

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JUNE 19, 2006
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER: The meeting was called to order at 6:32 P.M.

PLEDGE OF ALLEGIANCE: Marcy Norton led the pledge.

ROLL CALL: PRESENT: Councilmember Duran, Land, Prang, Mayor Pro Tempore Guarriello and Mayor Heilman.

ABSENT: None.

ALSO PRESENT: City Manager Paul Arevalo, City Attorney Michael Jenkins, City Clerk Tom West, Assistant City Clerk Corey Schaffer.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that the Closed Session meeting convened at 6:00 P.M. He stated that there were no speakers. He stated that the Closed Session meeting adjourned at 6:20 P.M. with no reportable action taken.

Mayor Heilman stated that the City Council held a special Closed Session meeting on Saturday, June 17, 2006 for a performance review of the City Manager.

APPROVAL OF AGENDA:

Mayor Pro Tempore Guarriello requested that Item 4.A. be moved to the Consent Calendar as Item 2.Y.

Carried by consensus of the Council to approve the June 19, 2006 agenda as amended.

Councilmember Duran requested that the meeting be adjourned in memory of the following soldiers who died in the Iraq war since the last City Council meeting:

Zachary Alday, Corp. Bernard Corpuz, Capt. Patrick Damon, Sgt. Russell Durgin, Corp. Michael Estrella, Sgt. Clarence Mcswain, Lieut. Charles Munier, Sgt. Roger Pena, Spec. Jeremiah Santos, Priv. Benjamin Slaven, Lieut. John Vaughan, Corp. Brent Zoucha, Corp. Andy Anderson, Sgt. Richard Blakley, Sgt. Daniel Crabtree, PFC David Crombie, Corp. Ryan Cummings, Sgt. Daniel Gionet, Sgt. Darren Harmon, Offr. Jaime Jaenke, Spec. Issac Lawson, Lieut. Scott Love, Spec. Curtis Mehrer, Sgt. Carlos Pernell, Offr. Gary Rovinski, Lieut. Ryan Sandfers, Spec. Luis Santos, Sgt. Mark Smykowski, Corp. Derek Stanley, Major Michael Stover, Pfc. Brett Tribble, Sgt. Travis Vanzoest, Sgt. Jose Velez.

Councilmember Prang requested that the meeting be adjourned in memory of Gail Bauman, the mother of Eric Bauman. He also requested that the meeting be adjourned in memory of Gregory Gilbert.

Councilmember Land requested that the meeting be adjourned in memory of the mother of A.J. Wilmers, a former Los Angeles School Board member. She also requested that the meeting be adjourned in memory of the mother of Jeannette Post, a long-time supporter of the West Hollywood community.

PRESENTATIONS:

Councilmember Land presented a commendation to Juliet Kaska, owner of Emerson Hall Fitness, in recognition of her work in the West Hollywood community.

Councilmember Prang presented a plaque to Council intern Ashli Hollars and thanked her for her work with the City.

Mayor Heilman presented a Founder's Award to Fred Vanacore in recognition of his long standing support and work with the West Hollywood business community.

1. PUBLIC COMMENT:

MADELEINE RACKLEY, WEST HOLLYWOOD, spoke in support of Item 2.O. She also spoke regarding Abbe Land's recent State Assembly campaign.

JOAN HENEHAN, LOS ANGELES, spoke in support of Item 2.H. She also spoke regarding Abbe Land's recent State Assembly campaign.

SOFIA GELMAN, WEST HOLLYWOOD, spoke in support of Item 2.M.

RIC RICKLES, WEST HOLLYWOOD, spoke in support of Item 2.M. He also spoke regarding Abbe Land's recent State Assembly campaign.

BARBARA HAMAKER, WEST HOLLYWOOD, spoke in support of Item 2.N. and in support of Item 2.O. She also spoke regarding Abbe Land's recent State Assembly campaign.

RUTH WILLIAMS, WEST HOLLYWOOD, spoke in support of Item 2.O. She also spoke regarding Abbe Land's recent State Assembly campaign.

MIKE GRAY, LOS ANGELES, spoke in support of Item 2.O.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding Abbe Land's recent State Assembly campaign. He also spoke regarding social services programs in the City.

NADIA SUTTON, WEST HOLLYWOOD, spoke regarding Abbe Land's recent State Assembly campaign.

MINDY BRADISH, WEST HOLLYWOOD, spoke regarding Abbe Land's recent State Assembly campaign. She also spoke in support of Item 2.H.

DAVID EICHMAN, LOS ANGELES, spoke in support of Item 2.H. He also spoke regarding Abbe Land's recent State Assembly campaign.

RITA NORTON, WEST HOLLYWOOD, spoke regarding Abbe Land's recent State Assembly campaign.

DON DUNCAN, LOS ANGELES, spoke in support of Item 2.O.

ANDRA-NINA DAVIS AND MICHAEL CLARK, WEST HOLLYWOOD, spoke regarding the formation of the LGBT Sport Foundation in the City.

REVERAND SCOTT IMLER, WEST HOLLYWOOD, spoke in opposition to Item 2.O.

RAE MITCHELL, WEST HOLLYWOOD, spoke regarding Abbe Land's recent State Assembly campaign.

COUNCILMEMBER COMMENTS:

Councilmember Duran spoke regarding Item 2.O. and thanked the community for their support in bringing the Item forward. He provided clarification to the Resolution and stated that it is not tied directly to medicinal marijuana, but instead addresses the enforcement priorities of the Sheriff's Department and lowers the priority for enforcement of marijuana offenses.

Mayor Pro Tempore Guarriello spoke regarding Item 2.O. and thanked Councilmember Duran for initiating the Item. He spoke regarding Item 2.M. and the need to highlight senior issues in the City. He also congratulated Abbe Land on her recent State Assembly campaign.

Councilmember Prang congratulated Abbe Land on her recent State Assembly campaign. He spoke regarding a conflict with Item 2.O. due to his employment with the Los Angeles County Sheriff's Department and noted his Abstention on the Item. He also spoke regarding local utility user taxes being erroneously charged to West Hollywood residents and urged them to contact the City Clerk's office if they are being charged these taxes.

Councilmember Land thanked the community and her colleagues for their support during her recent State Assembly campaign. She spoke regarding the need to support Mike Feuer in his campaign. She spoke regarding the need to increase voter turnout in West Hollywood elections. She also spoke regarding the recent Christopher Street West Pride event and thanked staff and community for making it a successful event.

Mayor Heilman congratulated Abbe Land on her recent State Assembly campaign. He thanked staff and community members for their support of the recent Christopher Street West Pride event. He provided clarification on Item 2.O. and emphasized that the Sheriff's Department already puts a lower priority on marijuana offenses in order to

focus on more serious crimes. He spoke regarding Item 4.A., the Classification and Compensation Study and provided clarification that the Item will adjust staff salaries and job specifications to make them more competitive with other cities in order to continue to attract the best employees. He thanked human resources staff for completing the study and thanked the employee unions for working with the Class/Comp committee to approve the study.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding the business Pink Berry, located at Santa Monica Boulevard and Huntley Drive. He stated that the Business License Commission will review complaints and issues surrounding parking for the business and will look for mitigating solutions.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$1,614,744.00 in expenditures and \$498,801.00 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H., I.,J.,K.,L.,M.,N.,O.,P.,Q.,R.,S.,T.,U.,V.,W.,X.,Y. **Motion by Mayor Pro Tempore Guarriello, seconded by Councilmember Land and unanimously approved with Councilmember Prang ABSTAINING on Item 2.O.**

2.A. POSTING OF AGENDA:

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of June 5, 2006. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 556, RESOLUTION NO. 06-3427:

ACTION: Approve Demand Register No. 556 and adopt Resolution No. 06-3427, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 556." **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

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

2.E. ORDINANCE NO. 06-735 (2ND READING), AMENDING TITLE 10, CHAPTER 10.08.260 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 11 PREFERENTIAL PARKING

REGULATIONS ON THE 600 BLOCK OF CROFT AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

ACTION: Waive further reading and adopt Ordinance No. 06-735, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.260 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 11 PREFERENTIAL PARKING REGULATIONS ON THE 600 BLOCK OF CROFT AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.F SECOND READING OF ORDINANCE NO. 06-736 AND ADOPTION OF RESOLUTION NO. 06-3428 REGARDING THE SEWER SERVICE CHARGE FOR FY 06-07:

ACTION: 1) Introduce for second reading Ordinance No. 06-736, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING A SEWER SERVICE CHARGE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE"; and 2) Adopt Resolution No. 06-3428, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SEWER SERVICES FOR FISCAL YEAR 2006-07 PURSUANT TO TITLE 15, CHAPTER 12 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

2.H. AGREEMENT FOR SERVICES WITH WEST HOLLYWOOD CHAMBER OF COMMERCE FOR FISCAL YEAR 2006-2009:

ACTION: 1) Approve a multi-year agreement with the West Hollywood Chamber of Commerce in the amount not to exceed \$36,000 for fiscal year 2006-2007 to provide a range of business development programs and sponsorships; and 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.I. AGREEMENTS WITH VARIOUS SUPPLIERS FOR OFFICE SUNDRIES, MATERIALS AND RELATED DELIVERY FOR FY 2006-07 AND ANNUAL EXTENSIONS:

ACTION: 1) Approve the two agreements with the following vendors: Arrowhead and Aramark; 2) Authorize the City Manager to execute the ongoing sales and services agreements at a total cost of \$45,000 for fiscal 06-07 and subsequent renewals for the useful life of the products and services; and 3) Authorize the City Manager to execute amendments to these agreements not to be in excess of \$5,000 per contract. **Approved as part of the Consent Calendar.**

- 2.J. APPROVAL OF A ONE YEAR CONTRACT FOR CITY HALL AND PLUMMER PARK SECURITY GUARD SERVICES WITH SHIELD SECURITY, INCORPORATED:**
ACTION: 1) Authorize the City Manager to negotiate a one year contract with Shield Security, Incorporated for security guard services; and 2) Approve the expenditure of up to \$95,000 for July 1, 2006 to June 30, 2007 for a one year contract with Shield Security, Incorporated for security guard services. **Approved as part of the Consent Calendar.**
- 2.K. APPROVAL OF A TWO YEAR CONTRACT RENEWAL WITH THE MAPLE COUNSELING CENTER FOR CRISIS COUNSELING SERVICES FOR THE CITY OF WEST HOLLYWOOD:**
ACTION: 1) Authorize the City Manager to negotiate a contract with The Maple Counseling Center for emergency crisis response counseling services for the City of West Hollywood; and 2) Approve the expenditure of \$53,000 for July 1, 2006 to June 30, 2008 for a two year contract with The Maple Counseling Center for Emergency Crises Response Counseling Services for the City of West Hollywood. **Approved as part of the Consent Calendar.**
- 2.L. AUTHORIZE EXPENDITURES TO COMPUCOM SYSTEMS FOR MICROSOFT SOFTWARE LICENSING:**
ACTION: Authorize the expenditure of an additional amount not to exceed \$35,000.00 to maintain software licensing compliance, as approved by the Director of the Finance and Technology Services Department. **Approved as part of the Consent Calendar.**
- 2.M. BROADCASTING SENIOR ADVISORY BOARD MEETINGS:**
ACTION: Direct the Social Services Division and the Department of Public Information and Prosecution Services to work together to implement the scheduled broadcasts of the Senior Advisory Board meeting. **Approved as part of the Consent Calendar.**
- 2.N. CERTIFYING SPEED LIMITS ON STREETS IN THE CITY OF WEST HOLLYWOOD:**
ACTION: Adopt Resolution No. 06-3429, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING SPEED LIMITS ON STREETS IN THE CITY OF WEST HOLLYWOOD."
Approved as part of the Consent Calendar.
- 2.O. DECLARATION OF POLICY THAT THE CITY OF WEST HOLLYWOOD DOES NOT TARGET MARIJUANA OFFENSES AND DIRECTION TO THE PUBLIC SAFETY COMMISSION TO REVIEW NARCOTICS-RELATED LAW ENFORCEMENT STATISTICS ANNUALLY:**
ACTION: 1) Adopt Resolution No. 06-3430, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING A POLICY THAT THE CITY OF WEST HOLLYWOOD DOES NOT TARGET

MARIJUANA OFFENSES AND GIVING DIRECTION TO THE PUBLIC SAFETY COMMISSION TO REVIEW NARCOTICS-RELATED LAW ENFORCEMENT STATISTICS ANNUALLY"; and 2) Direct the Public Safety Commission of the City of West Hollywood to conduct annual reviews of Sheriff Department statistics related to enforcement activities related to marijuana offenses. Findings to be presented to the City Council at a duly scheduled public hearing. **Approved as part of the Consent Calendar with Councilmember Prang ABSTAINING.**

