

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JUNE 4, 2007
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER:

Mayor Duran called the meeting to order at 6:39 P.M.

PLEDGE OF ALLEGIANCE:

Kristin Cook led the pledge.

ROLL CALL:

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

ABSENT:None.

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

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that the Closed Session convened at 6:00 PM. He stated that there were no public speakers. He stated that one (1) item of Pending Litigation, Regency Outdoors v. the City of West Hollywood, was added to the agenda. He stated that the Closed Session adjourned at 6:25 PM with no reportable action taken.

APPROVAL OF AGENDA:

Councilmember Heilman stated his NO vote on Items 2.F. and 2.G.

Mayor Duran requested that Item 3.F. be CONTINUED to the meeting of June 18, 2007. He requested that Items 2.M. and 2.BB. be moved to the Excluded Consent Calendar. He requested that the Community Development Commission agenda be heard after the New Business section of the City Council agenda.

Mayor Pro Tempore Prang requested that Item 6.A. be moved to the Consent Calendar as Item 2.CC.

Motion by Councilmember Guarriello, seconded by Councilmember Land to approve the June 4, 2007 agenda as amended and unanimously approved.

Councilmember Guarriello requested that the meeting be adjourned in memory of Frank Samuel Maggio, the father of Rent Stabilization Commissioner Richard Maggio.

Councilmember Heilman requested that the meeting be adjourned in memory of actor and comedian Charles Nelson Reilly.

Mayor Pro Tempore Prang requested that the meeting be adjourned in memory of community member Orlando Ortega.

Mayor Duran requested that the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council Meeting: Pfc. Matthew A. Bean, Sgt. Chadrick O. Domino, Pfc. Matthew E. Baylis, Sgt. Bacilio E. Cuellar, Spc. James E. Lundin, Pfc. Joshua M. Moore, Staff Sgt. Joseph M. Weiglein, Sgt. Richard V. Correa, Pfc. Robert A. Liggett, Cpl. Jonathan A. Markham, Spc. Alexandre A. Alexeev, Cpl. Zachary D. Baker, Chief Warrant Officer Theodore U. Church, Sgt. Anthony D. Ewing, 1st Lt. Keith N. Heidtman, Staff Sgt. Thomas M. McFall, Pfc. Junior Cedeno Sanchez, Cpl. James E. Summers III, 1st Lt. Kile G. West, Lance Cpl. Emmanuel Villareal, Spc. Clinton C. Blodgett, Sgt. Clayton G. Dunn II, Pfc. Charles B. Hester, Spc. Michael J. Jaurigue, Spc. Gregory N. Millard, Spc. Erich S. Smallwood, Spc. Francis M. Trussel Jr., Sgt. Nicholas R. Walsh, Pvt. William L. Bailey III, Spc. Mathew P. LaForest, Lance Cpl. David P. Lindsey, Spc. Alexander Rosa Jr., Spc. Benjamin J. Ashley, Spc. Mark C. Caguioa, Pfc. Robert H. Dembrowski, Sgt. 1st Class Robert E. Dunham, Staff Sgt. Russell K. Shoemaker, Sgt. Iosiwo Uruo, Pfc. Casey P. Zylman, Staff Sgt. Steve Butcher Jr., Pfc. Daniel P. Cagle, Cpl. Victor H. Toledo Pulido, Cpl. Jonathan D. Winterbottom, Cpl. Jeremy Brookes, Lance Cpl. Benjamin D. Desilets, Staff Sgt. Kristopher A. Higdon, Staff Sgt. David C. Kuehl, Sgt. Robert J. Montgomery Jr., Pvt. Oscar Saucedo Jr., Cpl. Julian M. Woodall, Pfc. Robert A. Worthington, Staff Sgt. Shannon V. Weaver, Sgt. Brain D. Andron, Spc. Michael W. Davis, Spc. David W. Behrle, Cpl. Ryan D. Collins.

PRESENTATIONS:

Mayor Duran and City staff member David Giugni presented proclamations to various social service providers in recognition of HIV Prevention Month.

Mayor Duran presented a proclamation to Christopher Street West in honor of LGBT Pride Month.

Councilmember Heilman presented commendations to the organizers of the Russian Cultural Festival in the City.

1. PUBLIC COMMENT:

ED BUCK, WEST HOLLYWOOD, spoke in support of Item 2.Y.

SOPHIE FAMELLI, LOS ANGELES, spoke in support of Item 2.U.

MICHAEL POLES, WEST HOLLYWOOD, spoke in opposition to Item 2.Y.

ALLAN WILION, WEST HOLLYWOOD, spoke in opposition to Item 2.Y.

BRAD SEARS, LOS ANGELES, spoke in support of Item 2.U.

JUDSON GREENE, WEST HOLLYWOOD, spoke regarding Item 3.B. and the fees for street name changes, and spoke in support of Item 3.C. and 3.E.

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

JAKE REYNOLDS, WEST HOLLYWOOD, spoke regarding the recent death of community member Orlando Ortega. He spoke regarding development issues in the City.

JACK MERRILL, WEST HOLLYWOOD, spoke regarding development issues in the City.

TINA NAPEER, WEST HOLLYWOOD, spoke regarding development issues in the City.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding the recent Memorial Day Celebration event in the City. He spoke regarding the AIDS memorial in Hart Park.

Councilmember Land spoke regarding the recent Memorial Day Celebration event in the City and the AIDS memorial in Hart Park. She spoke regarding the recent Arts and Design Walk in the City.

Mayor Pro Tempore Prang spoke regarding the recent Walk Against Hate event in the City. He spoke regarding the upcoming Gay Pride Festival in the City. He spoke regarding Item 2.Y.

Mayor Duran spoke regard the military deaths in Iraq and Afghanistan. He spoke regarding Item 2.U. He spoke regarding a recent memorial for community member Orlando Ortega.

CITY MANAGER'S REPORT:

Captain Buddy Goldman provided an update regarding the recent death of community member Orlando Ortega.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$2,633,172.00 in expenditures and \$423,194.00 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.,N.,O.,P.,Q.,R.,S.,T.,U.,V.,W.,X.,Y.,Z.,AA.,CC.

Motion by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously approved.

2.A. POSTING OF AGENDA: The agenda for the meeting of Monday, June 4, 2007 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 31, 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 May 21, 2007.

Approved as part of the Consent Calendar.

2.C. DEMAND REGISTER NO. 579, RESOLUTION NO. 07-3543: The City Council is requested to approve payment of bills due as presented by the Director of Finance. ACTION: Approve Demand Register No. 579 and adopt Resolution No. 07-3543, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 579."

Approved as part of the Consent Calendar.

2.D. TREASURER'S REPORT FOR APRIL 2007 The City Council will receive the Treasurer's Report for the month ended April 2007 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 Charles Billen and refer to the City's claims adjuster.

Approved as part of the Consent Calendar.

2.F. ORDINANCE NO. 07-755 (2ND READING), AMENDING THE GENERAL PLAN AND ZONING MAP OF THE WEST HOLLYWOOD MUNICIPAL CODE: [T. WEST / C. SCHAFFER] The City Council will waive further reading and adopt Ordinance No. 07-755, a proposed ordinance amending the General Plan and Zoning Map of the West Hollywood Municipal Code. ACTION: Waive further reading and adopt Ordinance No. 07-755, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE GENERAL PLAN AND ZONING MAP OF THE WEST HOLLYWOOD MUNICIPAL CODE."

Approved as part of the Consent Calendar with Councilmember Heilman voting NO.

2.G. ORDINANCE NO. 07-756 (2ND READING), AMENDING TITLE 19 (ZONING ORDINANCE) REGARDING ENTERTAINMENT PRODUCTION FACILITIES AND

AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE: [T. WEST / C. SCHAFFER] The City Council will waive further reading and adopt Ordinance No. 07-756, a proposed ordinance amending Title 19 (Zoning Ordinance) regarding entertainment production facilities and amending the West Hollywood Municipal Code. ACTION: Waive further reading and adopt Ordinance No. 07-756, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 19 (ZONING ORDINANCE) REGARDING ENTERTAINMENT PRODUCTION FACILITIES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Approved as part of the Consent Calendar with Councilmember Heilman voting NO.

2.H. 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.I. ADOPT AN ORDINANCE AND COMPLY WITH NEW RECORDATION REQUIREMENTS AS MANDATED BY REDEVELOPMENT REFORM BILLS SB 53 AND SB 1809: [R. BURNLEY / A. WINDERMAN] The City Council will adopt an ordinance and comply with the new recordation requirements as mandated by redevelopment reform bills SB 53 and SB 1809. ACTION: 1) Adopt an ordinance in compliance with redevelopment reform bills SB 53 (Kehoe) Chapter 591, Statutes of 2006 and SB 1809 (Machado) Chapter 603, Statutes of 2006; and 2) Direct staff to begin additional studies to consider extending eminent domain authority.

Approved as part of the Consent Calendar.

2.J. AGREEMENT FOR GROUNDS MAINTENANCE SERVICES: [L. LONG / S. BAXTER] The City Council will consider approving a three-year Agreement with TruGreen LandCare, LLC for providing grounds maintenance services. ACTION: 1) Approve a three-year Agreement with TruGreen LandCare, LLC for providing base grounds maintenance services including in the amount of \$482,100.00 for fiscal year 2007/2008, \$496,560.00 for fiscal year 2008/2009 and \$511,457.00 for fiscal year 2009/2010; 2) Approve TruGreen LandCare, LLC to provide other related grounds maintenance services and urgency / emergency grounds maintenance services at those unit costs established in the Agreement as said services are required and funding is available; 3) Authorize the City Manager to execute the Agreement; and 4) Reject all other proposals and return associated Proposal Bonds.

Approved as part of the Consent Calendar.

2.K. AGREEMENT FOR JANITORIAL SERVICES: [L. LONG / S. BAXTER] The City Council will consider approving a one-year Agreement with Diversified Maintenance Services, Inc. for providing janitorial services. ACTION: 1) Approve the First Amendment to Agreement with Diversified Maintenance Services, Inc. for providing base janitorial services including day porter services and recycling

services in the amount of \$498,855.12 for fiscal year 2007/2008; 2) Approve the First Amendment to Agreement with Diversified Maintenance Services, Inc. for providing other related janitorial services and urgency / emergency janitorial services at those unit costs established in the Amendment as said services are required and funding is available; and 3) Authorize the City Manager to execute the First Amendment to Agreement.

Approved as part of the Consent Calendar.

2.L. AMENDMENT TO AGREEMENT WITH AMPCO SYSTEM PARKING, INC. TO PROVIDE PARKING MANAGEMENT SERVICES: [R. MARQUEZ / O. DELGADO / J. ENGLISH] The City Council will consider approving an amendment to the contract with Ampco System Parking. ACTION: 1) Approve an amendment with Ampco System Parking, Inc. for an additional \$55,000 increasing the not-to-exceed amount of the contract from \$240,000 to \$295,000 for the fiscal year 06-07; and 2) Authorize the City Manager to sign the Amendment.

Approved as part of the Consent Calendar.

2.M. REVIEW AND APPROVAL OF 2008 ARTS GRANTS PROGRAM APPLICATION PACKETS AND TIMELINES: [R. REYNOLDS / J. HUFFER] The Council will consider approving the 2008 Arts and Arts Participation Grant application packet and timeline. ACTION: 1) Approve 2008 Arts Grants Program application packet and 2) Authorize release of the guidelines and application materials to the community.

This Item was moved to the Excluded Consent Calendar.

2.N. APPROVAL OF THE CONTRACT WITH THE CITY'S LEGISLATIVE ADVOCATE, CHRISTINE MINNEHAN & ASSOCIATES: [A. WINDERMAN] The City Council will consider the approval of a Contract for housing legislative advocate Christine Minnehan & Associates (CM&A). ACTION: Approve a Contract with CM&A for an amount not to exceed \$44,200 from July 1, 2007 to June 30, 2008 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.O. APPROVAL OF A CONTRACT FOR SECURITY GUARD SERVICES AT CITY HALL AND PLUMMER PARK WITH SHIELD SECURITY, INC.: [S. BERRY / R. RYAN] The City Council will consider approving a one-year contract, with a possible two-year extension, for security guard service at City Hall and Plummer Park with Shield Security, Inc. ACTION: 1) Authorize the City Manager to negotiate a one-year contract with two possible extensions with Shield Security, Inc. for security guard services; and 2) Approve the expenditure of up to \$103,000 for July 1, 2007 to June 30, 2008 for Security Services at City Hall and Plummer Park.

Approved as part of the Consent Calendar.

2.P. APPROVAL FOR AN EXTENSION OF THE CITY'S VIOLENCE AGAINST WOMEN ACT (VAWA) GRANT PROGRAM THROUGH JUNE 30, 2007: [R. RYAN / S. BERRY] The City Council will consider extending the City VAWA Safety Plan Grant Program through June 31, 2007. ACTION: 1) Authorize the extension and continuation of the City's Office of Justice Program's Violence Against Women's Act (VAWA) 2004/2005 and 2005/2006 "Grants to Encourage Arrest Policies and Enforcement of Protective Orders" Program through June 30, 2007; 2) Authorize the Finance Director to increase revenues and expenditures by \$60,000 to a total of \$374,666.00 for the multi-year VAWA grant program; and 3) Authorize the City Manager to approve the extension of the contract terms with the LA Gay & Lesbian Center and Jewish Family Service for their participation in the VAWA "DV Safety Plan Counselor Program" through June 30, 2007.

Approved as part of the Consent Calendar.

2.Q. CONTRACT FOR LEASE OF COPIERS WITH OCE PRINTING SYSTEMS, USA: [V. LOVE / K. KRIETZMAN] The City Council will consider approving a new agreement with OCE Printing Systems USA, Inc. for the leasing of new copiers with upgraded document imaging technology for City Hall. ACTION: 1) Approve an agreement with OCE Printing Systems for upgraded copy machines with document imaging technology for five years in an amount not to exceed \$75,000. per year; and 2) Authorize the City Manager to sign the agreement with OCE Printing Systems.

Approved as part of the Consent Calendar.

2.R. PROPOSED RESOLUTION APPROVING A LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA: [A. GANDHY] The City Council will consider amending the loan agreement between the City of West Hollywood and the West Hollywood Community Development Commission (CDC) for the East Side Redevelopment Project. ACTION: 1) Adopt Resolution No. 07-3544, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA"; and 2) Authorize the City Manager to execute the Loan Documents.

Approved as part of the Consent Calendar.

2.S. CITY OF WEST HOLLYWOOD INVESTMENT POLICY: [A. GANDHY / N.SOTO-CORONADO] The City Council will consider adopting the annual resolution for the City's investment policy. ACTION: Adopt Resolution No. 07-3545, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING A STATEMENT OF INVESTMENT POLICY AND RESCINDING RESOLUTION NO. 06-3432."

Approved as part of the Consent Calendar.

2.T. RESOLUTION ESTABLISHING A LIVING WAGE RATE FOR 2007-2008 OF \$8.84/HR WITH HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR AND \$10.12/HR WITHOUT HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR: [V. LOVE / D. WILSON] The City Council will consider adopting a resolution that establishes the living wage rate for 2007-08 of \$8.84/hr with health benefit contributions of at least \$1.25/hr and \$10.12/hr without health benefit contributions of at least \$1.25/hr. ACTION: Adopt Resolution No. 07-3546, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A LIVING WAGE RATE FOR 2007-2008 OF \$8.84/HR WITH HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR AND \$10.12/HR WITHOUT HEALTH BENEFIT CONTRIBUTIONS OF AT LEAST \$1.25/HR."

Approved as part of the Consent Calendar.

2.U. A RESOLUTION OF THE CITY OF WEST HOLLYWOOD OPPOSING ASSEMBLY BILL AB 682 (BERG) WHICH PROPOSES ELIMINATING WRITTEN CONSENT FOR HIV ANTIBODY TESTING, UNLESS AMENDED: [J. DURAN / H. MOLINA] The City Council will consider adopting a resolution in opposition, unless amended, to AB 682 (Berg) ACTION: Adopt Resolution No. 07-3547, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD OPPOSING AB 682 (BERG) WHICH WILL ELIMINATE THE REQUIREMENT FOR WRITTEN CONSENT FOR HIV ANTIBODY TESTING, UNLESS AMENDED."

Approved as part of the Consent Calendar.

2.V. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF FOUR BILLS TO PROVIDE BETTER DETECTION AND PREVENTION FOR BREAST CANCER: [A. LAND / L. BELSANTI] The City Council will consider adopting resolutions supporting four bills currently being considered by the United States Congress which will provide better detection and prevention for breast cancer. ACTION: 1) Adopt Resolution No. 07-3548, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF FOUR BILLS TO PROVIDE BETTER DETECTION AND PREVENTION FOR BREAST CANCER"; and 2) Send copies of signed resolution to Senator Barbara Boxer, Senator Dianne Feinstein, Senator Harry Reid, Senator Olympia Snowe, and Senator Barbara Mikulski, and Congressman Henry Waxman.

Approved as part of the Consent Calendar.

2.W. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S. 678 (BOXER), THE AIRLINE PASSENGER BILL OF RIGHTS ACT 2007: [J. HEILMAN / F. SOLOMON / N. TESKE] The City Council will consider adopting a resolution in support of S. 678 (Boxer), the Airline Passenger Bill of Rights Act 2007. ACTION: 1) Adopt Resolution No. 07-3549, "A

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S. 678 (BOXER), THE AIRLINE PASSENGER BILL OF RIGHTS ACT 2007"; and 2) Direct staff to send copies of signed resolution to Congressman Henry Waxman, Senator Barbara Boxer, and Senator Dianne Feinstein.

Approved as part of the Consent Calendar.

2.X. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF EIGHT LGBT BILLS CURRENTLY BEING CONSIDERED BY THE CALIFORNIA STATE LEGISLATURE: [A. LAND / L. BELSANTI / J. DURAN / H. MOLINA / N. TESKE] The City Council will consider adopting resolutions supporting eight bills important to the LGBT community. ACTION: 1) Adopt Resolution No. 07-3550, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF EIGHT LGBT BILLS CURRENTLY BEING CONSIDERED BY THE CALIFORNIA STATE LEGISLATURE"; and 2) Send copies of signed resolutions to Assemblymember Mike Feuer, Assemblymember John Laird, Assemblymember Lloyd Levine, Assemblymember Fiona Ma, Senator Christine Kehoe, Senator Sheila Kuehl, Senator Carole Migden, and Governor Arnold Schwarzenegger.

Approved as part of the Consent Calendar.

2.Y. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1634 (LEVINE), THE CALIFORNIA HEALTHY PETS ACT: [J. PRANG / J. KURPIES / J. DURAN / H. MOLINA / N. TESKE] The City Council will consider adopting a resolution in support of AB 1634 (Levine), The California Healthy Pets Act. ACTION: Adopt Resolution No. 07-3551, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SUPPORT OF AB 1634 (LEVINE), THE CALIFORNIA HEALTHY PETS ACT"; and 2) Direct staff to send copies of signed resolution to Assemblymember Mike Feuer, Assemblymember Lloyd Levine, Senator Sheila Kuehl and Governor Arnold Schwarzenegger.

Approved as part of the Consent Calendar.

2.Z. WAIVER OF SPECIAL EVENT FEE FOR THE JUSTICE BALL ORGANIZED BY BET TZEDEK LEGAL SERVICES AND APPROVAL OF CO-SPONSORSHIP: [J. DURAN / H. MOLINA / A. LAND / L. BELSANTI] The City Council will consider waiving the special event fee for Bet Tzedek Legal Services Justice Ball on July 28, 2007 at The Lot in West Hollywood. ACTION: 1) Approve a waiver of the special event fee for Bet Tzedek Legal Service's Justice Ball to be held on July 28, 2007 at The Lot in West Hollywood; and 2) Approve Co-Sponsorship of the above-referenced event and authorize the use of City name and logo on invitations, program and other printed materials.

Approved as part of the Consent Calendar.

2.AA. SENIOR AND DISABLED BUS PASS SUBSIDY CHANGE IN COST OF USER

CONTRIBUTION: [J. ENGLISH / T. SLIMMER / J. ROONEY] The City Council will consider approval of a change in the bus pass subsidy program that will increase the cost of the pass to the user and to the City, effective July 1, 2007, due to the increase of the cost of the senior/disabled bus pass approved by the Los Angeles County METRO. **ACTION:** Approve the increase in cost to the users by \$1 to \$8, and increase the cost to the City subsidy by \$1 to \$6 effective July 1, 2007.

Approved as part of the Consent Calendar.

2.BB. ESTABLISHMENT OF A TASK FORCE TO LOOK AT ENVIRONMENTAL ISSUES CITYWIDE: [A. LAND / L. BELSANTI / J. HEILMAN / F. SOLOMON] The City Council will consider the establishment of a task force to examine the multitude of environmental issues facing the City of West Hollywood. **ACTION:** 1) Direct the City Manager's Department to establish an environmental task force to coordinate and facilitate the city's efforts in improving the environment; 2) Direct the City Clerk to post openings for the West Hollywood Environmental Task Force; and 3) Direct the City Manager's Department to return to Council within 60 days with a report on the participants and a preliminary work schedule for the West Hollywood Environmental Task Force.

This Item was moved to the Excluded Consent Calendar.

2.CC.(6.A.) PROPOSED ORDINANCE TO ADD THE VIOLATION OF THE NEWS RACKS CHAPTER TO THE ADMINISTRATIVE REMEDIES PROGRAM: [D. WILSON / V. LOVE] The City Council will consider an ordinance that adds the violation of the News Racks Chapter to the Administrative Remedies Program. **ACTION:** Introduce on first reading Ordinance No. 07-758, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 1.08.010(e) BY ADDING CHAPTER 11.24 TO THE LIST OF CODE VIOLATIONS SUBJECT TO THE ADMINISTRATIVE PENALTY PROCEDURES AND ADDING SECTION 11.24.090 STATING THAT VIOLATIONS OF CHAPTER 11.24 SHALL BE SUBJECT TO ADMINISTRATIVE PENALTY."

Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS:

3.A. ASSESSMENT OF DELINQUENT SOLID WASTE FEES OWED TO ATHENS SERVICES ONTO THE PROPERTY TAX BILL OF DELINQUENT ACCOUNT HOLDERS: [S. PERLSTEIN / J. ENGLISH] The City Council shall decide whether or not to request the County Auditor to assess the property tax bills of delinquent solid waste account holders.

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

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated June 4, 2007.

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

HARMEET AHLUWALLA, WEST HOLLYWOOD, spoke regarding her delinquent tax status.

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

Mayor Pro Tempore Prang spoke regarding residents receiving tax bills for the City of Los Angeles.

ACTION: 1) Open the public hearing and accept testimony; and 2) Direct the Director of Finance to submit the required information to the County Auditor of Los Angeles County for the purpose of assessing the delinquent solid waste amount, plus a \$120.00 per parcel administrative fee, onto the property tax bills of the delinquent account holders. **Motion by Councilmember Guarriello, Seconded by Councilmember Land and approved.**

3.B. PROPOSED FEE RESOLUTION FOR FY 2007-2008: [A. GANDHY / D. HATCHER] The City Council will consider adopting a resolution establishing fees and charges for certain services provided by the City of West Hollywood.

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

David Hatcher, Revenue Management Manager, provided background information as outlined in the staff report dated June 4, 2007.

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

ACTION: Adopt Resolution No. 07-3553, "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. 06-3433 and 06-3445." **Motion by Councilmember Guarriello, Seconded by Councilmember Land and approved.**

3.C. INTERIM URGENCY ORDINANCE FOR MEDIUM AND HIGH-DENSITY MULTI-FAMILY RESIDENTIAL ZONING DISTRICTS: [S. HEALY KEENE / J. KEHO / F. STEFAN] The City Council will consider an interim urgency ordinance to regulate the issuance of permits for the construction of multi-family structures in the medium-density (R3) and high-density (R4) zoning districts in West Hollywood. If adopted, the interim urgency ordinance could be in effect for a maximum of 45 days, while the City develops new standards for multi-family structures in these zoning districts. The ordinance may be extended to a maximum of 2 years following a second public hearing.

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

Susan Healy Keene, Director of Community Development, and Francie Stefan, Senior Planner, provided background information as outlined in the staff report dated June 4, 2007.

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

LARRY NEUMEISTER, WEST HOLLYWOOD, spoke in support of the Item.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in support of the Item.

PHILIP HOSKINS, WEST HOLLYWOOD, spoke in support of the Item.

RICHARD PAPALIAN, PACIFIC PALISADES, spoke in opposition to the Item.

ARNIE SMITH, WEST HOLLYWOOD, spoke in opposition to the Item.

MARK LEHMAN, WEST HOLLYWOOD, spoke in opposition to the Item.

ALLAN WILSON, WEST HOLLYWOOD, spoke in opposition to the Item.

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

KIM SCHNEIDER, WEST HOLLYWOOD, spoke in opposition to the Item.

BARRY FIELDS, WEST HOLLYWOOD, spoke in opposition to the Item.

LYNN HOOPINGARNER, WEST HOLLYWOOD, spoke in opposition to the Item.

DAVID HILL, WEST HOLLYWOOD, spoke in opposition to the Item.

ROBERT LEIGHTON, WEST HOLLYWOOD, spoke in opposition to the Item.

KEVIN SINGER, LOS ANGELES, spoke in opposition to the Item.

LYNN RUSSELL, WEST HOLLYWOOD, spoke in support of the Item.

SCOTTMAN WALL, WEST HOLLYWOOD, spoke in opposition to the Item.

NICK HERTZ, LOS ANGELES, spoke in opposition to the Item.

DANA BLANCHARD, SANTA MONICA, spoke in opposition to the Item.

ENRIQUE MELCER, IRVINE, spoke in opposition to the Item.

SUSIE MANNERS, WEST HOLLYWOOD, spoke in opposition to the Item.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in opposition to the Item.

MICHAEL GARGANO, WEST HOLLYWOOD, spoke in support of the Item.

JACK LEBOUF, WEST HOLLYWOOD, spoke in opposition to the Item.

ED LEVIN, WEST HOLLYWOOD, spoke in opposition to the Item.

GEORGE CREDLE, WEST HOLLYWOOD, spoke in support of the Item.

STEVE MARTIN, WEST HOLLYWOOD, spoke in support of the Item.

GRACIELA IPARRAGUIRRE, WEST HOLLYWOOD, spoke in support of the Item.

ALISON MITCHELL, LOS ANGELES, spoke in opposition to the Item.

DAVID WEISSFELD, WEST HOLLYWOOD, spoke in support of the Item.

JAMES NOLL, WEST HOLLYWOOD, spoke in support of the Item.

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

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

VALERIE KADIUM, WEST HOLLYWOOD, spoke in support of the Item.

GENE SMITH, WEST HOLLYWOOD, spoke regarding concerns surrounding the exemptions in the proposed ordinance.

UZI AVNERY, LAGUNA NIGUEL, spoke in opposition to the Item.

TRACEY BROADMAN, WEST HOLLYWOOD, spoke in opposition to the Item.

SHAWN MIMBS, WEST HOLLYWOOD, spoke in opposition to the Item.

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

DAVID SHALOM, BEVERLY HILLS, spoke in opposition to the Item.

Mayor Duran closed the public hearing.

Councilmember Heilman spoke regarding public comments concerning a moratorium and provided clarification of the goals of the proposed ordinance. He spoke regarding the need to ensure that units which are demolished for development provide a net gain for the community. He spoke regarding concerns surrounding the limitations on square footage for units. He spoke regarding concerns surrounding the inclusion of the redevelopment area in the ordinance and surrounding the effective date of the ordinance.

Councilmember Land spoke regarding the need to revise the General Plan and review the City's Zoning Ordinance to better meet the needs for affordable housing and development in the City. She spoke regarding the inevitability of development in the City and the impacts on residents and neighborhoods. She spoke regarding the 45-day period of the ordinance and the need to revisit the issue periodically. She spoke in support of including the entire City in the ordinance. She spoke regarding concerns surrounding the limitations on square footage for units and surrounding the effective date of the ordinance.

Councilmember Guarriello spoke in support of the Item.

Mayor Pro Tempore Prang spoke regarding development issues in the City and the need to review the Zoning Ordinance to better meet the City's needs. He spoke in support of including the entire City in the ordinance. He spoke in support of creating an earlier effective date for the ordinance.

Mayor Duran provided clarification that the proposed ordinance does not impact the Ellis Act. He provided clarification of the exemptions in the ordinance. He spoke regarding the need for balance between the interests of developers and residents in the City.

ACTION: Ordinance No. 07-759U, "AN INTERIM ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING THE ISSUANCE OF PERMITS FOR CONSTRUCTION OF NEW MULTI-FAMILY STRUCTURES IN THE R3 AND R4 ZONING DISTRICTS THAT ARE IN CONFLICT WITH INTERIM ZONING STANDARDS AND DECLARING THE URGENCY THEREOF" (ATTACHMENT A); with the following amendments - 1) increase the size limitation of allowable units to 1,250 square feet for a 2-bedroom, and no unit shall exceed 1,250 square feet; 2) allow issuance of permits to projects that were deemed complete, or received planning permits before May 21, 2007; and 3) include an exemption for additions to existing multi-family structures not involving demolition of existing units. **Motion by Mayor Pro Tempore Prang, Seconded by Councilmember Guarriello and approved.**

3.D. APPEAL OF THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION TO THE CITY COUNCIL TO DENY THE DESIGNATION OF THE PROPERTY LOCATED AT 1350 HAYWORTH AVENUE AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD: [T. BLOUNT]
The City Council will consider an appeal of the Historic Preservation Commission's recommendation to the City Council to deny the designation of the property located at 1350 Hayworth Avenue as a Local Cultural Resource.

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

All Councilmembers disclosed a visit to the property site.

Terry Blount, Associate Planner, provided background information as outlined in the staff report dated June 4, 2007.

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

HEAVENLY WILSON, THE APPELLANT, spoke in opposition to the Item and in support of the appeal.

ROB GLUSHON AND PAM O'CONNOR, THE APPLICANTS, spoke in support of the Item and in opposition to the appeal.

MICHAEL GARGANO, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

GEORGE CREDLE, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

STEVE MARTIN, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

ED BUCK, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

LEE STERN, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

ROY OLDENKAMP, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

LYNN RUSSELL, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

HEAVENLY WILSON, THE APPELLANT, provided rebuttal.

ROB GLUSHON AND PAM O'CONNOR, THE APPLICANTS, provided rebuttal.

Councilmember Guarriello spoke in support of the decision of the Historic Preservation Commission.

Councilmember Land spoke in support of the decision of the Historic Preservation Commission.

Councilmember Heilman disclosed his working relationship with Pam O'Connor. He spoke in support of the decision of the Historic Preservation Commission.

Mayor Pro Tempore Prang disclosed his working relationship with Pam O'Connor. He spoke in opposition to the decision of the Historic Preservation Commission and in support of the appeal.

Mayor Duran spoke in opposition to the decision of the Historic Preservation Commission and in support of the appeal.

ACTION: Adopt Resolution No. 07-3554 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF LEE STERN AND KOH SIOK TIAN (HEAVENLY) WILSON AND DENYING THE DESIGNATION OF THE PROPERTY LOCATED AT 1350 HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA, AS A LOCAL CULTURAL RESOURCE (CULTURAL RESOURCE DESIGNATION 2006-001)." (Attachment A) **Motion by Councilmember Heilman, Seconded by Councilmember Land and passed with Mayor Pro Tempore Prang, Mayor Duran voting no.**

3.E. GREEN BUILDING REQUIREMENTS AND INCENTIVES FOR PRIVATE DEVELOPMENT: [S. HEALY KEENE / J. KEHO / S. BAILEY / F. STEFAN / R. HEILIGMAN] The City Council will consider a continuance request for the adoption of an ordinance establishing a green building program for private development.

This Item was continued to the meeting of June 18, 2007.

3.F. REVIEW OF PLANNING COMMISSION APPROVAL OF A REQUEST FOR A DEMOLITION PERMIT, DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT FOR THE DEMOLITION OF ALL EXISTING STRUCTURES AND THE CONSTRUCTION OF NEW RETAIL AND MARKET STRUCTURES LOCATED AT 8969 SANTA MONICA BOULEVARD: [J. NOEL] The City Council has requested to review the Planning Commission approval of a Demolition Permit, Development Permit, Conditional Use Permit, Minor Conditional Use Permit, Administrative Permit, and Temporary Use Permit for the demolition of all structures on the site bounded by Santa Monica Boulevard, Robertson Boulevard, Keith Avenue and Ramage Street and the construction of two new structures for market, retail, restaurant, and other commercial uses.

This Item was continued to the meeting of June 18, 2007.

4. UNFINISHED BUSINESS:

4.A. COMMISSION, ADVISORY BOARD, AND PROJECT ADVISORY COMMITTEE APPOINTMENTS AND RE-APPOINTMENTS: [T. WEST / C. SCHAFFER] The City Council will consider making direct and at-large appointments to City Commissions, Advisory Boards, and Committees.

Councilmember Heilman made the following direct re-appointments or new appointments: Arts & Cultural Affairs Commission - Ken Sherman; Business License Commission - Gary Reichard; Planning Commission - John Altschul; and Transportation Commission - David Eichman.

The City Council made the following at-large Commission re-appointments or new appointments: Arts & Cultural Affairs Commission - Jon Bailey; Business License Commission - Erik Ely Barker and Sybil Zaden; Historic Preservation Commission - Delfin Castro and Bruce Kaye; Human Services Commission - Shirley Roberts; Public Facilities Commission - Norman Chramoff and Bernard Siegel; Public Safety Commission - Samuel Borelli and Barry Greenfield; Transportation Commission - Kathryn Page and Scott Schmidt.

4.B. APPOINTMENT OF CITY COUNCILMEMBERS AS DELEGATES AND ALTERNATES TO VARIOUS ORGANIZATIONS, COMMITTEES AND SUB-COMMITTEES: [T. WEST / C. SCHAFFER] The City Council will consider appointments as delegates and alternates to various organizations, committees and sub-committees.

The City Council appointed Delegates and Alternates to the following committees:

California Contract Cities Association: Delegate - Mayor Pro Tempore Prang; Alternate – Attending Councilmember.

League of California Cities: Delegate - Attending Councilmember; Alternate – Attending Councilmember.

Los Angeles County City Selection Committee: Delegate - Mayor Duran; Alternate – Attending Councilmember.

National League of Cities: Delegate - Attending Councilmember; Alternate – Attending Councilmember.

Santa Monica Bay Restoration Committee: Delegate - Mayor Pro Tempore Prang; Alternate – Mayor Duran.

Westside Cities Council of Governments: Delegate - Councilmember Heilman; Alternate – Councilmember Land.

Finance & Budget Subcommittee: Mayor Duran and Mayor Pro Tempore Prang.

5. NEW BUSINESS:

5.A. ADOPTION OF THE PROPOSED 2007-2008 OPERATING BUDGET AND CAPITAL WORK PLAN: [P. AREVALO / A. GANDHY / J. WRIGHT] The City Council will adopt the City of West Hollywood's Proposed Operating Budget and Capital Work Plan for Fiscal Year 2007-08.

Anil Gandhi, Finance Director, provided background information as outlined in the staff report dated June 4, 2007.

Councilmember Heilman spoke regarding concerns surrounding the proposed parking structure at City Hall and the need for additional parking on Sunset. He spoke in support of increasing arts grant funding, but in support of allocating the money to the Arts and Cultural Affairs Commission for distribution. He spoke regarding the possibility of including collaborative programming with Christopher Street West for gay pride events in the City.

Councilmember Land spoke in support of the new library, additional green space in the City, the use of green building elements, and the parking structure at City Hall. She requested more clarification of incoming funds to the City's budget. She spoke regarding the potential need to allocate additional funds for domestic violence programs in the City.

Mayor Duran spoke in support of the proposed parking structure at City Hall. He spoke regarding concerns surrounding the preservation of the Werle building at the West Hollywood Park and the potential impact on twelve-step programs in the City. He spoke regarding the possibility of increasing the arts grants funding in Item 2.M. and the possibility of creating arts grants specific to the Eastside of the City.

ACTION: 1) Adopt Resolution No. 07-3555, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE BUDGET FOR FISCAL YEAR 2007-08" as specified in the Statement of Changes to Fund Balance (Attachment A), or as amended by the City Council; and 2) Adopt the division work plans presented in the Budget. **Motion by Mayor Pro Tempore Prang, Seconded by Councilmember Land and approved.**

THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 12:15 A.M.

The Community Development Commission approved the minutes from the February 5, 2007 meeting, adopted the 2007-08 Budget and Capital Workplan, and adopted a resolution approving and accepting a loan with the City of West Hollywood for the Eastside Project Area. 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: 12:16 A.M.

EXCLUDED CONSENT CALENDAR:

2.M. REVIEW AND APPROVAL OF 2008 ARTS GRANTS PROGRAM APPLICATION PACKETS AND TIMELINES: [R. REYNOLDS / J. HUFFER] The Council will consider approving the 2008 Arts and Arts Participation Grant application packet and timeline. **ACTION:** 1) Approve 2008 Arts Grants Program application packet and 2) Authorize release of the guidelines and application materials to the community.

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

2.BB. ESTABLISHMENT OF A TASK FORCE TO LOOK AT ENVIRONMENTAL ISSUES CITYWIDE: [A. LAND / L. BELSANTI / J. HEILMAN / F. SOLOMON] The City Council will consider the establishment of a task force to examine the multitude of environmental issues facing the City of West Hollywood. ACTION: 1) Direct the City Manager's Department to establish an environmental task force to coordinate and facilitate the city's efforts in improving the environment; 2) Direct the City Clerk to post openings for the West Hollywood Environmental Task Force; and 3) Direct the City Manager's Department to return to Council within 60 days with a report on the participants and a preliminary work schedule for the West Hollywood Environmental Task Force.

Councilmember Land and Councilmember Heilman provided clarification of the Item as outlined in the staff report dated June 4, 2007.

Mayor Duran requested clarification of how the Item will be combined with the revision of the City's General Plan.

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

PUBLIC COMMENT:

JEANNE DOBRIN, WEST HOLLYWOOD, thanked the City Council for their hard work and dedication. She spoke regarding concerns surrounding Commission appointments and re-appointments.

6. LEGISLATIVE:

6.A. PROPOSED ORDINANCE TO ADD THE VIOLATION OF THE NEWS RACKS CHAPTER TO THE ADMINISTRATIVE REMEDIES PROGRAM: [D. WILSON / V. LOVE] The City Council will consider an ordinance that adds the violation of the News Racks Chapter to the Administrative Remedies Program.

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

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding the length of City Council meetings.

Councilmember Heilman requested the City Manager to return to Council with a list of primarily residential developments that have been completed in the City in the past 3-5 years.

ADJOURNMENT: The City Council adjourned at 12:25 A.M. in memory of Frank

Samuel Maggio, Charles Nelson Reilly, Orlando Ortega, 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, June 18, 2007 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

JOHN HEILMAN, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK