

**CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, AUGUST 15, 2011  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**CALL TO ORDER:** Mayor Duran called the meeting to order at 6:41 p.m.

**PLEDGE OF ALLEGIANCE:** Allegra Allison led the Pledge of Allegiance.

**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, 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 6:02 p.m. He stated that there was one (1) public comment. He stated that the closed session adjourned at 6:35 p.m. with no reportable action.

**APPROVAL OF AGENDA:**

Councilmember Land requested that Items 5A and 5B be moved to the Consent Calendar as Items 2.KK. and 2.LL. She requested that Item 6A be heard out of order to directly follow the CDC Agenda. She also noted her no vote on Item 2.M.

Councilmember Heilman noted his no vote on 2.M.

City Attorney Jenkins spoke regarding correspondence received for Item 3.B. and the possible threat of litigation. He requested that Items 2.H., 2.I., 2.J., and 3.B. be tabled until the September 6, 2011 meeting.

**Motion by Mayor Pro Tempore Prang, seconded by Councilmember Land to approve the August 15, 2011 agenda as amended. The agenda was unanimously approved.**

**ADJOURNMENT MOTIONS:**

Councilmember Heilman requested the meeting be adjourned in memory of Cathy Berger-Kaye's father, James David Berger who will be buried with full military honors at Arlington, He also requested that the meeting be adjourned in memory of Latiffe Charlie.

Councilmember Land requested the meeting be adjourned in memory of Wayland Bonbright, father of Chris Bonbright. She also requested that the meeting be adjourned in memory of Aurea Baez Marquez, mother of Luis Marquez.

Councilmember D'Amico requested the meeting be adjourned in memory of his friend Darryl Brantley.

Mayor Pro Tempore Prang requested that the meeting be adjourned in memory of Aurea Baez Marquez, mother of Luis Marquez. He requested that the meeting be adjourned in memory of Carmen Gonzaga, mother of resident Mark Gonzaga. He requested that the meeting be adjourned in memory of Mona Miller, wife of West Hollywood Sheriff Deputy Gambino. He requested that the meeting be adjourned in memory of his aunt Francis Julia Fry and his childhood neighbor Roman Kipisz. He requested that the meeting be adjourned in memory of Eric Middleton, an executive recruiter.

Mayor Duran requested that the meeting be adjourned in memory of Francesco Quinn, a long-time West Hollywood resident. He also requested that the meeting be adjourned in the memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Hospitalman Riley Gallinger-Long, 19, Sergeant Edward J. Frank II, 26, Specialist Jordan M. Morris, 23, Specialist Jameel T. Freeman, 26, Private 1st Class Rueben J. Lopez, 27, Specialist Patrick L. Lay II, 21, Corporal Nicholas S. Ott, 23, Sergeant Alessandro L. "Sandrino" Plutino, 28, Sergeant Joshua J. Robinson, 29, Marine Sergeant Adan Gonzales Jr., 28, Sergeant Daniel J. Patron, 26, Special Warfare Operator Petty Officer 1st Class Aaron Carson Vaughn, 30, Cryptologist Technician (Collection) Petty Officer Michael J. Strange, 25, Medic John W. Brown, 33, Special Warfare Operator Chief Petty Officer Stephen Matthew Mills, 36, Special Warfare Operator Chief Petty Officer Kevin A. Houston, 35, Special Warfare Operator Senior Chief Petty Officer Thomas A. Ratzlaff, 34, Special Warfare Operator Chief Petty Officer Robert James Reeves, 32, Special Warfare Operator Chief Petty Officer John W. Faas, 31, Special Warfare Operator Chief Petty Officer Brian R. Bill, 31, Special Warfare Operator Petty Officer 1st Class Jason R. Workman, 32, Special Warfare Operator Petty Officer 1st Class Jon T Tumilson, 35, Special Warfare Operator Petty Officer 2nd Class Nicholas Spehar, 24, Chief Warrant Officer Bryan J. Nichols, 31, Special Warfare Operator Chief Petty Officer Matthew D. Mason, 37, Special Warfare Operator Master Chief Petty Officer Louis J. Langlais, 44, Special Warfare Operator Petty Officer 1st Class Christopher G. Campbell, 36, Master-at-Arms Petty Officer 1st Class Johnny Douangdara, 26, Special Warfare Operator Petty Officer 1st Class Darrik Benson, 29, Special Warfare Operator Chief Petty Officer Heath M. Robinson, 34, Special Warfare Operator Petty Officer 1st Class Jesse Pittman, 27, Information Systems Technician Petty Officer 1st Class Jared Williams Day, 28, Senior Chief Explosive Ordnance Disposal Technician (EXW/FPJ) Kraig M. Vickers, 36, Sergeant Patrick D. Hamburger, 30, Specialist Spencer C. Duncan, 21, Airman Daniel L. Zerbe, 28, Specialist Alexander J. Bennett, 24, Chief Warrant Officer David R. Carter, 47, Staff Sergeant Andrew W. Harvell, 26, Explosive Ordnance Disposal Technician Chief Petty Officer Nicholas H. Null, 30, Lieutenant Commander Jonas B. Kelsall, 32, Specialist Mark J. Downer, 23, Specialist Jinsu Lee, 34, Sergeant Daniel D. Gurr, 21, Sergeant Anthony Del Mar Peterson, 24, Captain Waid C. Ramsey, 41, Specialist Barun Rai, 24, Private 1st Class Cody G. Baker, 19, Private 1st Class Gil I. Morales Del Valle, 21, Staff Sergeant Kirk A. Owen, 37, Staff Sergeant Leon H. Lucas Jr, 32, Private 1st Class Brice M. Scott, 22,

Sergeant Dennis E. Kancler, 26, Staff Sergeant Patrick R. Dolphin, 29, Sergeant Christopher M. Wrinkle, 29, Sergeant William B. GrossPaniagua, 28, Specialist Augustus J. Vicari, 22, 2nd Lieutenant Jered W. Ewy, 33, Master Sergeant Benjamin A. Stevenson, 36, Staff Sergeant James M. Christen, 29, Sergeant Jacob Molina, 27, Sergeant Omar A. Jones, 28, Sergeant Brian K. Mowery, 49, Staff Sergeant Kenneth R. VanGiesen, 30, and Sergeant Edward W. Koehler, 47.

## **PRESENTATIONS:**

Councilmember Land presented a proclamation to Tashman's Hardware marking their 50<sup>th</sup> Anniversary.

Councilmember Heilman presented a commendation to Marcy Norton who served on the Women's Advisory Board since 2000, and was recently appointed to the Public Safety Commission. He also presented a commendation to Sofya Davidovich who is resigning from the Women's Advisory Board.

Mayor Duran expressed kind words to Ivy Bottini and wished her a happy 85<sup>th</sup> birthday

### **1. PUBLIC COMMENT:**

LARRY BLOCK, WEST HOLLYWOOD, spoke in support of Item 5.B.

ALAN BERNSTEIN, WEST HOLLYWOOD, Chair of the Board of the West Hollywood Chamber of Commerce, thanked the Council for renewing their contract and spoke in support of the continuance of the economic hardship package.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in opposition to Item 2.X.

ANSON SNYDER, WEST HOLLYWOOD, spoke in opposition to Item 2.X.

CATHY BLAIVES, WEST HOLLYWOOD, spoke regarding Item 2.X. and expressed concern regarding the plan for parking.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding Item 2.Q.

RIC RICKLES, WEST HOLLYWOOD, thanked Paul Arevalo for appointing Corey Schaffer as City Clerk. He also spoke regarding Item 2.O. and congratulated the Chamber's staff on exceptional work. He also spoke in support of Item 2.CC.

GRACIELA IPARRAGUIRRE, WEST HOLLYWOOD, spoke in opposition to Item 5.B.

JACK MERRILL, WEST HOLLYWOOD, spoke in support of Item 5.C. and spoke in opposition to the new Library.

MINA CHOW, LOS ANGELES, spoke in support of keeping the former library, in recognition of its architect Edward Fickett.

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke in support of Item 5.C.

ANGIE BECKETT, EXECUTIVE DIRECTOR OF THE WEST HOLLYWOOD TREE PRESERVATION SOCIETY, spoke regarding increasing the green space in West Hollywood. She stated that a list of suggestions to increase green space was given to the City Clerk and will be distributed to the Council.

VIRGINIA GILLICK, WEST HOLLYWOOD, spoke in support of Item 5.C. She also spoke in support of preserving the Fickett Library.

LEE WALKUP, WEST HOLLYWOOD, spoke regarding the upcoming unveiling of the Martin Luther King, Jr. Memorial in Washington D.C. and requested Council to schedule something in the City of West Hollywood on the same date.

#### **COUNCILMEMBER COMMENTS:**

Councilmember Heilman spoke regarding public comment surrounding Item 2.Q. and the operating hours of the coffee vendor for the new library. He stated that the hours will be negotiated with the City; however the intention is to have the business open during all City meetings. He also responded to public comment regarding parking mitigation during construction at Plummer Park, and requested staff to meet with constituents regarding the issue. He provided additional clarification on Item 5.B.

Councilmember Land spoke regarding signature gatherers for potential initiatives including a petition to SB 48, as well as another petition regarding parental notification. She also spoke regarding National Night Out and thanked the Neighborhood Watch captains, businesses, Sheriff's Department, and Fire Department for organizing the events. She also spoke regarding the Shakespeare in the Park at Kings Road Park. She thanked Milene Dane of Train Gym for donating fitness equipment to the Sheriff's and Fire Departments. She also spoke regarding new palm trees planted along Holloway Drive and requested staff to take a look at them, as they are not doing well.

Councilmember D'Amico spoke regarding Item 2.Q. and the naming of the coffee bar.

Mayor Pro Tempore Prang spoke regarding the service members that have died in the current wars and expressed his opposition to the wars. He also provided additional clarification regarding Item 2.EE. He thanked everyone who helped organize the National Night Out events. He also wished Ivy Bottini a happy birthday.

Mayor Duran spoke regarding his support of Senator Feinstein's efforts to repeal the Defense of Marriage Act. He also spoke regarding the repeal of "Don't Ask, Don't Tell", which will happen on September 20, and requested the City Manager and the Lesbian and Gay Advisory Board to consider ways to celebrate this historic day; which could include contacting former servicemen and service women who were dishonorably discharged for being gay or lesbian. He also stated that West Hollywood was named the second most "walkable city" in the country. He thanked Councilmember Land for her work on the Bicycle Task Force. He also spoke regarding his recent meeting with

new Congressman representing West Hollywood, Adam Schiff. He also reported that our new State Senator is Ted Liu and spoke regarding the upcoming election for the California State Assembly under the new redistricting. He also spoke regarding the Hudson Block Party and expressed concerns regarding noise issues that may have occurred.

**CITY MANAGER'S REPORT: None.**

**FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$841,085 in expenditures and \$24,000 in potential revenue.

**2. CONSENT CALENDAR:**

Approve the Consent Calendar, 2.A.,B.,C.,D.,E.,F.,G.,K.,L.,M.,N., O.,P.,Q.,R.,S.,T.,U.,V.,W.,X.,Y.,Z.,AA.,BB.,CC.,DD.,EE.,FF.,GG.,HH.,II.,JJ.,KK.,LL.

**Motion by Mayor Pro Tempore Prang seconded by Councilmember Heilman and approved unanimously, noting Councilmember Land's NO vote on Item 2.M., Councilmember D'Amico's NO vote on Item 2.Q., and Councilmember Heilman's No vote on Item 2.M.**

**2.A. POSTING OF AGENDA:**

*The agenda for the meeting of Monday, August 15, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 11, 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 July 18, 2011. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NO. 679, RESOLUTION NO. 11-4202:**

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

**ACTION:** Approve Demand Register No. 679 and adopt Resolution No. 11-4202, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 679". **Approved as part of the Consent Calendar.**

**2.D. DEMAND REGISTER NO. 680, RESOLUTION NO. 11-4203:**

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

**ACTION:** Approve Demand Register No. 680 and adopt Resolution No. 11-4203, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 680". **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 Shabana Malone and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

**2.F. TREASURER'S REPORTS FOR MARCH AND APRIL 2011 [A. GANDHY, G. SCHUCHARD]:**

*SUBJECT: The City Council will receive the Treasurer's Reports for the months ended March and April 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. OFFICE OF TRAFFIC SAFETY COUNTYWIDE BICYCLE SAFETY EDUCATION PROGRAM eGRANT APPROVAL FOR BICYCLE EDUCATION CLASSES [A. MCINTOSH, M. ANTOL, M. BARNEY]:**

*The City Council will consider participating in the Countywide Bicycle Safety Education Program, a region-wide inter-jurisdictional partnership funded by a grant from the California Office of Traffic Safety to provide bicycle education classes to the public.*

**ACTION:** Approve participation in the Countywide Bicycle Safety Education Program with the cities of Burbank and Santa Monica. The grant will be administered by the City of Burbank. **Approved as part of the Consent Calendar.**

**2.H. ORDINANCE NOS. 11-871 AND 11-872 (2<sup>ND</sup> READING), REGARDING A NEW V-SHAPED BILLBOARD LOCATED ABOVE THE ROOF OF THE EXISTING HOTEL LOCATED AT 8462 SUNSET BOULEVARD (THE GRAFTON HOTEL) [C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 11-871, a proposed ordinance adopting a negative declaration and a zoning map amendment in conjunction with a proposed development agreement for the property at 8462 Sunset Boulevard; and waive further reading and adopt Ordinance No. 11-872, a proposed ordinance approving a development agreement associated with a new v-shaped billboard located above the roof of the existing hotel located at 8462 Sunset Boulevard.*

**ACTION:** This Item was TABLED.

**2.I. ORDINANCE NOS. 11-873 AND 11-874 (2<sup>ND</sup> READING), REGARDING 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) [C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 11-873, a proposed ordinance adopting a negative declaration and of zoning map amendment in conjunction with a proposed development agreement, for the property located at 9039 Sunset Boulevard; and waive further reading and adopt Ordinance No. 11-874, a proposed ordinance 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.*

**ACTION: This Item was TABLED.**

**2.J. 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 proposal is a request to replace a roof mounted double-sided 10 ft. x 30 ft. billboard with a pole mounted, v-shaped double-sided 18 ft. x 48 ft. billboard and raise the height by seven feet for a maximum height of 67 ft. The proposed project is located at 8335 Sunset Boulevard.*

**ACTION: This Item was TABLED.**

**2.K. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

*The City Council will receive reports from the Disabilities Advisory Board and Senior Advisory Board on actions at their recent joint meeting, and the Public Safety Commission, the Transportation 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.L. ATTENDANCE REPORTS FOR CITY COMMISSIONS, ADVISORY BOARDS, AND THE PROJECT ADVISORY COMMITTEE [C. SCHAFFER, Y. QUARKER]:**

*The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between May 2010 - May 2011.*

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

**2.M. ORGANIZATION OF CITY ADVISORY BOARDS [C. SCHAFFER, Y. QUARKER]:**

*The City Council will consider adopting a resolution to replace City Council Resolution 10-4060, regarding the organization, function and Council expectations of the City's Advisory Boards.*

**ACTION:** Adopt Resolution No. 11-4205, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGARDING THE ORGANIZATION OF CITY ADVISORY BOARDS". **Approved as part of**

**the Consent Calendar with Councilmember Heilman and Councilmember Land voting NO.**

**2.N. APPOINTMENT OF CITY CLERK [P. AREVALO]:**

*The City Council will appoint Corey Schaffer as the new City Clerk.*

**ACTION:** Adopt Resolution No. 11-4206, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING COREY SCHAFFER AS CITY CLERK". **Approved as part of the Consent Calendar.**

**2.O. AGREEMENT FOR SERVICES WITH WEST HOLLYWOOD CHAMBER OF COMMERCE FOR FISCAL YEAR 2011 - 2012 [P. AREVALO, J. HUFFER, M. LOUIE]:**

*The City Council will consider approving an agreement between the City and the West Hollywood Chamber of Commerce to provide a range of business development services and programs for the City in Fiscal Year 2011-2012.*

**ACTION:** 1) Approve an agreement with the West Hollywood Chamber of Commerce in an amount not to exceed \$27,000 for fiscal year 2011-12 to provide a range of business development programs and services; 2) Authorize the Manager of Economic Development to approve on a case by case basis the sponsorship of Chamber activities in an amount not to exceed \$6,000; and 3) Authorize the City Manager to sign and execute the agreement and approve any minor modifications. **Approved as part of the Consent Calendar.**

**2.P. APPROVAL OF A CONSULTANT SERVICES AGREEMENT WITH INFRASTRUCTURE MANAGEMENT SERVICES FOR A SIGN RETROREFLECTIVITY STUDY [A. MCINTOSH, M. ANTOL, B. CHEUNG, S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*The City Council will consider approving an Agreement with Infrastructure Management Services for the development of the City's Sign Retro-Reflectivity Study.*

**ACTION:** 1) Accept the proposal dated April 29, 2011 and approve an Agreement with Infrastructure Management Services for the development of the City's Sign Retro-Reflectivity Study in the not to exceed amount of \$97,027; 2) Authorize the Director of Community Development, or her designee, to negotiate and execute one or more change orders to the contract with Infrastructure Management Services, for additional unforeseen work, which may develop during the project; the total value of which shall not exceed project contingency of 15%; 3) Authorize the City Manager to execute an Agreement with Infrastructure Management Services for the development of the City's Sign Retro-Reflectivity Study; and 4) Reject all remaining proposals. **Approved as part of the Consent Calendar.**



**2.Q. OCCUPANCY LICENSE AGREEMENT FOR COFFEE VENDOR AT CITY-OWNED FACILITY: NEW WEST HOLLYWOOD LIBRARY – 625 NORTH SAN VICENTE BOULEVARD [P. AREVALO, J. ENGLISH, J. HUFFER]:**

*The City Council will review and consider approval of an Occupancy License for Concession Sales Area between the City of West Hollywood and Dona Mireya, Inc. (dba Jones Coffee) for the operations of the retail sales area associated with the new West Hollywood Library located along the San Vicente Boulevard frontage.*

**ACTION:** 1) Confirm Dona Mireya, Inc. (dba Jones Coffee) as the concession vendor for the ground floor retail space located in the New West Hollywood Library; 2) Approve the material terms of an Occupancy License for Concession Coffee Bar in the West Hollywood Library in substantially the form attached to this staff report, subject to minor language modifications approved by the City Attorney; and 3) Authorize the City Manager to sign and execute the License on behalf of the City. **Approved as part of the Consent Calendar with Councilmember D'Amico voting NO.**

**2.R. AGREEMENT FOR SERVICES WITH DEKRA-LITE [P. AREVALO, J. HUFFER, M. LOUIE]:**

*The City Council will consider entering into an agreement with Dekra-Lite for purchase installation, repair and storage of the holiday lights for Santa Monica Boulevard associated with Santa Monica Boulevard Maintenance District, Zones 1, 2 and 3.*

**ACTION:** 1) Approve an agreement with Dekra-Lite in an amount not-to-exceed \$95,752.16 for the installation, repair and storage of the holiday lights including purchase of new LED string lights along Santa Monica Boulevard for the 2011 holiday season; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

**2.S. AWARD CONTRACT FOR ANNUAL STREET STRIPING, LEGENDS AND ROAD MARKINGS BID [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*The City Council will consider awarding a contract to PCI, the lowest responsive and responsible bidder for annual street striping, legends and road markings.*

**ACTION:** 1) Accept the bid dated July 28, 2011, and award a contract for a not to exceed amount of \$313,602.50 for a period of (3) three years as submitted by PCI, 1105 East Hill Street, Long Beach, California, 90806; 2) Authorize the City Manager to sign an Agreement with PCI, in the amount of \$313,602.50 for Annual Street Striping, Legends and Road Marking; and 3) Reject all remaining bids and return associated Bid Bonds. **Approved as part of the Consent Calendar.**

**2.T. AMENDMENT TO CONTRACT WITH ACS STATE & LOCAL SOLUTIONS, INC. [O. DELGADO, J. ROCCO, D. NORTE]:**

*The City Council will consider an amendment to the contract with ACS State & Local Solutions, Inc. (ACS) that will expand the scope of services to include the processing and mailing of permit parking renewal notices.*

**ACTION:** Authorize staff to revise the contract with ACS to include the following changes: 1) Increase the not to exceed amount for the contract by \$6,710 from \$854,000 to \$860,765 for FY 11/12. The contract amount for the third through fifth years shall not exceed \$886,449 for FY 12/13; \$912,322 for FY 13/14; and \$938,570 for FY 14/15; 2) Revise the agreement and Scope of Services to include language as contained in Attachment 1- First Amendment to the Agreement; and 3) Authorize the City Manager to sign the amendment. **Approved as part of the Consent Calendar.**

**2.U. AGREEMENT WITH BROWN & CALDWELL FOR ENGINEERING SERVICES FOR SEWER INSPECTION PROJECT – MID CITY AREA [O. DELGADO, S. PERLSTEIN]:**

*The City Council will consider approval of an agreement with Brown & Caldwell to perform sewer inspection and prepare conceptual reports for Sewer Inspection Project – Mid City Area.*

**ACTION:** Authorize the City Manager to execute an Agreement with Brown & Caldwell in an amount not to exceed \$220,000 for professional engineering services to perform sewer inspection and prepare conceptual reports for Sewer Inspection Project – Mid City Area. **Approved as part of the Consent Calendar.**

**2.V. NOTICE OF COMPLETION FOR CIP 1102, STREET PAVING PROGRAM: HOLLOWAY DR, HORN AVE, PALM AVE, SHERBOURNE DR, SHOREHAM DR, AND WESTMOUNT DR. [O. DELGADO, S. PERLSTEIN]:**

*The City Council will consider approving the Notice of Completion for the Street Paving Program: Holloway Dr, Horn Ave, Palm Ave, Sherbourne Dr, Shoreham Dr, and Westmount Dr., CIP 1102.*

**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.W. NOTICE OF COMPLETION 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 approving the Notice of Completion for the Metro Rapid Bus Traffic Signal System Interconnect Project (in San Vicente Blvd. from Santa Monica Blvd. to Melrose Ave.), CIP 1107.*

**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.X. 25TH ANNIVERSARY CAPITAL PROJECT: PHASE I - PLUMMER PARK MASTER PLAN IMPLEMENTATION PROJECT, MITIGATION PLAN UPDATE [J. ENGLISH, S. BAXTER, S. CAMPBELL, O. WALKER, H. COLLINS]:**

*The City Council will receive an update on mitigation measures for the Phase I Plummer Park Master Plan Implementation Project.*

**ACTION:** Receive and file an update on mitigation measures for the Phase I Plummer Park Master Plan Implementation Project. **Approved as part of the Consent Calendar.**

**2.Y. UPDATE ON FICUS TREES LOCATED ON LA PEER DRIVE AT 8900 BEVERLY BOULEVARD [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*The City Council will receive an update on the current status of two large mature ficus trees located on La Peer Drive at 8900 Beverly Boulevard.*

**ACTION:** Receive and file an update on the referenced trees. **Approved as part of the Consent Calendar.**

**2.Z. SAN VICENTE BOULEVARD ROAD CLOSURE REQUEST – 2011 EMMY EVENT [S. BAXTER, O. WALKER, C. SMITH]:**

*The City Council will consider a street closure request from Home Box Office, Inc. for the 2011 HBO Emmy Event held at the Pacific Design Center on Sunday, September 18, 2011.*

**ACTION:** Approve the closure of San Vicente Boulevard between Melrose Avenue and Santa Monica Boulevard from 2:00 pm on Sunday, September 18, 2011 to 2:00 am on Monday, September 19, 2011. **Approved as part of the Consent Calendar.**

**2.AA. SUPPORT OF EVENTS AND ACTIVITIES RELATED TO PACIFIC STANDARD TIME [P. AREVALO, J. HUFFER, A. CAMPBELL, M. LOUIE]:**

*City Council will consider endorsing Pacific Standard Time, a celebration of art in Los Angeles from 1945-1980, and provide funding to support special marketing and public relations activities in support of the event.*

**ACTION:** 1) Endorse Pacific Standard Time and affiliated programming; 2) Direct staff to work with the Marketing and Visitors Bureau, Chamber of Commerce, and the Business Improvement Districts to promote Pacific Standard Time in West Hollywood and identify opportunities to promote cultural tourism activities; 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; 4) Authorize City Manager to negotiate, sign and execute an agreement for services of Communication Arts and Design, Inc., a public relations firm specializing in arts marketing and public relations, and any documents or forms necessary for the successful implementation of this process and approve any minor modifications in an amount not to exceed \$20,000; 5) Authorize staff to recruit and hire a consultant to provide project coordination of the City's support of Pacific Standard Time as outlined in this staff report at a cost not to exceed \$7,500; and 6) Waive any permit fees for any events related to Pacific Standard Time occurring in the City. **Approved as part of the Consent Calendar.**

**2.BB. COMMERCIAL SOLAR PERMIT FEE WAIVER [A. LAND, C. PLANCK]:**

*The City Council City will consider adopting a policy to waive permit fees and provide expedited plan check for installation of solar photovoltaic or solar thermal systems for commercial buildings as a local incentive to encourage clean energy and green house gas reduction.*

**ACTION:** Direct staff to waive all City related permit fees and provide expedited plan check on commercial solar installation. **Approved as part of the Consent Calendar.**

**2.CC. SUPPORT HEALTHY EATING ACTIVE LIVING (HEAL) CITY RESOLUTION PROMOTING AND ENCOURAGING HEALTHIER LIFESTYLES [A. LAND, C. PLANCK, C. LOPEZ]:**

*The City Council will consider adopting a resolution favoring the Healthy Eating Active Living (HEAL) City Resolution.*

**ACTION:** 1) Adopt Resolution No. 11-4207, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FAVORING HEALTHY EATING ACTIVE LIVING CITY RESOLUTION"; and 2) Direct staff to send copies of the adopted resolution to the Healthy Eating Active Living Cities Campaign. **Approved as part of the Consent Calendar.**

**2.DD. OPPOSE, UNLESS AMENDED, AB 1220 (ALEJO) LAND USE AND PLANNING ACTIONS: TIME LIMITATIONS [J. DURAN, H. MOLINA, J. D'AMICO, M. REX]:**

*The City Council will consider adopting a resolution opposing, unless amended, AB 1220 (Alejo) Land use and planning: cause of actions: time limitations.*

**ACTION:** 1) Adopt Resolution 11-4208 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING, UNLESS AMENDED, AB 1220 (ALEJO) LAND USE AND PLANNING: CAUSE OF ACTIONS: TIME LIMITATIONS"; and 2) Direct staff to send copies of the adopted resolution to Assemblymember Alejo, Mike Feuer, Senator Fran Pavley, and Governor Jerry Brown. **Approved as part of the Consent Calendar.**

**2.EE. SUPPORTING H.R. 2677 - LOS ANGELES RESIDENTIAL HELICOPTER NOISE RELIEF ACT OF 2011 [J. PRANG, M. HAIBACH]:**

*The City Council will consider a resolution supporting H.R. 2677 (Berman), which would require the Federal Aviation Administration (FAA) to restrict helicopter flight paths and set minimum altitudes within 12 months of being signed into law.*

**ACTION:** 1) Adopt Resolution No. 11-4209, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING H.R. 2677 (BERMAN): LOS ANGELES RESIDENTIAL HELICOPTER NOISE RELIEF ACT OF 2011"; and 2) Direct staff to send copies of signed resolutions to appropriate legislators. **Approved as part of the Consent Calendar.**

**2.FF. CONDEMNATION OF GHANAIAN MINISTER AIDOO'S ANTI-LGBT COMMENTS [J. HEILMAN, F. SOLOMON, E. BARRATT]:**

*The City Council will consider adopting a resolution condemning the recent comments by Ghanaian Minister Aidoo calling for the arrest of Lesbian, Gay, Bisexual and Transgender (LGBT) individuals.*

**ACTION:** 1) Adopt Resolution No. 11-4210, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD COMDEMNING GHANAIAN MINISTER AIDOO'S ANTI-LGBT COMMENTS"; and 2) Send copies of the signed resolutions to U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, Representative Henry Waxman, U.S. Secretary of State Hillary Clinton, U.S. Ambassador to Ghana Donald Teitelbaum, Ghanaian Ambassador Mr. Daniel Ohene Agyekum, Human Rights Watch, Amnesty International, International Gay and Lesbian Human Rights Commission, and the Center for Popular Education and Human Rights. **Approved as part of the Consent Calendar.**

**2.GG. CO-SPONSORSHIP OF “WAR ON WOMEN AND CHILDREN: CONGOLESE TRAGEDY” PANEL DISCUSSION PRESENTED BY THE NATIONAL COUNCIL OF JEWISH WOMEN-LOS ANGELES CHAPTER [J. HEILMAN, F. SOLOMON, V. EDWARDS]:**

*The City Council will consider co-sponsoring a panel discussion on sexual and gender based violence in the Democratic Republic of the Congo, presented by the National Council of Jewish Women-Los Angeles Chapter (NCJW-LA).*

**ACTION:** 1) Approve the City’s co-sponsorship of a panel discussion on sexual and gender based Violence in Eastern Congo; and 2) Direct Public Information staff to provide promotional assistance for the event, including, but not limited to, inclusion of event information on the City’s website, news briefs and on its City Channel. **Approved as part of the Consent Calendar.**

**2.HH. CO-SPONSORSHIP OF LOCAL LEADERSHIP EVENT WITH CALIFORNIA WOMEN LEAD [J. HEILMAN, F. SOLOMON, A. LAND, C. PLANCK]:**

*The City Council will consider co-sponsoring a local leadership event with California Women Lead.*

**ACTION:** 1) Approve the City of West Hollywood’s co-sponsorship of the event and the use of the City’s name and logo on printed materials advertising the event; and 2) Direct staff to waive facility usage fees and assist with the coordination and promotion of the event. **Approved as part of the Consent Calendar.**

**2.II. RESOLUTION SUPPORTING EQUALITY CALIFORNIA’S INITIATIVE TO PREVENT A REFERENDUM TO REPEAL THE FAIR, ACCURATE, INCLUSION AND RESPECTFUL EDUCATION ACT (SB 48) [J. PRANG, M. HAIBACH]:**

*The City Council will consider a resolution supporting Equality California’s (EQCA) Initiative to prevent a referendum to repeal The Fair, Accurate, Inclusion and Respectful Education Act (SB 48) recently signed into law by the Governor.*

**ACTION:** 1) Adopt Resolution No. 11-4211, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING EQUALITY CALIFORNIA’S INITIATIVE TO PREVENT A REFERENDUM TO REPEAL THE FAIR, ACCURATE, INCLUSION AND RESPECTFUL EDUCATION ACT (SB 48)”; and 2) Direct PIO to promote the City Council’s position and support of EQCA’s initiative regarding SB 48. **Approved as part of the Consent Calendar.**

**2.JJ. SUNSET STRIP MUSIC FESTIVAL STREET CLOSURE [P. AREVALO, J. ENGLISH, J. HUFFER, S. BAXTER, O. WALKER, C. SMITH]:**

*The City Council will consider a change to the previously approved closure of Sunset Boulevard between San Vicente Boulevard / Clark Street and Doheny Drive on August 20, 2011, to accommodate set-up of a stage element for the Sunset Strip Music Festival.*

**ACTION:** 1) Authorize closure of Sunset Boulevard between San Vicente Boulevard/ Clark Street and Doheny Drive beginning at 2:30 a.m. Saturday, August 20, 2011 through 7:00 a.m. on Sunday, August 21, 2011; and 2) Authorize a 15-minute extension of the Festival performance on August 20, 2011 from 10:00 p.m. to 10:15 p.m. **Approved as part of the Consent Calendar.**

**2.KK. (5.A.) RUSSIAN ORGANIZATIONAL CENTER [J. HEILMAN, F. SOLOMON, G. LANDE, V. EDWARDS, J. PRANG, M. HAIBACH]:**

*The City Council will consider converting the current surplus inventory located at 7362 Santa Monica Boulevard for the temporary use of non-profit organizations that served the Russian-speaking community.*

**ACTION:** 1) Direct staff to identify non-profit organizations that could utilize the building on a temporary basis while Plummer Park is under construction from January 2012 to August 2013; and 2) Direct staff to report back to City Council at a future meeting with recommendations for both the temporary and long-term use of the building. **Approved as part of the Consent Calendar.**

**2.LL. (5.B.) RECOGNIZING THE SIGNIFICANCE TO LGBT COMMUNITY OF THE AREA BETWEEN LA CIENEGA AND DOHENY AND DEVELOPING A CAMPAIGN TO MARKET AND PROMOTE THE AREA AS A DESTINATION FOR VISITORS [J. HEILMAN, F. SOLOMON, J. FARRINGTON, J. DURAN, H. MOLINA]:**

*The City Council will consider directing staff to research and document the historic significance to the LGBT community of the area along Santa Monica Blvd. from La Cienega to Doheny. The City Council will also consider directing staff to develop recommendations on how to celebrate our history and promote the area as an important destination for those interested in the LGBT community.*

**ACTION:** 1) Direct staff to prepare documentation demonstrating the historical, cultural and social significance to the LGBT community of the area surrounding Santa Monica Boulevard from La Cienega to Doheny; 2) Direct Economic Development Division staff to consult with the Marketing and Visitors Bureau, local business leaders and the Historic Preservation Commission to develop appropriate signage recognizing the area; 3) Direct Economic Development Division staff to consult with the Marketing and Visitors Bureau, the Chamber of Commerce, the Lesbian and Gay Advisory Board, the Transgender Advisory Board, and local businesses and community leaders to make recommendations on how to best

promote the area as a destination; and 4) Direct staff to return to Council with recommendations at a future meeting. **Approved as part of the Consent Calendar.**

**THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:48 P.M.**

The Community Development Commission approved the minutes from the June 20, 2011 meeting; and adopted an Enforceable Obligation Payment Schedule that lists all of the obligations of the Community Development Commission (CDC) pursuant to Part 1.8 of Division 24 of the California Health and Safety Code. The actions are more fully described in the West Hollywood Community Development Commission minutes.

**THE COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE WEST HOLLYWOOD CITY COUNCIL: 7:54 P.M.**

**6.A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE, TAKING CERTAIN RELATED ACTIONS, AND DECLARING THE URGENCY THEREOF [P. AREVALO, A. WINDERMAN]:**

*The City Council will consider participating in the "Voluntary Alternative Redevelopment Program", making the required payments to the State of California, and adopting an urgency ordinance - Ordinance No. 11- --- "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH AND DECLARING THE URGENCY THEREOF."*

Allyne Winderman, Director of Rent Stabilization & Housing, provided background information as outlined in the staff report dated August 15, 2011.

**ACTION:** 1) Introduce on first reading Ordinance No. 11-875, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH"; and 2) Direct the City Manager to make the required payments to the State of California following the schedule and regulations of AB x1 27; and 3) Direct staff to notify the County



Auditor-Controller, the Controller, and the Department of Finance on or before November 1, 2011 per Section 34193.1 of Part 1.9 of the California Health and Safety Code; and 4) Authorize the City Manager to take any additional actions to implement the Ordinance and payments.

**Motion by Councilmember Land seconded by Councilmember Heilman and unanimously approved.**

**THE WEST HOLLYWOOD CITY COUNCIL RECESSED AND RECONVENED AS THE HOUSING AUTHORITY: 7:54 P.M.**

The Housing Authority approved the minutes from the April 4, 2011 meeting; and adopted Resolution HA 11-027 approving the voluntary transfer of the City of West Hollywood's 97 Section 8 vouchers to the Housing Authority of the County of Los Angeles. The actions are more fully described in the West Hollywood Housing Authority minutes.

**THE WEST HOLLYWOOD HOUSING AUTHORITY RECESSED AND RECONVENED AS THE CITY COUNCIL: 7:58 P.M.**

**3. PUBLIC HEARINGS:**

**3.A. PROPOSED RESOLUTION FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) [A. MCINTOSH, M. ANTOL, B. CHEUNG]:**

*The City Council will hold a public hearing to consider adopting a resolution finding the City to be in conformance with the Los Angeles County Congestion Management Program (CMP).*

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

Mayor Duran opened the public hearing.

Mayor Duran closed the public hearing

**ACTION:** Adopt Resolution No. 11-4212, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN CONFORMANCE WITH THE LOS ANGELES COUNTY CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089." **Motion by Mayor Pro Tempore Prang, seconded by Councilmember Land and unanimously approved.**

**3.B. 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 adopting a resolution and waiving further reading and adopting two ordinances on second reading regarding 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.*

**ACTION: This item was TABLED.**

**3.C. DISCUSSION OF LAND USE POLICIES, INCLUDING MIXED-USE DEVELOPMENT INCENTIVES ALONG SANTA MONICA BOULEVARD, AND ALL REMAINING TOPICS CONTAINED IN THE COMPREHENSIVE GENERAL PLAN UPDATE, CLIMATE ACTION PLAN, AND ENVIRONMENTAL IMPACT REPORT [A. MCINTOSH, J. KEHO, M. ANTOL, B. SIEGL]:**

*The City Council will discuss policies contained in the Land Use and Urban Form Chapter, including mixed-use development incentives, and hold a continued public hearing regarding the Draft West Hollywood General Plan 2035, Draft Climate Action Plan, and Final Environmental Impact Report, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations.*

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

Bianca Siegl, Senior Planner, provided background information as outlined in the staff report dated August 15, 2011.

Councilmember Heilman requested clarification on what is currently permitted under our existing ordinance with respect to mixed-use and height. Ms. Siegl provided clarification on this issue as stated in the current Zoning Ordinance and proposed General Plan.

Councilmember D'Amico spoke in support of the Item, but requested clarification regarding areas on Santa Monica Boulevard where housing was not to be allowed. He referred to the map labeled MIXED USE OVERLAY ZONE CONCEPT and spoke in support of NOT allowing housing on the west side of Santa Monica Boulevard in the circled area, a reference to proposed Policy No. LU2.13. He also referred to the area on the east side of Santa Monica Boulevard that is circled on the map labeled MIXED USE OVERLAY ZONE CONCEPT, and spoke in support of heights being kept to 25' or 35' in this area as suggested during public input at the last General Plan meeting. He also expressed concern

regarding issues brought up by members of the East Side who were interested in much lower density.

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

SHEILA LIGHTFOOT, WEST HOLLYWOOD, spoke in opposition to the Item.

EBON ALABASTUR, WEST HOLLYWOOD, spoke in opposition to the Item. He also spoke in opposition to a proposal by the Iranian American Jewish Center to build a parking garage.

ESTHER BAUM, WEST HOLLYWOOD, spoke in support of the item. She also spoke regarding raising the number of required parking spaces for three-bedroom apartments.

IVY BOTTINI, WEST HOLLYWOOD, thanked Mayor Duran for wishing her a happy birthday. She spoke in support of the item, but expressed concerns over proposed height allowances on Santa Monica Boulevard.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke regarding the need for discussion regarding the use of water in the City in association with development.

STEVE MARTIN, WEST HOLLYWOOD, spoke in opposition to the Item.

ELYSE EISENBERG, WEST HOLLYWOOD, spoke in opposition to the Item.

GEORGE CREDLE, WEST HOLLYWOOD, spoke in opposition to the Item. He also expressed concerns regarding incentives associated with development, particularly in regards to parking.

GRACIELA IPARRAGUIRRE, WEST HOLLYWOOD, spoke in opposition to the Item.

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke in opposition to the Item. She also provided the City Clerk with a copy of a document prepared by a neighborhood group outlining concerns with the proposed General Plan.

RICHARD GIESBRET, WEST HOLLYWOOD, spoke in opposition to the Item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the Item. She also spoke in support of more parking for three-bedroom units, and the City's Inclusionary Housing Program.

STEVE SMITH, WEST HOLLYWOOD, spoke in opposition to the Item.

LYNN RUSSELL, WEST HOLLYWOOD, spoke in opposition to the Item and asked that the Public Hearing process be continued.

LYNN HOOPINGARNER, WEST HOLLYWOOD, spoke in opposition to the Item.

DENNIS GRANT, WEST HOLLYWOOD, spoke in opposition to the Item.

STEVE PARGAMANIK, WEST HOLLYWOOD, spoke regarding individuals who may be using City parking passes illegally.

WILLIAM NEISH, WEST HOLLYWOOD, expressed concerns regarding the increased heights and density associated with mixed-use development.

Mayor Duran closed the public hearing.

Councilmember Heilman spoke in support of the Item and requested clarification on the different bonuses that can be offered as well as what state requirements regarding the number of affordable housing units in the City. He also spoke regarding state law that mandates a bonus that a developer can obtain whenever there is an affordable housing component; which is something the state mandates and is not under the control of the City. He also requested clarification on how the General Plan addresses water issues associated with development. Senior Planner Siegl stated that the General Plan requires various water conservation policies incorporated into the Plan.

Councilmember Land spoke in support of the Item. She spoke regarding the mandated state bonus for affordable housing, and requested clarification regarding whether the City would no longer be required to provide the bonus if the state law was overturned. Councilmember Land also requested clarification on whether the General Plan included any bonuses related to specific neighborhood serving uses, and how changes in the economy are factored in to the Plan. Senior Planner Siegl stated that because the General Plan has a 25-year life, the plan has been laid out to focus on the bigger picture of development, with the possibility of being amended to reflect changes in the economy. Councilmember Land spoke regarding the need to realize that mixed-use should not be the sole method of housing creation in the City.

Councilmember D'Amico spoke regarding the need for the City to retain its unique identity, while being cognizant of the fact that the areas surrounding West Hollywood will continue to develop over the next 25 years. He also spoke regarding the state requirement for affordable housing in the City and requested confirmation from staff that the proposed General Plan will allow the City to meet those requirements. He expressed concerns regarding developers obtaining entitlements for bonuses and density increases, with the intention to sell the property, and not develop. He spoke regarding the possibility of limiting bonuses to one bonus, either to meet the allowed State bonus for affordable housing or the City's bonus for mixed-use development. He spoke in support of trying to create incentives that require neighborhood serving businesses in mixed-use development. He stated that creating controlled areas of mixed-use development along Santa Monica Boulevard will help control development in the City. He thanked Councilmember Heilman for his help during the General Plan revision process.

Mayor Pro Tempore Prang thanked those that attended the General Plan meeting and the neighborhood group who created the "White Paper" outlining their issues with the proposed General Plan. He spoke in regarding the Regional Housing Needs Assessment (RHNA) numbers and the City's continued commitment to comply with these numbers. He spoke in support of mixed-use development in association with reduction of density in residential areas. He expressed concerns regarding height and density bonuses association with mixed-used and spoke in opposition to mixed-use development in areas with significant bars and nightclubs. He expressed concerns regarding the proposed heights of buildings on the East Side and impacts on parking and traffic. He spoke in support of the need for a scale of heights along Santa Monica Boulevard that promotes reasonable growth and spoke regarding the possibility of limiting the height to a maximum of 45 feet along Santa Monica Boulevard.

Mayor Duran spoke in support of the Item. He also spoke regarding the varying opinions on this issue. He provided clarification regarding the City's limitation on units being removed from the rental market under the Ellis Act. He spoke regarding the challenges to create parking on Santa Monica Boulevard between Fairfax and La Cienega and stated that mixed-use is one of the tools that will allow the City to create more parking in this area. He spoke regarding the fact that all developments will have to go through the normal process through the Planning Commission and City Council before they are approved. He further stated that projects will be considered and approved on a case by case basis.

Councilmember Heilman spoke regarding the area along Santa Monica Boulevard between San Vicente and La Peer and requested that housing be prohibited in this area due to conflicts with nightclubs and bars. Staff confirmed that this restriction would be added to the General Plan. He

spoke regarding the possibility of creating a time limit for developers to use approved mixed-use bonuses.

Councilmember D'Amico spoke in support of Councilmember Heilman's suggestion of creating a time limit for developers to use approved mixed-use bonuses.

Councilmember Heilman and Councilmember Land spoke regarding the Sierra Bonita project and how it is a good example of mixed-use.

Councilmember Land spoke regarding the need for more affordable housing and how lives are changed when they are able to receive this type of housing.

**ACTION:** 1) Receive compiled comments from the General Plan Community Meeting of August 1, 2011; 2) Hold a discussion of incentives relating to mixed-use development along Santa Monica Boulevard to be included in the Land Use and Urban Form chapter of the General Plan 2035, and provide direction to staff regarding these policies; and 3) Continue the public hearing to September 6, 2011, and direct staff to incorporate any necessary changes to General Plan policies and return with a final General Plan 2035, final Climate Action Plan, and resolutions of adoption for the General Plan, Climate Action Plan, and Environmental Impact Report. **Motion by Mayor Duran seconded by Councilmember Land and unanimously approved.**

#### 4. UNFINISHED BUSINESS:

##### 4.A. REVIEW OF ECONOMIC HARDSHIP PACKAGE INITIATIVES WITH SET EXPIRATION DATES [P. AREVALO, J. HUFFER, M. LOUIE]:

*The City Council will review initiatives set to expire and provide staff with direction about extending the provisions or allowing them to expire.*

**ACTION:** 1) Direct staff to make permanent the previously approved temporary provision allowing a business to have up to 12 special events per year (8 of the 12 special events must be Type C events) as outlined in Ordinance 09-818; 2) Direct staff to allow the parking benefit allowing a retail property to convert to gallery or showroom without losing its grandfathered status for retail to expire on December 31, 2011 as outlined in Ordinance 09-818; and 3) Direct staff to make permanent the previously approved temporary Zone Text Amendment amending regulations on real estate open house signs as outlined in Ordinance 09-832. **Motion by Councilmember Heilman seconded by Mayor Pro Tempore Prang and unanimously approved.**

**4.B. APPOINTMENT OF VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES [C. SCHAFFER, Y. QUARKER, G. VESPOINT]:**

*The City Council will consider appointing a Voting Delegate and Voting Delegate – Alternate(s) for the League of California Cities in preparation for their upcoming Annual Conference.*

**ACTION:** The Council appointed Councilmember D'Amico as the Voting Delegate and Mayor Duran as the Voting Delegate – Alternate to the Annual Conference of the League of California Cities. **Motion by Councilmember Land seconded by Mayor Pro Tempore Prang and unanimously approved.**

**4.C. MINOR CHANGE AND FORCE MAJEURE DELAY TO SUNSET MILLENNIUM DEVELOPMENT AGREEMENT [P. AREVALO, J. ENGLISH, M. JENKINS, A. MCINTOSH, F. CONTRERAS, B. CHEUNG]:**

*The City Council will consider receiving and filing: 1) this notification of the City Manager's intention to approve a "Minor Change" to the Development Agreement between the City of West Hollywood and Sunset Millennium Associates, and 2) this notification of the City Manager's intention to accept Sunset Millennium Associates' exercise of its rights to a Force Majeure (Enforced) Delay of the performance of the Development Agreement*

Assistant City Manager Joan English and Director of Public Works Oscar Delgado provided background information as outlined in the staff report dated August 15, 2011.

Councilmember Heilman recused himself due to his residence being located within the 500' radius of the project.

STEVE SMITH, WEST HOLLYWOOD, spoke in opposition to the Item.

ELYSE EISENBERG, WEST HOLLYWOOD, spoke in opposition to the Item.

LYNN HOOPINGARNER, WEST HOLLYWOOD, spoke in opposition to the Item.

JOYCE HEFTEL, WEST HOLLYWOOD, spoke in opposition to the Item.

GUY MAISNIK, LOS ANGELES, spoke in opposition to the Item.

SHEILA LIGHTFOOT, WEST HOLLYWOOD, spoke in opposition to the Item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the Item.

RICHARD GIESBRET, WEST HOLLYWOOD, spoke in opposition to the Item.

ESTHER BAUM, WEST HOLLYWOOD, spoke in opposition to the Item.

STEVE MARTIN, WEST HOLLYWOOD, spoke in opposition to the Item. He spoke regarding the possibility of allocating additional funds associated with the Item to the City's Parking Improvement Fund, if the Item is approved.

Mayor Duran requested for clarification regarding the consequences of not approving this item.

City Attorney Mike Jenkins stated that the Force Majeure issue is an economic issue, which is included in the development agreement. If the City does not allow the developer to exercise this clause, the developer could litigate the issue. He provided clarification on the "minor change" to the development agreement associated with the Item.

City Manager Arevalo provided further clarification on the number of surplus spaces that already exist in the area.

Mayor Duran requested clarification regarding the number of required parking spaces and the number of spaces that would be built with the proposed minor change.

Public Works Oscar Delgado provided information on the demand and supply of parking in the area during various times of the day.

Assistant City Manager Joan English provided clarification on the required spaces for the project.

Councilmember Land requested clarification regarding mitigation measures that were approved with the original project and whether those would remain in place with the proposed changes to the project. She spoke in support of allocating the additional 1% assessment to transient hotel guests to the Parking Improvement Fund to help fund other parking projects in the City.

City Attorney Jenkins reported that the Developer and various homeowner associations have entered into private contracts that do not involve the City. He also confirmed that this action does not change any mitigation measures that were previously imposed. It only proposes a reduction of surplus parking spaces with an additional cash payment that may be use to leverage parking spaces elsewhere.



Assistant City Manager Joan English spoke regarding public comment related to traffic issues. She stated that there will be a widening on Sunset and La Cienega to help mitigate any additional traffic. She stated that there would be a dedicated right turn lane on Sunset, and an extra lane added on La Cienega.

Councilmember D'Amico requested clarification regarding the private agreements entered into between the developer and various neighborhood groups.

Nicki Carlson, representing Sunset Millennium, provided clarification regarding the private agreements and stated that they are being honored.

Mayor Pro Tempore Prang requested clarification on any other changes to the parking design or layout. He spoke in support of allocating the additional 1% assessment to transient hotel guests to the Parking Improvement Fund to help fund other parking projects in the City.

Assistant City Manager Joan English stated that there are no other design changes associated with the Item other than the reduction in surplus parking spaces.

**ACTION:** 1) Receive and file Memorandum of Understanding between the City Manager and Sunset Millennium Associates; 2) Receive and file letter from Sunset Millennium Associates to City Manager requesting approval of "Minor Change"; 3) Receive and file letter from Sunset Millennium Associates notifying City of Force Majeure Delay; and 4) Allocate the 1% assessment charged to transient hotel guest to the Parking Improvement Fund for a time period of 15 years. **Motion by Councilmember Land, seconded by Mayor Duran and unanimously approved, noting the recusal of Councilmember Heilman.**

**5. NEW BUSINESS:**

**5.A. RUSSIAN ORGANIZATIONAL CENTER [J. HEILMAN, F. SOLOMON, G. LANDE, V. EDWARDS, J. PRANG, M. HAIBACH]:**

*The City Council will consider converting the current surplus inventory located at 7362 Santa Monica Boulevard for the temporary use of non-profit organizations that served the Russian-speaking community.*

**ACTION: This Item was moved to the Consent Calendar as Item 2.KK.**

**5.B. RECOGNIZING THE SIGNIFICANCE TO LGBT COMMUNITY OF THE AREA BETWEEN LA CIENEGA AND DOHENY AND DEVELOPING A CAMPAIGN TO MARKET AND PROMOTE THE AREA AS A DESTINATION FOR VISITORS [J. HEILMAN, F. SOLOMON, J. FARRINGTON, J. DURAN, H. MOLINA]:**

*The City Council will consider directing staff to research and document the historic significance to the LGBT community of the area along Santa Monica Blvd. from La Cienega to Doheny. The City Council will also consider directing staff to develop recommendations on how to celebrate our history and promote the area as an important destination for those interested in the LGBT community.*

**ACTION: This Item was moved to the Consent Calendar as Item 2.LL.**

**5.C. 1343 LAUREL AVENUE [J. DURAN, H. MOLINA, J. PRANG, M. HAIBACH]:**

*The City Council will consider a process to reprogram the use of the City-owned property located at 1343 Laurel Avenue.*

Mayor Duran read the following names of members of the public in support of the Item: Steve Martin, Brian Hamilton, Richard Giesbret, Steve Pargamanik, Graciela Iparraguire, Joyce Heftel, George Credle, Marcy Norton, Judson Greene, Peter Bonilla, Mina Chow, Steven Portigal, Ralph Fedley, Stephanie Harker, Barbara Robertson, Liz Petterson, Cathy Blaivas, Charles Baker, Lynette Mason, Mark Totta, Angie Beckett, Lee Walkup, Jeanne Dobrin, Steve Ward, Robert Gambon, Roy Oldenkamp, Donald Williams, M.J. Norwood, Carl Cronin, Mark Tashman, Alexandra Tashman, Janet Tashman, Virginia Gillick, Lucas John Junkin, Sheila Lightfoot, Donald Elmlad, Daniel Watson, Jack Merrill, Joyce Fickett, Joseph Clapsaddle, Elyse Eisenberg, Rita Norton.

WILLIAM NEISH, WEST HOLLYWOOD, spoke in support of the item.

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

ESTHER BAUM, WEST HOLLYWOOD, spoke in opposition of the item.

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke in support of the item.

Mayor Pro Tempore Prang spoke in support of the Item and stated that the City is moving in the direction of creating a substantial new open space and park land in the City. He stated that the City has been continuously committed to providing affordable housing and there are several projects currently being built as well as others in the pipeline.

City Attorney Mike Jenkins spoke regarding the recommendations being approved with the Item and provided clarification of the need for the City to follow a careful process to study appropriate uses for the property.

Councilmember Land stated that she was disappointed that the previous proposal for the site was not completed, which included affordable housing, renovation of the house, and park space. She spoke in support

of exploring as many different uses for the site as possible as the Item moves forward.

Councilmember Heilman spoke in opposition to the Item. He spoke regarding the need for balance in the community, which includes affordable housing. He also spoke regarding the constituents that are on waiting lists for affordable housing; who would not benefit from this proposal. He asked that council and staff have a discussion about funds to rehabilitate the current structure. He spoke in support of exploring as many different uses for the site as possible as the Item moves forward.

Mayor Duran spoke regarding his change of position regarding the property and the difficulties of trying to approve too many uses for the site. He spoke in support of exploring multiple options for the use of the interior of the house.

**ACTION:** 1) Direct staff to evaluate and report back to the Council on the preferred mechanism for bringing closure to the existing land use entitlements for the 1343 Laurel Avenue housing project; 2) Direct staff to work with the Public Facilities Commission, the Historic Preservation Commission and the community to develop a plan exploring alternative uses for the property, including an expanded park, and conduct any necessary evaluation under CEQA; 3) Include within that evaluative process an exploration of different use options for the house, consistent with existing programming in West Hollywood that can be reasonably accommodated in the neighborhood with minimal impacts; and 4) Direct staff to investigate possible funding sources for operation of the house as an active community center; Staff to report back to City Council with a set of different options and associated costs for each of them within 120 days.

**Motion by Councilmember D'Amico, seconded by Mayor Pro Tempore Prang and approved noting the NO vote of Councilmember Land and Councilmember Heilman.**

**5.D. 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.*

STEVE PARGAMANIK, WEST HOLLYWOOD, spoke in support of the item and stated his interest in serving on the East Side Project Advisory Committee.

**ACTION:**

Mayor Pro Tempore Prang made the following direct appointments to the City Commissions/Boards: *Arts & Cultural Affairs Commission: Todd*

*Williamson; Disabilities Advisory Board: James Chud; Lesbian and Gay Advisory Board: Enrique Reveles and Ivy Bottini.*

Councilmember D'Amico made the following direct appointments to City Commissions/Boards: *Disabilities Advisory Board: Larry Block; Lesbian and Gay Advisory Board: Creo Bettencourt; Senior Advisory Board: Pat Dixon; Transgender Advisory Board: Carolyn Marie Weiss.*

Councilmember Heilman made the following direct appointments to City Commissions/Boards: *Disabilities Advisory Board: Lisa Andreson; Lesbian and Gay Advisory Board: Elizabeth Sandberg and Shawn Mimbs; Russian Advisory Board: Andrey Pronin; Senior Advisory Board: Esther Baum; Transgender Advisory Board: Coco Lachine.*

Councilmember Land made the following direct appointments to City Commissions/Boards: *Disabilities Advisory Board: Debra Chodash; Lesbian and Gay Advisory Board: Sue Sexton and Matt Palazzolo; Russian Advisory Board: Yefim Stolyarsky; Senior Advisory Board: Bernice Levin; Transgender Advisory Board: Karina Samala; Women's Advisory Board: Molly Casey.*

Mayor Duran made the following direct appointments to City Commissions/Boards: *Disabilities Advisory Board: Rick Watts; Lesbian and Gay Advisory Board: Ruth Tittle and Jimmy Palmieri; Russian Advisory Board: Larisa Danilova; Senior Advisory Board: Barbara Krupa; Transgender Advisory Board: Maria Carmen Hinayon; Women's Advisory Board: Reina Martinez.*

The City Council made the following direct appointments to City Commissions: *Arts & Cultural Affairs Commission: Peter Mays; Public Safety Commission: Sam Borelli and Ruth Williams.*

The City Council made the following direct appointments to City Advisory Boards: *Disabilities Advisory Board: Michael Arrigo, Tim Carlson, Thomas De Lorenzo, and Suzanne Dietrich.*

The City Council appointed Mayor Pro Tempore Prang as a trustee to the West Los Angeles Vector Control Board.

**5.E. SET DATE FOR THE ANNUAL CONGRESS FOR COMMISSIONS AND ADVISORY BOARDS [C. SCHAFFER]:**

*The City Council will consider scheduling the Annual Congress for Commissions and Advisory Boards.*

**ACTION:** Schedule the Annual Congress for Commissions and Advisory Boards for Saturday, November 5, 2011 - 8:30 AM to 1:30 PM. **Carried by Consensus of the Council.**

**EXCLUDED CONSENT CALENDAR: None.**

**PUBLIC COMMENT:**

BEN COLEMAN, WEST HOLLYWOOD, spoke regarding public safety issues in West Hollywood and reported various attacks that had occurred in the City.

REGINA O'BRIEN, WEST HOLLYWOOD, spoke in support of preserving the current library in honor of the architect, Edward Fickett.

JOYCIE FICKETT, WEST HOLLYWOOD, spoke in support of preserving the current library in honor of her husband, the architect, Edward Fickett.

STEVE WARD, BEVERLY HILLS, spoke in support of preserving the current library in honor of the architect, Edward Fickett.

MARCY NORTON, WEST HOLLYWOOD spoke regarding the grand opening of the new Library on October 1, 2011. She spoke regarding an upcoming open house to support the Friends of the Library. She also spoke about an upcoming event at the National Council for Jewish Women offices.

MICHAEL PALUMBO, SANTA MONICA, spoke in support of preserving the current library in honor of the architect, Edward Fickett

VALERIE BARKHORDAR, WEST HOLLYWOOD spoke in support of preserving the current library in honor of the architect, Edward Fickett.

RICK WATTS, WEST HOLLYWOOD, thanked Council for his appointment to the Disabilities Advisory Board. He spoke regarding pending ballot measure petitions. He also spoke regarding the upcoming Los Angeles AIDS Walk.

STEVE SMITH, WEST HOLLYWOOD, spoke regarding Items 4.C. and 5.C.

DIANA LAURIE, CORAL GABLES, FLORIDA, spoke regarding preservation in the City.

LYNN RUSSELL, WEST HOLLYWOOD, spoke in support of preserving the current library in honor of the architect, Edward Fickett.

**6. LEGISLATIVE:**

- 6.A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE, TAKING CERTAIN RELATED**

**ACTIONS, AND DECLARING THE URGENCY THEREOF [P. AREVALO, A. WINDERMAN]:**

**This Item was heard out of order on the agenda, immediately following the Community Development Commission agenda.**

**COUNCILMEMBER COMMENTS:**

Mayor Pro Tempore Prang expressed concerns regarding an Item that was recently considered at a Planning Commission meeting and the Planning Commission's inability to reach consensus.

Councilmember Heilman spoke regarding the public comment surrounding public safety issues in the City and thanked the speaker for helping to organize a neighborhood group to address the issues.

**ADJOURNMENT:** The City Council adjourned at 11:50 p.m. in memory of James David Berger, Mona Miller, Latiffe Charlie, Wayland Bonbright, Aurea Baez Marquez, Darryl Brantley, Carmen Gonzaga, Francis Julia Fry, Roman Kipisz, Eric Middleton, Francesco Quinn, 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 Tuesday, September 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 6<sup>th</sup> day of September, 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.  |

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JOHN J. DURAN, MAYOR

ATTEST:

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COREY SCHAFFER, CITY CLERK