

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, FEBRUARY 19, 2008
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER:

Mayor Duran called the meeting to order at 6:37 P.M.

PLEDGE OF ALLEGIANCE:

Steven Golightly 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:

The City Attorney reported that the closed session was called to order at 6:00 P.M. He stated that there were no public speakers. He stated that the closed session adjourned at 6:30 P.M. with no reportable action taken.

APPROVAL OF AGENDA:

Staff requested that Item 4.D. be TABLED.

Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Prang to approve the February 19, 2008 agenda as amended and unanimously approved.

Councilmember Land requested that the meeting be adjourned in memory of Carol Rodriguez, a long-time West Hollywood resident. She requested that the meeting be adjourned in memory of the shooting victims at Northern Illinois University. She requested that the meeting be adjourned in memory of the victims of the shooting at the Kirkwood, Missouri City Council meeting. She requested that the meeting be adjourned in memory of Lawrence King, the junior high school student who was recently shot in Oxnard.

Councilmember Heilman requested that the meeting be adjourned in memory of Tom Lantos, a former Congressman, Holocaust survivor, and human rights activist.

Mayor Pro Tempore Prang requested that the meeting be adjourned in memory of Myra Riddell, the former President of the Los Angeles County Commission for Women, and a long-time LGBT activist.

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: Sgt. Rafael Alicea Rivera, Sgt. Timothy R. Van Orman, Sgt. John C. Osmolski, Spc. Miguel A. Baez, Sgt. Bradley J. Skelton, Petty Officer 1st Class Luis A. Souffront, Sgt. Gary D. Willett, Staff Sgt. Jerald A. Whisenhunt, Pfc. Jack T. Sweet, Sgt. Timothy P. Martin, Spc. Michael T. Manibog, Sgt. Corey E. Spates, Staff Sgt. Javares J. Washington.

PRESENTATIONS:

Councilmember Land presented a commendation to the Pacific Hills Associated Student Body for their community involvement and efforts to bring attention to the situation in Darfur.

Mayor Pro Tempore Prang presented a plaque to Steven Golightly, the outgoing President of the West Hollywood West Neighborhood Association.

1. PUBLIC COMMENT:

REID MITCHELL, WEST HOLLYWOOD, spoke regarding safety concerns surrounding Lola's Bar in the City.

DAVID HILL, WEST HOLLYWOOD, spoke regarding concerns surrounding Tabling Item 4.D.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding seniors receiving the upcoming federal tax rebate.

RITA NORTON, WEST HOLLYWOOD, spoke regarding the upcoming VE Day celebration in the City and clarified that the celebration is on May 8, 2008.

JACK MERRILL, LOS ANGELES, spoke in opposition to Item 4.B.

CHARLIE ALVARE spoke in support of an individual West Hollywood police force and West Hollywood courthouses.

KIM SCHNEIDER, WEST HOLLYWOOD, spoke regarding Item 4.D. and spoke regarding concerns surrounding the proposed alternatives in the staff report.

MARCY NORTON, WEST HOLLYWOOD, spoke regarding adjourning the meeting in memory of Los Angeles SWAT Team member Randy Simmons.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding his recent attendance at the Los Angeles County Sanitation District meeting, and informed residents that there will be no increase in services charges for this year.

Councilmember Land spoke regarding public comments surrounding safety issues at Lola's Bar and requested Public Safety staff to investigate the issue. She spoke regarding public comment surrounding seniors receiving the upcoming federal tax rebate and requested Public Information staff to help publicize the issue. She spoke regarding the upcoming General Plan Community Fair in the City and encouraged residents to attend. She spoke regarding the upcoming Heart Health Fair in the City. She spoke regarding the recent Snow Day event in the West Hollywood Park and thanked Recreation staff for organizing the event. She spoke regarding gun violence issues. She noted her conflict of interest for Item 4.D. due to the location of her home residence.

Councilmember Heilman spoke regarding Item 4.D. and requested staff to hold neighborhood meetings to include community input during the design process.

Mayor Pro Tempore Prang spoke regarding the recent dedication of the West Hollywood Post Office on San Vicente Boulevard. He spoke regarding the upcoming CTE (Community through Engagement) program in the City and encouraged residents to apply. He provided clarification surrounding public comments regarding a West Hollywood police force and West Hollywood court system.

Mayor Duran spoke regarding Item 4.D. and stated that the recommendations are temporary solutions. He requested the City Manager to address concerns raised during public comments. He spoke regarding upcoming state measure Prop. 98 regarding the potential elimination of rent control and urged residents to vote no on the measure. He spoke regarding an upcoming California Supreme Court decision on marriage equality and a movement to place a federal constitutional amendment to ban same-sex marriage on the upcoming ballot. He spoke regarding public comments surrounding a West Hollywood police force.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding Item 4.D. and stated that staff will return with a more definitive recommendation. He also stated that staff will solicit community input on the Item. He spoke regarding the upcoming Academy Award events in the City. He introduced Susan Anderson, the new West Hollywood Librarian.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$526,701.00 in expenditures and \$21,520.00 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. **Motion by Councilmember Guarriello, seconded by Councilmember Land and unanimously approved.**

2.A. POSTING OF AGENDA: The agenda for the meeting of February 19, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 14, 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 February 4, 2008.

Approved as part of the Consent Calendar.

2.C. DEMAND REGISTER NO. 596, RESOLUTION NO. 08-3641: The City Council is requested to approve payment of bills due as presented by the Director of Finance. **ACTION:** Approve Demand Register No. 596 and adopt Resolution No. 08-3641, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 596."

Approved as part of the Consent Calendar.

2.D. ORDINANCE NO. 08-781 (2ND READING), 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 [T. WEST/C . SCHAFFER]: The City Council will waive further reading and adopt Ordinance No. 08-781, a proposed ordinance 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. **ACTION:** Waive further reading and adopt Ordinance No. 08-781, "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.

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS: The City Council will receive a report from the Project Advisory Committee on actions taken at their recent meeting. **ACTION:** Receive and file.

Approved as part of the Consent Calendar.

2.F. APPROVAL OF FINAL PARCEL MAP NO. 68482 FOR THE CONDOMINIUM PROJECT LOCATED AT 1040 CURSON AVENUE [O. DELGADO/S. PERLSTEIN]: The City Council will consider the approval of Final Parcel Map No. 68482, a four unit condominium, located on Curson Avenue, between Santa Monica Boulevard and Romaine Street. 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, and 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. 68482; and 3) Instruct the City Clerk to endorse on the face of the map of Final Parcel Map No. 68482 the certificate that embodies the approval of said map.

Approved as part of the Consent Calendar.

2.G. AWARD OF CONSTRUCTION CONTRACT FOR CIP 0802, STREET PAVING PROGRAM [O. DELGADO/S. PERLSTEIN]: The City Council will consider awarding a construction contract for the Street Paving Program, CIP 0802. ACTION: 1) Accept the bid dated January 31, 2008, submitted by Sully-Miller Contracting Company; 2) Authorize the City Manager to enter into a contract with Sully-Miller Contracting Company in the amount of \$340,986.40 for the construction of CIP 0802, STREET PAVING PROGRAM; and 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 15% of the contract amount.

Approved as part of the Consent Calendar.

2.H. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES [O. DELGADO/S. PERLSTEIN]: This item requests that the City Council approve a professional service agreement with RBF Consulting for construction management and inspection services on upcoming street paving projects. ACTION: Approve a professional services Agreement in an amount not to exceed \$58,067 with RBF Consulting and authorize the City Manager to sign the Agreement.

Approved as part of the Consent Calendar.

2.I. BID REJECTION AND AUTHORIZATION TO RE-BID, HAVENHURST PARK

WATERPROOFING PROJECT C.I.P. # 55-08-01 [L. LONG/S. BAXTER]: The City Council will consider rejecting the bid received and authorize the re-bidding of the Havenhurst Park Waterproofing Project, C.I.P. #55-08-01. **ACTION:** 1) Reject the bid received for the Havenhurst Park Waterproofing Project, C.I.P. #55-08-01 and return the associated bid bond, and 2) Authorize the re-bidding of the Havenhurst Park Waterproofing Project, C.I.P. #55-08-01.

Approved as part of the Consent Calendar.

2.J. ADDENDUM TO AGREEMENT FOR PARKING METER MAINTENANCE SERVICES WITH THE CITY OF GLENDALE [O. DELGADO/L. THU]: The City Council will consider approving an addendum to the current agreement with the City of Glendale for parking meter maintenance services. **ACTION:** 1) Approve an addendum to the agreement for parking meter maintenance services with the City of Glendale in an amount not to exceed \$56,500 for the 2008-09 budget year; \$59,000 for the 2009-10 budget year; and \$62,500 for the 2010-11 budget year; 2) Approve a three-year extension of the agreement term from July 1, 2008 to June 30, 2011; 3) Authorize the City Manager to sign the addendum.

Approved as part of the Consent Calendar.

2.K. SALE OF FOREIGN COINS, AND TOKENS COLLECTED FROM PARKING METERS [O. DELGADO/L. THU]: The Parking Services Division requests authorization to sell its inventory of foreign coins and tokens received through the City's parking meters to the highest bidder. **ACTION:** Authorize the Parking Division to solicit purchase proposals and sell its inventory of foreign coins, slugs and tokens to the highest bidder.

Approved as part of the Consent Calendar.

2.L. QUARTERLY REPORT AND AMENDMENT OF 2007-08 SERVICE AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION [A. WINDERMAN/J. SKORNECK/E. SAVAGE]: The City Council will receive the quarterly report from the West Hollywood Community Housing Corporation (WHCHC) for the Second Quarter of Fiscal Year 2007-08 and will consider approving an amendment to the annual service agreement with the nonprofit corporation for project management consulting services for the Laurel Place project. **ACTION:** 1) Receive and file the quarterly report for FY 2007-08 Second Quarter, as submitted by the West Hollywood Community Housing Corporation; 2) Approve a Second Amendment to the service agreement with the WHCHC to provide an additional \$20,000, for a total of \$251,000, for project management consulting services; and 3) Authorize the Director of Finance and Technology Services to increase the FY 2007-08 budgeted expenditures in the Affordable Housing Trust Fund by \$20,000 (account 216-06-65-537014, Community Housing Corporation contract).

Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS:

- 3.A. APPEAL OF PLANNING COMMISSION APPROVAL OF REQUEST TO DEMOLISH AN EXISTING SIX (6) UNIT MULTI- FAMILY APARTMENT BUILDING AND CONSTRUCT A NEW SIXTEEN (16) UNIT RESIDENTIAL CONDOMINIUM STRUCTURE AT 1342 HAYWORTH [S. HEALY KEENE/J. KEHO/J. ALKIRE]:** An appeal of the Planning Commission's approval of permits to demolish a six unit apartment complex consisting of two, two-story buildings and construct a new four-story, sixteen unit condominium building with one level of subterranean parking at 1342-1346 Hayworth Avenue.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke regarding the continuation of the Item and presented a transcript of the recent meeting of the State Historical Resources Commission.

WILLIAM NEISH, WEST HOLLYWOOD, spoke regarding the continuation of the Item.

Moved by Councilmember Heilman, seconded by Councilmember Land, and unanimously approved to CONTINUE the Item to the meeting of May 5, 2008.

4. UNFINISHED BUSINESS:

- 4.A AGREEMENT FOR SERVICES WITH HEERY INTERNATIONAL, INC. RELATED TO PROJECT MANAGEMENT AND PRE-CONSTRUCTION MANAGEMENT SERVICES FOR ELEMENTS OF THE CITY OF WEST HOLLYWOOD'S 25TH ANNIVERSARY CAPITAL CAMPAIGN PROJECTS [J. ENGLISH/R. REYNOLDS/J. HUFFER]:** The City Council will consider approving an Agreement for Services with Heery International, Inc for overall pre-construction management services and project management services related to all projects of the City's 25th Anniversary Capital Campaign.

Assistant City Manager, Joan English, provided background information as outlined in the staff report dated February 19, 2008.

ACTION: 1) Approve an Agreement for Services with Heery International in an amount not-to-exceed \$1,080,100 (including a 10% contingency) for the Project Management/Pre-Construction Management services for all three projects of the City's 25th Anniversary Capital Campaign. 2) Authorize the City Manager to sign and execute all agreements. **Motion by Councilmember Guarriello, Seconded by Councilmember Land and approved.**

- 4.B LONG-TERM LEASE OF CITY-OWNED PROPERTY AT 1343 LAUREL AVENUE TO RETAIN FUNDING FOR AFFORDABLE SENIOR HOUSING [A. WINDERMAN/J. SKORNECK/E. SAVAGE]:** The City Council will consider approving a long-term ground lease of City-owned property at 1343 Laurel Avenue and increasing financial assistance to an amount not to exceed \$4,550,211

(including \$2,000,000 previously budgeted) for a 28-unit affordable senior housing project.

Jeffrey Skorneck, Housing Manager, provided background information as outlined in the staff report dated February 19, 2008.

ESTHER BAUM, WEST HOLLYWOOD, spoke in support of the Item.

RAE MITCHELL, WEST HOLLYWOOD, spoke in support of the Item.

WILLIAM NEISH, WEST HOLLYWOOD, spoke in opposition to the Item.

LIZA AMTMANIS, LOS ANGELES, spoke regarding a separate law suit that has been filed regarding the property at 1343 N. Laurel Avenue.

ROY OLDENKAMP, WEST HOLLYWOOD, spoke in opposition to the Item.

PEGGY KENNEDY, WEST HOLLYWOOD, spoke in opposition to the Item.

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke in opposition to the Item.

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

BARBARA HAMAKER, WEST HOLLYWOOD, spoke in support of the Item.

GEORGE CREDLE, WEST HOLLYWOOD, spoke in opposition to the Item.

MARK ZANGRANDO, WEST HOLLYWOOD, spoke in support of the Item.

LOVEDY BRYDON, WEST HOLLYWOOD, spoke in support of the Item.

STEVE MARTIN, WEST HOLLYWOOD, spoke in opposition to the Item.

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

NEAL ZASLAVSKY, WEST HOLLYWOOD, spoke in support of the Item.

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

ANSON SNYDER, WEST HOLLYWOOD, spoke in support of the Item.

Councilmember Guarriello spoke in support of moving the project forward.

Councilmember Heilman spoke in support of the project. He spoke regarding the increased costs and their relation to the delays in the project. He spoke regarding other low-income and senior housing projects in the City.

Councilmember Land thanked the West Hollywood Housing Corporation for their continued efforts to bring the project forward. She spoke regarding increased costs for housing, particularly for senior, disabled and low-income housing.

Mayor Pro Tempore Prang spoke regarding moving the project forward. He spoke regarding the increased costs in the project. He spoke in support of the long-term lease of the property.

City Attorney Jenkins spoke regarding the inclusion of several non-substantive, technical changes in the proposed lease. He spoke regarding an amendment to paragraph B, in Section 2.5.3 of the lease to include both pending lawsuits surrounding the project. He provided clarification surrounding public comment regarding recent litigation by the appellants.

ACTION: 1) Approve and authorize the City Manager to execute the Lease Agreement (as corrected by the attorneys in substantially the form contained in the staff report) for City-owned property at 1343 Laurel Avenue to Laurel Place West Hollywood, Inc. ("Laurel Place") for 28 units of affordable senior housing, for a minimum term of 55 years and a maximum term of 99 years; 2) Increase the City's financial assistance to the project to \$4,550,211 (including the \$2,000,000 previously budgeted); 3) Authorize the Director of Finance & Technology Services to allocate \$1,250,000 in FY 2008-2009 and \$1,300,211 in FY 2009-2010 to the Laurel Ave Housing Development (Account # 216-4-06-65-703052) from the Housing Trust Fund Undesignated Balance (Account # 216-332010); and 4) Affirm that this project, as an affordable housing development, is exempt from all normal City-imposed fees and charges. **Motion by Councilmember Guarriello, Seconded by Councilmember Heilman and passed with Mayor Pro Tempore Prang voting no.**

4.C 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.

Oscar Delgado, Public Works Director, provided background information as outlined in the staff report dated February 19, 2008.

Councilmember Heilman spoke regarding concerns surrounding day-time parking restrictions in residential areas where off-street parking is available.

Councilmember Land spoke regarding concerns surrounding day-time parking restrictions in residential areas where off-street parking is available. She spoke in support of Tabling the Item and requesting staff to return with a revised ordinance.

Mayor Pro Tempore Prang spoke regarding using the strictest standards in approving day-time parking restrictions in the City.

Mayor Duran spoke regarding concerns surrounding day-time parking restrictions in residential areas where off-street parking is available.

Councilmember Guarriello spoke regarding residents parking on residential streets when parking is available in public parking garages.

ACTION: TABLE the Item and direct staff to return with a revised ordinance.
Motion by Councilmember Land, Seconded by Councilmember Heilman and approved.

4.D WESTMOUNT DRIVE CUL-DE-SAC IMPROVEMENTS [S. KEENE/T. SLIMMER/W. DAVIS]: The City Council will receive the 90 day follow-up report on options and cost estimates for the Westmount Cul-De-Sac.

This Item was TABLED.

4.E 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.

This Item was TABLED.

5. NEW BUSINESS:

5.A. APPOINTMENT OF CITY COUNCILMEMBERS AS DELEGATE AND ALTERNATE TO THE SANTA MONICA BAY WATERSHED COUNCIL [T. WEST/C. SCHAFFER]: The City Council will consider making an appointment as delegate and alternate to the Santa Monica Bay Watershed Council.

The City Council made the following appointments to the Santa Monica Bay Watershed Council: Mayor Duran - Delegate; Mayor Pro Tempore - Alternate.

EXCLUDED CONSENT CALENDAR:

None.

PUBLIC COMMENT:

DESIREE SOL, WEST HOLLYWOOD, spoke regarding the West Hollywood Royal Court.

6. LEGISLATIVE:

6.A. None.

COUNCILMEMBER COMMENTS:

Councilmember Heilman welcomed the USC journalism students in attendance.

ADJOURNMENT: The City Council adjourned at 8:41 in memory of Carol Rodriguez, the victims of Northern Illinois University, the victims of the Kirkwood, Missouri City Council meeting, Lawrence King, Tom Lantos, Myra Riddell, Randy Simmons, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting, to their next regular meeting, which will be on Monday, March 3, 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