2.P. EXTENSION OF THE AGREEMENT FOR TAXI VOUCHER SUBSIDY PROGRAM WITH JEWISH FAMILY SERVICES (JFS):

ACTION: 1) Approve the one year extension agreement with Jewish Family Services (JFS) for an amount not to exceed \$600,000, effective July 1, 2006 through June 30, 2007; and 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.Q. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE ASSOCIATION OF WEST HOLLYWOOD MANAGEMENT ASSOCIATION (WHMA) FOR THE PERIOD OF JULY 1, 2006 THROUGH JUNE 30, 2011:

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

2.R. LEGISLATIVE UPDATE FROM HELYNE MESHAR, CITY LOBBYIST:

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

2.S. MID-YEAR REPORT ON SOCIAL SERVICES PROGRAMS:

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

2.T. NOTICE OF COMPLETION FOR CIP 0502 TRAFFIC SIGNAL IMPROVEMENTS AT VARIOUS LOCATIONS, WESTSIDE NORTH-SOUTH CORRIDOR PROJECT:

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.U. STANDING WATER AT THE INTERSECTION OF SANTA MONICA BOULEVARD AND HOLLOWAY DRIVE:

ACTION: Direct Transportation and Public Works to investigate what can be done to fix the problem of standing water at the intersection of Santa Monica Boulevard and Holloway Drive and report back to Council with recommendations within 90 days. **Approved as part of the Consent Calendar.**

2.V. UPDATE ON MODIFICATIONS TO THE MIXED-USE SECTIONS OF THE ZONING ORDINANCE:

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

2.W. PROPOSED RESOLUTION APPROVING AND ACCEPTING THE LOAN TO THE COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA:

ACTION: 1) Adopt Resolution No. 06-3431, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD APPROVING AND ACCEPTING THE LOAN TO THE CITY OF WEST HOLLYWOOD FOR THE EASTSIDE PROJECT AREA"; and 2) Authorize the City Manager to execute the Loan Documents. **Approved as part of the Consent Calendar.**

2.X. CITY OF WEST HOLLYWOOD INVESTMENT POLICY:

ACTION: Adopt Resolution No. 06-3432, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING A STATEMENT OF INVESTMENT POLICY AND RESCINDING RESOLUTION NO. 05-3250." **Approved as part of the Consent Calendar.**

2.Y. (4.A.) PROPOSED IMPLEMENTATION PLAN FOR THE CLASSIFICATION AND COMPREHENSIVE STUDY CONDUCTED BY SLAVIN MANAGEMENT:

ACTION: 1) Approve the Tentative Agreement with the Association of Confidential Employees (ACE) and authorize implementation; 2) Approve the Tentative Agreement with the Association of Council Deputies (ACD) and authorize implementation; 3) Approve the Tentative Agreement with the West Hollywood Management Association (WHMA) and authorize implementation; 4) Approve and authorize implementation for West Hollywood Municipal Employees (WEHOME/AFSCME) upon ratification by the unit; and 5) Approve the revised salary range for the Executive Group and adopt placement as recommended by Slavin Management. **Approved as part of the Consent Calendar.**

THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:31 P.M.

The Community Development Commission approved the minutes from the February 21, 2006 meeting, adopted the 2005-2006 Operating Budget and Capital Work Plan, adopted a Resolution approving and accepting the loan with the City of West Hollywood

for the Eastside Project Area, and allocated funding to prepare a full EIR for the Eastside Redevelopment Area Mixed-use Overlay Zone. 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: 7:39 P.M.

3. PUBLIC HEARINGS:

3.A. PROPOSED FEE RESOLUTION FOR FY 2006-2007:

Mayor Heilman stated that the Item was noticed as required by law.

David Hatcher, Revenue Manager, presented background information as outlined in the staff report dated June 19, 2006.

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

Mayor Pro Tempore Guarriello requested clarification from staff regarding fines for disabled parking violations.

Councilmember Prang spoke in support of the decrease of the fine for failure to turn your wheels toward the curb.

Councilmember Land thanked staff for bringing the Item forward.

Councilmember Duran spoke in opposition to the fee decreases and requested clarification from staff.

ACTION: 1) Adopt Resolution No. 06-3433, "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 RESOLUTION NO. 05-3254 and 05-3282"; and 2) direct staff to continue to review fines regarding disabled parking spaces. **Motion by Councilmember Land, seconded by Mayor Pro Tempore Guarriello approved with Councilmember Duran voting NO.**

3.B. APPEAL OF PLANNING COMMISSION DECISION TO DENY IN PART AN APPEAL BY LAURA BRILL AND ELLEN EVANS AND AFFIRM IN PART AN APPEAL OF LAURA BRILL AND ELLEN EVANS OF THE APPROVAL OF DEMOLITION PERMIT 2005-021 AND DEVELOPMENT PERMIT 2005-029 ALLOWING THE DEMOLITION OF AN EXISTING DUPLEX AND THE CONSTRUCTION OF A NEW DUPLEX LOCATED AT 8914-8916 RANGELY AVENUE, WEST HOLLYWOOD:

Mayor Heilman stated that the Item was noticed as required by law.

Debby Linn, Contract Planner, presented background information as outlined in the staff report dated June 19, 2006.

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

LAURA BRILL, THE APPELLANT, spoke in opposition to the Item and in support of the appeal.

TODD ELLIOTT, ON BEHALF OF THE APPLICANT, spoke in support of the Item and in opposition to the appeal.

RICHARD GIESBRET, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

FRANCOISE BRUN-COTTAN, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

TOM DEMILLE, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

STEVEN GOLIGHTLY, WEST HOLLYWOOD, spoke regarding development concerns in the City.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding concerns about noticing for the project and spoke in opposition to the Item and in support of the appeal.

LAURA BRILL, THE APPELLANT, provided rebuttal.

TODD ELLIOTT, ON BEHALF OF THE APPLICANT, provided rebuttal.

Mayor Heilman closed the public hearing.

Councilmember Duran spoke regarding the need to prevent developments from directly abutting the neighboring structures and the use of setbacks and courtyards as solutions to this problem. He spoke in support of the design of the project and spoke in support of the Item.

Councilmember Land stated that she visited the site. She spoke in support of the design of the project and in support of the Item. She spoke regarding the need to improve noticing for public hearings. She also spoke regarding the need to ensure that future development projects preserve the integrity of neighborhoods in the City.

Councilmember Prang spoke regarding concerns about the design of the project and the floor area ratio (FAR), and the possible need to review the

City's Municipal Code. However, he spoke regarding the fact that the applicant followed the correct procedures in the application process and therefore he is in support of the Item.

Mayor Heilman stated that he visited the site. He spoke regarding concerns raised during public comment about noticing and stated that the notice was clearly visible. He spoke regarding concerns about the appeal itself. He spoke in support of the design of the project and in support of the Item.

ACTION: 1) Adopt Resolution No. 06-3434 as amended, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF LAURA BRILL AND ELLEN EVANS AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION DENYING IN PART THE APPEAL OF LAURA BRILL AND ELLEN EVANS AND AFFIRMING IN PART THE APPROVAL OF DEMOLITION PERMIT 2005-021 AND DEVELOPMENT PERMIT 2005-029 ALLOWING THE DEMOLITION OF AN EXISTING DUPLEX AND THE CONSTRUCTION OF A NEW DUPLEX LOCATED AT 8914-8916 RANGELY AVENUE, WEST HOLLYWOOD CALIFORNIA" **Motion by Councilmember Duran, seconded by Mayor Pro Tempore Guarriello and unanimously approved with Councilmember Prang noting his objection to the deletion of Section 9.C.**

4. UNFINISHED BUSINESS:

4.A. PROPOSED IMPLEMENTATION PLAN FOR THE CLASSIFICATION AND COMPREHENSIVE STUDY CONDUCTED BY SLAVIN MANAGEMENT:

This Item was moved to the Consent Calendar as Item 2.Y.

4.B. PUBLIC SAFETY DIVISION UPDATE – JUNE 2006:

Kristin Cook, Public Safety Manager, presented background information as outlined in the staff report dated June 19, 2006.

ROD MCDONALD, WEST HOLLYWOOD, spoke regarding ongoing safety concerns surrounding homeless people in his neighborhood and the St. Victor's Church food program.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding public safety concerns in the City and noise violations in the City.

Mayor Pro Tempore Guarriello spoke regarding concerns raised during public comment about the St. Victor's Church, and asked the City Attorney to investigate the possibility of a legal solution. He spoke regarding the dangers of traveling alone at night in the City.

Councilmember Land thanked Public Safety staff for compiling the report. She spoke regarding the need to better address vehicle burglary prevention in the city. She spoke regarding the upcoming Neighborhood Watch Program re-branding. She spoke regarding the upcoming National Night Out event, and the possibility of using the event to get more community involvement. She spoke regarding emergency management and emergency preparedness in the City and the need to include City Council in trainings.

Councilmember Prang thanked Public Safety staff for their hard work and for compiling the report. He congratulated Laura Manukian for her organization of the Neighborhood Watch Program. He directed staff to help provide clarification to the Council on the data in the reports.

Councilmember Duran spoke regarding the drug paraphernalia addressed in the report and clarified that most paraphernalia is part of larger police action. He spoke regarding hate crimes in the City and clarified that the statistics in the report include crimes that are being investigated as potential hate crimes. He spoke regarding the concerns raised during public comment about safety near the homeless program at St. Victor's Church and the limitations a government agency has in restricting church activities. He spoke regarding the need to work with the church to find alternative solutions. He spoke regarding the tracking of types of cases that the District Attorney rejects for filing in neighborhood crimes.

Mayor Heilman spoke regarding adding safety issues surrounding vacant properties in the City to the public safety reports. He spoke regarding concerns raised during public comment about safety near the homeless program at St. Victor's Church, and the need to look at alternative, more comprehensive solutions to the homeless problem in the City.

ACTION: 1) Approve the following public safety priorities recommended by the Public Safety Commission, including: a) attempting to reduce the number of vehicle burglaries in the City of West Hollywood by public education and directed sheriff's patrols; b) attempting to reduce the number of street robberies in the City of West Hollywood by public education and directed sheriff's patrols; c) continue to increase participation and enhance the Neighborhood Watch program's re-branding efforts; and d) continue to collaborate with residents and businesses regarding overall public safety education, crime prevention, customer service, and quality of life issues; 2) Identify other public safety priorities to include in the Public Safety Division's work plan; and 3) Give additional direction to staff as necessary. **Carried by consensus of the Council.**

5. NEW BUSINESS:

5.A. 2006-2007 OPERATING BUDGET AND FIVE YEAR CAPITAL WORK PLAN:

City Manager Arevalo presented background information as outlined in the staff report dated June 19, 2006.

NO SPEAKERS.

Councilmember Land thanked staff for bringing forward a balanced budget. She spoke regarding the possibility of including a monthly stipend to Advisory Board members. She requested clarification from staff of the impact on the budget due to the failure of the recent State Library Bond. She spoke regarding the possibility of adding funding for the Public Safety division to enable the Sheriff's Department to develop programs to work with other municipal Sheriff's Departments. She spoke regarding funding for the Wi-Fi program in the City. She spoke regarding looking for funding for more programs to provide services to the frail elderly. She spoke regarding inclusion of the Greening West Hollywood program in the budget. She spoke regarding the possibility of creating a database to locate additional properties for affordable housing opportunities in the City. She spoke regarding the inclusion of first-time homeowner programs in the City. She spoke regarding the inclusion of more programs to attract and retain businesses in the City. She spoke regarding the inclusion of transportation programs for seniors in the City. She spoke regarding the inclusion of rehabilitating Fiesta Hall and the need to look at the possibility of making it a multi-use facility. She requested staff to investigate the possible repair of the water-feature at Hart Park.

Mayor Pro Tempore Guarriello spoke regarding the possibility of building a parking garage near Robertson Boulevard to offset parking issues in that area, prior to the building of the new West Hollywood Library. He spoke regarding the need to investigate solutions to the homeless and mental illness problems in the City.

Councilmember Duran spoke regarding providing more funding to the Avenues of Art and Design BID. He spoke regarding the revision of a City staff position to focus more on a fine arts program in the City. He spoke regarding the need to focus on treatment issues for crystal-meth addictions, the possibility of finding a partner in the community to work with, and the possibility of locating state funding to assist in the City's efforts. He spoke regarding concerns about trash on the streets during weekends in the City and the possibility of providing larger garbage receptacles or additional receptacles. He spoke regarding the addition of a water-feature at the Veteran's Memorial in the City. He requested staff to return at a future date with a list of priorities for discussion.

Mayor Heilman thanked staff for bringing forward a balanced budget. He asked staff for clarification on the revenue side of the report. He also

requested clarification on the increase in the salary budget for the Human Resources Department. He spoke regarding the need for a revised budget plan for the proposed new West Hollywood Library. He requested an update from staff regarding the Wi-Fi program in the City. He spoke regarding the possibility of expanding the City Shuttle service. He requested staff to provide a report on the claims process in the City. He requested staff to return with a report on the budget impact of stipends for Advisory Board Members. He spoke regarding the possibility of applying for more grant money for drug intervention and treatment. He spoke in opposition to inclusion of a water-feature at the Veteran's Memorial at this time. He spoke regarding the inclusion of funds to continue the planning of a subway line in West Hollywood. He spoke regarding the upcoming expiration of housing trust funds, and the need to explore other sources of funding to continue to create affordable housing. He spoke regarding the inclusion of senior dance programs in the work plan. He spoke regarding the inclusion of funds to replace the current median plantings in the City. He spoke regarding the possibility of a City initiated arts program. He spoke regarding the need to develop a long-range plan to address homeless problems in the City. He spoke regarding the possibility of increasing internship and scholarship programs. He spoke in support of providing additional funding for the Avenues of Art and Design BID.

ACTION: 1) Adopt Resolution No. 06-3435, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE BUDGET FOR FISCAL YEAR 2006-07" as specified in the Statement of Changes to Fund Balance (Attachment A), or as amended by the City Council; 2) Adopt the division work plans presented in the Budget; 3) Direct staff to prepare a resolution to be considered in June 2007 for adoption of the 2007-08 Budget; 4) Authorize the Director of Finance to transfer \$5,370,000 from the General Fund Reserves to a newly created General Capital Reserves Fund; and 5) direct staff to return with proposed enhancements to the work plan and the budget for Council consideration.
Motion by Councilmember Land, seconded by Councilmember Prang and unanimously approved.

5.B. PROPOSED ORDINANCE BANNING TASERS AND AMENDMENT TO ORDINANCE NO. 05-716U GOVERNING THE OPERATION OF MEDICAL MARIJUANA DISPENSARIES:

Councilmember Prang presented background information as outlined in the staff report dated June 19, 2006.

NO SPEAKERS.

Councilmember Duran spoke in support of the Item. He spoke regarding changing the title of the Item, to include all security guards, not just medical marijuana dispensary guards. He spoke regarding the need to investigate safety concerns for security guards if tasers are banned.

ACTION: 1) Direct the City Attorney to research state law and confirm it does not preempt local regulation relating to the carrying of tasers; and 2) If not precluded by state law, direct the City Attorney to draft an ordinance amendment prohibiting security guards from carrying a taser or other defensive weapon that imitates a gun in appearance. **Motion by Councilmember Land, seconded by Mayor Pro Tempore Guarriello and unanimously approved.**

5.C. SET DATE FOR THE ANNUAL CONGRESS FOR COMMISSIONS AND ADVISORY BOARDS:

NO SPEAKERS

ACTION: Schedule the Annual Congress for Commissions and Advisory Boards on Saturday, October 14, 2006 9:00 AM to 3:00 PM. **Carried by consensus of the Council.**

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

MARK YEBER, WEST HOLLYWOOD, spoke regarding Abbe Land's recent State Assembly campaign.

6. LEGISLATIVE:

6.A. None.

COUNCILMEMBER COMMENTS:

Councilmember Land spoke regarding a new vacancy on the Women's Advisory Board.

ADJOURNMENT: The City Council adjourned at 10:24 P.M. in memory of soldiers who died in the Iraq war since the last City Council meeting, Gail Bauman, Gregory Gilbert, mother of A.J. Wilmers, and the mother of Jeannette Post to their next regular meeting, which will be on Monday, July 24, 2006 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 24th day of July, 2006 by the following vote:

AYES:	Councilmember:	Duran, Land, Prang, Mayor Pro Tempore Guarriello, Mayor Heilman.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	None.
ABSTAIN:	Councilmember:	None.

SAL GUARRIELLO, MAYOR PRO TEMPORE

ATTEST:

THOMAS R. WEST, CITY CLERK