

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, FEBRUARY 20, 2007
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER:

The meeting was called to order at 6:38 P.M.

PLEDGE OF ALLEGIANCE:

Steve Afriat led the pledge.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: City Manager Arevalo, Acting City Attorney John Cotti, City Clerk West, and Asst. City Clerk Schaffer.

REPORT OF CLOSED SESSION AGENDA:

Acting City Attorney Cotti stated that the Closed Session Meeting convened at 6:00 P.M. He stated that there was one (1) speaker. He stated that one (1) item of Threatened Litigation was added to the agenda. He stated that the Closed Session adjourned at 6:30 P.M. with no reportable action taken.

APPROVAL OF AGENDA:

Mayor Heilman requested that Item 6.A. be moved to the Consent Calendar as Item 2.P.

Motion by Mayor Pro Tempore Guarriello and carried by consensus of the Council to approve the February 20, 2007 agenda as amended.

Councilmember Prang requested that the meeting be adjourned in memory of Barbara Gibbons, a pioneer in the gay and lesbian rights movement. He requested the meeting be adjourned in memory of Richard Banta, a long-time West Hollywood resident.

Councilmember Land requested that the meeting be adjourned in memory of Randy Stone, co-founder of the Trevor Project and long-time supporter of LGBT rights.

Councilmember 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: Sgt 1st Class William C. Spillers, Pfc. Branden C. Cummings, Spc. Ronnie G. Madore Jr., Lance Cpl. Daniel T. Morris, Sgt. John D. Rode, Sgt. Carl L. Seigart, Sgt. 1st Class Allen Mosteiro, Pfc. Nickolas A. Tanton, Sgt. Russell A. Kuntz, Spc. Dennis L Sellen Jr, Sgt. Robert B. Thrasher, Capt. Donnie R. Belser Jr, Spc. Leeroy A. Camacho, Sgt. James J. Regan, Staff Sgt. Eric Ross, Staff Sgt. Alan W. Shaw, Pvt. Luke Daniel Simpson, Spc. Ross A Clevenger, Sgt. James J. Holtom, Pvt. Raymond M. Werner, Sgt. Maj. Joseph J. Ellis, Capt. Jennifer J. Harris, Pfc. Tarryl B. Hill, 1st Lt. Jared M. Landaker, Petty Officer 1st Class Gilbert Minjares Jr., Cpl. Jennifer M. Parcell, Lance Cpl. Matthew P. Pathenos, Sgt. Travis D. Pfister, Petty Officer 3rd Class Manuel A. Ruiz, Cpl. Thomas E. Saba, Sgt. James R. Tijerina, Pfc. Brian A. Browning, Sgt. Joshua J. Frazier, 2nd Lt. Jonathan Carlos Bracho-Cooke, Lance Cpl. Brandon J. Van Parys.

Mayor Heilman requested that the meeting be adjourned in memory of Leo McCarthy, the former Lt. Governor of California. He requested that the meeting be adjourned in memory of Irwin Abrahams, the father of City Hall staff member Bob Abrahams.

PRESENTATIONS:

Councilmember Prang presented a commendation to Mike Vorndran for his activism in the local LGBT community.

Mayor Heilman presented a commendation to Charles S. Cohen of the Pacific Design Center for their support of the West Hollywood community.

1. PUBLIC COMMENT:

ED BUCK, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City.

WILLIAM NEISH, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City.

DICK BLACKBURN, WEST HOLLYWOOD, spoke regarding development issues in the City and the upcoming General Municipal Election in the City.

AGATHA SZATMARY, WEST HOLLYWOOD, spoke regarding the recent Senior Valentine's Day dance in the City.

PATRICIAN PRICE, CHINO HILLS, spoke in support of Item 2.L.

DAVID NASH, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City.

GARY OLIPHANT, WEST HOLLYWOOD, spoke regarding Mindy Bradish, the President and C.E.O. of the West Hollywood Chamber of Commerce.

JOSHUA FISHER, WEST HOLLYWOOD, spoke regarding the Medical Marijuana Ordinance (Ordinance No. 07-743) approved at the February 5, 2007 meeting.

DENNIS STRATTON, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City.

ROBBIE WILSON, LOS ANGELES, spoke regarding live performance permits in the City.

SOLOMON SILMAN, WEST HOLLYWOOD, spoke regarding live performance permits in the City.

SAMUEL BORELLI, WEST HOLLYWOOD, spoke regarding the recent death of Randy Stone, the co-founder of the Trevor Project.

LYNN RUSSELL, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City.

PATRICIA NELL WARREN, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City.

RICHARD KEARNS, WEST HOLLYWOOD, spoke regarding Medical Marijuana issues in the City.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the recent Senior Valentine's Day dance in the City. She spoke regarding the commendation presented to Charles S. Cohen from the Pacific Design Center.

MARCY NORTON, WEST HOLLYWOOD, spoke regarding the upcoming General Municipal Election in the City.

COUNCILMEMBER COMMENTS:

Mayor Pro Tempore Guarriello, spoke regarding a recent meeting with the Los Angeles County Sanitation District.

Councilmember Land spoke regarding the recent Senior Valentine's Day Dance in the City. She spoke regarding improved signage for bike riders in the City. She requested staff to investigate the possibility of providing more animal refuse

disposal stations to residents in the City. She spoke regarding campaign fund contributions from her recent State Assembly campaign. She spoke regarding an upcoming event on March 5th for Women's History Month.

Councilmember Prang spoke regarding an upcoming Town Hall Meeting with Assemblymember Mike Feuer. He spoke regarding the recent Senior Valentine's Day Dance in the City. He requested staff to investigate the operation of the traffic control device on Sweetzer Avenue. He spoke regarding posting campaign signs on public street trees and public facilities. He spoke regarding public comments concerning live performance permits in the City. He spoke regarding translations of election materials for the upcoming General Municipal Election in the City. He extended best wishes to resident Stan Lothridge.

Mayor Heilman spoke regarding the recent Senior Valentine's Day Dance in the City. He spoke regarding concerns about translations for election materials for the upcoming General Municipal Election in the City and thanked the City Clerk's staff for their work on the Election. He thanked Mayor Pro Tempore Guarriello for his participation on the Los Angeles County Sanitation District. He spoke regarding public comments concerning live performance permits in the City. He spoke regarding public comments concerning tax rebates for Federal taxes charged for long distance phone calls. He spoke regarding the upcoming Candidates' Forum for the upcoming General Municipal Election in the City.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding the upcoming Oscar events in the City.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$139,471.00 in expenditures and \$61,790.00 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. Motion by Councilmember Land, seconded by Mayor Pro Tempore Guarriello and unanimously approved.

2.A. POSTING OF AGENDA: The agenda for the meeting of Tuesday, February 20, 2007 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 15, 2007. **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 February 5, 2007.

Approved as part of the Consent Calendar.

2.C. DEMAND REGISTER NO. 572, RESOLUTION NO. 07-3496: The City Council is requested to approve payment of bills due as presented by the Director of Finance. ACTION: Approve Demand Register No. 572 and adopt Resolution No. 07-3496, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 572."

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 claims of Rafi Mizrahi, Boris Shapiro, Martin Tahse, Hari and Ganga Panjabi, Jeffrey Lee Miller, Roman Rubinshteyn and refer to the City's claims adjuster.

Approved as part of the Consent Calendar.

2.E. ORDINANCE NO. 07-747 (2ND READING), CREATING AN EXCEPTION TO THE DISPERSAL OF AFFORDABLE INCLUSIONARY RENTAL UNITS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE; AND ORDINANCE NO. 07-748 (2ND READING), AMENDING THE ZONING MAP OF THE WEST HOLLYWOOD MUNICIPAL CODE: [T. WEST / C. SCHAFFER] The City Council will waive further reading and adopt Ordinance No. 07-747, a proposed ordinance creating an exception to the dispersal of affordable inclusionary rental units and amending the West Hollywood Municipal Code; and Ordinance No. 07-748, a proposed ordinance amending the Zoning Map of the West Hollywood Municipal Code. ACTION: 1) Waive further reading and adopt Ordinance No. 07-747, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD CREATING AN EXCEPTION TO THE DISPERSAL OF AFFORDABLE INCLUSIONARY RENTAL UNITS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE"; and 2) Waive further reading and adopt Ordinance No. 07-748, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE ZONING MAP OF 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 reports from various Commissions on actions taken at their recent meetings. ACTION: Receive and file.

Approved as part of the Consent Calendar.

2.G. APPROVAL OF FINAL TRACT MAP NO. 61147 FOR THE CONDOMINIUM PROJECT LOCATED AT 8465 HOLLOWAY DRIVE: [J. ENGLISH / S. PERLSTEIN] The City Council will consider the approval of Final Tract Map No. 61147, a mixed use project with 16 residential condominium units, a 20-unit hotel, and a restaurant, located on the northwest corner of Holloway Drive at Hacienda Place. 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, 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. 61147; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 61147 the certificate, which embodies the approval of said map.

Approved as part of the Consent Calendar.

2.H. DIRECTION TO STAFF TO WORK WITH THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL TO STUDY IMPACTS OF SINGLE CONTAINER ALCOHOL SALES: [A. LAND / L. BELSANTI] The City Council will consider directing staff to work with the Department of Alcoholic Beverage Control (ABC) to study the impacts of single container alcohol sales. ACTION: 1) Direct staff to work with the Department of Alcoholic Beverage Control (ABC) to study the impacts of single container alcohol sales; and 2) Staff to report back with findings in 90 days.

Approved as part of the Consent Calendar.

2.I. IMPLEMENTATION OF A JOINT PILOT PROGRAM WITH THE CITY OF BEVERLY HILLS TO TEST SINGLE SPACE PARKING METERS THAT ACCEPT CREDIT CARD PAYMENTS: [O. DELGADO / R. MARQUEZ / L. THU / J. ENGLISH] The City Council will consider granting approval to implement a six (6) month pilot program on La Brea Avenue to test eighteen

(18) single space parking meters that accept credit card payments. The City of Beverly Hills will also be conducting a pilot program concurrently using the same style meters. ACTION: Authorize staff to implement a six (6) month pilot program for eighteen (18) single space parking meters on La Brea Avenue.

Approved as part of the Consent Calendar.

2.J. INSTALLATION OF WOMEN'S HISTORY MONTH BANNERS ALONG SANTA MONICA BOULEVARD: [L. BELSANTI] The City Council will consider a request from the West Hollywood Women's Advisory Board to authorize the installation of Women's History Month banners from March 1, 2007 to March 31, 2007, along Santa Monica Blvd between La Cienega and Crescent Heights. ACTION: Direct staff to approve the installation of 32 pole banners on the north and south sides of Santa Monica Boulevard between La Cienega and Crescent Heights from March 1, 2007 - March 31, 2007.

Approved as part of the Consent Calendar.

2.K. RESCHEDULE THE DATE FOR INSTALLATION OF THE NEW MAYOR AND MAYOR PRO TEMPORE FOR CALENDAR YEAR 2007: [T. WEST / C. SCHAFFER] The City Council will consider rescheduling the Installation of the new Mayor and Mayor Pro Tempore for 2007. ACTION: Reschedule the Installation Activities for the Mayor and Mayor Pro Tempore to the May 7, 2007 meeting.

Approved as part of the Consent Calendar.

2.L. SUPPORT OF MEASURES TO ATTAIN FEDERAL AIR STANDARDS: [J. HARMON / S. PERLSTEIN / J. ENGLISH] The City Council will consider a resolution in support of the Air Quality Management District's Development of a Draft 2007 Air Quality Management Plan. ACTION: Adopt Resolution No. 07-3497, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE DEVELOPMENT OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT'S (AQMD) DRAFT 2007 AIR QUALITY MANAGEMENT PLAN FOCUSING ON MOBILE SOURCE CONTROLS."

Approved as part of the Consent Calendar.

2.M. UTILITY VEHICLE PURCHASE: [L. LONG / S. BAXTER] The City Council is being requested to authorize purchase of one street maintenance utility vehicle. ACTION: Authorize the Finance Department to issue a Purchase Order to Santa Monica Ford, Santa Monica, California in an amount of \$38,070.80 for the purchase of one 2008 Ford F-450 Utility Vehicle.

Approved as part of the Consent Calendar.

2.N. WOMEN'S HISTORY MONTH 2007: [L. BELSANTI] The City Council will consider approval of programming in celebration of Women's History Month 2007. ACTION: Approve programming for Women's History Month 2007 and direct the appropriate City staff to work with the Women's Advisory Board to coordinate the production and promotion of Women's History Month.

Approved as part of the Consent Calendar.

2.O. HAVENHURST PARK SITE DESIGN: [L. LONG / S. BAXTER] The City Council will consider approving the Design Development Phase for the Havenhurst Park site and authorize the preparation of associated construction documents. ACTION: 1) Approve the Design Development Phase of Havenhurst Park as described in this report; 2) Authorize the City Manager to sign an Agreement with Katherine Spitz Associates in the amount of \$82,700 for park design services for the Havenhurst Park site; and 3) Authorize the expenditure of an amount not to exceed \$10,000 for related design components and contingencies as approved by the Director of Human Services.

Approved as part of the Consent Calendar.

2.P. (6.A.) INTRODUCTION AND FIRST READING OF AN ORDINANCE AMENDING THE MUNICIPAL CODE REGARDING PEDDLING AND OBSTRUCTION OF THE RIGHT OF WAY: [M. JENKINS] The City Council will consider introduction of an ordinance modifying certain provisions of the Business License Ordinance pertaining to peddling and modifying provisions of the Municipal Code pertaining to obstructing the public right of way with merchandise, vegetation and structures. ACTION: Introduce on first reading Ordinance No. 07-751, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PERTAINING TO PEDDLING AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS:

3.A. AMENDMENTS TO THE ZONING ORDINANCE REGARDING INCLUSIONARY HOUSING REQUIREMENTS AND MINIMUM PROPERTY MAINTENANCE STANDARDS: [A. WINDERMAN / J. SKORNECK / E. SAVAGE / S. HEALY KEENE / J. KEHO / F. STEFAN] The City Council will hold a public hearing to consider amendments of the City of West Hollywood Zoning Ordinance regarding inclusionary housing requirements and property maintenance standards pertaining to elevator maintenance.

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

Jeff Skorneck, Housing Manager, presented background information as outlined in the staff report dated February 20, 2007.

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

EDWARD LEVIN, WEST HOLLYWOOD, spoke in support of the Item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the Item and regarding affordable housing issues in the City.

J.W. MOORE, IV, WEST HOLLYWOOD, spoke in support of the Item and spoke regarding concerns about inclusionary housing in-lieu fees.

Mayor Heilman closed the Public Hearing.

Councilmember Land spoke regarding concerns surrounding the possible decrease in inclusionary housing in-lieu fees, and concerns surrounding the size of units in future developments.

Councilmember Duran spoke regarding possible impacts of housing for seniors and people with disabilities with a decrease in inclusionary in-lieu fees in the City.

Mayor Pro Tempore Guarriello spoke regarding specific needs for the senior and the disabled population in future developments.

Councilmember Prang spoke in support of the Item.

Mayor Heilman spoke in support of the Item. He spoke regarding unit size for senior housing. He spoke regarding the need to look for other sources of revenue for housing development in the City, in addition to inclusionary in-lieu housing fees. He spoke regarding the need to retain requirements for distribution of inclusionary housing units in future development projects.

ACTION: 1) Continue the public hearing for the first reading of Ordinance No. 07-749, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 19.22 OF TITLE 19 (ZONING ORDINANCE) [ZONE TEXT AMENDMENT 2005-03] RELATING TO INCLUSIONARY HOUSING" to a date uncertain; 2) Direct staff to bring an alternative amendment of Chapter 19.22 to the Planning Commission for its review and recommendation to the City Council within 90 days; and 3) Conduct the public hearing and introduce the first reading Ordinance No. 07-750, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 19.30 OF TITLE 19 (ZONING ORDINANCE) [ZONE TEXT AMENDMENT 2005-03] RELATING TO PROPERTY MAINTENANCE STANDARDS." **Motion by Councilmember Land, Seconded by Mayor Pro Tempore Guarriello and approved**

4. UNFINISHED BUSINESS:

4.A. COMMISSION AND ADVISORY BOARD APPOINTMENTS: [T. WEST / C. SCHAFFER] The City Council made the following at-large appointments to City Commissions and Advisory Boards.

Disabilities Advisory Board: TABLED.

Russian Advisory Board: TABLED.

Women's Advisory Board: TABLED.

5. NEW BUSINESS:

5.A. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE CHANGES FOR 2007: [T. WEST / C. SCHAFFER] The City Council will consider revising the City Council Regular Meeting Schedule for April and July of 2007. ACTION: 1) Cancel the meeting of April 2, 2007, due to the Passover holiday.

Carried by consensus of the Council.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

J.W. MOORE, IV, WEST HOLLYWOOD, spoke regarding personal medical issues.

6. LEGISLATIVE:

6.A. INTRODUCTION AND FIRST READING OF AN ORDINANCE AMENDING THE MUNICIPAL CODE REGARDING PEDDLING AND OBSTRUCTION OF THE RIGHT OF WAY: [M. JENKINS]

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

COUNCILMEMBER COMMENTS:

Councilmember Land requested staff to bring forward a future Council Item regarding peddling in the City.

ADJOURNMENT: The City Council adjourned at 8:18 P.M. in memory of Barbara Gibbons, Richard Banta, Randy Stone, Leo McCarthy, Irwin Abrahams, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting, to their next regular meeting, which will be on Monday March 5, 2007 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 5th day of March, 2007 by the following vote:

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

JOHN HEILMAN, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK