

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, APRIL 16, 2007
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER:

The meeting was called to order at 6:37 P.M.

PLEDGE OF ALLEGIANCE:

Alex Gurfinkle led the pledge.

ROLL CALL:

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

ABSENT: Councilmember Duran.

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

APPROVAL OF AGENDA:

Mayor Pro Tempore Guarriello requested that Items 5.A. and 6.A. be moved to the Consent Calendar as Items 2.DD. and 2.EE.

City Clerk West requested that Item 2.Q. be TABLED.

Motion by Mayor Pro Tempore Guarriello, seconded by Councilmember Prang to approve the April 16, 2007 agenda as amended and approved with Councilmember Duran ABSENT.

Councilmember Land requested that the meeting be adjourned in memory of Dan Cohn II, the brother of Public Facilities Commissioner Yola Dore. She requested that the meeting be adjourned in memory of Carol Westley, the mother of Lisa Bonbright who is the wife of Chris Bonbright of the West Hollywood Convention and Visitor's Bureau.

Councilmember Prang requested that the meeting be adjourned in memory of Dan Cohn II, the brother of Public Facilities Commissioner Yola Dore. He

requested that the meeting be adjourned in memory of Artie Washington, the mother of Lois Gaston who is the Mayor of the City of Duarte. He requested that the meeting be adjourned in memory of Earl Meyers, the father of Jeff Meyers.

Mayor Pro Tempore Guarriello requested that the meeting be adjourned in memory of Dan Cohn II, the brother of Public Facilities Commissioner Yola Dore.

Mayor Heilman requested that the meeting be adjourned in memory of the victims of the recent shooting at Virginia Technical University.

Council Deputy Hernan Molina requested that the meeting be adjourned in memory of the following soldiers who have died in Iraq and Afghanistan since the last City Council meeting: Spc. Wilfred Flores Jr., 1st Lt. Neale M. Shank, Sgt. Joe Polo, Sgt. Curtis J. Forshey, Staff Sgt. Marcus A. Golczynski, Master Sgt. Sean M. Thomas, Pfc. Orlando E. Gonzalez, Cpl. Jason Nunez, Sgt. Jason W. Swiger, Pfc. Anthony J. White, Lance Cpl. Trevor A. Roberts, Sgt. Greg N. Riewer, Spc. Lance C. Springer II, Cpl. Henry W. Bogrette, Sgt. Freeman L. Gardner Jr., Staff Sgt. Darrell R. Griffin, Cpl. Dustin J. Lee, Sgt. Adrian J. Lewis, Sgt. Nicholas J. Lightner, Joey T. Sams II, Sgt. Wayne R. Cornell, Spc. Curtis E. Glawson, Jr., Pfc. Stephen K. Richardson, Sgt. Ryan P. Green, Sgt. John E. Allen, Pfc. William N. Davis, Spc. Marieo Guerrero, Pfc. Anthony A. Kaiser, Pfc. John Landry, Jr., Sgt. Ed Santini, Sgt. 1st Class Benjamin L. Sebban, Sgt. Nimo W. Tauala, Lance Cpl. Harry H. Timberman, Sgt. 1st Class Christopher R. Brevard, Pfc. James L. Arnold, Sgt. Emerson N. Brand, Staff Sgt. Blake M. Harris, Lance Cpl. Raymond J. Holzhauser, Staff Sgt. Terry W. Prater, Sgt. Raymond S. Sevaaetassi, Pfc. Kyle G. Bohrsen, Spc. Clifford A. Spohn III, Staff Sgt. Harrison Brown, 1st Lt. Phillip I. Neel, Pfc. David N. Simmons, Sgt. Todd A. Singleton, Staff Sgt. Jesse L. Williams, Spc. Ebe F. Emolo, Capt. Jonathan D. Grassbaugh, Spc. Levi K. Hoover, Pfc. Rodney L. McCandless, Cmdr. Philip A. Murphy-Sweet, Chief Petty Officer Gregory J. Billiter, Pfc. Jay S. Cajimat, Spc. Ryan S. Dallam, Petty Officer 2nd Class Curtis R. Hall, Petty Officer 1st Class Joseph A. McSween, Capt. Anthony Palermo, Pvt. Damian Lopez Rodriguez, Pfc. Daniel A. Fuentes, Petty Officer 2nd Class Joseph C. Schwedler, Sgt. Forrest D. Cauthorn, Pvt. Eleanor Dlugosz, 2nd Lt. Joanna Yorke Dyer, Cpl. Kris O'Neill, Spc. Jason A. Shaffer, Kingsman Adam James Smith, Staff Sgt. Jerry C. Burge, Cpl. Joseph H. Cantrell IV, Pfc. James J. Coon, Pfc. Walter Freeman Jr., Pfc. Derek A. Gibson, Staff Sgt. Shane R. Becker, Pfc. Gabriel J. Figueroa, Staff Sgt. Bradley D. King, Rifleman Aaron Lincoln, Lance Cpl. Daniel R. Olsen, Spc. Brian E. Ritzberg, Staff Sgt. Jason R. Arnette, Spc. William G. Bowling, Pfc. Miguel A Marcial III, Sgt. Robert M. McDowell, Staff Sgt. David A. Mejias, Staff Sgt. Eric R. Vick, Kingsman Danny John Wilson.

PRESENTATIONS:

Mayor Heilman presented commendations to the West Hollywood Youth Leadership Boardmembers.

Mayor Heilman and members of the Senior Advisory Board presented a proclamation in honor of Senior Month.

Mayor Heilman, members of the West Hollywood Chamber of Commerce, and members of the Historic Preservation Commission presented the West Hollywood Distinctive Designation Award, which was recently given to the City.

Mayor Heilman presented a proclamation to Brian Pennington, Acting Manager of the West Hollywood Library, in honor of National Library Week.

Councilmember Land presented a plaque to outgoing Planning Commissioner Eric Thompson.

Councilmember Land presented a proclamation in honor of Earth Day.

Councilmember Land presented a proclamation in honor of Arbor Day.

Councilmember Prang presented a commendation to the Barnacle Busters Scuba Club.

Councilmember Land and Councilmember Prang presented a commendation in honor of the 20th Anniversary of the West Hollywood Municipal Employees union.

Councilmember Prang presented a proclamation regarding Child Abuse Prevention Month, and presented a commendation to Rent Stabilization Commissioner Howard Jacobs for his work in child abuse prevention programs in the Los Angeles area.

1. PUBLIC COMMENT:

ALEXANDER GURFINKLE, ENCINO, spoke in support of Item 5.A.

MURIEL SCHOICHET, WEST HOLLYWOOD, spoke in support of Item 2.J.

ALEX PONDER, REPRESENTING ASSEMBLYMEMBER MIKE FUERE, spoke in support of Item 2.AA.

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

VICTOR THE SNAKE MAN, WEST HOLLYWOOD, spoke regarding traffic concerns in the City. He spoke regarding the upcoming anniversary of the Rainbow Bar and Grill in the City.

DEGE COUTEE, WEST HOLLYWOOD, spoke regarding a recent raid of medical marijuana facilities in the City.

MADELEINE RACKLEY, WEST HOLLYWOOD, spoke regarding an upcoming performance of the Hollywood Master Chorale in the City.

MARK JOSEPH, LOS ANGELES, spoke regarding the "Extra Cans for the Needy" recycling and fundraising program.

PATRICIA NELL WARREN, WEST HOLLYWOOD, spoke in support of Item 2.CC.

REID MITCHELL, WEST HOLLYWOOD, spoke regarding public safety issues in his neighborhood.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke regarding rent control issues in the City and in opposition to Item 2.CC.

SAMUEL BORELLI, WEST HOLLYWOOD, spoke regarding Disaster and Earthquake Preparedness Month.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding Sexual Assault Awareness Month.

VICTORIA JOYCE, WEST HOLLYWOOD, spoke regarding an upcoming non-profit organizations event called "Big Sunday".

COUNCILMEMBER COMMENTS:

Mayor Pro Tempore Guarriello spoke regarding a recent Los Angeles County Sanitation District meeting and Sanitation rates in the City.

Councilmember Prang spoke regarding a "Welcome to West Hollywood" sign which is in need of repairs.

Councilmember Land spoke regarding Items 2.G. and 2.K. on the agenda, and requested the City Manager's office to investigate the possibility of improving MTA bus service in the City. She thanked the Public Safety and Public Facilities Commissions for investigation of bike safety issues in the City. She spoke regarding the recent Holocaust Remembrance event in the City. She spoke regarding a recent fire at the Los Angeles Free Clinic and thanked residents for their calls of support.

Mayor Heilman spoke regarding public comments surrounding the "Big Sunday" volunteer program, and requested the City Manager to investigate sponsoring a similar program in West Hollywood. He spoke regarding public comments surrounding public safety at a residence in the City and requested staff to investigate the possibility of declaring the property in question a public nuisance, as well as the property located at 7551 Norton Avenue. He spoke regarding

public comments surrounding traffic safety issues on Sunset Boulevard and requested Transportation staff to investigate the possibility of increased enforcement. He provided clarification on Item 5.A.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding the request to explore improvements to MTA services in the City and stated that his office would work with the Transportation Department on the Issue. He congratulated Allyne Winderman, Director of Rent Stabilization and Housing, on her recent completion of the Boston Marathon.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$840,758.00 in expenditures and \$40,925.00 in potential revenue.

2. CONSENT CALENDAR:

Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H., I.,J.,K.,L.,M.,N.,O.,P.,R.,S.,T.,U.,V.,W.,X.,Y.,Z.,AA.,BB.,CC.,DD.,EE. **Motion by Mayor Pro Tempore Guarriello, seconded by Councilmember Land and approved with Item 2.Q. TABLED and Councilmember Duran ABSENT.**

2.A. POSTING OF AGENDA: The agenda for the meeting of Monday, April 16, 2007 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, April 12, 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 19, 2007.

Approved as part of the Consent Calendar.

2.C. DEMAND REGISTER NO. 575, RESOLUTION NO. 07-3506: The City Council is requested to approve payment of bills due as presented by the Director of Finance. ACTION: Approve Demand Register No. 575 and adopt Resolution No. 07-3506, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 575."

Approved as part of the Consent Calendar.

2.D. DEMAND REGISTER NO. 576, RESOLUTION NO. 07-3507: The City

Council is requested to approve payment of bills due as presented by the Director of Finance. ACTION: Approve Demand Register No. 576 and adopt Resolution No. 07-3507, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 576."

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 Jason G. Shoemaker and Mercury Insurance (Bendat) and refer to the City's claims adjuster.

Approved as part of the Consent Calendar.

2.F. ORDINANCE NO. 07-752 (2ND READING), 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: [T. WEST / C. SCHAFFER] The City Council will waive further reading and adopt Ordinance No. 07-752, a proposed ordinance 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. ACTION: Waive further reading and adopt Ordinance No. 07-752, "AN ORDINANCE 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."

Approved as part of the Consent Calendar.

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

Approved as part of the Consent Calendar.

2.H. APPROVAL OF REVISED JOB SPECIFICATIONS FOR TWO WEHOME/AFSCME POSITIONS AND ONE ACE POSITION AND THE RECLASSIFICATION OF ONE ACE POSITION: [L. BOCK / S. SCHUMACHER] The City Council will consider the recommendation from the Human Resources Division for approval of three revised job descriptions and the reclassification of one ACE position. ACTION: 1) Approve the revised job description for the WEHOME/AFSCME position of Project Coordinator and authorize the placement from 5270E to 5280E; 2) Approve the revised job specification for the WEHOME/AFSCME position of Aquatics

Coordinator and authorize the placement from Grade 5190N to Grade 5220N; 3) Approve the revised job description for the ACE position of Administrative Services Supervisor (no salary/placement change); and 4) Authorize the reclassification of one of the ACE Human Resources Specialist positions to that of Human Resources Analyst from Grade 4260N to Grade 4280E.

Approved as part of the Consent Calendar.

- 2.I. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES:** [S. PERLSTEIN / J. ENGLISH] This item requests that the City Council approve a professional service agreement with RBF Consulting for construction management and inspection and services on upcoming street paving projects. ACTION: Approve a professional services Agreement in an amount not to exceed \$165,531 with RBF Consulting and authorize the City Manager to sign the Agreement.

Approved as part of the Consent Calendar.

- 2.J. APPROVAL FOR THE "SPRING TO ACTION FOR WOMEN'S HEALTH AND SAFETY" EDUCATION AND OUTREACH PROGRAM FOR 2007:** [R. RYAN] The City Council will consider the approval of an education and outreach program during the Spring of 2007 to help raise awareness on issues of women's health and safety. ACTION: 1) Adopt Resolution No. 07-3508, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING APRIL 2007 AS SEXUAL ASSAULT AWARENESS MONTH AND WEDNESDAY, APRIL 25TH AS DENIM DAY IN WEST HOLLYWOOD," 2) Approve the "Spring to Action for Women's Health & Safety" education and outreach program schedule for Spring 2007; and 3) Direct Public Safety Staff and Women's Advisory Board Liaison Staff to work with the Women's Advisory Board, the Partner Abuse Education Task Force, the Sheriff's Gay & Lesbian Task Force, and the Senior Advisory Board with implementation of this project.

Approved as part of the Consent Calendar.

- 2.K. APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WEST HOLLYWOOD AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR THE METRO RAPID BUS TRANSIT PRIORITY SYSTEM:** [S. PERLSTEIN / J. ENGLISH] The City Council will consider the approval of a Memorandum of Understanding for grant funding to upgrade traffic signals for deployment of the Metro Rapid Bus Program in the City of West Hollywood. ACTION: 1) Authorize the City Manager to sign the Memorandum of Understanding between the City of West Hollywood and the Los Angeles County Metropolitan Transportation Authority for the Metro Rapid Bus Transit

Priority System; and 2) Authorize the Director of Finance to increase the budget by \$11,000 in both the expenditure line item 202-4-08-84-705030 and in the grant revenue line item 202-422012.

Approved as part of the Consent Calendar.

2.L. APPROVE AN AGREEMENT WITH CALIFORNIA SCHOOL MANAGEMENT GROUP TO PROVIDE TELECOMMUNICATIONS CONSULTING SERVICES: [B. GANLEY / A GANDHY] The City Council will consider approving an agreement with California School Management Group to provide telecommunications consulting services to assist the City with the selection and implementation of a new telephone system. ACTION: 1) Approve the agreement with California School Management Group in an amount not to exceed \$34,200; 2) Authorize the City Manager to execute the contract; and 3) Authorize the expenditure of an amount not to exceed \$3,420.00 for contingencies as approved by the Director of Finance.

Approved as part of the Consent Calendar.

2.M. APPROVAL OF CO-SPONSORSHIP OF X-METH ALLIANCE AND AUTHORIZATION TO USE CITY'S LOGO ON THE ALLIANCE'S WEBSITE AND PRINTED MATERIALS: [J. DURAN / H. MOLINA / N. TESKE] The City Council will consider co-sponsoring the X-Meth Alliance and authorizing use of the City's logo. ACTION: Approve co-sponsorship of X-Meth Alliance and authorize use of City logo to appear on the X-Meth Alliance's website and printed materials.

Approved as part of the Consent Calendar.

2.N. AWARD OF A CONSTRUCTION CONTRACT FOR THE WESTMOUNT DRIVE, FROM SHERWOOD DRIVE TO RUGBY DRIVE, STREET IMPROVEMENT PROJECT, CIP 0701: [S. PERLSTEIN / J. ENGLISH] The City Council will consider approval of a construction contract for street improvements on Westmount Drive from Sherwood Drive to Rugby Drive. ACTION: 1) Accept the bid dated March 21, 2007, submitted by Elite Bobcat Service, Inc.; 2) Authorize the City Manager to enter into a contract with Elite Bobcat Service, Inc., in the amount of \$329,900 for the construction of CIP 0701, the Westmount Drive, from Sherwood Drive to Rugby Drive, Street Improvement Project; 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.O. CITY SPONSORSHIP OF LAMBDA LITERARY AWARDS: [J. PRANG / J. KURPIES / J. HEILMAN / F. SOLOMON] The City Council will consider co-sponsoring the 2008 Lambda Literary Awards, along with GLASS and other

organizations, to be held in the City of West Hollywood in May 2008 and commit up to \$15,000 in sponsorships and in-kind contributions for this effort. ACTION: 1) Direct the City Manager to enter into an agreement for the City of West Hollywood to become a co-sponsor of the 2008 Lambda Literary Awards and allocate up to \$15,000 to the Lambda Literary Awards Organizing Committee; 2) Authorize the Director of Finance to appropriate up to \$15,000 from unallocated reserves to the Special Council Programs line item (100-3-05-531001); and 3) Authorize staff to work with the West Hollywood Convention and Visitors Bureau and the Lambda Literary Awards Organizing Committee to outreach to participants of Book Expo America, the West Hollywood Book Fair, and, specifically, the attendees of the Lambda Literary Awards, to encourage them to stay in hotels and use the restaurants and retail outlets located in West Hollywood.

Approved as part of the Consent Calendar.

2.P. CO-SPONSORSHIP OF THE WOMEN'S HEALTH POLICY SUMMIT OF 2007: [A. LAND / L. BELSANTI] The City Council of West Hollywood will consider co-sponsoring the Thursday, May 24, 2007, Women's Health Policy Summit. ACTION: 1) Approve the City co-sponsorship of Thursday, May 24, 2007, Los Angeles County Women's Health Policy Summit.

Approved as part of the Consent Calendar.

2.Q. EMERGENCY REPAIRS - WEST HOLLYWOOD PARK POOL: [L. LONG / N. BEARD / S. BAXTER] The City Council is requested to award a contract to Sea Clear Pools for the re-plastering of the West Hollywood Park swimming pool. ACTION: 1) Accept the bid dated January 14, 2007 submitted by Sea Clear Pools of Torrance, California, in the amount of \$30,360.00 for the re-plastering of the West Hollywood Park swimming pool; 2) Authorize the expenditure of an amount not to exceed \$3,360 for contingencies as approved by the Director of the Human Services Department; and 3) Authorize the City Manager to sign the associated Contract Agreement.

This Item was TABLED.

2.R. ENVIRONMENTAL LIVABILITY REPORT: [J. HARMON / S. PERLSTEIN / J. ENGLISH] The City Council will receive a status report on the environmental programs of the City of West Hollywood as well as a report on the environmental livability of West Hollywood. ACTION: Receive and file the report.

Approved as part of the Consent Calendar.

2.S. EXTENSION TO AGREEMENT FOR GRAFFITI REMOVAL SERVICES: [L. LONG / S. BAXTER] The City Council will consider approving a one year

extension to the existing Agreement for Graffiti Removal Services. ACTION: 1) Approve the Seventh Amendment to the Agreement with Urban Graffiti Enterprise, Inc. which extends the term of the original Contract Agreement to June 30, 2008; and 2) Authorize the City Manager to sign the Seventh Amendment to the Agreement.

Approved as part of the Consent Calendar.

2.T. FUNDING FOR USED OIL RECYCLING BLOCK GRANT APPLICATION: [J. HARMON / S. PERLSTEIN / J. ENGLISH] The City Council will consider a request from the Engineering Division to submit a regional grant to the California Integrated Waste Management Board (CIWMB) for the proper disposal of used oil and other pollutants affecting the watershed. ACTION: 1) Adopt Resolution No. 07-3509, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE CIWMB FOR A REGIONAL USED OIL RECYCLING BLOCK GRANT (13TH CYCLE)"; and 2) Upon receipt of the grant award, authorize the City Manager to execute the agreement and the Director of Finance to increase budget revenue and expense by the amount of the grant.

Approved as part of the Consent Calendar.

2.U. NOTICE OF COMPLETION FOR CIP 0601 LA BREA AVENUE STREET IMPROVEMENT PROJECT: [S. PERLSTEIN / J. ENGLISH] The City Council will consider approving the Notice of Completion for CIP 0601, La Brea Avenue Street Improvement Project by Palp, Inc. d.b.a. Excel Paving Company. ACTION: Accept the work and authorize the following: a) Filing a Notice of Completion by the City Engineer, b) Final payment to the contractor at the end of the 35 day lien period, c) Release of the Performance Bond on the date of recordation of the Notice of Completion, and d) Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices.

Approved as part of the Consent Calendar.

2.V. PARK DESIGN SERVICES - FORMOSA PARK SITE: [L. LONG / S. BAXTER] The City Council will consider approving an Agreement with Katherine Spitz Associates for design services in relation to the Formosa Park site. ACTION: 1) Authorize the City Manager to sign an Agreement with Katherine Spitz Associates in the amount of \$31,500 for park design services for the Formosa Park site; 2) Authorize the expenditure of an amount not to exceed \$5,000 for related design components and contingencies as approved by the Director of Human Services; and 3) Reject all other proposals received for this project.

Approved as part of the Consent Calendar.

2.W. PROPOSED RESOLUTION ESTABLISHING A PROCEDURE TO PROVIDE FOR REPRESENTATION AT WESTSIDE CITIES COG MEETINGS WHEN NEITHER THE DELEGATE NOR THE ALTERNATE ARE AVAILABLE TO ATTEND: [P. AREVALO / D. WILSON] The City Council will consider adopting a resolution establishing a procedure to provide for representation at Westside Cities COG meetings when neither the delegate nor the alternate are available to attend. ACTION: Adopt Resolution No. 07-3510, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A PROCEDURE TO PROVIDE FOR REPRESENTATION AT WESTSIDE CITIES COG MEETINGS WHEN NEITHER THE DELEGATE NOR THE ALTERNATE ARE AVAILABLE TO ATTEND."

Approved as part of the Consent Calendar.

2.X. RESIGNATION OF ERIC THOMPSON FROM THE PLANNING COMMISSION: [T. WEST / C. SCHAFFER] The City Council will accept the resignation of Planning Commissioner Eric Thompson, effective March 14, 2007. ACTION: Accept with regret the resignation of Eric Thompson from the Planning Commission.

Approved as part of the Consent Calendar.

2.Y. A RESOLUTION IN SUPPORT OF AB 900 (NUNEZ), AN ACT TO AMEND SECTIONS 14502 AND 14503 OF THE GOVERNMENT CODE, INCREASING THE VOTING MEMBERS OF THE CALIFORNIA TRANSPORTATION COMMISSION: [J. PRANG / J. KURPIES / A. PINEDO] The City Council will consider adopting a resolution in support of AB 900 (Nunez), which expands the California Transportation Commission membership from 11 to 13 voting members. ACTION: 1) Adopt Resolution No. 07-3511, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 900 (NUNEZ), AN ACT TO AMEND SECTIONS 14502 AND 14503 OF THE GOVERNMENT CODE, INCREASING THE VOTING MEMBERS OF THE CALIFORNIA TRANSPORTATION COMMISSION"; and 2) Direct staff to send copies of signed resolution to Assemblymember Mike Feuer, Speaker Fabian Nunez, Senator Sheila Kuehl and Governor Arnold Schwarzenegger.

Approved as part of the Consent Calendar.

2.Z. APPROVAL OF THE UPDATED CITY OF WEST HOLLYWOOD NIMS/SEMS EMERGENCY PLAN: [S. BERRY / R. RYAN] The City Council will consider approving the updated City of West Hollywood National Incident Management System (NIMS) and Standardized Emergency Management System (SEMS) compliant Emergency Plan. ACTION: 1) Approve the updated City of West Hollywood NIMS/SEMS Emergency Plan;

and 2) Authorize the Mayor to sign the "Letter of Promulgation" and forward to the State Office of Emergency Services.

Approved as part of the Consent Calendar.

2.AA.A RESOLUTION IN SUPPORT OF AB 1471 (FEUER), THE CRIME GUN IDENTIFICATION ACT OF 2007: [J. PRANG / J. KURPIES / A. LAND / L. BELSANTI] The City Council will consider adopting a resolution in support of AB 1471 (Feuer), the Crime Gun Identification Act of 2007. ACTION: 1) Adopt Resolution No. 07-3513, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1471 (FEUER), THE CRIME GUN IDENTIFICATION ACT OF 2007"; and 2) Direct staff to send copies of the signed resolution to Assemblymember Mike Feuer, Senator Sheila Kuehl and Governor Arnold Schwarzenegger.

Approved as part of the Consent Calendar.

2.BB.A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 840 (KUEHL), THE CALIFORNIA HEALTH INSURANCE RELIABILITY ACT: [A. LAND / L. BELSANTI / N. TESKE] The City Council will consider adopting a resolution in support of SB 840 (Kuehl), the California Health Insurance Reliability Act. ACTION: 1) Adopt Resolution No. 07-3514, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 840 (KUEHL), THE CALIFORNIA HEALTH INSURANCE RELIABILITY ACT"; and 2) Direct staff to send copies of the signed resolution to Senator Sheila Kuehl, Assemblymember Mike Feuer, and Governor Arnold Schwarzenegger.

Approved as part of the Consent Calendar.

2.CC.A RESOLUTION IN SUPPORT OF SB 464 (KUEHL), A BILL TO REFORM THE "ELLIS ACT": [A. WINDERMAN / M. HULL] The City Council will consider approving a Resolution in support of SB 464 which would amend California Government Code § 7060 et seq. (the Ellis Act) to allow local jurisdictions to prohibit residential landlords to remove property from the rental market unless they had owned the property for at least five years and require that, if any tenant in a multi-unit building qualifies for a one-year extension before being displaced under the Ellis Act, all tenants be allowed to remain for the same one-year period. ACTION: 1) Adopt Resolution No. 07-3515, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 464 (KUEHL), A BILL TO REFORM THE "ELLIS ACT"; and 2) Direct staff to send signed copies of the resolution to bill author Senator Sheila Kuehl, State Assembly member Mike Feuer, Governor Arnold Schwarzenegger, appropriate state legislative committees, and the Western Center for Law and Poverty.

Approved as part of the Consent Calendar.

2.DD.(5.A.) WEST HOLLYWOOD SCHOLARSHIP PROGRAM: [J. HEILMAN / F. SOLOMON] The City Council will consider the creation of a West Hollywood Scholarship Program. ACTION: 1) Authorize staff to inaugurate a West Hollywood Scholarship Program; 2) Allocate \$19,137 from the West Hollywood Unity Card (credit card) deferred revenue account as seed money for the program; 3) Authorize staff to begin community fundraising efforts for the ongoing financial support of the program.

Approved as part of the Consent Calendar.

2.EE.(6.A.) CITY OF WEST HOLLYWOOD PARKING CODE: [D. NORTE / O. DELGADO / J. ENGLISH] The City Council will consider amending Title 10 (originally adopted as Title 15, the Los Angeles County Vehicle and Traffic Code) of the Municipal Code by adding Chapter 10.07 to serve as the City of West Hollywood Parking Code. Introduce on first reading Ordinance No. 07-753, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING THE CITY OF WEST HOLLYWOOD PARKING CODE AS CHAPTER 10.07 AND AMENDING THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE."

Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS:

3.A. 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 City Council will consider an appeal of the Planning Commission's denial of a request for construction of one (1) detached dwelling unit and four (4) covered parking stalls behind an existing house, subdivision of the property, an after-the-fact demolition permit, and a modification to reduce rear yard setback at 7719 Norton Avenue.

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

Rachel Heiligman, Associate Planner, presented background information as outlined in the staff report dated April 16, 2007.

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

STEPHEN MICHAEL KERNAN, THE APPELLANT, spoke in opposition to the Item and in support of the appeal.

AL WEISMAN, WEST HOLLYWOOD, spoke regarding the proposed easements adjacent to his property.

ELLA MAE LURACK, WEST HOLLYWOOD, spoke in support of the Item and in opposition to the appeal.

TERRI ANNE PHILLIPS, WEST HOLLYWOOD, spoke in support of the Item and in opposition to the appeal.

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

J.C. CARTER, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

STEPHEN MICHAEL KERNAN, THE APPELLANT, provided rebuttal.

Mayor Heilman closed the public hearing.

Councilmember Prang spoke in opposition to the parking turntable for this project. He spoke regarding limited parking and yard space for two units on the property. He spoke in support of the Planning Commission's decision and in support of the Item.

Councilmember Land spoke regarding parking concerns and concerns regarding the proposed parking turntable. She spoke regarding concerns surrounding the easement process. She spoke in support of the Planning Commission's decision and in support of the Item.

Mayor Pro Tempore Guarriello spoke in support of the Planning Commission's decision and in support of the Item.

Mayor Heilman spoke regarding public comments concerning previous code compliance violations against the appellant, and spoke regarding the need to debate the Item as a land-use issue. He provided clarification regarding the easement process. He spoke regarding concerns surrounding the parking turntable and lack of information on using turntables for residential properties. He spoke regarding the current zoning of the property and the allowance of a 2nd unit on the property. He spoke regarding parking concerns and in support of the Planning Commission's decision to deny the appeal.

ACTION: Adopt Resolution No. 07-3516, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF STEPHEN MICHAEL KERNAN AND UPHOLDING 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, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A) **Motion by Councilmember Land, Seconded by Mayor Pro Tempore Guarriello and approved with Councilmember Duran being absent.**

3.B. AMENDMENT TO THE ZONING ORDINANCE MODIFYING PARKING REQUIREMENTS FOR AUTOMATED TELLER MACHINES NOT ASSOCIATED WITH AN ON-SITE FINANCIAL INSTITUTION: [S. HEALY KEENE / J. KEHO / J. PHILLIPS] The City Council will hold a public hearing to consider an amendment of the City of West Hollywood Zoning Ordinance to eliminate parking requirements for exterior automated teller machines not associated with an on-site financial institution.

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

Jory Phillips, Senior Planner, presented background information as outlined in the staff report dated April 16, 2007.

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

KEVIN GEARY, THE APPLICANT, spoke in support of the Item.

Mayor Heilman closed the public hearing.

Councilmember Land spoke regarding the need to monitor the effectiveness of the Ordinance and the possibility of including other areas in the City in the future.

Councilmember Prang spoke in support of the Item.

Mayor Heilman spoke regarding the need to monitor the effectiveness of the Ordinance and to ensure that ATMs don't become drive-up machines.

ACTION: 1) Hold a public hearing and introduce on first reading Ordinance No. 07-754, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONE TEXT AMENDMENT 2005-010 AMENDING TITLE 19 OF THE ZONING ORDINANCE TO MODIFY PARKING REQUIREMENTS FOR AUTOMATED TELLER MACHINES NOT ASSOCIATED WITH AN ON-SITE FINANCIAL INSTITUTION." (ATTACHMENT A) **Motion by Councilmember Land, Seconded by Mayor Pro Tempore Guarriello and approved with Councilmember Duran being absent.**

4. UNFINISHED BUSINESS:

4.A. None.

5. NEW BUSINESS:

5.A. WEST HOLLYWOOD SCHOLARSHIP PROGRAM: [J. HEILMAN / F. SOLOMON] This Item was moved to the Consent Calendar as Item 2.DD.

5.B. PROCEED WITH A REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES TO PREPARE PLANS AND SPECIFICATIONS FOR THE SUNSET BLVD. REHABILITATION PROJECT: [J. ENGLISH / S. PERLSTEIN] The City Council will consider the recommendation for staff to proceed with a request for proposals for the selection of a professional engineering consultant to prepare the plans and specifications for the Sunset Boulevard rehabilitation project.

Sharon Perlstein, City Engineer, presented background information as outlined in the staff report dated April 16, 2007.

TODD STEADMAN, ON BEHALF OF THE SUNSET STRIP BUSINESS ASSOCIATION, spoke in support of the Item.

Councilmember Land spoke regarding the need to coordinate this Item with other ongoing rehabilitation efforts on Sunset Boulevard. She spoke regarding the need to investigate possibilities to include green building in the project. She spoke regarding the need to look for improvements to pedestrian safety on the Boulevard.

Mayor Heilman spoke regarding the need to coordinate the selection of street trees in the project. He spoke regarding the possible inclusion of Items in the project that were not recommended by staff at this time.

ACTION: The City Council shall direct the Engineering Division to proceed with a request for proposals for the selection of a professional engineering consultant to prepare the plans and specifications for the Sunset Boulevard rehabilitation project. **Motion by Councilmember Land, Seconded by Mayor Pro Tempore Guarriello and approved with Councilmember Duran being absent.**

EXCLUDED CONSENT CALENDAR:

None.

PUBLIC COMMENT:

None.

6. LEGISLATIVE:

6.A. CITY OF WEST HOLLYWOOD PARKING CODE: [D. NORTE / O. DELGADO / J. ENGLISH] This Item was moved to the Consent Calendar as Item 2.EE.

COUNCILMEMBER COMMENTS:

None.

ADJOURNMENT: The City Council adjourned at 9:25 P.M. in memory of Dan Cohn II, Carol Westley, Artie Washington, Earl Meyers, the victims of the recent shooting at Virginia Technical Institute, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting, to the Mayoral Installation meeting, which will be on Monday, May 7, 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 7th day of May, 2007 by the following vote:

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

JOHN DURAN, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK