

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, FEBRUARY 4, 2008
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER:

Mayor Duran called the meeting to order at 6:45 P.M.

PLEDGE OF ALLEGIANCE:

Todd Steadman led the pledge.

ROLL CALL:

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

ABSENT: Councilmember Land.

ALSO PRESENT: City Manager Arevalo, City Attorney Jenkins, Assistant City Clerk Schaffer, Administrative Specialist Matikosh, and Administrative Specialist Vespoint.

REPORT OF CLOSED SESSION AGENDA:

The City Attorney reported that the closed session was called to order at 6:00 pm. He stated that there was one (1) public speaker. He stated that three (3) items of pending litigation were added to the agenda: Adlivankin v. City of West Hollywood, Dobrin v. City of West Hollywood, and Beverly Blvd. v. City of West Hollywood. He stated that the closed session adjourned at 6:35 with no reportable action taken.

APPROVAL OF AGENDA:

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

Mayor Duran requested that Items 4.B. and 5.A. be moved to the Consent Calendar as Items 2.N. and 2.O.

Councilmember Guarriello requested that Item 5.B. be moved to the Consent Calendar as Item 2.P.

Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Prang to approve the February 4, 2008 agenda as amended and approved with Councilmember Land being ABSENT.

Mayor Pro Tempore Prang requested that the meeting be adjourned in memory of Nina Demjanenko, the grandmother of City staff member Don Norte. He requested that the

meeting be adjourned in memory of Basya Skibinsky, the wife of Mark Skibinsky. He requested that the meeting be adjourned in memory of Christian Roger, the son of Shannon Roger and Sam Roger who is a member of the California Contract Cities Association.

Mayor Duran requested that the meeting be adjourned in memory of Margerie Rushforth, a prominent LGBT attorney and activist. He requested that the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Sgt. Michael R. Sturdivant, Pfc. Duncan Charles Crookston, Sgt. Tracy Renee Birkman, Staff Sgt. Robert J. Wilson, Maj. Alan G. Rogers, Sgt. Mikeal W. Miller, Pvt. Joshua A. R. Young, Pfc. Brandon A. Meyer, Spc. Evan A. Marshall, Staff Sgt. Gary W. Jeffries, Sgt. James E. Craig.

PRESENTATIONS:

Councilmember Guarriello presented a plaque to retiring Assistant Fire Chief Reginald Lee.

Russ Wilson from Koontz Hardware spoke regarding the closing of Koontz Hardware on Larchmont and hiring the employees from Larchmont to work in the West Hollywood store.

Mayor Duran presented a proclamation to Dr. Frank Pratt of the American Heart Association in recognition of American Heart Month.

1. PUBLIC COMMENT:

MIKEAL MAGLIERI, LOS ANELES, spoke in favor of Item 4.B.

TODD STEADMAN, LOS ANGELES, spoke in support of Item 4.B.

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

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of Item 5.A and candidate Hilary Clinton.

NICK SHAFFER, WEST HOLLYWOOD, spoke regarding an upcoming State ballot measure that might negatively impact rent control in the City.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding the February 5, 2008 election and encouraged residents to vote. He spoke regarding the upcoming Senior Valentine's Day dance in the City.

Councilmember Heilman spoke on behalf of Councilmember Land regarding Item 5.A. and the inclusion of cellular phones in the program. He spoke regarding an upcoming public meeting with the Los Angeles MTA regarding the new Red Line Metro line and encouraged residents to attend.

Mayor Pro Tempore Prang spoke regarding the February 5, 2008 election and encouraged residents to vote. He spoke regarding public comment surrounding upcoming State ballot measures that would negatively impact rent control in the City and encouraged residents to vote no against the measures. He spoke in support of Item 2.M.

Mayor Duran spoke regarding the public comment surrounding upcoming State ballot measures, Propositions 98 and 99, which would negatively impact rent control in the City, and encouraged residents to vote no against the measures.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding Item 5.A. and stated that he will direct staff to investigate including cellular phones and investigate options to register for the program online. He provided information regarding Item 5.B., the mid-year budget update, and spoke regarding the 2008-2010 budget, which will include initiatives and programs for several major community developments and the City's capital improvement projects.

FISCAL IMPACT ON CONSENT CALENDAR:

Assistant City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$1,880,422.00 expenditures and \$2,050,647.00 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. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and approved with Councilmember Land being ABSENT.**

2.A. POSTING OF AGENDA: The agenda for the meeting of Monday, February 4, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, January 31, 2008. **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 January 22, 2008.

Approved as part of the Consent Calendar.

2.C. DEMAND REGISTER NO. 595, RESOLUTION NO. 08-3639: The City Council is requested to approve payment of bills due as presented by the Director of Finance.

ACTION: Approve Demand Register No. 595 and adopt Resolution No. 08-3639, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 595."

Approved as part of the Consent Calendar.

2.D. CLAIMS ADMINISTRATION: The City Council is asked to deny Claims filed against the City, as a routine administrative step in claims processing. **ACTION:** Deny the claim of Bob Fabian and refer to the City's claims adjuster for action. Deny the portions of the Claim of Tom Benedetti that allege a Breach of Contract and a Violation of 42 USC Sec.1983 and refer him to the City's Claim Adjuster for action.

Approved as part of the Consent Calendar.

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS: The City Council will receive reports from the Disabilities Advisory Board, the Public Safety Commission and the Senior Advisory Board on actions taken at their recent meetings. **ACTION:** Receive and file.

Approved as part of the Consent Calendar.

2.F. APPROVAL OF FINAL PARCEL MAP NO. 62983 FOR THE CONDOMINIUM PROJECT LOCATED AT 709 - 711 WESTBOURNE DRIVE [O. DELGADO/S. PERLSTEIN] The City Council will consider the approval of Final Parcel Map No. 62983 a two unit condominium, located on Westbourne Drive, between Melrose Avenue and Sherwood Drive. **ACTION:** 1) Make findings for the Final Parcel 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 Parcel Map No. 62983; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 62983 the certificate that embodies the approval of said map.

Approved as part of the Consent Calendar.

2.G FORMOSA PARK SITE DESIGN [L. LONG/S. BAXTER] The City Council will consider approving the Design Development Phase for the Formosa Park site and authorize the preparation of associated construction documents. **ACTION:** 1)

Approve the Design Development Phase of Formosa Park as described in the staff report; 2) Authorize the City Manager to sign an Agreement with Katherine Spitz Associates in the amount of \$111,925 for park design services for the Havenhurst Park site; and 3) Authorize the expenditure of an amount not to exceed \$10,000 for related design components and contingencies as approved by the Director of Human Services.

Approved as part of the Consent Calendar.

2.H. SUBMITTAL OF THE CITY OF WEST HOLLYWOOD'S COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2007 [A. GANDHY/G. SCHUCHARD] The City Council will receive the Comprehensive Annual Financial Report for the City of West Hollywood for the fiscal year ending June 30, 2007. ACTION: Receive and file.

Approved as part of the Consent Calendar.

2.I. WOMEN'S HISTORY MONTH 2008 [L. BELSANTI/L. FOOKS] The City Council will consider approval of programming in celebration of Women's History Month 2008. ACTION: Approve programming for Women's History Month 2008 and direct the appropriate City staff to work with the Women's Advisory Board to coordinate the production and promotion of Women's History Month.

Approved as part of the Consent Calendar.

2.J. INSTALLATION OF WOMEN'S HISTORY MONTH BANNERS ALONG SANTA MONICA BOULEVARD [L. BELSANTI/L. FOOKS] The City Council will consider a request from the West Hollywood Women's Advisory Board to authorize the installation of Women's History Month banners from March 1, 2008 to March 31, 2008, along Santa Monica Blvd between La Cienega and Crescent Heights. ACTION: Direct staff to approve the installation of 35 pole banners on the north and south sides of Santa Monica Boulevard between La Cienega and Crescent Heights from March 1, 2008 - March 31, 2008.

Approved as part of the Consent Calendar.

2.K. WEST HOLLYWOOD WOMEN'S HEART HEALTH CAMPAIGN 2008 AND AMERICAN HEART MONTH [A. LAND/L. BELSANTI/J. DURAN/H. MOLINA] The City Council will consider approving the creation of the West Hollywood Women's Heart Health Campaign and annual participation in both National Wear Red Day and National Woman's Heart Day. ACTION: Direct staff to promote the West Hollywood Women's Heart Health Campaign 2008 and American Heart Month and incorporate materials from both the National Wear Red Day and the National Woman's Heart Day Program with the City's on-going health awareness efforts throughout the year.

Approved as part of the Consent Calendar.

- 2.L** GAY MEN'S FORUM [J. DURAN/H. MOLINA/S. GUARRIELLO/D. SAUR] The City Council will consider supporting the production of a Gay Men's Forum. ACTION: Authorize the production of a town hall forum focusing on issues surrounding gay men.

Approved as part of the Consent Calendar.

- 2.M** OPPOSING THE EXTENSION OF CALIFORNIA STATE ROUTE 241 THROUGH SAN ONOFRE STATE BEACH [J. PRANG/J. KURPIES/J. DURAN/H. MOLINA/P. INDALL] The City Council will consider adopting a resolution opposing the extension of California State Route 241 through San Onofre State Beach. ACTION: 1) Adopt Resolution No. 08-3640, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE EXTENSION OF CALIFORNIA STATE ROUTE 241 THROUGH SAN ONOFRE STATE BEACH"; and 2) Direct staff to send copies of the signed resolution to Governor Arnold Schwarzenegger, the California Coastal Commission and Sierra Club of Southern California.

Approved as part of the Consent Calendar.

- 2.N.** (4.B.) CO-SPONSORSHIP OF THE SUNSET STRIP MUSIC EVENT [J. HEILMAN/F. SOLOMON/R. REYNOLDS/A. CAMPBELL] The City Council will consider co-sponsorship of the Sunset Strip Music Event. ACTION: 1) Approve co-sponsorship of the Sunset Strip Music Event and authorize the use of the City name and logo on invitations, programs and other collateral materials; 2) Authorize Economic Development and Public Information to work with the Sunset Boulevard Business Association and the event producers to organize and publicize the event; 3) Approve a waiver of special fees for the Sunset Boulevard Music Event to be held on June 26-28, 2008 on Sunset Boulevard in West Hollywood; 4) Authorize the Director of Finance and Technology Services to allocate \$6,500.00 from unallocated reserves to the City Council Special Programs line item. In combination with \$3,000 currently in the line item, \$3,000 from the Human Services Department Special Programs line item, and \$12,500.00 from the Economic Development Business Improvement District line item, a total of \$25,000.00 in one time only seed money will be used to produce the event; and 5) Authorize the City Manager to approve an agreement for services with the Sunset Boulevard Business Association for reimbursement of costs directly related to production of the event, not to exceed \$25,000.00.

Approved as part of the Consent Calendar.

- 2.O.** (5.A.) MASS NOTIFICATION SYSTEMS ("REVERSE 911") [K. COOK/B. GANLEY/B. GOLDMAN] The City Council will receive a report regarding mass notification systems, otherwise known as "reverse 911" systems and give staff direction regarding potential purchase. ACTION: Direct staff to choose a vendor and incorporate the

expense into the regular 2008-2009 budget.

Approved as part of the Consent Calendar.

2.P. (5.B.) UPDATE OF THE 2007-2008 OPERATING BUDGET, CAPITAL WORK PLAN, AND VISION 2020 ACCOMPLISHMENTS [P. AREVALO/A. GANDHY/J. WRIGHT/D. WILSON] The City Council will consider the mid-year update of the City's 2007-08 Operating Budget and Capital Work Plan and Primary Strategic Goals; receive and file information on various organizational structure changes; and adopt in the budget specific projects that will use State Proposition 1B funds. ACTION: 1) Receive and file the attached report on accomplishments toward the Primary Strategic Goals of Vision 2020 and other activities of the City's Departments; 2) Authorize the Director of Finance and Technology to increase budgeted revenues as follows: General Fund - \$615,250, Miscellaneous Grants Fund - \$607,197, Traffic Mitigation Fund - \$47,000, Public Art & Beautification Fund - \$14,200, Park Development Fund - \$30,000, Housing Trust Fund - \$737,000; 3) Authorize the Director of Finance to increase the General Fund operating expenditures by \$535,250 and capital project expenditures by \$80,000; 4) Authorize the Director of Finance to increase expenditures in the Miscellaneous Grants Fund by \$607,197, in the Park Development Fund by \$445,000, and in the Santa Monica Boulevard Reconstruction Fund by \$50,000; 5) Approve the new position of Assistant City Manager; 6) Approve an additional position of Management Specialist; 7) Receive and file the following organizational changes: a) Change the name of the Transportation and Public Works Department to the Public Works Department; b) Change the title of Director of Transportation and Public Works/Deputy City Manager to Director of Public Works; c) Transfer the Transportation Planning Division to the Community Development Department; d) Transfer the Commercial Code Compliance Division to the Public Works Department; e) Transfer the following positions subject to Meet and Confer with WEHOME: Administrative Specialist III to CDD/Transportation; Traffic Engineering Technician to Public Works/Engineering; Transportation Specialist Public Works/Code Compliance; Transportation & Transit Operations Supervisor and Transportation Assistant to Human Services/Social Services; and the Special Events Technician Human Services/Recreation; and 8) Authorize \$607,197 in state grant funding from the Proposition 1B Transportation Bond Local Streets and Roads Account. This recommendation is intended to meet the Prop 1B regulations which require that the City Council adopt in the budget specific projects that will use these funds. Projects are more fully described in the attached narrative.

Approved as part of the Consent Calendar.

2.Q. (6.A.) AMENDMENT TO PARKING CODE [O. DELGADO/D. NORTE] The City Council will consider an amendment to the City's Municipal Code to amend language affecting the Department of Public Works organizational structure. ACTION: Introduce for first reading, Ordinance No. 08-____" AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTIONS OF THE PARKING CODE WITH REGARD TO DEFINITION AND AUTHORITY OF

THE DIRECTOR OF PUBLIC WORKS AND TO EXTEND THE TIME LIMIT OF PASSENGER LOADING ZONES BEYOND THREE MINUTES WHEN SIGNS ARE POSTED"

Approved as part of the Consent Calendar.

THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:20 P.M.

The Community Development Commission approved the minutes from the December 17, 2007 meeting and received the Annual Report for the fiscal year ending June 30, 2007. 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: 7:21 P.M.

3. PUBLIC HEARINGS:

3.A. APPEAL OF PLANNING COMMISSION INTERPRETATION OF A CONDITION OF APPROVAL FOR CONDITIONAL USE PERMIT 2005-03 FOR THE CHARTER ELEMENTARY SCHOOL LOCATED AT 1261-1265 FAIRFAX AVENUE IN WEST HOLLYWOOD, CA [S. KEEN/J. KEHO/J. NOEL] The City Council continued this item from its meeting of December 17, 2007 at the request of the appellant as well as the applicant for the purpose of reaching an agreement between the two parties. The appellant has requested that the hearing be continued to the meeting of March 3, 2008. The applicant has agreed to this continuance.

Carried by Consensus of the Council to continue this matter to the meeting of March 3, 2008.

4. UNFINISHED BUSINESS:

4.A. PUBLIC SAFETY DIVISION UPDATE, JULY - DECEMBER 2007 [K. COOK/B. GOLDMAN/R. LEE] The City Council will receive a six month update on public safety activities from July - December 2007 and give additional direction to staff.

Kristin Cook, Public Safety Manager, provided background information as outlined in the staff report dated February 4, 2008.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding criminal transients at Santa Monica/San Vicente. He spoke regarding drunk valets throwing keys, and other public safety issues.

Councilmember Guarriello spoke regarding the need for improved traffic control, particularly when traffic control lights are down. He spoke regarding increased enforcement relative to reckless driving.

Councilmember Heilman spoke on behalf of Councilmember Land regarding insufficient lighting on streets and petty theft issues at the La Brea Gateway. Councilmember Heilman spoke of concerns relative to safety at the La Brea Gateway. He spoke of increased noise problems during summertime. He requested Public Safety staff to address how domestic violence and hate crimes issues would be addressed in the future.

Mayor Pro Tempore Prang spoke regarding traffic enforcement when traffic lights are down, and spoke regarding increased traffic and parking enforcement resources. He spoke of a drop in patrol checks by the bike team in city parks. He spoke concerning the need for increased enforcement to stop illegal disabled parking placards. He spoke concerning modified muffler exhaust citations. He spoke regarding joint efforts with Councilmember Land regarding prohibiting the sale of single-container alcohol purchases at grocery and liquor stores in the City.

Mayor Duran expressed his gratitude to the Sheriff's Department, Neighborhood Watch groups, and City staff, for their efforts in the reduction of crime rates in the City. He expressed concerns regarding crime related to the homeless population. He appreciated the break-down of narcotics-related arrests in the staff report.

Kristin Cook thanked her staff and introduced her newest staff member, Bonnie Smith, who will be working closely with the Sheriff's Department concerning domestic violence issues. Captain Buddy Goldman addressed the concerns raised by Council, specifically with respect to issues at the La Brea Gateway, traffic enforcement issues, DUIs, valet operators, traffic light outages, illegal handicap placard enforcement, bicycle patrols, and homeless issues. He thanked the City Council and City Staff for their support.

City Manager Arevalo spoke regarding the upcoming City budget process, which will include possible funding changes of public safety programs to address neighborhood livability and safety issues.

ACTION: 1) Approve the following public safety priorities including: a) Continue to work with local businesses, residents, and neighboring jurisdictions to promote neighborhood livability and mitigate impacts from nighttime establishments, b) Continue to aggressively address criminal transient issues, and assist Social Services with overall homelessness issues, c) Continue to improve Sheriff's Department customer relations; and d) Continue to collaborate with residents and businesses through Neighborhood Watch and the West Hollywood Chamber of Commerce regarding emergency preparedness, crime prevention, customer service, and quality of life issues; 2) Identify other public safety priorities to include in the Public Safety Division's work plan; and 3) Give additional direction to staff as necessary. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and approved, with Councilmember Land being absent.**

- 4.B. CO-SPONSORSHIP OF THE SUNSET STRIP MUSIC EVENT [J. HEILMAN/F. SOLOMON/R. REYNOLDS/A. CAMPBELL]**
The City Council will consider co-sponsorship of the Sunset Strip Music Event.

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

5. NEW BUSINESS:

- 5.A. MASS NOTIFICATION SYSTEMS ("REVERSE 911") [K. COOK/B. GANLEY/B. GOLDMAN]**
The City Council will receive a report regarding mass notification systems, otherwise known as "reverse 911" systems and give staff direction regarding potential purchase.

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

- 5.B UPDATE OF THE 2007-2008 OPERATING BUDGET, CAPITAL WORK PLAN, AND VISION 2020 ACCOMPLISHMENTS [P. AREVALO/A. GANDHY/J. WRIGHT/D. WILSON]** The City Council will consider the mid-year update of the City's 2007-08 Operating Budget and Capital Work Plan and Primary Strategic Goals; receive and file information on various organizational structure changes; and adopt in the budget specific projects that will use State Proposition 1B funds.

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

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE:

- 6.A. AMENDMENT TO PARKING CODE [O. DELGADO/D. NORTE]**
The City Council will consider an amendment to the City's Municipal Code to amend language affecting the Department of Public Works organizational structure.

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

- 6.B ESTABLISH CONDITIONS AND CRITERIA FOR AMENDING PARKING REGULATIONS IN PREFERENTIAL PARKING DISTRICTS [O. DELGADO/D. NORTE]** The City Council will consider an ordinance establishing conditions and criteria for amending parking regulations in preferential parking districts.

Councilmember Heilman spoke regarding concerns surrounding daytime permit parking restrictions in residential neighborhoods. He spoke in support of a much higher

standard being implemented concerning daytime parking restrictions, especially if there are adequate facilities for off-street parking.

Mayor Pro Tempore Prang spoke regarding concerns surrounding daytime permit parking restrictions in residential neighborhoods, and spoke in support of tabling the Item.

Oscar Delgado, Director of Public Works, addressed Council concerns surrounding the criteria for approving daytime permit parking restrictions in residential neighborhoods.

NICK SHAFFER, WEST HOLLYWOOD, spoke concerning parking problems on Larrabee, particularly near Sunset.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke concerning permit parking enforcement issues in the District 5 permit parking area.

ACTION: TABLE this Item to the meeting of February 19, 2008. **Motion by Mayor Pro Tempore Prang, Seconded by Councilmember Heilman and approved, with Councilmember Land being absent.**

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 7:58 P.M. in memory of Nina Demjanenko, Basya Skibinsky, Christian Roger, Margerie Rushforth, 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 Tuesday, February 19, 2008 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

JOHN J. DURAN, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK