

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JULY 24, 2006
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER: The meeting was called to order at 6:46 P.M.

PLEDGE OF ALLEGIANCE: Rita Norton led the pledge.

ROLL CALL: PRESENT: Councilmember Duran, Land, Prang, Mayor Pro Tempore Guarriello and Mayor Heilman (participating via telephone from Rusland, Amsterdam).

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 was one (1) speaker. He stated that the Closed Session meeting adjourned at 6:45 P.M. with no reportable action taken.

The City Clerk's office received a report on the Special Closed Session meeting of Saturday, June 17, 2006. Mayor Heilman stated that the meeting convened at 11:00 A.M., with all Councilmembers present. He stated that there were no speakers, that the Council recessed into Closed Session to discuss personnel issues, and that the meeting was adjourned at 1:00 P.M.

APPROVAL OF AGENDA:

City Clerk West requested that Items 2.R. and 2.Y. be tabled to a future meeting.

Councilmember Land provided additional direction on Item 2.F., directing staff to request the M.T.A. to alter any scheduled bus routes on Santa Monica Boulevard to be re-routed between 6:00am and 5:00pm on the day of the event.

Councilmember Prang requested to move Item 2.N. from the Consent Calendar and to have it heard with Item 5.C.

Mayor Pro Tempore Guarriello requested to move Items 5.D. and 6.A. to the Consent Calendar as Items 2.II. and 2.JJ.

Motion by Councilmember Duran, seconded by Councilmember Land to approve the July 24, 2006 agenda as amended and unanimously approved.

Councilmember Land requested that the meeting be adjourned in memory of Eric Rofes, a long-time AIDS activist and the former Executive Director of the Los Angeles Gay and Lesbian Center. She requested that the meeting be adjourned in memory of Lauren Schaad, the niece of Lloyd Long, Director of Human Services at the City.

Councilmember Prang requested that the meeting be adjourned in memory of Florence Doran, the mother of Father Brian Doran of the St. Ambrose Church.

Councilmember Duran requested that the meeting be adjourned in memory of the following soldiers who were killed in Iraq and Afghanistan since the last City Council meeting:

Corp. Nathaniel Baughman, Sgt. Eric Caban, Corp. Geoffrey Cayer, Sgt. Robert Chiomento, Sgt. Andres Contreras, Sgt. Michael Dickinson, Sgt. Alkaila Floyd, Sgt. Robert Kassin, PFC. Derek Plowman, Corp. Julian Ramon, Sgt. Scott Smith, Sgt. Thomas Turner, Sgt. Mark Vecchione, Corp. Matthew Wallace, Spec. Manuel Holguin, Sgt. Duane Dreasky, Sgt. Omar Flores, Sgt. Irving Hernandez, Spec. Troy Linden, Spec. Joseph Micks, Spec. Damien Montoya, Sgt. Justin Noyes, Petty Officer Jerry Tharp, Corp. Michael Estrella, Corp. Luis Santos, Pfc. Kevin Edgin, Officer William Flanigan, Pfc. Collin Mason, Mjr. Jeffrey McLochlin, Spec. Kyle Miller, Sgt. James Muldoon, Sgt. Paul Pabla, Airman 1st Class Carl Jerome Ware, Sgt. Isaac Lawson, Sgt. Jason Buzzard, Corp. Ryan Buckley, Corp. Ryan Clark, Pfc. Justin Davis, Sgt. Joseph Fuerst, Pfc. Devon Gibbons, Corp. Aaron Griner, Corp. Jeremy Jones, Corp. Paul King, Sgt. Benjamin Laymon, Sgt. Terry Lisk, Sgt. Bryan Luckey, Master Sgt. Thomas Maholic, Corp. Jason Morrow, Sgt. Justin Norton, Pfc. Rex Page, Sgt. Raymond Piouhar, Pfc. Michael Potocki, Spec. Christopher Rose, Sgt. Virrueta Sanchez, Spec. Channing Singletary, Sgt. Terry Wallace, Eric Rofes, Spec. David Babineua, Corp. Riley Baker, Pfc. Paul Beyer, Sgt. Mario Bievre, Pfc. Brian Bradbury, Sgt. Jason Buzzard, Sgt. Heath Craig, Sgt. Sirlou Cuaresma, Lieut. Forrest Ewens, Spec. Robert Jones, Spec. Brent Koch, Corp. Christopher Leon, Sgt. Patrick Lybert, Pfc. Kristian Menchaca, Sgt. Jared Monti, Sgt. Reyes Ramirez, Sgt. Ian Sanchez, Pfc. Thomas Tucker, Corp. Brandon Webb, Pfc. Christopher White, Corp. Nicholas Whyte, Sgt. Benjamin Williams.

PRESENTATIONS:

Mayor Pro Tempore Guarriello presented a plaque to outgoing Sheriff's Captain Dave Long and thanked him for his years of support and service to the City.

Councilmember Land presented a plaque to outgoing Women's Advisory Board Member Nicole Curran, and thanked her for her contributions to the City.

Councilmember Prang presented a proclamation announcing the upcoming National Night Out event in the City, on August 1, 2006.

City Manager Arevalo announced that Lieutenant Buddy Goldman will be appointed as the new Sheriff's Captain for the City of West Hollywood.

1. PUBLIC COMMENT:

RIC RICKLES, WEST HOLLYWOOD, spoke in support of Item 2.N., Item 2.J., Item 2.R., Item 2.AA., and Item 2.FF.

MADELEINE RACKLEY, WEST HOLLYWOOD, spoke in support of Item 2.O.

MICHAEL KARSAZ, WEST HOLLYWOOD, spoke in opposition to Item 2.U.

BRAD BURLINGAME, LOS ANGELES, spoke in support of Item 2.S.

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

TOM LANGEVIN, WEST HOLLYWOOD, spoke regarding the need to limit power usage during the summer months in the City. He also spoke regarding a possible moratorium on tree trimming during summer months to protect shade.

NICOLE CURRAN, WEST HOLLYWOOD, spoke regarding a new LIFE program to provide emergency services and disaster preparedness information to residents.

COLLEEN CALLAHAN, LOS ANGELES, spoke in support of Item 2.EE.

CONSTANTINA VELLIOS, WEST HOLLYWOOD, spoke regarding concerns about the location of the replacement trees in Item 2.U..

JEANNE DOBRIN, WEST HOLLYWOOD, thanked City Council for opening public meeting rooms to seniors and disabled residents during hot days.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding staying healthy during hot weather.

DAN BERKOWITZ, WEST HOLLYWOOD, spoke in support of the annual Tom of Finland Erotic Art Fair event in the City.

SHARON GORDON, WEST HOLLYWOOD, spoke regarding her bookstore which recently relocated to the City of West Hollywood.

MARK OLSON, FROM SOUTHERN CALIFORNIA EDISON, spoke regarding power outages in the area.

COUNCILMEMBER COMMENTS:

Councilmember Land thanked Lauren Meister for her tips on staying healthy during hot weather. She requested the City Manager to report on public meeting spaces available to the public during hot days. She spoke regarding the concerns raised during public

comment about tree trimming and directed facilities and landscape staff to investigate the possibility of altering the schedule during summer months. She spoke regarding the LIFE program in the City and directed the Public Safety Division to coordinate with LIFE to enhance emergency and disaster preparedness services in the community. She requested clarification about the concerns raised during public comment regarding the Mediterranean Village resolution.

Councilmember Prang requested Public Safety staff to investigate the possibility of tougher enforcement for residents who leave children or pets in automobiles during hot weather. He provided an update on the proposed bill from Mayor Villairagosa to consolidate the Los Angeles Unified School District and clarified that representatives from all Cities have expressed their opposition to the bill during recent meetings.

Councilmember Duran spoke regarding the war in Iraq and the recent conflicts in the Middle East and the need for citizens to actively voice their opinions and become involved. He thanked the Facilities and Landscape Division for providing extra garbage cans on the Westside. He requested the City Manager to investigate the possibility of reducing electric vehicle spaces in the City if they are no longer being utilized and asked the City Manager to return with a report.

Mayor Heilman spoke regarding Item 2.V. and gave direction to staff to ensure that all banners have lettering that is easily readable. He spoke regarding Item 2.GG. and provided direction to staff to include provisions for animal breeders in drafting the ordinance. He thanked Captain Dave Long for his years of service to the City and congratulated Lieutenant Buddy Goldman on his appointment to Captain of the Sheriff's Department. He thanked Nicole Curran for her service to the Community on the Women's Advisory Board and her continued service with Jewish Vocational Services. He welcomed business owner Sharon Gordon to the community and encouraged her to participate in the West Hollywood Book Fair. He spoke regarding Councilmember Duran's comments regarding electric vehicle parking spaces and a previous Council decision to convert these spaces to Hybrid vehicle parking spaces.

Mayor Pro Tempore Guarriello spoke regarding the cooling centers at Plummer Park and West Hollywood Park Auditorium and encouraged residents to utilize them. He spoke regarding the upcoming Summer Games event for children in the City. He spoke regarding construction on Santa Monica Boulevard and requested the City Manager to provide an update. He spoke regarding large trash pickups in the City and encouraged residents to contact Jan Harmon in the Public Works Division to have items removed in a timely manner.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding the cooling centers in the City and clarified that they are open seven (7) days a week from 10:00 A.M. to 8:00 P.M. He spoke regarding residents bringing their pets to the park and staff would attempt to accommodate them in the cooling centers if possible. He spoke regarding Councilmember Duran's comments regarding electric vehicle parking spaces and clarified that the Zoning Code

has been amended to change the designation of those spaces to any alternative fuel vehicle. He spoke regarding Mayor Pro Tempore Guarriello's comments regarding construction on Santa Monica Boulevard and ensured Council that the City is working with LADWP to complete the project in the most timely manner possible.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$782,875.00 in expenditures and \$-2500.00 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.,O.,P.,Q.,S.,T.,V.,W.,X.,Z.,AA.,BB.,CC.,DD.,EE.,FF.,GG.,HH.,II.,JJ.

Motion by Mayor Heilman, seconded by Councilmember Land and unanimously approved.

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 19, 2006. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 557 AND 558, RESOLUTION NO. 06-3436 AND 06-3437:

ACTION: Approve Demand Register No. 557 and 558 and adopt Resolution No. 06-3436 and 06-3437, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 557 AND 558." **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Irene Davidoff and Marina Drabkin and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

2.F. AIDS WALK 2006:

ACTION: Authorize co-sponsorship of the AIDS Walk 2006 which includes: 1) Authorize the waiver of all City of West Hollywood special event fees for this event; 2) Authorize the Director of Finance to appropriate from the unallocated General Reserves: \$23,000 for barricades, street signage and event noticing to account 100-3-05-51-535010; and 3) Approve date, Sunday, October 15, 2006 and location,

West Hollywood Park and surrounding residential streets. **Approved as part of the Consent Calendar with additional direction to direct staff to request the M.T.A. to alter any scheduled bus routes on Santa Monica Boulevard to be re-routed between 6:00am and 5:00pm on the day of the event.**

2.G. APPOINTMENT TO THE HERITAGE TREE COMMITTEE:

ACTION: Appoint for a term of one year, Mr. Geoffrey Buck, resident of West Hollywood, as the community representative to the City's Heritage Tree Committee. **Approved as part of the Consent Calendar.**

2.H. APPROVAL OF FINAL TRACT MAP NO. 60541 FOR THE CONDOMINIUM PROJECT LOCATED AT 825 KINGS ROAD:

ACTION: 1) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act; b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Tract Map No. 60541; and 3) Instruct the City Clerk to endorse on the face of the map of Tract Map No. 60541 the certificate, which embodies the approval of said map. **Approved as part of the Consent Calendar.**

2.I. A RESOLUTION SETTING THE DATE AND LOCATION FOR A PUBLIC HEARING FOR THE PROPOSED VACATION OF A PORTION OF SANTA MONICA BOULEVARD:

ACTION: Adopt Resolution No. 06-3438, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO VACATE A PORTION OF SANTA MONICA BOULEVARD STREET AT 8759 SANTA MONICA BOULEVARD IN THE CITY OF WEST HOLLYWOOD AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON." **Approved as part of the Consent Calendar.**

2.J. APPROVAL OF THE CONTRACT WITH THE CITY'S LEGISLATIVE ADVOCATE, CHRISTINE MINNEHAN & ASSOCIATES:

ACTION: Approve a contract with CM&A for an amount not to exceed \$37,200 from July 1, 2006 to June 30, 2007 to represent the City as a legislative advocate during and between sessions of the California State Legislature and for travel expenses to provide oral presentation to the

Rent Stabilization Commission and attend various meetings at City Hall; and authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

2.K. APPROVAL OF AN AMENDMENT TO THE CITY MANAGER'S EMPLOYMENT AGREEMENT:

ACTION: Approve an amendment to the City Manager's Employment Agreement relative to severance, administrative leave and salary adjustments and authorize the Mayor to sign. **Approved as part of the Consent Calendar.**

2.L. CITY OF WEST HOLLYWOOD / BARNEY'S BEANERY ANNUAL CAR SHOW:

ACTION: 1) Approve the street closure requested in this report; and 2) Approve waiver of the special event fee. **Approved as part of the Consent Calendar.**

2.M. CITY OF WEST HOLLYWOOD CO-SPONSORSHIP OF IVY BOTTINI'S 80TH BIRTHDAY CELEBRATION:

ACTION: 1) Direct the Public Information Office to coordinate with Helping Heroes Productions in assisting with the promotion of the 80th Birthday celebration for Ivy Bottini on August 26th, 2006; and 2) Proclaim August 26th, 2006 as "Ivy Bottini Day" in the City of West Hollywood. **Approved as part of the Consent Calendar.**

2.N. CITY OF WEST HOLLYWOOD REGIONAL HOUSING SUMMIT:

ACTION: This Item was moved from the Consent Calendar to be heard with Item 5.C.

2.O. CITY OF WEST HOLLYWOOD WOMEN'S LEADERSHIP CONFERENCE:

ACTION: Direct City staff to work in conjunction with the local chapters of the National Women's Political Caucus (NWPC), the National Organization for Women (NOW), the California List, and the National Organization for Women Business Owners (NAWBO) to organize and promote the conference. **Approved as part of the Consent Calendar.**

2.P. CO-SPONSORSHIP OF THE RAPE TREATMENT CENTER'S 4TH ANNUAL JOHN VARVATOS EVENT BENEFITING STUART HOUSE:

ACTION: 1) Approve the City co-sponsorship of the March 11th, 2007 5th Annual John Varvatos event to benefit Stuart House; 2) Direct Public Information staff to work with the Rape Treatment Center and the event promoters to promote the event; and 3) Waive special event permit fees associated with the event, approximately \$2,500. **Approved as part of the Consent Calendar.**

- 2.Q. EXERCISE 2-YEAR EXTENSION WITH AMPCO SYSTEM PARKING, INC. TO PROVIDE PARKING MANAGEMENT SERVICES:**
ACTION: 1) Approve a two year contract extension with Ampco System Parking, Inc. to provide parking management services for an amount not to exceed \$240,000 for fiscal year 06/07 and \$270,000 for fiscal year 07/08; and 2) Authorize the City Manager to sign the Amendment. **Approved as part of the Consent Calendar.**
- 2.R. 5TH ANNIVERSARY OF THE WEST HOLLYWOOD BOOK FAIR:**
ACTION: Authorize the Director of Finance and Technology to transfer unappropriated general funds of \$10,000 to the Human Services Budget, Recreation Division budget item number 100-3-05-51-535011. **TABLED to a future meeting.**
- 2.S. FRIENDSHIP CITIES UPDATE:**
ACTION: Receive and file this report as an update to the City Council on the activities of the Friendship City Program. **Approved as part of the Consent Calendar.**
- 2.T. FUNDING FOR ADDITIONAL WORK STATIONS IN THE COMMUNITY DEVELOPMENT DEPARTMENT:**
ACTION: 1) Authorize the Director of Finance to appropriate \$32,800 from the General Fund unallocated reserves to the Community Development Department for four (4) new work stations (including work surfaces, partition walls, desk furniture, computers, desk chairs, office supplies, etc); 2) Approve an Agreement for Goods and Services with Systems Source in an amount not to exceed \$22,000; and 3) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**
- 2.U. REVISED RESOLUTION PER CITY COUNCIL DIRECTION ON MAY 16, 2006 TO GRANT APPEAL OF ADMINISTRATIVE PERMIT 2005-46 AND UPHOLD APPROVAL OF ADMINISTRATIVE PERMIT 2003-45 FOR LANDSCAPING MODIFICATIONS AT MEDITERRANEAN VILLAGE APARTMENT COMPLEX LOCATED AT 840 N. LARRABEE STREET, WEST HOLLYWOOD, CA.:**
ACTION: This Item was moved to the Excluded Consent Calendar.
- 2.V. MODIFICATIONS TO SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT STREET POLE BANNER POLICIES:**
ACTION: Approve the proposed modifications to the SSBA Street Pole Banner Policies and continue the administrative policy that gives SSBA priority to display its own Sunset identity banners, and to determine which other banners might be displayed. **Approved as part of the Consent Calendar.**
- 2.W. NATIONAL NIGHT OUT AGAINST CRIME IN WEST HOLLYWOOD:**

ACTION: 1) Proclaim August 1, 2006 "National Night Out" in West Hollywood; 2) Approve all street closures for National Night Out block parties; and 3) Approve the City's official sponsorship of all West Hollywood National Night Out events and waive all City fees associated with this event. **Approved as part of the Consent Calendar.**

2.X. PROPOSED RESOLUTION AMENDING THE AFFORDABLE HOUSING SCHEDULE FOR THE INCLUSIONARY HOUSING PROGRAM:

ACTION: Adopt Resolution No. 06-3440, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE AFFORDABLE HOUSING SCHEDULES FOR THE INCLUSIONARY HOUSING PROGRAM." **Approved as part of the Consent Calendar.**

2.Y. REQUEST FOR AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS SEEKING A PARTNER TO EXPAND THE PUBLIC WIRELESS (WI-FI) NETWORK:

ACTION: Authorize staff to issue an RFP seeking partners to expand the public wireless network. **TABLED to a future meeting.**

2.Z. RESIGNATION OF NICOLE CURRAN FROM THE WOMEN'S ADVISORY BOARD:

ACTION: Accept with regret the resignation of Nicole Curran from the Women's Advisory Board. **Approved as part of the Consent Calendar.**

2.AA. RESOLUTION ESTABLISHING A LIVING WAGE RATE FOR 2006-2007 OF \$8.67/HR WITH HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR AND \$9.92/HR WITHOUT HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR:

ACTION: Adopt Resolution No. 06-3441, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A LIVING WAGE RATE FOR 2006-2007 OF \$8.67/HR WITH HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR AND \$9.92/HR WITHOUT HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR." **Approved as part of the Consent Calendar.**

2.BB. REIMBURSE SERCO FOR THE COST OF TWO AUTOVU VEHICLE LICENSE RECOGNITION UNITS:

ACTION: Authorize payment to Serco Management Services, Inc. for the purchase of two (2) AutoVu vehicle license recognition units for the City of West Hollywood for an amount not to exceed \$162,375. **Approved as part of the Consent Calendar.**

2.CC. REQUEST FOR AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR VALET PARKING SERVICES:

ACTION: Authorize staff to issue an RFP for Valet Parking Services. **Approved as part of the Consent Calendar.**

2.DD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING CITY COUNCIL POSITIONS ON STATE INFRASTRUCTURE BOND PACKAGE FOR NOVEMBER 7, 2006 ELECTION:

ACTION: 1) Adopt Resolution No. 06-3442, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING CITY COUNCIL POSITIONS ON THE STATE INFRASTRUCTURE BOND PACKAGE FOR NOVEMBER 7, 2006 ELECTION,"; 2) Send copies of the adopted resolution to Governor Arnold Schwarzenegger, California State Senator Sheila Kuehl, California State Assemblymember Paul Koretz and the California League of Cities; 3) Publicize City Council positions via the City website and news release. **Approved as part of the Consent Calendar.**

2.EE. A RESOLUTION IN SUPPORT OF THE INITIATIVE MEASURE PROPOSITION 86, "THE TOBACCO TAX ACT OF 2006":

ACTION: 1) Adopt Resolution No. 06-3443, "A RESOLUTION IN SUPPORT OF THE INITIATIVE MEASURE PROPOSITION 86, 'THE TOBACCO TAX ACT OF 2006'," which will appear on the ballot November 7th, 2006; and 2) Send copies of resolutions to Governor Arnold Schwarzenegger, State Senator Sheila Kuehl, State Assemblymember Paul Koretz and the Coalition for a Healthy California. **Approved as part of the Consent Calendar.**

2.FF. A RESOLUTION IN OPPOSITION TO PROPOSITION 85, "WAITING PERIOD AND PARENTAL NOTIFICATION BEFORE TERMINATION OF A MINOR'S PREGNANCY," A CONSTITUTIONAL INITIATIVE:

ACTION: 1) Adopt Resolution No. 06-3444, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO PROPOSITION 85, 'WAITING PERIOD AND PARENTAL NOTIFICATION BEFORE TERMINATION OF MINOR'S PREGNANCY,' A CONSTITUTIONAL INITIATIVE", and 2) Direct staff to send copies of signed resolution to US Senators Dianne Feinstein and Barbara Boxer, US House Representative Henry Waxman, California Governor Arnold Schwarzenegger, California State Senator Sheila J. Kuehl, California State Assemblymember Paul Koretz. **Approved as part of the Consent Calendar.**

2.GG. SPAY/NEUTER AND MICROCHIPPING OF DOGS:

ACTION: 1) Direct the City Attorney to draft an ordinance amending Title 9 of the West Hollywood Municipal Code (WHMC) to require all residents have their dogs and cats spayed or neutered, and have an identifying microchip implanted in each dog; and 2) City Attorney to report back within 90 days. **Approved as part of the Consent Calendar.**

2.HH. UPDATE ON PRO-ACTIVE CODE COMPLIANCE AND PROPOSED SMOKE DETECTOR PROGRAM:

ACTION: 1) Receive and file the attached mid-way progress report on the two-year pro-active code compliance program begun in FY 2005-2006; and 2) Direct staff to implement a pro-active smoke detector program.
Approved as part of the Consent Calendar.

2.II. (5.D.) GROUND LEASE AND ASSOCIATED LOAN GUARANTY FOR PARK/HOUSING DEVELOPMENT AT 1140 FORMOSA STREET:

ACTION: 1) Authorize the City Manager to execute a Ground Lease, associated Loan Guaranty, and other related documents with the Formosa Ave. LLC to create an approximately 4,600 square foot public neighborhood pocket park site at the property located at 1140 Formosa Street; and 2) Deem that associated park fees in the amount of \$36,551.59 are satisfied by use of the approximately 4,600 square foot site as a public neighborhood pocket park for 99 years at a cost of \$1.00 per year. **Approved as part of the Consent Calendar.**

2.JJ. (6.A.) INTRODUCTION ON FIRST READING OF FLOODPLAIN MANAGEMENT ORDINANCE:

ACTION: Introduce on first reading Ordinance No. 06-737, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ARTICLE 3 OF TITLE 15 OF THE WEST HOLLYWOOD MUNICIPAL CODE, ADDING NEW CHAPTER 15.68 FLOODPLAIN MANAGEMENT REGULATIONS AND AMENDING CHAPTER 13.04 OF THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

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

Mayor Pro Tempore Guarriello stated that the Item was noticed as required by law.

Rod Marquez, Parking Operations Officer, presented background information as outlined in the staff report dated July 24, 2006.

Mayor Pro Tempore Guarriello opened the public hearing and the following speakers came forward:

TOM DEMILLE, WEST HOLLYWOOD, spoke in opposition to the Item.

Mayor Pro Tempore Guarriello closed the public hearing.

ACTION: 1) Authorize the implementation of the revised fees for Parking Citations effective July 25, 2006; and 2) Adopt Resolution No. 06-3445, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REVISING FEES AND CHARGES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF WEST HOLLYWOOD AND

AMENDING RESOLUTION NO. 06-3433." **Motion by Councilmember Prang, seconded by Councilmember Duran and unanimously approved.**

4. UNFINISHED BUSINESS:

4.A. CHRISTOPHER STREET WEST TASK FORCE REPORT:

Ray Reynolds, Director of Economic Development and Special Projects, presented background information as outlined in the staff report dated July 24, 2006.

RODNEY SCOTT, WEST HOLLYWOOD, spoke in support of the Item.

Mayor Heilman thanked the Task Force for their hard work on bringing the report forward. He spoke regarding providing clear fiscal accountability for the event. He spoke regarding the City taking over certain aspects of the event, including television broadcast, and the possibility of month long activities. He spoke regarding the need to bring in outside expertise to enhance the event.

Councilmember Land thanked the Task Force for their work in bringing the Item forward. She spoke regarding the recent Pride event in the City and the need to look at more in-depth changes to the event. She spoke regarding the need to provide clear fiscal accountability for the event.

Councilmember Prang thanked the Task Force for their hard work on compiling the report. He spoke regarding the need to look at more in-depth and creative changes to the event. He spoke regarding the need to have pre and post assessments of the event each year. He spoke regarding the need for more transparent fiscal accountability of the event.

Councilmember Duran noted his ABSTENTION due to a conflict regarding his law partner, who represents Christopher Street West.

ACTION: 1) Receive and file the Christopher Street West Task Force Report; 2) Direct the Human Services and Economic Development and Special Projects Departments to implement the recommendations of the CSW Task Force Report; 3) implement the three (3) recommendations from the Arts and Cultural Affairs Commission; and 4) direct staff to investigate the possibility of implementing the following: a) creating a Pride Coordinator staff position in the City; b) bring noticing for the event in-house; c) move event broadcasting in-house; d) move the creation of a month-long calendar of events in-house; and e) continue to work with an independent Task Force to enhance the event. **Motion by Councilmember Prang, seconded by Mayor Heilman and approved with Councilmember Duran ABSTAINING.**

5. NEW BUSINESS:

5.A. AUTHORIZATION FOR AN AGREEMENT FOR SERVICES WITH METROPOLITAN GROUP TO PROVIDE RESOURCE DEVELOPMENT SERVICES RELATED TO THE NEW WEST HOLLYWOOD LIBRARY:

Ray Reynolds, Director of Economic Development and Special Projects, presented background information as outlined in the staff report dated July 24, 2006.

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

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the Item.

Mayor Heilman spoke regarding the fact that this is the first step in fund raising for the library. He spoke in support of the Item.

Councilmember Land spoke regarding the need to work with a consultant to create a fundraising strategy for the library.

Councilmember Prang spoke in opposition to the Item. He spoke regarding concerns about the consulting firm and their location in Portland, Oregon.

Councilmember Duran spoke regarding concerns about choosing a consulting firm located in Portland, Oregon.

Mayor Pro Tempore Guarriello spoke regarding concerns about choosing a consulting firm located in Portland, Oregon.

ACTION: 1) Approve an agreement with the Metropolitan Group in an amount not-to-exceed \$104,500 for Phase I and Phase II resource development and fundraising services for the new West Hollywood Library; 2) Authorize the Director of Finance to appropriate \$104,500, including expenses and contingency, from the undesignated General Fund Reserves and increase budgeted expenditures by \$104,500 in the Economic Development Department Library Project line item (100-1-01-10-533020); and 3) Authorize City Manager to sign and execute all necessary documents. **Motion by Councilmember Duran, seconded by Councilmember Land and approved with Mayor Pro Tempore Guarriello and Councilmember Prang voting NO.**

5.B. DIRECTION TO THE CITY ATTORNEY REGARDING STREAMLINING OF APPEAL PROCESS FOR DECISIONS MADE BY STAFF OR PLANNING COMMISSION:

Hernan Molina, Council Deputy, presented background information as outlined in the staff report dated July 24, 2006.

PHILIP HOSKINS, WEST HOLLYWOOD, spoke in opposition to the Item.

TOM DEMILLE, WEST HOLLYWOOD, spoke in opposition to the Item.

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

Councilmember Duran spoke regarding the possibility of exempting large projects in the Item. He spoke regarding concerns about abuse of the appeal process in the community.

Mayor Pro Tempore Guarriello spoke regarding the fact that the Item merely directs the City Attorney to draft an Ordinance. He spoke regarding the possibility of reducing the number of signatures in certain appeals.

Mayor Heilman clarified that the Item does not limit residents from reporting violations or prevent anyone from filing an appeal. He spoke in support of the Item and spoke regarding concerns about the abuse of the appeal process in the community.

Councilmember Prang spoke regarding concerns about limiting the appeal process and discouraging residents from filing an appeal based on proximity to the location. He spoke regarding the small amount of appeals filed in the City and the need to make the appeal process accessible to all residents.

Councilmember Land spoke regarding the possibility of changing the MCUP process rather than amending the entire appeal process.

ACTION: 1) Direct the City Attorney to draft a zone text amendment of the WHMC Section 19.76.030 "Filing and Processing of Appeals" to establish that the waiver of appeal filing fees shall be limited to appeals brought forward by residents, business owners or property owners living or operating a business within 1,000 feet radius of the subject property or business for which a decision has been made and subject to appeal. Amendment to include language requiring that all signing persons should be residents, property or business owners within 1,000 feet radius of property for which a decision has been rendered and appealed filed; and 2) City Attorney to report back to the Council within 90 days. **Motion by Councilmember Duran, seconded by Mayor Pro Tempore Guarriello and MOTION FAILED with Mayor Heilman, Councilmember Land and Councilmember Prang voting NO.** Motion made to refer the matter to the Planning Commission to review the appeal process, to investigate ways to streamline the process (if needed), and to solicit input from the business community regarding the appeal process. **Motion by Mayor Heilman, seconded by Councilmember Prang and approved with Councilmember Duran voting NO.**

5.C. DIRECTION TO STAFF TO INVESTIGATE OPTIONS ON HOW TO MANAGE THE NUMBER OF DEMOLITION PERMITS AND TO INVESTIGATE AND PROPOSE A SET OF POLICY RECOMMENDATIONS ON HOW TO MANAGE GROWTH IN THE CITY OF WEST HOLLYWOOD:

Hernan Molina, Council Deputy, presented background information as outlined in the staff report dated July 24, 2006.

No speakers.

Councilmember Land thanked staff for bringing the Item forward. She spoke regarding the need to investigate the permit process to ensure fairness and equality in issuing permits.

Councilmember Prang spoke regarding the need to find ways to protect and create affordable housing in the City. He spoke regarding the need to include specific West Hollywood concerns in the Regional Housing Summit.

Mayor Pro Tempore Guarriello spoke regarding the difficulties in creating affordable housing and the need to investigate options other than building condominiums.

Mayor Heilman spoke regarding recent inclusionary units and affordable housing units that have been constructed in the City. He spoke regarding concerns about intense development in certain areas of the City.

ACTION: 1) Direction to staff to develop a set of policy recommendations on how to better manage growth in the city and how to create incentives for the development of workforce/affordable housing units on major thoroughfares; and 2) Staff to report back with preliminary recommendations within 90 days. **Motion by Councilmember Land, seconded by Mayor Heilman and unanimously approved.**

2.N. CITY OF WEST HOLLYWOOD REGIONAL HOUSING SUMMIT:

This Item was heard out of order with Item 5.C. at the request of City Council.

ACTION: 1) Direct staff to develop an agenda and date for a Regional Housing Summit designed to discuss opportunities and challenges with the current housing environment; 2) Direct staff to develop a land use “tool box’ to address challenges and opportunities identified and discussed at the summit; and 3) Staff to report back with preliminary agenda in 30 days. **Motion by Councilmember Land, seconded by Mayor Heilman and unanimously approved.**

- 5.D. GROUND LEASE AND ASSOCIATED LOAN GUARANTY FOR PARK/HOUSING DEVELOPMENT AT 1140 FORMOSA STREET:
ACTION: This Item was moved to the Consent Calendar as Item 2.II.**

- 5.E. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE CHANGE FOR AUGUST 2006 AND JANUARY 2007:**

Tom West, City Clerk, presented background information as outlined in the staff report dated July 24, 2006.

No speakers.

ACTION: 1) Cancel the meeting of August 7, 2006; 2) Reschedule the meeting of January 1, 2007 to January 2, 2007, due to a conflict with the New Year's Day holiday; and 3) Reschedule the meeting of January 15, 2007 to January 16, 2007, due to a conflict with the Martin Luther King Day holiday. **Carried by Consensus of the Council.**

EXCLUDED CONSENT CALENDAR:

- 2.U. REVISED RESOLUTION PER CITY COUNCIL DIRECTION ON MAY 16, 2006 TO GRANT APPEAL OF ADMINISTRATIVE PERMIT 2005-46 AND UPHOLD APPROVAL OF ADMINISTRATIVE PERMIT 2003-45 FOR LANDSCAPING MODIFICATIONS AT MEDITERRANEAN VILLAGE APARTMENT COMPLEX LOCATED AT 840 N. LARRABEE STREET, WEST HOLLYWOOD, CA.:**

City Attorney Jenkins and Susan Healy Keene, Director of Community Development, presented background and clarification as outlined in the staff report dated July 24, 2006.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the Item and spoke regarding concerns about the testimony of the applicant.

CONSTANTINA VELLIOS, WEST HOLLYWOOD, spoke regarding concerns about the location of the replacement trees.

Councilmember Land spoke in support of replacing the trees in approximately the same location.

Councilmember Duran spoke in opposition to the Item.

ACTION: 1) Adopt Resolution No. 06-3439, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD GRANTING THE APPEAL OF CONSTANTINA VELLIOS, AND DENYING THE PLANNING COMMISSION'S ACTION TO CONDITIONALLY APPROVE ADMINISTRATIVE PERMIT 2005-46, AND UPHOLDING PREVIOUS APPROVAL OF ADMINISTRATIVE PERMIT 2003-45 FOR THE REMOVAL AND REPLACEMENT OF EIGHT (8) MATURE CANOPY

TREES AT AN APARTMENT COMPLEX AT 840 LARRABEE STREET, WEST HOLLYWOOD, CALIFORNIA.” **Motion by Mayor Heilman, seconded by Mayor Pro Tempore Guarriello and approved with Councilmember Duran and Councilmember Land voting NO.**

PUBLIC COMMENT:

YOLA DORE, WEST HOLLYWOOD, spoke in opposition to allowing animals at the cooling stations.

6. LEGISLATIVE:

6.A. INTRODUCTION ON FIRST READING OF FLOODPLAIN MANAGEMENT ORDINANCE:

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

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 9:57 P.M. in memory of Eric Rofes, Lauren Schaad, Florence Doran, and all the soldiers who have died in Iraq and Afghanistan since the last City Council Meeting, to their next regular meeting, which will be on Monday, August 21, 2006 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.