

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, JUNE 20, 2011  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**CALL TO ORDER:** Mayor Duran called the meeting to order at 6:34 p.m.

**PLEDGE OF ALLEGIANCE:** Bernice Levin 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, Interim City Clerk Schaffer and Administrative Specialist IV Vespoint.

**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 was one (1) public speaker. He stated that the closed session adjourned at 6:30 p.m. with the only reportable action being Council's approval to participate in an amicus brief relative to People vs. Goldsmith concerning photo enforcement.

**APPROVAL OF AGENDA:**

Councilmember Land requested that Items 2.S and 2.U. be moved to the Excluded Consent Calendar.

Councilmember Heilman requested that Item 2.V. be moved to the Excluded Consent Calendar. He noted his NO vote on Item 2.AA.

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

**Motion by Councilmember Land, seconded by Councilmember Heilman, to approve the June 20, 2011 agenda as amended, and approved with Councilmember Heilman voting NO on Item 2.AA.**

**ADJOURNMENT MOTIONS:**

Councilmember Land requested the meeting be adjourned in memory of Margaret Tittle, the mother of Ruth Tittle. She requested the meeting be adjourned in memory of Harold "Harry" Butler, Jr., the father of Assemblymember Betsy Butler.

Mayor Pro Tempore Prang requested the meeting be adjourned in memory of Steve Jordan, a West Hollywood resident and Office Manager of the Metropolitan Community Church.

Mayor Duran requested that the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Sergeant Mark A. Bradley, Private Ryan J. Larson, Private 1st Class Eric D. Soufrine, Staff Sergeant Jeremy A. Katzenberger, Lance Corporal Sean M. N. O'Connor, Lance Corporal Joshua B. McDaniels, Captain Michael W. Newton, Lance Corporal Jason D. Hill, Corporal Matthew T. Richard, Lance Corporal Nicholas S. O'Brien, Corporal William J. Woitowicz, Sergeant Joseph M. Garrison, Specialist Marcos A. Cintron, Sergeant Glenn M. Sewell, Staff Sergeant Nicholas P. Bellard, Private 1st Class Matthew J. England, Specialist Emilio J. Campo Jr. Specialist Christopher B. Fishbeck, Specialist Robert P. Hartwick, Private 1st Class Michael C. Olivieri, Specialist Michael B. Cook Jr.

## **PRESENTATIONS:**

Councilmember Heilman presented a Commendation to Bernice Levin on the occasion of her retirement from the West Hollywood Comprehensive Services Center.

Mayor Duran presented a Commendation to UPS driver Roger Aguirre for being a Good Samaritan and assisting a West Hollywood Senior.

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

JEANNE DOBRIN, WEST HOLLWYOOD, lauded Bernice Levin and spoke concerning Item 2.L. and expressed concerns regarding the vendor selected to build the City Hall Automated Parking Garage.

TOM DEMILLE, WEST HOLLYWOOD, spoke on various local, state and national issues.

ESTHER BAUM, WEST HOLLYWOOD, honored Bernice Levin in recognition of her retirement from the West Hollywood Comprehensive Services Center.

PAT DIXON, WEST HOLLYWOOD, honored Bernice Levin in recognition of her retirement from the West Hollywood Comprehensive Services Center.

DAVID EICHMAN, LOS ANGELES, spoke about his recent visit to Israel and meeting with an openly gay LGBT activist.

LAUREN MEISTER, WEST HOLLYWOOD, expressed concerns regarding the City's ban on smoking on outdoor patios at restaurants.

YOLA DORE, WEST HOLLYWOOD, thanked Mayor Duran for commending Roger Aguirre and she recognized Bernice Levin, David Garden and Jose Rodriguez as ordinary people in extraordinary circumstances.

MARCY NORTON, WEST HOLLYWOOD, honored Bernice Levin on her retirement from the West Hollywood Comprehensive Services Center. She spoke regarding the upcoming presentation on teen prostitution sponsored by the National Council of Jewish Women.

DAN SIEGEL, WEST HOLLYWOOD, expressed concerns regarding raising fees for permits and the potential impacts on residents and businesses.

SOFIA GELMAN, WEST HOLLYWOOD, congratulated Bernice Levin on her retirement from the West Hollywood Comprehensive Services Center.

STEVE MARTIN, WEST HOLLYWOOD, expressed concerns regarding enforcement of the City's noise ordinance in relation to recent work being done on a billboard on Sunset Boulevard. He also expressed concerns regarding raising City fees.

#### **COUNCILMEMBER COMMENTS:**

Councilmember Land thanked everyone who helped organize the recent Gay Pride weekend in the City. She spoke regarding the recent celebration of the Gardner Elementary School's 100<sup>th</sup> anniversary. She spoke regarding the upcoming presentation on teen prostitution sponsored by the National Council of Jewish Women. She spoke regarding the National League of Cities Discount Prescription Drug Program. She spoke regarding the upcoming Summer Sounds and Shakespeare in the Park series. She requested the City Manager to investigate issues raised during public comment surrounding enforcement of the City's noise ordinance in association with a billboard on Sunset Boulevard.

Mayor Pro Tempore Prang welcomed resident Dan Siegel back to West Hollywood. He spoke regarding his recent attendance at a West Hollywood North Residents Association meeting and requested staff to investigate concerns raised during the meeting, including: coyotes coming down from the hills; scavenging issues; and notification of residents on Horn Avenue and Shoreham Boulevard regarding construction and the possibility of making City parking available to these residents during the construction. He commented on helicopter noise in the City and requested staff to assemble information for the Council regarding helicopter use.

Mayor Duran spoke regarding his recent participation in the AIDS Life Cycle event. He spoke regarding his recent trip to Ft. Lauderdale Florida and his attendance at the first gay pride event of Wilton Manors. He spoke regarding Item 2.R. and encouraged artists to apply for the City's arts grants, and also requested staff to return to Council with a report on arts funding and possible alternative funding sources. He spoke regarding an upcoming performance of the Gay Men's Chorus titled "The Totally 80s Show."

## **CITY MANAGER'S REPORT:**

City Manager Arevalo provided clarification regarding public comment surrounding enforcement of the City's noise ordinance in association with a billboard on Sunset Boulevard. He stated that staff will return to Council with alternative solutions regarding the issue. He spoke regarding Councilmember Comments surrounding arts funding and stated that staff will be returning to Council with an Arts Funding Policy.

## **FISCAL IMPACT ON CONSENT CALENDAR:**

Interim City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$3,037,603.00 in expenditures and \$238,974.00 in potential revenue.

### **2. CONSENT CALENDAR:**

**ACTION:** Approve the Consent Calendar, 2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,N.,O.,P.,Q.,R.,T.,W.,X.,Z.,AA. **Motion by Councilmember Heilman, seconded by Councilmember Land, and unanimously approved noting Councilmember Heilman's NO vote on Item 2.AA.**

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

*The agenda for the meeting of Monday, June 20, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, June 16, 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 6, 2011. **Approved as part of the Consent Calendar.**

#### **2.C. DEMAND REGISTER NO. 676, RESOLUTION NO. 11-4185:**

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

**ACTION:** Approve Demand Register No. 676 and adopt Resolution No. 11-4185, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 676". **Approved as part of the Consent Calendar.**

#### **2.D. CLAIMS ADMINISTRATION:**

*The City Council is asked to deny Claims filed against the City, as a routine administrative step in claims processing.*

**ACTION:** Deny the claim of Michelle Nichian and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

**2.E. ORDINANCE NO. 11-867 (2<sup>ND</sup> READING), IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7600 BLOCK OF HAMPTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 11-867, a proposed ordinance implementing District 8 Preferential Parking Regulations on the 7600 Block of Hampton Avenue and amending the West Hollywood Municipal Code.*

**ACTION:** Waive further reading and adopt Ordinance No. 11-867, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7600 BLOCK OF HAMPTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

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

*The City Council will receive a report from the Arts and Cultural Affairs Commission on actions taken at its recent meetings.*

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

**2.G. REPORT ON STATE LEGISLATIVE ACTIONS [P. AREVALO, H. MESHAR, H. MOLINA]:**

*The City Council will receive a status report on legislation currently considered and voted in Sacramento.*

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

**2.H. GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 54 FUND BALANCE CLASSIFICATIONS [A. GANDHY, G. SCHUCHARD]:**

*The City Council will consider adopting a resolution classifying the various components of fund balance as defined in Governmental Accounting Standards Board Statement No. 54.*

**ACTION:** 1) Adopt the City's definitions of reported balances; 2) Approve the flow assumptions set forth below; 3) Delegate the authority to assign amounts to be used for specific purposes to the Director of Finance & Technology Services; and 4) Adopt Resolution No. 11-4186, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CLASSIFYING THE VARIOUS COMPONENTS OF FUND BALANCE AS DEFINED IN GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 54". **Approved as part of the Consent Calendar.**

**2.I. INTENT TO REIMBURSE EXPENDITURES FROM THE PROCEEDS OF OBLIGATIONS AND DIRECTING CERTAIN ACTIONS [A. GANDHY, D. WILSON]:**

*The City Council will consider adopting the attached resolution to provide for reimbursement of the City for expenditures related to the development of an automated parking structure and civic plaza from the proceeds of debt.*

**ACTION:** Adopt Resolution No. 11-4187 "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD DECLARING THE INTENTION TO REIMBURSE EXPENDITURES FROM THE PROCEEDS OF OBLIGATIONS TO BE ISSUED BY THE CITY AND DIRECTING CERTAIN ACTIONS". **Approved as part of the Consent Calendar.**

**2.J. ASSIGNMENT AGREEMENT BETWEEN THE CITY OF DIAMOND BAR AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS [A. GANDHY, S. BAXTER, D. HATCHER, P. GOODMAN]:**

*The City Council will consider a General Fund trade agreement for Prop A Local Return Funds with the City of Diamond Bar.*

**ACTION:** 1) Approve a Prop A fund trade agreement with the City of Diamond Bar for \$152,570 West Hollywood General Funds in exchange for \$209,000 City of Diamond Bar Prop A Funds; 2) Authorize the City Manager to execute the agreement; and 3) Authorize the Director of Finance to increase budgeted revenues in the Prop A Fund, Account No. 203-421001 by \$209,000 in fiscal year 2011-2012. **Approved as part of the Consent Calendar.**

**2.K. AGREEMENT EXTENSION – STREET TREE MAINTENANCE SERVICES [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*The City Council will consider approving a three-year extension to the Agreement with West Coast Arborist, Incorporated, for street tree maintenance services.*

**ACTION:** 1) Approve the First Amendment to the Agreement with West Coast Arborists, Inc. for providing annual grid pruning and park tree maintenance services in the amount of \$310,149 for fiscal year 2011/2012, \$334,719 for fiscal year 2012/2013 and \$303,723 for fiscal year 2013/2014; 2) Approve West Coast Arborists, Inc. to provide other related tree maintenance, planting and urgency / emergency services at those unit costs established in the Agreement and include a 5% increase to the provision of said services as they are required and funding is available; 3) Authorize the City Manager to provide an increase in compensation to be based on the Consumer Price Index (CPI) All Urban Consumers for the Los Angeles-Anaheim-Riverside Area (base period 1982-84=100) beginning in year two (FY 2012/2013) of the First Amendment to the Agreement; 4) Authorize the City Manager to re-open and negotiate service levels and associated costs as warranted by budgetary constraints; and 5) Authorize the City Manager to execute the

First Amendment to the Agreement. **Approved as part of the Consent Calendar.**

**2.L. 25<sup>th</sup> ANNIVERSARY CAPITAL PROJECT – CITY HALL AUTOMATED GARAGE AND COMMUNITY PLAZA PHASE I PROJECT: AMENDMENTS TO CONTRACTS FOR WALKER PARKING CONSULTANTS, INC. AND LPA, INC. [O. DELGADO, J. ROCCO, S. BAILEY, J. ENGLISH]:**

*The City Council will consider an amendment to the contract for professional services with Walker Parking Consultants. The City Council will also consider an amendment to the contract with LPA, Inc. for design services previously approved on May 2, 2011.*

**ACTION:** 1) Approve an amendment with Walker Parking Consultants to provide professional services for an additional \$35,000 for a total contract amount not to exceed of \$145,000; 2) Approve an amendment with LPA, Inc. for the schematic design phase, the design development phase and the construction documents portion of the project by an additional \$327,692 for a total contract amount not to exceed \$1,504,768; and 3) Authorize the City Manager to execute both agreements. **Approved as part of the Consent Calendar.**

**2.M. EXERCISE 2-YEAR EXTENSION WITH AMPCO SYSTEM PARKING, INC. TO PROVIDE PARKING MANAGEMENT SERVICES [O. DELGADO, J. ROCCO, R. MARQUEZ]:**

*The City Council will consider approval of an amendment to the contract with Ampco System Parking to exercise the first of two 2-year extensions.*

**ACTION:** 1) Approve a two year contract extension with Ampco System Parking, Inc. to provide parking management services for an amount not to exceed \$730,924 for fiscal year 11/12 and \$752,852 for fiscal year 12/13; and 2) Authorize the City Manager to sign the Amendment. **Approved as part of the Consent Calendar.**

**2.N. PARKING RATES FOR PROPERTY LOCATED AT 9056 SUNSET BOULEVARD AND PURCHASE OF PAY-BY-SPACE MACHINE [O. DELGADO, J. ROCCO, R. MARQUEZ]:**

*The City Council will consider adopting a resolution authorizing the installation of self-parking devices, establishing the hours of operation and public parking rates for the City operated surface parking lot located at 9056 Sunset Boulevard.*

**ACTION:** 1) Adopt Resolution No 11-4188, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE INSTALLATION OF SELF-PARKING DEVICES AND ESTABLISHING THE HOURS OF OPERATION AND PARKING RATES FOR THE PARKING LOT LOCATED AT 9056 SUNSET BOULEVARD"; and 2) Authorize staff to negotiate an agreement with the Digital Payment Technologies to purchase a "Pay-by-Space" machine in an amount not to exceed \$15,000. **Approved as part of the Consent Calendar.**

**2.O. AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 – ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FORMULA ALLOCATION (EECBG) GRANTS [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

*The City Council will consider approving an amendment to the Agreement with LPA, Inc. and authorizing the transfer of previously designated Energy Efficiency and Conservation Block Grant Program funding to City Hall.*

**ACTION:** 1) Authorize staff to transfer the Energy Efficiency and Conservation Block Grant Program funding previously designated for use at the Auditorium as outlined in the staff report; 2) Approve an Agreement with LPA, Inc. for design services in the not to exceed amount of \$35,000; and 3) Authorize the City Manager to execute the Agreement. **Approved as part of the Consent Calendar.**

**2.P. GRANT APPLICATION AND EXPENDITURE PLAN FOR THE JUSTICE ASSISTANCE GRANT (JAG) [K. COOK, K. FRASER]:**

*The City Council will consider authorizing Public Safety staff to apply for and then accept, if applicable, the US Department of Justice's Bureau of Justice Assistance's annual allocation for the Justice Assistance Grant (JAG) Program.*

**ACTION:** 1) Authorize staff to apply for and accept, if applicable, the US Department of Justice's Bureau of Justice Assistance's annual allocation to the City of West Hollywood of \$29,974 for the Justice Assistance Grant (JAG) Program; 2) If the grant is awarded, authorize the Director of Finance to adjust the budget in fiscal year 2011-12 to reflect the projected grant award of \$29,974 for a total of \$29,974 in increased budgeted expenditures and revenues; 3) Authorize the expenditure of JAG funds for the continuation and expansion of the City Parks Patrol Program; 4) Authorize the expenditure of remaining grant funds to be used for special patrols as necessary with the approval of the City Manager, the Public Safety Manager, and the Sheriff's Captain; and 5) Authorize the City Manager to reprogram any savings and interest earnings towards the City Parks Patrol Program or special patrols. **Approved as part of the Consent Calendar.**

**2.Q. POTENTIAL EXPLORER/CADET PROGRAM UPDATE [K. COOK]:**

*The City Council will receive an update from the Public Safety Division regarding a potential explorer/cadet program involving the Sheriff and Fire Departments.*

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

**2.R. ANNUAL ARTS GRANT APPLICATION AND GUIDELINES 2012 [P. AREVALO, J. HUFFER, A. CAMPBELL]:**



*The Council will consider approving the Annual Arts Grant Program Applications and Guidelines for 2012 as recommended by the Arts and Cultural Affairs Commission.*

**ACTION:** Approve grant criteria, applications and guidelines for the 2012 Arts Grant Program. **Approved as part of the Consent Calendar.**

**2.S. ADVANCEMENT OF THE ART AND ARTIST SELECTION PROCESS FOR THE CIVIC ART COMPONENT OF THE 25<sup>th</sup> ANNIVERSARY CAPITAL PROJECT - WEST HOLLYWOOD PARK AND NEW LIBRARY [P. AREVALO, J. HUFFER, A. CAMPBELL]:**

*The City Council will review and consider approving the location of a mural by artist Shepard Fairey as a public art work for the new West Hollywood Library.*

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

**2.T. MID-YEAR REPORT ON SOCIAL SERVICES PROGRAMS [S. BAXTER, D. DENNIS]:**

*The City Council will receive the mid-year report of Social Services contract programs.*

**ACTION:** Receive and file the mid-year report. **Approved as part of the Consent Calendar.**

**2.U. SPONSORSHIP OF CAL-ARTS LECTURE SERIES [J. D'AMICO, M. REX]:**

*The City Council will consider sponsorship of a lecture series arranged by the California Institute of the Arts.*

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

**2.V. SUNSET STRIP BUSINESS ASSOCIATION SPECIAL EVENT - COLLABORATION (CoLAB) CRAFT BEER GARDENS [P. AREVALO, J. ENGLISH, J. HUFFER, S. BAXTER]:**

*The City Council will receive and file a concept summary of the planned CoLABoration Craft Beer Gardens (CoLAB) scheduled to be held in the Hammond/Hilldale lot located at 8950 Sunset Boulevard sponsored by the Sunset Strip Business Association in July 2011.*

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

**2.W. OPPOSE AB 438 (WILLIAMS) USE OF PRIVATE CONTRACTORS FOR MANAGEMENT AND OPERATIONS OF PUBLIC LIBRARIES [J. DURAN, H. MOLINA, E. BARRATT]:**

*The City Council will consider adopting a resolution opposing AB 438.*

**ACTION:** 1) Adopt Resolution No 11-4189, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING AB 438 (WILLIAMS) USE OF PRIVATE CONTRACTORS FOR MANAGEMENT AND OPERATIONS OF PUBLIC LIBRARIES", and 2) Direct staff to send copies of the adopted resolution to Senator Fran

Pavley, Assemblymember Mike Feuer, and other key legislators.  
**Approved as part of the Consent Calendar.**

**2.X. GET WEST HOLLYWOOD WORKING [J. HEILMAN, F. SOLOMON, G. LANDE]:**

*This item gives the West Hollywood City Council the opportunity to approve a partnership with local businesses to create employment for previously-employed West Hollywood residents who are currently unemployed and have been looking for work for more than 6 months.*

**ACTION:** 1) Direct staff to discuss the concept of creating employment opportunities for local residents with key leaders in the West Hollywood business community. Special emphasis should be given to major employers; 2) Direct staff to consider the input of the business community and develop the parameters of the program; 3) Direct staff to outreach to the Chamber of Commerce, WHEST, regional educational institutions, small business development centers, The Los Angeles MTA, Cedars Sinai Medical Center, the Los Angeles County Sheriff's Department, and other local business organizations to become partners in this program; and 4) Direct staff to develop a budget and evaluation mechanisms for the program and return to Council for approval. **Approved as part of the Consent Calendar.**

**2.Y. ANNUAL CITY RECOGNITION OF HARVEY MILK DAY [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON]:**

*The City Council will consider supporting an annual City recognition of Harvey Milk Day.*

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

**2.Z. PROPOSED RESOLUTION APPROVING A LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA [A. GANDHY, G. SCHUCHARD]:**

*The City Council will consider amending the loan agreement between the City of West Hollywood and the West Hollywood Community Development Commission (CDC) for the East Side Redevelopment Project.*

**ACTION:** 1) Adopt Resolution No. 11-4190, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA"; and 2) Authorize the City Manager to execute the Loan Documents.  
**Approved as part of the Consent Calendar.**

**2.AA. TIMELINE MODIFICATION FOR ART IN THE STREETS, A TEMPORARY PUBLIC ART EXHIBIT IN COLLABORATION WITH MOCA (THE MUSEUM OF CONTEMPORARY ART, LOS ANGELES) [P. AREVALO, J. HUFFER, A. CAMPBELL]:**

*The Council will consider approving a change of dates for an Art on the Outside exhibition in collaboration with the Museum of Contemporary Arts (MOCA) as originally approved by the City Council on March 21, 2011.*

**ACTION:** Approve the timeline modification for Art in the Streets, a temporary public art exhibit in collaboration with MOCA (The Museum of Contemporary Art) as part of the City's Art on the Outside program from July 2011 through June 2012. **Approved as part of the Consent Calendar with Councilmember Heilman voting NO.**

**THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:25 P.M.**

The Community Development Commission approved the minutes from the March 21, 2011 meeting; adopted a resolution approving and accepting the loan with the City of West Hollywood for the Eastside Project Area, and adopted the West Hollywood Redevelopment Agency Operating Budget for Fiscal Years 2011-2012. The actions are more fully described in the West Hollywood Community Development Commission minutes.

**THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE CITY COUNCIL: 7:26 P.M.**

**3. PUBLIC HEARINGS:**

**3.A. PROPOSED FEE RESOLUTION FOR FY 2011-2012 [A. GANDHY, D. WILSON]:**

*The City Council will consider adopting a resolution establishing fees and charges for certain services provided by the City of West Hollywood.*

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

City Manager Paul Arevalo and David Hatcher, Revenue Management Manager, provided background information as outlined in the staff report dated June 20, 2011.

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

Councilmember Heilman requested clarification from staff that the proposed increases to Community Development fees would be paid by developers.

Mayor Pro Tempore Prang spoke in opposition to increasing parking citation fines and fees associated with the Community Development Department.

Councilmember D'Amico requested clarification from staff regarding proposed fees related to smoking operations plans.

Councilmember Heilman requested clarification from staff regarding projections for revenues associated with fees.

Mayor Duran expressed concerns regarding fee increases and impacts on small businesses, particularly new businesses in the City. He requested clarification from the City Manager regarding impacts on the City's budget if fee increases were not approved.

Councilmember Land spoke in support of the proposed fee increases, stating that the increases were reasonable. She spoke in support of addressing the issue of attracting and retaining businesses in the City as a separate discussion and spoke in support of adding additional direction to staff to investigate these issues.

Mayor Duran closed the public hearing.

**ACTION:** Adopt Resolution No. 11-4191, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING FEES AND CHARGES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF WEST HOLLYWOOD AND REPEALING RESOLUTIONS NO. 10-4046, 10-4053, 10-4076, 10-4102 and 11-4121"; with additional direction to staff to investigate alternative incentives to attract and retain businesses in the City. **Motion by Councilmember Heilman, seconded by Councilmember Land and approved with Mayor Pro Tempore Prang voting NO.**

**3.B. COMPREHENSIVE GENERAL PLAN UPDATE, CLIMATE ACTION PLAN, AND ENVIRONMENTAL IMPACT REPORT; AND APPROVAL OF CONTRACT AMENDMENTS ASSOCIATED WITH THE GENERAL PLAN [A. MCINTOSH, J. KEHO, B. SIEGL]:**

*The City Council will 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.*

Interim 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 June 20, 2011.

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

LAUREN MEISTER, WEST HOLLYWOOD, expressed support for an additional community meeting and expressed concerns related to consultants' fees associated with the General Plan.

STEVE MARTIN, WEST HOLLYWOOD, spoke in support of finalizing the General Plan revision process.

RICHARD GIESBRET, WEST HOLLYWOOD, expressed concerns regarding the community being disenfranchised during the process.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding residents being given multiple opportunities to participate in the process.

Mayor Duran closed the public hearing.

Councilmember Heilman spoke regarding a recent meeting with Councilmember D'Amico and the City Manager to discuss possible changes to the General Plan. He stated that they discussed changes which would avoid a recirculation of the entire E.I.R. and changes to the housing element that would not jeopardize approval from the State.

Councilmember D'Amico confirmed his discussions with Councilmember Heilman and the City Manager. He spoke in support of a final meeting with the public and stated that with thoughtful considerations and input he hopes that the City Council can complete the General Plan revision process.

Councilmember Land requested clarification from staff regarding the roles of consultants during the revision process.

**ACTION:** 1) Continue the public hearing to August 15, 2011, Authorize staff to conduct one additional public workshop regarding the General Plan on a date to be determined; 2) Authorize the City Manager to approve an amendment to the contract with Raimi & Associates in an amount not-to-exceed \$21,500 for professional services to complete the comprehensive update to the City's General Plan; 3) Authorize the City Manager to approve an amendment to the contract with Fehr & Peers in an amount not-to-exceed \$12,000 for professional services to complete the comprehensive update to the City's General Plan; 4) Authorize the City Manager to approve an amendment to the contract with Veronica Tam and Associates in an amount not-to-exceed \$3,000 for professional services to complete the comprehensive update to the City's General Plan; 5) Authorize the City Manager to approve an amendment to the contract with Nelson\Nygaard Inc., in an amount not-to-exceed \$5,000 for professional services to complete the comprehensive update to the City's General Plan; and 6) Authorize the Director of Finance to allocate \$42,003 from the undesignated reserves in the General Fund and increase

budgeted expenditures in account 100-3-07-71-533038 by \$42,003.  
**Motion by Councilmember D'Amico, seconded by Councilmember Heilman and unanimously approved.**

**4. UNFINISHED BUSINESS:**

**4.A. 2011-2012 OPERATING BUDGET AND CAPITAL WORK PLAN UPDATE [P. AREVALO, A. GANDHY, D. HATCHER, D. WILSON]:**

*The City Council will consider adopting the City of West Hollywood Operating Budget and Capital Work Plan Update for Fiscal Year 2011-2012.*

City Manager Arevalo; Anil Gandhi, Director of Finance and Technology; David Wilson, Budget & Compensation Manager; and David Hatcher, Revenue Management Manager, provided background information as outlined in the staff report dated June 20, 2011.

Councilmember Land thanked City staff and the City Manager for bringing the budget forward. She spoke regarding a possible joint use agreement with the Los Angeles Unified School District to locate additional park space, particularly while Plummer Park is under construction, and requested that it be included in the budget at a later date.

Councilmember Heilman thanked City staff and the City Manager for bringing a balanced budget forward. He spoke in support of allowing for flexibility to add additional City services if revenues are higher than anticipated.

Councilmember D'Amico thanked City staff and the City Manager for using conservative revenue estimates.

**ACTION:** 1) Adopt Resolution Number 11-4192 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE BUDGET FOR FISCAL YEAR 2011-2012" as specified in the Statement of Changes to Fund Balance (Attachment A), or as amended by the City Council; and 2) Adopt the division work plans presented in the 2011-2012 Budget. **Motion by Councilmember Land, seconded by Councilmember Heilman and unanimously approved.**

**5. NEW BUSINESS:**

**5.A. 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.*

**ACTION:** 1) Councilmember Heilman made the following direct appointments to City Commissions: Arts & Cultural Affairs Commission – Candice Illouljian; Business License Commission – Gary Reichard; Human Services Commission – Anne Marie Williams; Planning Commission – David Aghaei; Public Facilities Commission – Gregory Woodell; Transportation Commission – David Eichman.

2) The City Council made the following at-large appointments to City Commissions: Arts & Cultural Affairs Commission – Madeleine Rackley; Business License Commission – Erik Barker and Sibyl Zaden; Historic Preservation Commission – Danny Castro and Gail Ostergren; Human Services Commission – Mark Zangrando; Public Facilities Commission – Norman Chramoff and Elyse Eisenberg.

#### **EXCLUDED CONSENT CALENDAR:**

#### **2.S. ADVANCEMENT OF THE ART AND ARTIST SELECTION PROCESS FOR THE CIVIC ART COMPONENT OF THE 25<sup>th</sup> ANNIVERSARY CAPITAL PROJECT - WEST HOLLYWOOD PARK AND NEW LIBRARY [P. AREVALO, J. HUFFER, A. CAMPBELL]:**

*The City Council will review and consider approving the location of a mural by artist Shepard Fairey as a public art work for the new West Hollywood Library.*

Councilmember Land requested clarification regarding the location of the proposed art installation.

Andrew Campbell provided clarification of the location selection and addressed issues surrounding an exterior mounting of the art work.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the selection of Shepard Fairey as the artist for this project.

STEVE MARTIN, WEST HOLLYWOOD, spoke in opposition to the selection of Shepard Fairey as the artist for this project.

Councilmember Heilman requested clarification from staff regarding the representation of the artwork in the staff report and whether it was a close representation of the final piece. He expressed concerns regarding the artwork proposed by Shepard Fairey, the process followed by the Art Process Team, and the artwork's relevance to the City and the Library. He expressed concerns regarding the Art Process Team and their previous approval of a play based on the history of West Hollywood and the inaccuracies in the script.

Councilmember D'Amico spoke in support of the work of art and spoke in support of the complexity of the piece and stated that it is a challenging work of art.

Mayor Pro Tempore Prang spoke in favor of the proposed artwork.

Mayor Duran spoke in favor of the proposed artwork.

**ACTION:** Approve the lobby wall of the new Council Chambers on the ground floor of the New West Hollywood Library as visible from the auto court as the location for a mural to be created and installed by artist Shepard Fairey, as recommended by the Arts and Cultural Affairs Commission. **Motion by Councilmember D'Amico, seconded by Mayor Pro Tempore Prang and approved noting the NO votes of Councilmember Heilman and Councilmember Land.**

**2.U. SPONSORSHIP OF CAL-ARTS LECTURE SERIES [J. D'AMICO, M. REX]:**

*The City Council will consider sponsorship of a lecture series arranged by the California Institute of the Arts.*

Councilmember Land requested clarification from Councilmember D'Amico regarding the fiscal impact associated with the Item.

IRENE OPPENHEIM, WEST HOLLYWOOD, expressed enthusiasm for the lecture series but expressed concerns about the series not being connected with the City of West Hollywood particularly in light of the proposed amount of funding.

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

ELYSE EISENBERG, WEST HOLLYWOOD, spoke in support of the item.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of the item.

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

Councilmember Heilman stated that this is an exciting opportunity to partner with an existing organization. He stated that the lecture series could be held in a variety of locations within the City. He expressed that there is a need for the series to have a direct connection to the residents of the City.

Mayor Pro Tempore Prang spoke in support of the Item, but expressed concerns regarding the allocation of funds for Council supported programs.

Councilmember Land favored an amendment to the motion to create a Steering Committee to ensure that the lecture series be specific to West Hollywood.



**ACTION:** 1) Approve sponsorship of the CalArts Lecture Series and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve the use of a City venue for such events and a waiver of event permits and associated fees; 3) Direct the Public Information Office to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media tools; 4) Direct Human Services Department staff to work with CalArts representatives to identify potential venue sites, organize and schedule events (tentatively for the first Friday in October, November and December); 5) Authorize the Director of Finance to allocate \$10,000 from unallocated General Fund Reserves in fiscal year 2011-12 to account number 100-1-01-00-531001, Special Council Programs, for expenditures related to the CalArts Lecture Series; 6) Authorize the City Manager to sign all required documents relating to this item; and 7) give additional direction to staff to create a steering committee to ensure that programs are specific to West Hollywood and to investigate possible alternative venues for programs. **Moved by Councilmember Land, seconded by Councilmember D'Amico and unanimously approved.**

**2.V. SUNSET STRIP BUSINESS ASSOCIATION SPECIAL EVENT - COLLABORATION (CoILab) CRAFT BEER GARDENS [P. AREVALO, J. ENGLISH, J. HUFFER, S. BAXTER]:**

*The City Council will receive and file a concept summary of the planned CoLLaboration Craft Beer Gardens (CoLLAb) scheduled to be held in the Hammond/Hilldale lot located at 8950 Sunset Boulevard sponsored by the Sunset Strip Business Association in July 2011.*

Councilmember Heilman expressed concerns regarding a special event focused solely on alcohol.

TODD STEADMAN, LOS ANGELES, REPRESENTATIVE OF THE SUNSET STRIP BUSINESS ASSOCIATION, spoke in support of the item.

NIC ADLER, LOS ANGELES, spoke in support of the item.

ELYSE EISENBERG, WEST HOLLYWOOD, spoke in support of the item.

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

Councilmember Heilman reiterated his concerns about this being an event related specifically to alcohol, stating he would be more comfortable if food service was an element of the event.

Councilmember D'Amico requested clarification from staff regarding the limited number of nights for the event and spoke regarding the possibility of making it an ongoing event. He spoke in support of the item.

Councilmember Land spoke in support of bringing residents together to meet and walk the Sunset Strip. She spoke in support of providing information to attendees about other events and venues on the Sunset Strip.

Mayor Duran spoke in support of the Item.

**ACTION:** Receive and file concept summary of outlined Craft Beer Special Event scheduled for Fridays and Saturdays in July 2011 and provide comment. **Motion by Councilmember Land, seconded by Mayor Pro Tempore Prang and unanimously approved.**

**2.Y. ANNUAL CITY RECOGNITION OF HARVEY MILK DAY [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON]:**

*The City Council will consider supporting an annual City recognition of Harvey Milk Day.*

Mayor Duran expressed concerns that a proposed Harvey Milk holiday may be overshadowed by surrounding PRIDE activities, and spoke regarding the possibility of folding the event into the Gay Pride events.

Councilmember Land spoke regarding the proposed Planning Committee created by the Item and spoke in support of their determination as to the best date to hold the event each year. She spoke in support of holding the event as close to the Harvey Milk Holiday as possible to honor his legacy.

Councilmember Heilman spoke in support of the City holding an annual event and in support of exploring the possibility of partnering with other organizations to combine events.

LINDSEY HORVATH, WEST HOLLYWOOD, spoke in support of the item.

**ACTION:** 1) On an annual basis, join with the State of California in declaring May 22 as "Harvey Milk Day"; and 2) Direct the City Manager to assemble a planning committee to hold an annual commemoration event. **Motion by Mayor Duran, seconded by Mayor Pro Tempore Prang and unanimously approved.**

**PUBLIC COMMENT:**

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the City's art selection process.

LINDSEY HORVATH, WEST HOLLYWOOD, spoke regarding a feminist event she recently attended in New York City.

**6. LEGISLATIVE:**

**6.A. PROPOSED ORDINANCE REGARDING LIVING WAGE REQUIREMENTS, ANALYSIS OF THE FEASIBILITY OF IMPOSING THE LIVING WAGE ORDINANCE IN DEVELOPMENT AGREEMENTS AND LIVING WAGE ENFORCEMENT [J. HEILMAN, F. SOLOMON, V. EDWARDS, V. LOVE, T. BROWN]:**

*The City Council will consider an ordinance amending the West Hollywood Municipal Code Living Wage Ordinance to eliminate the actual listing of the rate and authorize the City Council to set the Living Wage Rate by resolution. They will also evaluate the feasibility of imposing a living wage in statutory development agreements and receive a report on current living wage enforcement activities.*

Toya Ann Brown, Senior Management Analyst, and Councilmember Heilman provided background as outlined in the staff report dated June 20, 2011.

DEREK SMITH, UNITED HERE LOCAL 11, spoke in support of the item.

RACHEL TORRES, UNITED HERE LOCAL 11, spoke in support of the item.

IRENE OPPENHEIM, WEST HOLLYWOOD, spoke in support of the item.

LINDSEY HORVATH, WEST HOLLYWOOD, spoke in support of the item. She also spoke in support of an incremental increase over the next five years to make the City's Living Wage Rate more competitive with other cities.

Councilmember Heilman thanked the speakers who came out in support of the item. He spoke in support of the possibility of a future increase of the City's Living Wage Rate to make it more competitive with other cities.

Councilmember D'Amico requested clarification regarding the new proposed Living Wage Rate.

**ACTION:** 1) Introduce on first reading Ordinance No. 11-868, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE CHAPTER 3.20, SECTION 3.20.040 PAYMENT OF LIVING WAGE AND BENEFIT TO REFLECT ADJUSTMENT BY CPI"; 2) Direct staff to return to City Council with a resolution establishing the new Living Wage Rate for 2011-2012 to \$11.42 with health benefits and \$12.67 without health benefits effective August 17<sup>th</sup>; and 3) Direct staff to incorporate language in support of the Living Wage into Development Agreements (DA's) on a project by project basis.

**ACTION: Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Prang and unanimously approved.**

**COUNCILMEMBER COMMENTS:**

Councilmember Land provided clarification of the process for the selection of artist Shepard Fairey for the West Hollywood Library.

**ADJOURNMENT:** The City Council adjourned at 9:28 P.M. in memory of Margaret Tittle, Harold "Harry" Butler, Jr., Steve Jordan, 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, July 18, 2011 at 6:30 P.M. at West Hollywood City Hall, 8300 Santa Monica Blvd.