximity to his residence.

Mayor Duran disclosed a meeting with the applicant.

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

STEVE AFRIAT, REPRESENTING THE APPLICANT, spoke in support of the Item.

GENEVIEVE MORRILL, PRESIDENT AND CEO OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the item and approval of the application.

G.G. VERONE, LOS ANGELES, spoke in opposition to the item.

MARK KRAJEWSKI, WEST HOLLYWOOD, spoke in opposition to the item.

JACK LEBOUF, WEST HOLLYWOOD, spoke in opposition to the item.

TODD STEADMAN, EXECUTIVE DIRECTOR OF THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT, spoke in support of the item.

Mayor Pro Tempore Prang requested clarification from the applicant regarding a possible alternate location and positioning of the sign suggested during public comment.

Councilmember Land spoke in opposition to the item and expressed concerns regarding the height.

Councilmember D'Amico spoke in support of the Item and stated that he was in support of making consistent revisions to the development agreements for all the proposed billboards on the agenda.

Mayor Duran spoke in support of the Item but expressed concerns regarding issues brought forth by Ms. Verone during public comment. He spoke regarding the possibility of tabling the Item to give the residents in the area and developer an opportunity to work out any issues.

Mayor Pro Tempore Prang suggested approving the ordinances on first reading with the provision that the parties will try to work out any issues before the final adoption.

ACTION: 1) Continue the public hearing to August 15, 2011; 2) Introduce on first reading of Ordinance No. 11-869, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A ZONE MAP AMENDMENT, IN CONJUNCTION WITH THE PROPOSED DEVELOPMENT AGREEMENT, FOR THE PROPERTY LOCATED AT 8535 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A); 3) Introduce on first reading Ordinance No. 11-870, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING A DEVELOPMENT AGREEMENT ASSOCIATED WITH A TWO-SIDED 14-FOOT-HIGH x 48-FOOT-WIDE BILLBOARD ATOP A SINGLE-POLE STRUCTURE, LOCATED AT 8535 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT B); with the following modifications: a) include a provision

that if the development agreement is not extended after the first term for an additional 20 years, the owner will have the nonconforming right to erect a sign in the same location, configuration and size as the sign that is currently on the property for an additional 20 years; and b) require the owner to contribute \$5,000 annually to the Sunset Boulevard Business Improvement District. ; 4) direct staff to return with a resolution approving a billboard permit, to replace an existing two-sided 16-foot-high x 25-foot-wide billboard with a two-sided 14-foot-high x 48-foot-wide billboard and raise the height by 14 feet to a max height of 68 feet for the property located at 8535 sunset boulevard; and 5) direct the applicant to work with the residents in the area to help mitigate any concerns regarding the billboard. **Motion by Mayor Duran, seconded by Councilmember D'Amico and approved noting Councilmember Land's NO Vote and Councilmember Heilman's ABSTENTION.**

3.D. REQUEST TO CONSTRUCT A V-SHAPED BILLBOARD SIGN ON AN EXISTING HOTEL BUILDING LOCATED AT 8462 SUNSET BOULEVARD. (THE GRAFTON HOTEL) [A. MCINTOSH, J. KEHO, J. ALKIRE]:

A request to install a new v-shaped billboard to be located above the roof of an existing hotel (Grafton Hotel). The proposed project is located at 8462 Sunset Boulevard.

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

Jennifer Noel Alkire, Associate Planner, provided background information as outlined in the staff report dated July 18, 2011.

Councilmember Heilman disclosed a meeting with the applicant and stated that the billboard site is outside the 500' radius of his residence.

Councilmember Land disclosed a site visit and meetings with the applicant.

Councilmember D'Amico and Mayor Duran disclosed discussions with the applicant.

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

MARK LEHMAN AND ELLIA THOMPSON, REPRESENTING THE APPLICANT, spoke in support of the Item and spoke in support of the 60' height allowance.

TIM IRONS, REPRESENTING THE MONDRIAN HOTEL, spoke in support of the Item with the proposed horizontal sign.

GINO POLIZZOTO, HERMOSA BEACH, representing the Millennium Property, spoke in support of the Item with the proposed vertical sign.

ANDREW JEBB, LOS ANGELES, spoke in opposition to the Item, particularly the proposed vertical sign.

GENIVIEVE MORRILL, PRESIDENT AND CEO OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the Item.

ALESHA RUCCI, LOS ANGELES, spoke in opposition to the Item, particularly the proposed vertical sign.

JOHN DOUPONCE, WEST HOLLYWOOD, representing the Grafton Hotel, spoke in support of the Item and thanked City Staff.

Councilmember Land spoke in support of the Item; requested that the height be reduced to 55-56 feet to be more in conformance with the Sunset Specific Plan; and that the sign be horizontal.

Councilmember Heilman spoke in support of the Item if it remains horizontal and if the height is reduced to 56 feet.

Councilmember D'Amico spoke in support of the Item if it remains horizontal and if the height is reduced to 56 feet.

Mayor Pro Tempore Prang spoke in support of the Item if it remains horizontal and if the height is reduced to 56 feet.

Mayor Duran spoke in support of the Item if it remains horizontal and if the height is reduced to 56 feet. He requested that the previous amendments to the development agreement in Items 3.B. and 3.C. be made as well.

Mayor Duran closed the public hearing.

ACTION: Staff recommends that the West Hollywood City Council hold the public hearing, consider all pertinent testimony, and conditionally approve the application request by adopting the following: 1) Introduce on first reading Ordinance No. 11-871, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A NEGATIVE DECLARATION AND A ZONING MAP AMENDMENT IN CONJUNCTION WITH A PROPOSED DEVELOPMENT AGREEMENT FOR THE PROPERTY AT 8462 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A); 2) Introduce on first reading Ordinance No. 11-872, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A DEVELOPMENT AGREEMENT ASSOCIATED WITH A NEW V-SHAPED BILLBOARD LOCATED ABOVE THE ROOF OF THE EXISTING HOTEL

(THE GRAFTON HOTEL) LOCATED AT 8462 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT B) with the following revision: a) require the owner to contribute \$5,000 annually to the Sunset Boulevard Business Improvement District; and 3) Adopt Resolution No. 11-4200, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A BILLBOARD PERMIT TO INSTALL A NEW 48 FOOT WIDE BY 14 FOOT TALL V-SHAPED BILLBOARD STRUCTURE ABOVE THE ROOF OF AN EXISTING HOTEL BUILDING (THE GRAFTON HOTEL) LOCATED AT 8462 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.” (ATTACHMENT C). **Motion by Mayor Pro Tempore Prang, seconded by Councilmember D’Amico and unanimously approved.**

- 3.E. REQUEST TO INSTALL A NEW TWO-SIDED BILLBOARD ATOP OF THE EXISTING COMMERCIAL BUILDING AT 9039 SUNSET BOULEVARD. (KEY CLUB) [A. MCINTOSH, J. KEHO, A. CASTILLO]:**
The City Council will consider a request to install a new 48-foot-wide x 14-foot-tall, two-sided billboard with an overall height of 70 feet atop of an existing commercial building located at 9039 Sunset Boulevard (Key Club).

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

Councilmember Heilman stated that he visited the site.

Councilmember Land stated that she visited the site.

Antonio Castillo, Associate Planner, provided background information as outlined in the staff report dated July 18, 2011.

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

JEFF SEYMOUR, REPRESENTING THE APPLICANT, spoke in support of the Item.

DEREX WALKER, WEST HOLLYWOOD, spoke in opposition to the Item.

EREZ CHAIM, WEST HOLLYWOOD, spoke in support of the Item.

GENEVIEVE MORRILL, PRESIDENT AND CEO OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the Item

Mayor Duran closed the public hearing.

Councilmember Heilman spoke in support of the Item. He stated that he does not condone the problems with public safety at the Key Club, and

that the owners of the property need to continue to work with the City to address public safety issues.

Councilmember Land spoke in opposition to the Item, particularly the proposed height. She spoke regarding the need for the owner of the property to continue to work with the City to address public safety problems. She provided clarification that the development agreement contains a provision requiring the property owner to help mitigate impacts on the residents due to lighting.

Councilmember D'Amico spoke in support of the item. He stated that he does not condone the problems with public safety at the Key Club, and that the owners of the property need to continue to work with the City to address public safety issues.

Mayor Pro Tempore Prang spoke in support of the Item and requested the property owner to work with residents to help mitigate their issues. He also expressed his concerns regarding the safety issues with the Key Club. He proposed an amendment to the development agreement to include a provision that in the event the Business License Commission suspends the license of the current operator that the billboard rights will be suspended during the period of revocation.

Mayor Duran spoke in support of the item, but in opposition to the amendment suggested by Mayor Pro Tempore Prang regarding the suspension of the current operator's business license.

ACTION: Staff recommends that the City Council hold the public hearing, consider all pertinent testimony, adopt the Negative Declaration, and conditionally approve the project by adopting the following: 1) Introduce on first reading Ordinance No. 11-873, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND OF ZONING MAP AMENDMENT, IN CONJUNCTION WITH THE PROPOSED DEVELOPMENT AGREEMENT, FOR THE PROPERTY LOCATED AT 9039 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA (KEY CLUB)." (ATTACHMENT A); 2) Introduce on first reading Ordinance No. 11-874, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING A DEVELOPMENT AGREEMENT ASSOCIATED WITH A NEW TWO-SIDED 48-FOOT-WIDE x 14-FOOT-TALL BILLBOARD ATOP OF THE EXISTING COMMERCIAL BUILDING AT 9039 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA (KEY CLUB)." (ATTACHMENT B) with the following modifications to the development agreement: a) require the owner to contribute \$5,000 annually to the Sunset Boulevard Business Improvement District; and b) include a provision that in the event the Business License Commission suspends the license of the current operator that the billboard rights will be

suspended during the period of revocation; and 3) Adopt Resolution No. 11-4201, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A BILLBOARD PERMIT TO INSTALL A NEW 48-FOOT-WIDE X 14-FOOT-TALL, TWO-SIDED BILLBOARD ATOP OF AN EXISTING COMMERCIAL BUILDING AT 9039 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA (KEY CLUB)." (ATTACHMENT C). **Motion by Mayor Pro Tempore Prang, seconded by Councilmember D'Amico and approved noting Mayor Duran's NO Vote and Councilmember Land's NO Vote.**

4. UNFINISHED BUSINESS: None

5. NEW BUSINESS:

5.A. DISCUSSION OF ADVISORY BOARDS [J. D'AMICO, M. REX, J. PRANG, M. HAIBACH]:

The City Council will discuss issues related to the organization of the City's Advisory Boards.

Councilmember D'Amico and Mayor Pro Tempore Prang provided background information as outlined in the staff report dated July 18, 2011.

STEVE PARGAMANIK, WEST HOLLYWOOD, spoke in support a uniform number of members for all advisory boards.

Councilmember Land spoke regarding previous discussions of the advisory boards and the fact that the members are reflective of the demographics of each community. She expressed concerns regarding reducing the number of members on various advisory boards and the fact that some current members who have gained expertise over the years will be lost. She spoke in support of maintaining the advisory boards as at-large appointments. She expressed concerns regarding increasing the size of boards which currently struggle to maintain a quorum.

Councilmember Heilman spoke regarding the natural rotation that has existed on the boards over the last few years. He spoke in support of advisory board members being able to serve the community broadly as opposed to serving a single Councilmember. He spoke regarding the possibility of trying direct appointments for a few of the boards initially.

Mayor Duran spoke in support of the Item and stated that he wants to have a better connection with the Advisory Boards.

Mayor Pro Tempore Prang asked for clarification regarding the number of members on the Disabilities Advisory Board. He spoke regarding the possibility of changing the Lesbian and Gay Advisory Board to have the same number of members as the other boards.

Councilmember D'Amico suggested that the Item be adopted as recommended and reassessed for effectiveness in two years.

Councilmember Land requested that, if adopted, the revisions be reviewed by Council within 12 months to measure their effectiveness.

ACTION: Approve the following recommendations and direct staff to prepare a resolution reflecting the following changes to the membership of the City's Advisory Boards: 1) Membership: Each Advisory Board, with the exception of the Lesbian and Gay Advisory Board, will consist of four members appointed at-large by the City Council in addition to one member directly appointed by each Councilmember, for a total of nine (9) members per Advisory Board. The Lesbian and Gay Advisory Board will consist of five male members directly appointed by each Councilmember, respectively and five female members directly appointed by each Councilmember, respectively for a total of ten (10) members. a) Each member of an Advisory Board appointed directly by individual councilmembers shall serve a two-year term commencing on June 1st following a general municipal election. Upon expiration of the term of office, each such Advisory Board member shall continue to serve until his/her successor is appointed and qualified. Each such member of the Advisory Board serves at the pleasure of the appointing councilmember and may be removed by that councilmember at any time. In the event the office of a councilmember becomes vacant during the term thereof, and until the office is filled, the Advisory Board member appointed by such councilmember may be removed by a majority vote of the City Council; and b)The four Advisory Board members appointed by the Council as a whole shall serve two-year terms commencing on June 1st following a general municipal election. Upon expiration of the term of office, each such Advisory Board member shall continue to serve until his/her successor is appointed and qualified. Such members may be removed by a majority vote of the City Council; provided, however, that no member of the Advisory Board may be removed prior to June 1st following any municipal election; and 2) direct staff to return to Council in 12 months with a review of the advisory boards as amended. **Motion by Mayor Duran, seconded by Councilmember D'Amico and approved with Councilmember Heilman and Councilmember Land voting NO.**

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

ACTION: Councilmember Heilman made the following direct appointment: Public Safety Commission – Chris Clarkin. The City Council made the following at-large appointments: Human Services Commission-

Bob Shepard; Planning Commission – Alan Bernstein and Sue Buckner; and the Transportation Commission – Scott Schmidt and Lindsey Horvath.

City Council tabled all Advisory Boards and the East Side PAC appointments until the next meeting.

5.C. SET DATES FOR MOCK CITY COUNCIL MEETING(S) FOR TRAINING PURPOSES IN ADVANCE OF THE FIRST OFFICIAL MEETING IN THE CITY'S NEW CITY COUNCIL CHAMBERS LOCATED AT WEST HOLLYWOOD PARK [V. LOVE, C. SCHAFFER, Y. QUARKER, J. HUFFER]:

The City Council will consider scheduling training sessions in a mock City Council format in order to familiarize the users of the new City Council Chambers with its functions and capabilities in advance of the first formal meeting to be held in the facility - tentatively scheduled for Monday, October 3, 2011.

ACTION: City Council scheduled the meeting for September 26, 2011 at 5:00 p.m.

EXCLUDED CONSENT CALENDAR:

2.N. WEST HOLLYWOOD LIBRARY GRAND OPENING AND 10TH ANNUAL BOOK FAIR [S. BAXTER, O. WALKER, C. WORLAND]:

The City Council will consider approving a contract amendment with Authentic Agency to provide production services for the 10th Annual West Hollywood Book Fair on Sunday, October 2, 2011, and signage, equipment and stage production for the Dedication and Grand Opening of the New West Hollywood Library on Saturday, October 1, 2011.

Mayor Duran asked for clarification from Staff regarding Authentic Agency. He expressed concerns over the proposed cost of the event and for the lack of communication regarding the event between the vendor and his office.

Recreation Services Manager Olivia Walker provided background information on the organization. She also provided background relating to the two-year bid process and stated that Authentic Agency submitted the lowest bid. She stated that printing costs are being shared with Public Information and the two events are being advertised together to help with savings.

Councilmember Land spoke in support of Authentic Agency and suggested that the Council look at re-bidding for this event next year, instead of changing it at this late date.

Mayor Duran stated that he will support this event, but expressed concern with the number of events planned in the City. He spoke in support of a

Council review and audit of all events throughout the year. He also requested that all Council offices be given the opportunity for input in all events.

Councilmember D'Amico requested that the vendor, Authentic Agency, contact each of the Council offices and speak with them regarding plans for the Halloween Carnival event. He also asked for clarification regarding the process for selecting the vendor and how both events evolved.

Director of Human Services Sam Baxter provided background information on how the event has changed and grown over the years.

Mayor Pro Tempore Prang stated that he is in support of the Item, but expressed concerns about the number of events held in the City and costs involved. He expressed concerns about staffing positions being frozen, and other municipal services that are not being addressed because of budget issues; and the need to look at how funds are being spent, particularly in regards to events.

Mayor Duran requested the City Manager to come back with a list of events, the attendance, and costs involved.

City Manager Arevalo stated that the next two-year budget cycle is approaching and as part of that effort staff can include an analysis of event costs.

ACTION: 1) Approve the Second Amendment to Agreement with Authentic Agency for staging and production services increasing the agreement amount by \$130,000.00; 2) Authorize the contingency expenditure of an amount not to exceed 10% of this Contract Amendment Agreement amount, as approved by the Human Services Department Director; and 3) Authorize the City Manager to execute the Second Amendment to Agreement. **Motion by Councilmember Land, seconded by Mayor Pro Tempore Prang and approved with a NO vote from Mayor Duran**

2.O. APPROVAL OF AGREEMENT FOR CONSULTANT SERVICES FOR CITY'S 10th ANNUAL BOOK FAIR AND WOMEN'S LEADERSHIP CONFERENCE 2012 [S. BAXTER, O. WALKER, V. LOVE]:

The City Council will consider approving a contract with Roz Helfand to provide consulting services related to the 2011, 10th Annual Book Fair, and the Women's Leadership Conference in 2012.

Mayor Duran asked for clarification as to why the Item is spread out over two fiscal years and why the consultant for the Women's Leadership Conference was not put out to bid.

Councilmember Land expressed concerns regarding going out for bid for the Women's Leadership Conference given the need to start organizing the event in the near future.

Mayor Pro Tempore Prang expressed concerns over hiring consultants for the Women's Leadership Conference, instead of having city staff manage this event.

ED BUCK, WEST HOLLYWOOD, spoke in opposition to the item.

Councilmember Heilman expressed concerns over the comments made regarding this Item and spoke in support of Roz Helfand and the success of both events and their benefits to the community. He spoke in support of a consultant for the events to supplement staff participation.

Mayor Pro Tempore Prang spoke in support of moving forward with the Book Fair contract, but returning to Council with a review of the consultant contract for the Women's Leadership Conference, particularly to determine if the event could be managed in-house.

Councilmember Land spoke in support of approving the Item as recommended because of the date of both events, and reviewing this issue during the next budget process.

Mayor Duran spoke regarding the amendment to advisory boards to have direct appointees and the opportunity that might provide for all Council offices to have input for these events.

Councilmember Heilman encouraged all Council offices to offer input for the events.

Motion by Councilmember Land to approve the Item as recommended, seconded by Councilmember Heilman. Motion failed with Councilmember D'Amico, Mayor Pro Tempore Prang, and Mayor Duran voting NO.

ACTION: 1) Approve a contract from July 1, 2011 through the completion of the Book Fair project with Roz Helfand in the amount of \$10,000 for consulting services relating to the City's 10th Annual Book Fair; 2) Authorize the City Manager to sign the Agreement; 3) Authorize City staff to issue a Request for Proposal for consulting services for the 2012 West Hollywood Book Fair; and 4) Request staff to return to Council with a discussion regarding the Women's Leadership Conference. **Motion by Mayor Pro Tempore Prang, seconded by Councilmember D'Amico and approved with Councilmember Land voting NO.**

- 2.R. CONTRACT WITH THE CITY'S LEGISLATIVE ADVOCATE, CHRISTINE MINNEHAN & ASSOCIATES [A. WINDERMAN, D. MEADOWS]:**
The City Council will consider the approval of a Contract for housing legislative advocate Christine Minnehan & Associates (CM&A).

Mayor Pro Tempore Prang requested clarification on the critical need for legislative advocacy and the services that are being provided to the City by Christine Minnehan.

Director of Rent Stabilization and Housing Allyne Winderman provided a background on Ms. Minnehan's efforts and outlined the work she has done regarding redevelopment, including her work with Senator Lowenthal.

ACTION: 1) Approve a Contract with CM&A for an amount not to exceed \$44,200 from July 1, 2011 to June 30, 2012 to represent the City as a legislative advocate; and 2) Authorize the City Manager to execute the agreement. **Motion by Councilmember Land, seconded by Councilmember D'Amico and unanimously approved**

PUBLIC COMMENT: None.

6. LEGISLATIVE: None

COUNCILMEMBER COMMENTS:

Mayor Duran stated that the Gay Men's Chorus will perform the National Anthem at a Major League Soccer event.

Councilmember Land spoke regarding the billboard items approved, and asked the City Manager to have an Item placed on the Council Agenda for a discussion about the saturation point for signage on Sunset Boulevard. She also spoke regarding the Women's Leadership Conference and the process for organizing the event to ensure that the City reaches out to a broad range of constituents. She spoke in support of expediting the discussion of how the event is organized to avoid any impacts to the event.

Councilmember Heilman spoke regarding billboard signage and the need to include a discussion on the changes in billboard technology.

Councilmember D'Amico spoke regarding billboard signage and the need to include a discussion on the changes in billboard technology. He gave his commitment to Councilmember Land to assist with expediting the organization of the Women's Leadership Conference

Mayor Pro Tempore Prang spoke regarding billboard signage and the need to include a discussion on the changes in billboard technology. He spoke regarding the consultant

hiring process, and also expressed his support for the Women's Leadership Conference.

ADJOURNMENT: The City Council adjourned at 12:38 A.M. in memory of Kathy Page, Ramona Hahn, Gail Nochimson, Fanya Kutz, Jean Harris, Bobby Honore, Betty Ford. 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, August 15, 2011 at 6:30 P.M. at West Hollywood City Hall, 8300 Santa Monica Blvd.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 15th day of August, 2011 by the following vote:

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

JOHN J. DURAN, MAYOR

ATTEST:

COREY SCHAFFER, CITY CLERK