

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JUNE 2, 2008
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Prang called the meeting to order at 6:35 P.M.

PLEDGE OF ALLEGIANCE: David Eichman led the pledge.

ROLL CALL:

PRESENT: Councilmember Duran (arrived at the meeting following the Presentations), Councilmember Guarriello, Councilmember Heilman, Mayor Pro Tempore Land, and Mayor Prang.

ABSENT: None.

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

APPROVAL OF AGENDA:

Motion by Mayor Pro Tempore Land, seconded by Councilmember Guarriello to approve the June 2, 2008 agenda as amended and unanimously approved.

ADJOURNMENT MOTIONS:

Mayor Pro Tempore Land requested that the meeting be adjourned in memory of Jill Swift, a teacher and environmentalist. She requested that the meeting be adjourned in memory of long-time resident Jack Rael.

Mayor Prang requested that the meeting be adjourned in memory of William R. Anweiler, a camera man for the documentary *50 Yard Line*, which prominently featured the Fairfax High School Marching Band. He requested that the meeting be adjourned in memory of Joseph Raymond Thornbury, a decorated World War II Veteran.

Councilmember Duran requested that the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Pfc. Kyle P. Norris, Sgt. Frank J. Gasper, Sgt. Blake W. Evans, Sgt. 1st Class Jason F. Dene, Cpl. Christian S. Cotner.

PRESENTATIONS:

Councilmember Heilman presented scholarships to the recipients of the West Hollywood Scholarship Program.

Mayor Pro Tempore Land presented a proclamation to Tony Ciancimino, the Regional Manager of the National Safety Council, in recognition of National Safety Month.

Mayor Prang presented a proclamation in recognition of HIV Prevention Month and introduced the recipients of the Gay Heroes Awards.

Mayor Prang presented a proclamation in recognition of LGBT Pride Month.

1. PUBLIC COMMENT:

FRED BALDERRAMA, FORMER MAYOR OF MONTEREY PARK, spoke in opposition to Item 2.I.

MARK OLSON, FROM SOUTHERN CALIFORNIA EDISON, spoke regarding ongoing equipment upgrades being completed in the City.

RICHARD KEARNS, LOS ANGELES, spoke regarding the recent California Supreme Court decision regarding same-sex marriages and regarding HIV/AIDS issues.

DAVID NASH, WEST HOLLYWOOD, spoke regarding LGBT Pride Month.

WARREN MILLER, WEST HOLLYWOOD, spoke in opposition to Proposition 98 on the June 3, 2008 Statewide ballot.

LYNN HOOPINGARNER, WEST HOLLYWOOD, spoke regarding development issues in the City and spoke regarding public noticing issues for public hearings.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding development issues in the City, spoke regarding a recent memorial at Holloway Park, and thanked Christopher Street West for organizing the LGBT Pride Month.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello encouraged residents to vote in the June 3, 2008 Statewide election, and encouraged voters to vote No on Proposition 98 and Yes on Proposition 99.

Councilmember Duran spoke regarding the qualification of the proposed amendment to the California Constitution regarding same-sex marriage for the upcoming November ballot. He encouraged residents to vote in both the June 3, 2008 Statewide election and the November Presidential election. He spoke regarding his recent visit to China with other LGBT activists.

Councilmember Heilman spoke regarding the recent Book Expo event in the City of Los Angeles and the welcoming event held in the City of West Hollywood. He spoke regarding the recent Lambda Literary Awards event in the City. He spoke regarding the upcoming LGBT Pride Month events in the City. He spoke regarding the upcoming event "The Globalization of LGBT Rights" in the City.

Mayor Pro Tempore Land spoke regarding the upcoming LGBT Pride Month events in the City and thanked Christopher Street West for their work in organizing the event. She spoke regarding the recent Transgender Unity event in the City. She spoke regarding the recent Pride Brunch event in the City. She spoke regarding a new business located in the City called O Burger. She spoke regarding the recent Avenues of Arts and Design event in the City and thanked City staff and the Board of the Avenues of Arts and Design for organizing the event. She thanked the business "The Cake Divas" for donating a cake in celebration of the recent California Supreme Court decision regarding same-sex marriages. She thanked City staff for organizing a Memorial Day event in the City. She spoke regarding Item 2.T., the proposed "Lights on West Hollywood Program".

Mayor Prang spoke regarding the City's recent participation at the Annual Conference of the California Contract Cities Association. He encouraged residents to vote in the June 3, 2008 Statewide election. He spoke regarding the upcoming "Vow to Vote No" event at the Abbey. He noted his NO vote on Item 2.I.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding Item 2.I. and provided further clarification regarding the Request for Proposal process and the selection of the vendor. He spoke regarding Item 2.G. and provided further clarification of the City's proposed preliminary budget.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$1,880,017.00 in expenditures and \$0.00 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.,P.,Q.,R.,S.,T. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously approved with Mayor Prang voting NO on Item 2.I.**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, June 2, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 29, 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 May 19, 2008. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 603, RESOLUTION NO. 08-3678:

The City Council is requested to approve payment of bills due as presented by the Director of Finance.

ACTION: Approve Demand Register No. 603 and adopt Resolution No. 08-3678, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 603." **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 Ken Hurst and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. 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.F ACTIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR'S HEARING:

The City Council will receive a report from the Community Development Department Director on actions at recent hearings.

ACTION: Receive and file. **Approved as part of the Consent Calendar.**

2.G. RECEIVE AND FILE THE PRELIMINARY 2006-2008 OPERATING BUDGET AND 2008-2013 CAPITAL WORK PLAN [P. AREVALO, A. GANDHY, D. WILSON]:

The City Council will receive the preliminary City of West Hollywood Operating Budget for Fiscal Years 2008-2010 and Capital Work Plan for Fiscal Years 2008-2013, which will be brought back for public comment and council adoption at the June 16, 2008 meeting.

ACTION: Receive and file the preliminary City of West Hollywood Operating Budget for Fiscal Years 2008-2010 and Capital Work Plan for Fiscal Years 2008-2013. **Approved as part of the Consent Calendar.**

2.H. AGREEMENT FOR STREET TREE MAINTENANCE SERVICES [L. LONG, S. BAXTER]:

The City Council will consider approving a three-year Agreement with West Coast Arborists, Inc. for providing street tree maintenance and planting services.

ACTION: 1) Approve a three-year Agreement with West Coast Arborists, Inc. for providing annual grid and park tree trimming services in the

amount of \$295,380 for fiscal year 2008//2009, \$318,780 for fiscal year 2009/2010 and \$289,260 for fiscal year 2010/2011; 2) Approve West Coast Arborists, Inc. to provide other related tree maintenance, planting and urgency / emergency 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.I. AGREEMENT FOR STREET SWEEPING SERVICES [L. LONG, S. BAXTER]:

The City Council will consider approving a two year Agreement with CleanStreet for providing street sweeping services.

ACTION: 1) Approve a two year Agreement with CleanStreet for providing street sweeping services in the amount of \$559,200 for fiscal years 2008/2009 and 2009/2010; 2) Authorize the City Manager to execute the Agreement; and 3) Reject all other proposals and return associated Proposal Bonds. **Approved as part of the Consent Calendar with Mayor Prang voting NO.**

2.J. EXTENSION OF AGREEMENT WITH ACS STATE AND LOCAL SOLUTIONS INC. FOR PARKING CITATION PROCESSING, PAYMENT, DELINQUENT ACCOUNT COLLECTIONS AND HEARING SCHEDULING SERVICES [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider approval of a two (2) year contract extension with ACS State and Local Solutions to provide parking citation processing, payment, delinquent account collections and hearing scheduling services.

ACTION: 1) Approve the agreement with ACS State and Local Solutions Inc. to extend the term of the contract through June 30, 2010, with a not-to-exceed amount set forth in the approved 2008-2010 City budgets; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.K. 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 and services on upcoming residential 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.L. AWARD OF CONSTRUCTION CONTRACT FOR CIP 0803, RESIDENTIAL STREET PAVING PROJECT [O. DELGADO, S. PERLSTEIN]:

The City Council will consider awarding a construction contract for the Residential Street Paving Project, CIP 0803.

ACTION: 1) Accept the bid dated May 22, 2008, submitted by Hardy & Harper, Inc. Company; 2) Authorize the City Manager to enter into a contract with Hardy & Harper, Inc. Company in the amount of \$269,000.00 for the construction of CIP 0803, Residential Street Paving 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.M. APPROVAL OF AN AMENDMENT TO A CONTRACT FOR SECURITY GUARD SERVICES WITH SHIELD SECURITY, INC. [K. COOK]:

The City Council will consider approving an amendment to a contract for security guard services with Shield Security, Inc.

ACTION: 1) Authorize the City Manager to negotiate an amendment to the 2007-2008 contract with Shield Security, Inc. for security guard services; and 2) Approve an additional expenditure of \$5,000 for a total up to \$108,000 for July 1, 2007 to June 30, 2008 for Security Services at City Hall and Plummer Park and special events. **Approved as part of the Consent Calendar.**

2.N. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will consider adopting three resolutions as the first steps in the implementation process of the Avenues of Art and Design Business Improvement District for fiscal year 2008-2009.

ACTION: 1) Adopt Resolution No. 08-3679 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2008-2009 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT"; 2) Adopt Resolution No. 08-3680 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2008-2009 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT"; 3) Adopt Resolution No. 08-3681 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2008-2009 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO"; and 4) Approve an increase of \$30,000 to the base assessment budget of \$85,000 to supplement salary for a Marketing Manager position providing additional marketing and promotional services to the BID. **Approved as part of the Consent Calendar.**

2.O. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING & BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE) [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will consider renewing the Hotel Marketing Benefit Zone of the West Hollywood Business Improvement Area for fiscal year 2008-2009 that funds the visitor marketing activities of the West Hollywood Marketing and Visitors Business Bureau (MVB) by adopting three resolutions.

ACTION: 1) Adopt Resolution No. 08-3682 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2008-2009 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA"; 2) Adopt Resolution No. 08-3683, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2008-2009 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA;" and 3) Adopt Resolution No. 08 -3684, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY A CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2008-2009 AND SETTING A TIME AND PLACE OF A HEARING TO CONSIDER SUCH A CHARGE." **Approved as part of the Consent Calendar.**

2.P. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT [R. REYNOLDS, J. HUFFER]:

The City Council will consider adopting three resolutions as the first steps in the implementation process of the Sunset Strip Business Improvement District for fiscal year 2008-2009.

ACTION: 1) Adopt Resolution No. 08-3685, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2008-2009 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT"; 2) Adopt Resolution No. 08-3686, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2008-2009 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT"; and 3) Adopt Resolution No. 08-3687, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2008-2009 AND

SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO". **Approved as part of the Consent Calendar.**

2.Q. LEVY OF ANNUAL ASSESSMENT FOR SANTA MONICA BOULEVARD MAINTENANCE DISTRICT [R. REYNOLDS, J. HUFFER]:

The City Council will consider adopting resolutions for the proposed levy of assessments for the Santa Monica Boulevard Maintenance District for fiscal year 2008-2009 which provides for holiday decorations, sidewalk steam cleaning and trash can and bus bench cleaning and repair.

ACTION: 1) Adopt Resolution Number 08-3688, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2008-2009 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE"; 2) Adopt Resolution Number 08-3689, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ENGINEER FOR THE 2008-2009 FISCAL YEAR IN CONNECTION WITH THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT"; 3) Adopt Resolution Number 08-3690, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2008-2009 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO"; and 4) Direct staff to notice a public hearing to be held on June 16, 2008 to hear protests or objections to the levy of the assessment for the 2008-2009 fiscal year. **Approved as part of the Consent Calendar.**

2.R. REPORT ON FORECLOSURES AND THE IMPACT ON WEST HOLLYWOOD CONSTITUENTS [A. WINDERMAN, J. SKORNECK, M. HULL, E. SAVAGE]:

City Council will receive and file this report on the foreclosure situation in West Hollywood.

ACTION: Receive and file this report on the foreclosure situation in West Hollywood. **Approved as part of the Consent Calendar.**

2.S. IN OUR GLOBAL VILLAGE: WEST HOLLYWOOD THROUGH THE EYES OF ITS YOUTH – BOOK SALES [L. LONG, L. ISENBERG]:

The City Council will consider authorization of the sale of the recently published book, "In Our Global Village: West Hollywood Through the Eyes

of Its Youth". The books will sell for \$7.00 each with 50% of the proceeds benefitting the City of West Hollywood's Youth Scholarship Program and the other 50% of proceeds providing scholarships for the students at the Awet Secondary School in Tanzania.

RECOMMENDATIONS: 1) Authorize the sale of the book, "In Our Global Village: West Hollywood Through the Eyes of Its Youth" for \$7.00 each; and 2) Authorize the allocation of funds from the sale of the book to the City of West Hollywood's Youth Scholarship program (50% of proceeds) and the Awet Secondary School in Tanzania (50% of proceeds).
Approved as part of the Consent Calendar.

2.T. IMPLEMENTATION OF LIGHTS ON WEST HOLLYWOOD PROGRAM [A. LAND, C. PLANCK]:

The City Council will consider implementing a Lights On West Hollywood Program, which would provide outdoor motion detector lights to qualifying neighbors with safety concerns.

ACTION: 1) Direct staff to implement a program to encourage constituents to install outdoor motion detector lights for safety concerns and to provide these lights; 2) Direct the Public Safety Division to make lights available through the Neighborhood Watch program. In addition, lights may also be distributed through selected special events at least twice annually; and 3) Direct staff to investigate purchasing lights in bulk and offering discounted prices or establish partnerships with area hardware stores to offer the lights at discounted prices. **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 FOUR DELINQUENT ACCOUNT HOLDERS [O. DELGADO, S. PERLSTEIN]:

The City Council will consider whether or not to request the County Auditor to assess the property tax bills of four delinquent solid waste account holders.

City Clerk West 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 2, 2008.

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

Mayor Prang closed the public hearing.

ACTION: Direct the Director of Finance to submit the required information to the County Auditor for the purpose of assessing the delinquent solid waste amount, plus a \$120.00 administrative fee, onto the property tax

bills of the delinquent account holders. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously approved.**

3.B. PROPOSED FEE RESOLUTION FOR FY 2008-2009 [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.

City Clerk West 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 2, 2008.

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

Mayor Prang closed the public hearing.

Mayor Prang spoke regarding a possible future fee increase for moving vans that block residential streets.

Councilmember Heilman spoke regarding the nominal increase in permit parking fees.

ACTION: Adopt Resolution No. 08-3691, "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. 07-3553." **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and unanimously approved.**

3.C. A ZONE TEXT AMENDMENT TO MODIFY THE REQUIREMENT FOR OPEN SPACE IN MIXED-USE PROJECTS IN ALL COMMERCIAL ZONES; AND A REQUEST TO DEMOLISH AN EXISTING COMMERCIAL BUILDING AND CONSTRUCT A 20-UNIT MIXED-USE CONDOMINIUM DEVELOPMENT AT 8350 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA [S. KEENE, J. KEHO, D. DEGRAZIA]:

The City Council will consider the following proposals: 1) A zone text amendment to modify the requirement for open space in mixed-use projects in all commercial zones; and 2) A development proposal to demolish an existing commercial building and construct a 20-unit mixed-use condominium development. One modification has been requested to allow for additional height of 4'-5". The project is located at 8350 Santa Monica Boulevard, West Hollywood, California.

City Clerk West stated that the Item was noticed as required by law.

David DeGrazia, Senior Planner, provided background information as outlined in the staff report dated June 2, 2008.

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

MARIANNE LOWENTHAL, THE APPLICANT, spoke in support of the Item.

KENNETH GOLDMAN, ON BEHALF OF GELSON'S MARKETS, spoke regarding parking concerns during the construction process, and parking concerns in the proposed finished project.

SHARON SANDOW, FROM THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the project.

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

LAUREN MEISTER, WEST HOLLYWOOD, spoke in opposition to the Item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the Item.

Mayor Pro Tempore Land spoke regarding the revision of the City's General Plan and the need to continue considering ongoing development projects during the revision. She spoke in support of the project.

Councilmember Duran spoke in support of the project and in support of replacing the current building located on the site. He spoke regarding development difficulties in the current economy.

Councilmember Guarriello spoke in support of the project.

Councilmember Heilman spoke in support of the project and in support of replacing the current building located on the site. He spoke regarding the revision of the City's General Plan and the need to continue considering ongoing development projects during the revision.

Mayor Prang spoke in support of the project and in support of replacing the current building located on the site. He spoke regarding the revision of the City's General Plan and the need to continue considering ongoing development projects during the revision. He spoke regarding parking concerns in the proposed project.

Mayor Prang closed the public hearing.

ACTION: Hold a public hearing, consider all pertinent testimony, approve the project, and adopt: 1) Ordinance No. 08-787, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING A NEGATIVE DECLARATION, APPROVING ZONING TEXT AMENDMENT 2007-008 REGARDING COMMON OPEN SPACE IN MIXED-USE PROJECTS." (EXHIBIT A); 2) Resolution No. 08-3692, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING DEMOLITION PERMIT 2007-15 AND DEVELOPMENT PERMIT 2007-021 FOR THE CONSTRUCTION OF A 20-UNIT MIXED-USE CONDOMINIUM DEVELOPMENT, FOR THE PROPERTY LOCATED AT 8350 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;" (EXHIBIT B); and 3) Resolution No. 08-3692, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2007-013 (MINOR LAND DIVISION NO. 61462), FOR THE PROPERTY LOCATED AT 8350 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;" (EXHIBIT C) **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and unanimously approved.**

4. UNFINISHED BUSINESS:

4.A. GARDEN COURT CRITERIA DISCUSSION [S. KEENE, J. KEHO, F. CONTRERAS]:

Staff will present additional information and examples to the City Council on the potential Garden Court thematic grouping.

Francisco Contreras, Associate Planner, provided background information as outlined in the staff report dated June 2, 2008.

ROY OLDENKAMP, WEST HOLLYWOOD, spoke in support of the Item and spoke in support of the inclusion of properties with potted plants.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the inclusion of properties with gardens that are not visible from the street.

GEORGE CREDLE, WEST HOLLYWOOD, spoke in support of making the criteria in the grouping as broad as possible.

Councilmember Heilman provided clarification regarding the City's original initiation of creating a Garden Court thematic grouping.

Councilmember Duran spoke regarding the importance of preserving buildings with a shared courtyard. He spoke in support of limiting the criteria to buildings built before 1950. He spoke in support of including

buildings that are both visible and not visible from the street. He spoke in support of including buildings with both potted plants and in-ground plants.

Mayor Pro Tempore Land spoke regarding concerns surrounding a Garden Court thematic grouping and spoke regarding the historic significance of the current buildings that are proposed in the grouping. She spoke in support of staff recommendations if the City moves forward with creating a Garden Court thematic grouping.

Councilmember Heilman spoke regarding the significance and potential impacts of designating a property as historic. He spoke in support of making the Garden Court thematic grouping criteria narrow and spoke in support of the staff recommendations.

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

Mayor Prang spoke in support of a Garden Court thematic grouping. He spoke in support of making the Garden Court thematic grouping broad and spoke in support of the Historic Preservation Commission recommendations.

ACTION: Direct staff to proceed with the identification of the potential Garden Court thematic grouping with the criteria as proposed by ARG and staff. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land and approved with Councilmember Duran voting NO.**

4.B HISTORIC RESOURCES SURVEY UPDATE [S. KEENE, J. KEHO, F. CONTRERAS]:

Staff will present a report on the status of the Historic Resources Survey Update.

Francisco Contreras, Associate Planner, provided background information as outlined in the staff report dated June 2, 2008.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke regarding the lack of inclusion of multi-family buildings in the survey.

Mayor Pro Tempore Land thanked staff for preparing the survey. She spoke in support of the Item.

Councilmember Heilman thanked staff for preparing the survey. He spoke in support of the item and the recommendation of the City initiating the historic designation process for the identified properties. He spoke regarding the possibility of making properties that are not identified in the survey be exempt from future designation.

Mayor Prang thanked staff for preparing the survey. He spoke in support of the Item.

ACTION: 1) Receive and file the Draft R2, R3, R4 Multi-Family Survey Report (Historic Resources Survey Update); 2) Direct staff to return with a zone text amendment changing the Zoning Ordinance definition of "Cultural Resource" to include the potential resources identified in the Draft R2, R3, R4 Multi-Family Survey Report; and 3) Direct staff to initiate Cultural Resource Designation nomination applications for any or all of the properties identified as potentially historic cultural resources in the Draft R2, R3, R4 Multi-Family Survey Report. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and unanimously approved.**

5. NEW BUSINESS:

5.A. CONSIDERATION OF ENHANCEMENTS TO THE SOLID WASTE PROGRAM TO INCREASE RECYCLING AND DIVERSION OF WASTE FROM LANDFILLS [O. DELGADO, S. PERLSTEIN]:

The City Council will consider options for enhancing the citywide solid waste program to increase recycling and diversion of waste from landfills.

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated June 2, 2008.

CHRIS CARLOS, FROM ATHENS SERVICES, spoke in support of the food waste program and spoke in support of alternative six in the staff report.

MICHAEL LEWIS, FROM ATHENS SERVICES, spoke in support of alternative six in the staff report.

Councilmember Duran spoke regarding the closure of the existing land fill in the year 2013. He spoke in support of 100% of waste being separated at the Materials Recovery Facility (MRF) for commercial and residential properties. He spoke in support of an additional alternative with a graduated increase of waste being separated at the MRF over a four-year period.

Councilmember Heilman thanked Athens Services for their ongoing work with the City and thanked City staff for preparing the report. He spoke in opposition to rate increases and in support of the rates that were established when the contract with Athens Services was executed. He spoke in opposition to 100% of waste being separated at the Materials Recovery Facility (MRF) for residential properties and the responsibility of City residents to manage their waste. He spoke in support of increasing

waste being separated at the Materials Recovery Facility (MRF) for commercial properties.

Councilmember Guarriello spoke in support of an additional alternative with a graduated increase of waste being separated at the MRF over a four-year period for multi-unit properties. He spoke regarding the closure of the existing land fill in the year 2013 and inevitable rate increases for residents and businesses.

Mayor Prang spoke in support of providing additional funds to Athens for providing recycling services. He spoke in support of increasing the amount of waste being separated at the MRF. He spoke regarding concerns surrounding rates increases for residents and businesses.

Mayor Pro Tempore Land spoke in support of rate increases to continue the food waste program. She spoke regarding the closure of the existing land fill in the year 2013. She spoke regarding concerns surrounding increasing the amount of waste being separated at the Materials Recovery Facility (MRF) to 100% for residential properties. She spoke in support of an additional alternative to identify the increased costs for the food waste program and to increase rates to cover those costs, and a graduated increase of waste being separated at the MRF for commercial properties.

ACTION: TABLE the Item to the meeting of July 21, 2008. **Carried by Consensus of the Council.**

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

JAMES FUHRMAN, BEVERLY HILLS, spoke regarding the late LGBT activist Morris Kight and the memorial plaque in his honor located at the Matthew Shepard triangle.

6. LEGISLATIVE:

6.A. None

COUNCILMEMBER COMMENTS:

Councilmember Heilman spoke regarding Item 2.N. and requested staff to investigate increasing the boundaries of the District further East and incorporating the concept of fashion design in the District.

ADJOURNMENT: The City Council adjourned at 10:20 P.M. in memory of Jill Swift, Jack Rael, William R. Anweiler, Joseph Raymond Thornbury, 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 16, 2008 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 16th day of June, 2008 by the following vote:

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

JEFFREY PRANG, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK