

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, MARCH 19, 2007
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER:

Mayor Heilman called the meeting to order at 6:34 P.M.

PLEDGE OF ALLEGIANCE:

Richard Settle led the pledge.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: City Manager Arevalo, City Attorney Jenkins, City Clerk West,
and Asst. City Clerk Schaffer.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that the Closed Session convened at 6:00 P.M. He stated that there were no speakers. He stated that the Closed Session adjourned at 6:30 P.M. with one (1) reportable action taken - City Council authorized the filing of a petition to the California Supreme Court seeking a review of the 2nd Appellate Court decision in the case of Save Tara v. City of West Hollywood.

APPROVAL OF AGENDA:

Mayor Heilman requested that Councilmember Comments be moved to follow the Public Comments. He requested that the administration of the Oath of Office be moved ahead of Presentations.

Mayor Pro Tempore Guarriello noted his NO vote on Item 2.Q.

Motion by Councilmember Prang, seconded by Councilmember Land to approve the March 19, 2007 agenda as amended and unanimously approved.

Councilmember Land requested that the meeting be adjourned in member of Lon Buisch, former member of the Disabilities Advisory Board.

Councilmember Prang requested the meeting be adjourned in memory of Leana Goldberg, the mother of West Hollywood businessman Richard Weintraub. He requested the meeting be adjourned in memory of long-time resident Anna Mae Richardson.

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: Lt. Cmdr. Morgan O. Tulang, Spc. Luis O. Rodriguez-Contrera, Staff Sgt. Dustin M. Gould, Staff Sgt. Paul M. Latourney, Hospitalman Lucas W.A. Emch, Sgt. Michael C. Peek, Sgt. Brandon A. Parr, Sgt. Ashly L. Moyer, Lance Cpl Raul S. Bravo, Pvt. Johnathon Dany Wysoczan, Staff Sgt. Darrel D. Kasson, Staff Sgt. Robert M. Stanley, Spc. Ryan D. Russell, Spc. Justin A. Rollins, Sgt. Andrew C. Perkins, Pvt. Barry W. Mayo, Pfc. Cory C. Kusters, Spc. Blake Harris, Staff Sgt. Justin M. Estes, Spc. Ryan M. Bell, Staff Sgt. Christopher R. Webb, Spc. Michael D. Rivera, Spc. Shawn P. Rankinen, Pvt. Mark W. Graham, Lance Cpl. Dennis J. Veater, Sgt. Daniel E. Woodcock, Sgt. Thomas L. Latham, Lance Cpl. Nathaniel D. Windsor.

Mayor Heilman requested that the meeting be adjourned in memory of Charlene Keller, the mother of City staff member Prentis Bonds.

- A. CERTIFICATION OF ELECTION RESULTS OF THE GENERAL MUNICIPAL ELECTION OF MARCH 6, 2007: [T. WEST / C. SCHAFFER]**
The City Council will consider adopting a resolution declaring the results of the General Municipal Election held on Tuesday, March 6, 2007. Action: 1) Declare Abbe Land, John Heilman, and Sal Guarriello elected as Member of the City Council to a full term of four years; and 2) Adopt Resolution No. 07-3505, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, RECITING THE FACT OF THE GENERAL ELECTION HELD ON MARCH 6, 2007, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW."

Motion by Mayor Pro Tempore Guarriello, seconded by Councilmember Prang and unanimously approved.

- C. ADMINISTER THE OATH OF OFFICE TO THE NEWLY ELECTED COUNCILMEMBERS:** The oath will be Administered to the newly elected members of the City Council, Abbe Land, John Heilman, and Sal Guarriello.

Supervisor Zev Yaroslavky administered the oath of office to Councilmember Land.

Sheriff Lee Baca administered the oath of office to Mayor Pro Tempore Guarriello.

Supervisor Zev Yaroslavsky administered the oath of office to Mayor Heilman.

1. PUBLIC COMMENT:

J. GRAIGORY, WEST HOLLYWOOD, spoke in support of Item 2.N.

MICHAEL POLES, WEST HOLLYWOOD, spoke regarding Item 2.G.

MARK OLSON, FROM SOUTHERN CALIFORNIA EDISON, spoke regarding upgrades in service in the City of West Hollywood and a recent rate reduction for services.

SANDY HUTCHENS, LOS ANGELES, congratulated the incumbents on their re-election to office in the recent General Municipal Election.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, congratulated the incumbents on their re-election to office in the recent General Municipal Election.

DAVID EICHMAN, LOS ANGELES, congratulated the incumbents on their re-election to office in the recent General Municipal Election.

NADIA SUTTON, WEST HOLLYWOOD, congratulated the incumbents on their re-election to office in the recent General Municipal Election.

DAVID KRUSKALL, FROM THE WHEST PROGRAM, spoke regarding job placement programs provided to residents by Jewish Vocational Services.

PATRICK KIBBY, WEST HOLLYWOOD, congratulated the incumbents on their re-election to office in the recent General Municipal Election.

PATRICIA NELL WARREN, WEST HOLLYWOOD, congratulated the incumbents on their re-election to office in the recent General Municipal Election and spoke regarding her campaign.

HEAVENLY WILSON, WEST HOLLYWOOD, congratulated the incumbents on their re-election to office in the recent General Municipal Election and spoke regarding her campaign.

ED BUCK, WEST HOLLYWOOD, spoke regarding the recent General Municipal Election in the City and spoke regarding campaign contributions for the election.

NEAL ZASLAVSKY, WEST HOLLYWOOD, congratulated the West Hollywood City Clerk's office on the recent General Election in the City. He congratulated the incumbents on their re-election to office in the recent General Municipal Election.

ROB BERGSTEIN, WEST HOLLYWOOD, congratulated the incumbents on their re-election to office in the recent General Municipal Election.

GARY OLIPHANT, LOS ANGELES, congratulated the incumbents on their re-election to office in the recent General Municipal Election.

JOAN HENEHAN, LOS ANGELES, congratulated the incumbents on their re-election to office in the recent General Municipal Election. She spoke regarding the Wells Fargo sponsorship of the upcoming Women's Leadership Conference.

J.W. MOORE, IV, WEST HOLLYWOOD, spoke in support of Items 2.G., 2.L., 2.N. He congratulated the incumbents on their re-election to office in the recent General Municipal Election.

DAVID NASH, WEST HOLLYWOOD, congratulated the incumbents on their re-election to office in the recent General Municipal Election.

JEANNE DOBRIN, WEST HOLLYWOOD, congratulated the incumbents on their re-election to office in the recent General Municipal Election. She spoke regarding the proposed Green Ordinance in the City and congratulated City Staff for their efforts to bring it forward.

RICHARD KEARNS, WEST HOLLYWOOD, spoke regarding HIV/AIDS issues in the City.

YOLA DORE, WEST HOLLYWOOD, congratulated the incumbents on their re-election to office in the recent General Municipal Election.

MURIEL SCHOICHET, WEST HOLLYWOOD, congratulated the incumbents on their re-election to office in the recent General Municipal Election.

PRESENTATIONS:

The City Council and Jan Harmon, Environmental Programs Coordinator, presented the kick-off for the "Re-Use-A-Shoe" recycling program in the City.

Mayor Heilman presented a proclamation to outgoing Human Services Commissioner Peter Mackler and thanked him for his work in the City.

COUNCILMEMBER COMMENTS:

Councilmember Land thanked residents for voting in the recent General Municipal Election and for her re-election to office. She spoke regarding issues with bicycles on the sidewalks and measures being taken by the City. She spoke regarding traffic calming measures being taken on Laurel and Harper Avenues in the City. She spoke regarding her recent attendance at the Sacramento Budget

Processing Conference. She spoke regarding the recent resignation of Planning Commissioner Eric Thompson.

Councilmember Prang congratulated the incumbents on their re-election to office in the recent General Municipal Election. He thanked the City Clerk's staff for their work on the election. He spoke regarding voter turnout and encouraged voters to participate in the upcoming May election. He spoke regarding an upcoming Domestic Partnership Tax Seminar in the City. He spoke regarding Item 2.G. on the agenda.

Councilmember Duran spoke regarding Item 2.G. on the agenda. He spoke regarding medical marijuana issues in the City. He spoke regarding an upcoming meeting to discuss Crystal Meth issues in the City. He spoke regarding the recent General Municipal Election in the City.

Mayor Pro Tempore Guarriello spoke regarding the recent General Municipal Election in the City. He spoke regarding the recent Planning Commission approval of a mixed-use housing project at Sierra Bonita and Santa Monica Boulevard.

Mayor Heilman spoke regarding the recent General Municipal Election and thanked residents for participating. He spoke regarding the need to move forward and work together to preserve the City's history. He spoke regarding his recent participation at a National League of Cities Conference, and meetings with Senator Barbara Boxer, representatives from Senator Feinstein's office, and representatives from Congressman Waxman's offices at the conference. He spoke regarding the upcoming Women's Leadership Conference in the City. He spoke regarding the upcoming Women in Leadership Awards reception.

CITY MANAGER'S REPORT:

City Manager Arevalo congratulated the incumbents on their re-election to office in the recent General Municipal Election. He spoke regarding upcoming housing and parking issues in the City, the upcoming Westside Specific Plan, and groundbreaking on the new library for the City.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$323,213.00 in expenditures and \$137,029.00 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. **Motion by Councilmember Land, seconded by**

Mayor Pro Tempore Guarriello and unanimously approved with Mayor Pro Tempore Guarriello voting NO on Item 2.Q.

2.A. POSTING OF AGENDA: The agenda for the meeting of Monday, March 19, 2007 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 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 March 5, 2007.

Approved as part of the Consent Calendar.

2.C. DEMAND REGISTER NO. 574, RESOLUTION NO. 07-3500: The City Council is requested to approve payment of bills due as presented by the Director of Finance. ACTION: Approve Demand Register No. 574 and adopt Resolution No. 07-3500, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 574."

Approved as part of the Consent Calendar.

2.D. TREASURER'S REPORTS FOR SEPTEMBER 2006 AND OCTOBER 2006: [A. GANDHY] The City Council will receive the Treasurer's Reports for the months ended September and October, 2006 pursuant to Section 53646 of the Government Code of the State of California. ACTION: Receive and file.

Approved as part of the Consent Calendar.

2.E. CLAIMS ADMINISTRATION: The City Council is asked to deny Claims filed against the City, as a routine administrative step in claims processing. ACTION: Deny the claims of Meriam Bendat, Villa Las Brisas HOA, and Mercury Insurance (Losacco) and refer to the City's claims adjuster.

Approved as part of the Consent Calendar.

2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS: The City Council will receive reports from various Commissions and/or Advisory Boards on actions taken at their recent meetings. ACTION: Receive and file.

Approved as part of the Consent Calendar.

2.G. A RESOLUTION CONDEMNING DISCRIMINATORY COMMENTS ABOUT GAY & LESBIAN AMERICANS MADE BY CHAIRMAN OF THE JOINT CHIEFS OF STAFF, GENERAL PETER PACE, & CALL FOR HIS RESIGNATION: [J. PRANG / J. KURPIES] The City Council will consider adopting a resolution condemning discriminatory comments about gay and lesbian Americans made by Chairman of the Joint Chiefs of Staff, General Peter Pace, and call for his resignation. ACTION: 1) Adopt Resolution No. 07-3504, "A RESOLUTION CONDEMNING DISCRIMINATORY COMMENTS ABOUT GAY & LESBIAN AMERICANS MADE BY CHAIRMAN OF THE JOINT CHIEFS OF STAFF, GENERAL PETER PACE, & CALL FOR HIS RESIGNATION"; and 2) Send copies of the resolution to President George Bush, US Secretary of Defense, the Joint Chiefs of Staff, Senators Boxer and Feinstein, Congressman Henry Waxman, Chairs of the Armed Services Committees of the Senate and House, and the Servicemembers Legal Defense Network.

Approved as part of the Consent Calendar.

2.H. AMENDMENT TO THE WEST HOLLYWOOD MARKETING CORPORATION CONTRACT ON BEHALF OF THE AVENUES OF ART AND DESIGN: The City Council will consider an amendment of \$40,000 to the West Hollywood Marketing Corporation contract for March 2007 to February 2008. ACTION: Approve the attached contract amendment with The West Hollywood Marketing Corporation for their 2006-07 contract.

Approved as part of the Consent Calendar.

2.I. AMENDMENT TO CONTRACT WITH JEWISH FAMILY SERVICE NUTRITION PROGRAM: [L. LONG / D. DENNIS] The City Council will authorize a contract amendment approved in the mid-year budget process to increase by \$30,000 the Jewish Family Service Nutrition Program to provide congregate meals at Fairfax Towers Senior residence. ACTION: Authorize a contract amendment to increase by \$30,000 the Jewish Family Service Nutrition program to provide congregate meals at Fairfax Towers Senior residence retroactive to October 1, 2006 through September 30, 2007, and authorize the City Manager to sign.

Approved as part of the Consent Calendar.

2.J. APPROVAL OF FINAL TRACT MAP NO. 60131 FOR THE CONDOMINIUM PROJECT LOCATED AT 341-343 HUNTLEY DRIVE: [J. ENGLISH / S. PERLSTEIN] The City Council will consider the approval of Final Tract Map No. 60131, a two unit condominium, located on Huntley Drive, between Beverly Boulevard and Rosewood Avenue. 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. 60131; 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 60131 the certificate that embodies the approval of said map; 4) Authorize the Director of Finance to increase the budgeted revenues in the Park Development Fund by \$10,760.00 (account number 210-471001).

Approved as part of the Consent Calendar.

2.K. APPROVAL OF FINAL TRACT MAP NO. 61441 FOR THE CONDOMINIUM PROJECT LOCATED AT 901 HANCOCK AVENUE: [J. ENGLISH / S. PERLSTEIN] The City Council will consider the approval of Final Tract Map No. 61441, a mixed use project with 40 residential units and retail space, located on the northwest corner of Santa Monica Boulevard and Hancock Avenue. 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. 61441; 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 61441 the certificate, which embodies the approval of said map; and 4) Authorize the Director of Finance to increase the budgeted revenues in the Park Development Fund by \$126,269.14 (account number 210-471001).

Approved as part of the Consent Calendar.

2.L. AWARD OF A CONSTRUCTION CONTRACT FOR THE FULLER AVENUE AND GARDNER STREET PAVING PROGRAM, CIP 0702: [S. PERLSTEIN

/ J. ENGLISH] The City Council will consider approval of a construction contract for street paving on Fuller Avenue and Gardner Street. ACTION: 1) Accept the bid dated February 28, 2007, submitted by Palp Inc. dba Excel Paving Company; 2) Authorize the City Manager to enter into a contract with Palp Inc. dba Excel Paving Company, in the amount of \$220,185 for the construction of CIP 0702, the Fuller Avenue and Gardner Street Paving Program; and 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 15% of the contract amount.

Approved as part of the Consent Calendar.

2.M. USE OF WATERLESS URINALS IN CITY BUILDINGS: [L. LONG / S. BAXTER] The City Council will receive and file a report from the Public Facilities Commission regarding waterless urinals and a recommendation on their future use in City facilities. ACTION: 1) Receive and file this report regarding waterless urinals; and 2) As recommended by the Public Facilities Commission, that waterless urinals be installed at City buildings when newly constructed or when their restrooms are renovated.

Approved as part of the Consent Calendar.

2.N. A RESOLUTION CALLING ON THE MOTION PICTURE INDUSTRY PENSION & HEALTH PLAN (MPIPHP) TO PROVIDE EQUAL PENSION BENEFITS TO DOMESTIC PARTNERS: [J. DURAN / H. MOLINA / N. TESKE] The City Council of the City of West Hollywood will consider adopting a resolution calling on the Motion Picture Industry Pension & Health Plan (MPIPHP) to provide equal pension benefits to domestic partners. ACTION: 1) Adopt Resolution No. 07-3501, "A RESOLUTION CALLING ON THE MOTION PICTURE INDUSTRY PENSION & HEALTH PLAN (MPIPHP) TO PROVIDE EQUAL PENSION BENEFITS TO DOMESTIC PARTNERS"; and 2) Direct staff to send copies of signed resolution to the Alliance of Motion Picture and Television Producers (AMPTP), the MPIPHP, the International Alliance of Theatrical Stage Employees (IATSE), and the IATSE Local 871.

Approved as part of the Consent Calendar.

2.O. CITY CO-SPONSORSHIP AND VIDEO TAPING OF THE DOMESTIC PARTNERS FREE TAX SEMINAR: [J. PRANG / J. KURPIES] The City Council will consider co-hosting, along with State Board of Equalization Vice Chair Judy Chu, LA Gay & Lesbian Center and Equality California, a Domestic Partners Free Tax Seminar. ACTION: 1) Authorize the City co-sponsorship of Domestic Partners Fee Tax Seminar; and 2) Direct staff to publicize the City of West Hollywood's co-sponsorship of the event and allow resources to fund the taping of the seminar for airing on local cable

access.

Approved as part of the Consent Calendar.

2.P. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 391 (LIEU), WHICH ENHANCES MUNICIPAL REPRESENTATION ON THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD) BOARD OF DIRECTORS: [J. PRANG / J. KURPIES / N. TESKE] The City Council will consider adopting a resolution in support of AB 391 (Lieu), which enhances municipal representation on the South Coast Air Quality Management District Board of Directors. ACTION: 1) Adopt Resolution No. 07-3502, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 391 (LIEU), WHICH ENHANCES MUNICIPAL REPRESENTATION ON THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD) BOARD OF DIRECTORS"; and 2) Direct staff to send copies of signed resolution to Assemblymember Mike Feuer, Assemblymember Ted Lieu, Senator Sheila Kuehl, and Governor Arnold Schwarzenegger.

Approved as part of the Consent Calendar.

2.Q. SUPPORT OF AB 1654 - ALLOWING LOCAL GOVERNMENTS TO AUTHORIZE ALL-MAIL BALLOT ELECTIONS: [V. LOVE / T. WEST] The City Council will consider approving a resolution in support of AB 1654 which will allow local government to authorize all-mail ballot elections. ACTION: 1) Adopt Resolution No. 07-3503, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1654 (HUFFMAN), ALLOWING LOCAL GOVERNMENTS TO AUTHORIZE ALL-MAIL BALLOT ELECTIONS"; and 2) Direct staff to send signed copies of the resolution to Assembly Members Hoffman, DeSaulnier, Sadana and all appropriate parties.

Approved as part of the Consent Calendar with Mayor Pro Tempore Guarriello voting NO.

2.R. YEAR-END REPORT ON SOCIAL SERVICES PROGRAMS: [L. LONG / D. DENNIS] The City Council will receive the year-end report of Social Services contract programs for 2005-06. ACTION: Receive and file the year-end report.

Approved as part of the Consent Calendar.

THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD HOUSING AUTHORITY: 7:59 P.M.

The Housing Authority approved the minutes of the April 3, 2006 meeting and adopted a resolution to adopt the Annual Plan for Fiscal Year 2007-2008. The actions are more fully described in the West Hollywood Housing Authority minutes.

THE WEST HOLLYWOOD HOUSING AUTHORITY RECESSED AND
RECONVENED AS THE CITY COUNCIL: 8:02 P.M.

3. PUBLIC HEARINGS:

- 3.A. AMENDMENT OF THE MUNICIPAL CODE AND ZONING ORDINANCE REQUIREMENTS PERTAINING TO CHAIN-LINK FENCING: [T. BLOUNT]**
The City Council will consider an amendment of the City of West Hollywood Municipal Code and Zoning Ordinance requirements pertaining to vacant, abandoned, and undeveloped properties and chain-link fencing.

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

Terry Blount, Associate Planner, presented background information as outlined in the staff report dated March 19, 2007.

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

ACTION: Introduce on first reading Ordinance No. 07-752 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO AMEND TITLES 7 (HEALTH) AND 19 (ZONING ORDINANCE) OF THE MUNICIPAL CODE AMENDING THE REQUIREMENTS PERTAINING TO VACANT, ABANDONED, AND UNDEVELOPED PROPERTIES AND CHAIN-LINK FENCING." (Attachment A) **Motion by Councilmember Land, Seconded by Mayor Pro Tempore Guarriello and approved.**

- 3.B. APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A REQUEST TO CONSTRUCT ONE DWELLING UNIT BEHIND AN EXISTING SINGLE FAMILY HOUSE AND A TENTATIVE TRACT MAP FOR CONDOMINIUM SUBDIVISION AT 7719 NORTON AVENUE: [S. HEALY KEENE / J. KEHO / R. HEILIGMAN]** The appellant submitted a petition with 50 signatures of residents, property owners, and business owners of the City which allowed for the appeal filing fee to be waived (WHMC 19.76.030.D) upon its submission on May 30, 2006. After further investigation, four of the signatures were confirmed to be invalid.

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

Councilmember Duran spoke in opposition to the Item.

ACTION: Staff recommends that the City Council continue the appeal to the April 16, 2007 City Council meeting date in order to allow the applicant to obtain alternative valid signatures or submit the filing fee for the appeal.

Motion by Councilmember Land, Seconded by Councilmember Prang and passed with Councilmember Duran voting NO.

4. UNFINISHED BUSINESS:

4.A. None.

5. NEW BUSINESS:

5.A. ELECTION OF MAYOR AND MAYOR PRO TEMPORE: [T. WEST / C. SCHAFFER] The City Council will consider electing the Mayor and Mayor Pro Tempore. ACTION: Make the following appointments as Mayor and Mayor Pro Tempore, to be installed on May 7, 2007 at the Reorganization Meeting beginning at 6:00 p.m:

MAYOR: JOHN DURAN

MAYOR PRO TEMPORE: JEFFREY PRANG

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE:

6.A. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING AMENDMENTS TO LOS ANGELES COUNTY CODE REGARDING LICENSING FEES AND TO REQUIRE MANDATORY SPAYING AND NEUTERING FOR DOGS AND CATS / ADOPTION OF A RESOLUTION AMENDING RESOLUTION NO. 06-3433 TO INCLUDE A FEE SCHEDULE FOR DOG AND CAT LICENSES: [J. DURAN / J. PRANG / M. JENKINS] The City Council will consider introduction of an ordinance adopting by reference amendments to Los Angeles County Code Title 10-Animals including the requirement that all dogs over the age of four months be implanted with an identifying microchip; repeals the County's fee schedule for dogs and cats and sets new fees; exempts senior citizens, disabled persons, and persons of low income from licensing fees for dogs and cats that have been spayed or neutered; amends Chapter 9.48 to require that all dogs and cats kept in the City of West Hollywood be spayed or neutered. The City Council will also consider adoption of Resolution No. 07-_____ amending Resolution No. 06-3433 to include licensing fees for dogs and cats.

Sam Baxter, Landscape and Facilities Manager, presented background information as outlined in the staff report dated March 19, 2007.

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

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

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

MICHAEL POLES, WEST HOLLYWOOD, spoke in opposition to the Item.

J. GRAIGORY, WEST HOLLYWOOD, spoke regarding the fines imposed by the proposed ordinance.

Councilmember Prang spoke in support of the Item, and in support of treating dogs and cats equally with regards to breeding.

Councilmember Duran spoke regarding enforcement issues raised during public comment.

Mayor Heilman spoke regarding concerns surrounding the language in the proposed ordinance.

MOTION: TABLE the Item and direct staff to return to Council with a revised Ordinance.

Carried by Consensus of the Council.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 8:42 P.M. in memory of Lon Buisch, Leana Goldberg, Anna May Richardson, Charlene Keller, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting, to a special Closed Session meeting, which will be on Saturday, April 14, 2007. The previously-scheduled April 2 City Council meeting is cancelled.

JOHN HEILMAN, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK

