

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, AUGUST 18, 2008
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Prang called the meeting to order at 6:34 P.M.

PLEDGE OF ALLEGIANCE: Efim Kutz led the pledge.

ROLL CALL:

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

ABSENT: None.

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

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins 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 6:20 P.M. with no reportable action taken.

ADJOURNMENT MOTIONS:

Mayor Pro Tempore Land requested that the meeting to be adjourned in memory of Fred Anderson, the husband of City Clerk Thomas R. West. She requested that the meeting be adjourned in memory of Eldon Zangrando, the father of Historic Preservation Commissioner Mark Zangrando.

Councilmember Heilman requested that the meeting be adjourned in memory of Lillian Gephardt, a long-time resident and teacher and principal in the Los Angeles Unified School District.

Mayor Prang requested that the meeting be adjourned in memory of Madeleine Stoner, a long-time activist for the homeless and LGBT Youth. He requested that the meeting be adjourned in memory of Richard Alseth, a long-time resident. He requested that the meeting be adjourned in memory of Jerome Holztmann, a sportswriter for the Chicago Sun Times and father of West Hollywood resident Jack Merrill.

Councilmember Duran requested that the meeting be adjourned in memory of Larry Townsend, an early gay liberation pioneer. 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. James A. McHale, Spc. Andre D. Mitchell, Sgt. Brian K. Miller, Spc. Kevin R. Dickson, Pfc. Jennifer L. Cole, Spc. Ronald A. Schmidt, Spc. Jonathan D.

Menke, Pvt. Timothy J. Hutton, Sgt. Gary M. Henry, Cpl. Stewart S. Trejo, Cpl. Adam T. McKiski, Master Sgt. Danny E. Maybin, Sgt. Jose E. Ulloa, Sgt. Kenneth B. Gibson, Cpl. James M. Hale, Sgt. Michael H. Ferschke Jr., Pfc. Daniel A. C. McGuire.

APPROVAL OF AGENDA:

Staff requested that Items 2.X.and 2.EE. be TABLED

Councilmember Guarriello requested that Item 6.A. be moved to the Consent Calendar.

Councilmember Guarriello and Mayor Prang noted their NO vote on Item 2.I.

Motion by Councilmember Guarriello, seconded by Councilmember Heilman, to approve the August 18, 2008 agenda as amended and unanimously approved.

PRESENTATIONS:

Councilmember Heilman presented a plaque to outgoing Historic Preservation Commissioner Tim Felchin.

Mayor Prang and Councilmember Guarriello presented Commendations to Naum Sapoznikov and Naum Kontorer, seniors who are veterans of WWII. Efim Kutz expressed appreciation on behalf of the recipients,

Mayor Prang presented a proclamation in recognition of Historic Preservation Celebration Day to Victoria Joyce, Chair of the Historic Preservation Commission.

1. PUBLIC COMMENT:

CHRIS CARLOS, WEST COVINA, representing Athens Services, spoke in support of Item 2.CC.

JENNIFER FORKISH, LOS ANGELES, spoke in opposition to Item 2.CC.

SAMANTHA MARTINEZ, LOS ANGELES, spoke in opposition to Item 2.CC.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to Item 2.CC.

DAN MORIN, WEST HOLLYWOOD, spoke regarding concerns surrounding Item 2.Z and the process of designating permit parking zones on a street-by-street basis.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke in opposition to 6.A.

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

RICHARD KEARNS, LOS ANGELES, spoke in favor of funding for HIV programs and legislation supporting HIV-related issues. He spoke in opposition to Proposition 8.

RIC RICKLES, WEST HOLLYWOOD, spoke relative to Councilmember Duran's weekly memorializing of fallen servicemen, and in opposition to Dial-A-Ride drivers speaking on cell phones while driving.

SUSAN ANDERSON, LOS ANGELES, representing the West Hollywood Library, invited the community to two upcoming readings at the library.

LINDSEY HORVATH, WEST HOLLYWOOD, spoke concerning an upcoming Women's Equality Day event in the City.

SHARON SANDOW, LOS ANGELES, spoke on behalf of the West Hollywood Chamber of Commerce in opposition to Item 2.CC.

DAN SIEGEL, WEST HOLLYWOOD, spoke regarding concerns surrounding animal adoption events at Petco and requested the Council to investigate noise and parking issues.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding concerns expressed during public comment surrounding adoption events at Petco and requested that staff investigate. He spoke regarding his recent attendance at a 10th Anniversary celebration of the 980 Palm Avenue Apartments.

Councilmember Heilman requested staff to investigate concerns raised during public comment surrounding Dial-A-Ride Drivers using cell phones while driving. He provided additional clarification regarding Item 6.A. and stated that the Ordinance only modifies existing state and local law. He spoke regarding concerns expressed during public comment surrounding adoption events at Petco and requested the City Manager to investigate whether Petco is in violation of their agreement with the City. He wished Happy Birthday to Senior Advisory Board Member Shirley Kaplan. He spoke regarding his recent summer program on sexual orientation law held in Amsterdam.

Councilmember Duran requested that Item 6.A. be placed back under the Legislative section of the agenda. He spoke regarding safety issues in the gay and lesbian areas of the City and potential harassment issues toward the gay and lesbian community prior to the ballot initiative regarding same-sex marriages on the November ballot.

Mayor Pro Tempore Land requested staff to investigate concerns raised during public comment surrounding Dial-A-Ride Drivers using cell phones while driving. She spoke regarding concerns raised during public comment surrounding the process of designating permit parking zones and requested staff to respond to the speaker. She spoke regarding Item 2.AA. and encouraged the public to attend the upcoming community meeting relative to the General Plan. She spoke regarding Item 2.CC.,

stating that the use of plastic bags is ecologically unsound and spoke regarding the need to educate the community regarding re-usable bags. She spoke regarding the upcoming Women's Equality Day event in the City. She applauded the Public Safety Division for the recent National Night Out celebrations. She spoke regarding safety issues in the gay and lesbian areas of the City and potential harassment issues toward the gay and lesbian community prior to the ballot initiative regarding same-sex marriages on the November ballot.

Mayor Prang congratulated staff for organizing the recent National Night Out events in the City. He spoke regarding the recent Log Cabin Republican event in West Hollywood in opposition to Proposition 8. He spoke regarding concerns raised during public comment surrounding the process of designating permit parking zones and requested staff to respond to the speaker. He spoke regarding concerns expressed during public comment surrounding adoption events at Petco and requested that staff investigate. He extended his deepest sympathies to City Clerk Tom West regarding the recent loss of his partner Fred Anderson; and thanked the City Clerk's staff for their fine work in City Clerk Tom West's absence.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding the State's current budget stalemate, and clarified potential impacts on the City's budget. He stated that his office will report back to the City Council with updates.

City Attorney Jenkins provided additional clarification regarding Item 2.T. He stated that the City received a written objection from Quality Parking Services in regards to awarding an agreement with Coast Parking, Inc. He stated that City staff has reviewed the objections and found them to be without merit.

FISCAL IMPACT ON CONSENT CALENDAR:

Assistant City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$638,542.00 in expenditures and \$180,000.00 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.,R.,S.,T.,U.,V.,W.,Y.,Z.,AA.,BB.,CC.,DD.,FF. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and unanimously approved; with Items 2.X. and 2.EE. being Tabled, and Councilmember Guarriello and Mayor Prang voting NO on Item 2.I.**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, August 18, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 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 July 21, 2008. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 607, RESOLUTION NO. 08-3722:

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

ACTION: Approve Demand Register No. 607 and adopt Resolution No. 08-3722, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 607." **Approved as part of the Consent Calendar.**

2.D DEMAND REGISTER NO. 608, RESOLUTION NO. 08-3723:

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

ACTION: Approve Demand Register No. 608 and adopt Resolution No. 08-3723, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 608." **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 Margaret Ella DeMonte and Colleen Kerns and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 08-788 (2ND READING), AMENDING TITLE 10, CHAPTER 10.08.250 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 10 PREFERENTIAL PARKING REGULATIONS ON THE 1000 BLOCK OF SPAULDING AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-788, a proposed ordinance amending Title 10, Chapter 10.08.250 of the West Hollywood Municipal Code implementing District 10 preferential parking regulations on the 1000 block of Spaulding Avenue and amending the West Hollywood Municipal Code.

ACTION: Waive further reading and adopt Ordinance No. 08-788, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.250 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 10 PREFERENTIAL PARKING REGULATIONS ON THE 1000 BLOCK OF SPAULDING AVENUE AND

AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.” **Approved as part of the Consent Calendar.**

2.G. ORDINANCE NO. 08-789 (2ND READING), AMENDING SECTION 9.04.040 OF CHAPTER 9.04 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING OBSTRUCTING ENTRANCES [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-789, a proposed ordinance amending Section 9.04.040 of Chapter 9.04 of the West Hollywood Municipal Code regarding obstructing entrances.

ACTION: Waive further reading and adopt Ordinance No. 08-789, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 9.04.040 OF CHAPTER 9.04 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING OBSTRUCTING ENTRANCES.” **Approved as part of the Consent Calendar.**

2.H. ORDINANCE NO. 08-790 (2ND READING), ESTABLISHING VIDEO FRANCHISE FEES, PEG FEES, PENALTIES AND OTHER RELATED MATTERS FOR STATE VIDEO FRANCHISE AGREEMENTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-790, a proposed ordinance establishing video franchise fees, peg fees, penalties and other related matters for state video franchise agreements and amending the West Hollywood Municipal Code.

ACTION: Waive further reading and adopt Ordinance No. 08-790, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING VIDEO FRANCHISE FEES, PEG FEES, PENALTIES AND OTHER RELATED MATTERS FOR STATE VIDEO FRANCHISE AGREEMENTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.” **Approved as part of the Consent Calendar.**

2.I. ORDINANCE NO. 08-792 (2ND READING), MODIFYING INTERIM ORDINANCE NO. 07-767U WHICH REGULATES THE ISSUANCE OF PERMITS FOR CONSTRUCTION OF NEW MULTI-FAMILY STRUCTURES IN THE R3 AND R4 ZONING DISTRICTS THAT ARE IN CONFLICT WITH INTERIM ZONING STANDARDS [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-792, a proposed ordinance modifying Interim Ordinance No. 07-767U which regulates the issuance of permits for construction of new multi-family structures in the R3 and R4 zoning districts that are in conflict with interim zoning standards.

ACTION: Waive further reading and adopt Ordinance No. 08-792, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD MODIFYING INTERIM ORDINANCE NO. 07-767U WHICH REGULATES THE ISSUANCE OF PERMITS FOR CONSTRUCTION OF NEW MULTI-

FAMILY STRUCTURES IN THE R3 AND R4 ZONING DISTRICTS THAT ARE IN CONFLICT WITH INTERIM ZONING STANDARDS.” **Approved as part of the Consent Calendar with Councilmember Guarriello and Mayor Prang voting NO.**

2.J. ORDINANCE NO. 08-793 (2ND READING), APPROVING ZONING TEXT AMENDMENT 2008-002 RELATING TO THE INSTALLATION OF ENHANCED VAPOR RECOVERY EQUIPMENT AT SERVICE STATIONS [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-793, a proposed ordinance approving Zoning Text Amendment 2008-002 relating to the installation of enhanced vapor recovery equipment at service stations.

ACTION: Waive further reading and adopt Ordinance No. 08-793, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2008-002 RELATING TO THE INSTALLATION OF ENHANCED VAPOR RECOVERY EQUIPMENT AT SERVICE STATIONS.” **Approved as part of the Consent Calendar.**

2.K. ORDINANCE NO. 08-794 (2ND READING), APPROVING ZONING TEXT AMENDMENT 2008-003 RELATING TO THE LOCATION AND ORIENTATION OF SOLAR COLLECTION SYSTEMS [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-794, a proposed ordinance approving Zoning Text Amendment 2008-003 relating to the location and orientation of solar collection systems.

ACTION: Waive further reading and adopt Ordinance No. 08-794, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2008-003 RELATING TO THE LOCATION AND ORIENTATION OF SOLAR COLLECTION SYSTEMS.” **Approved as part of the Consent Calendar.**

2.L. 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.M. RESIGNATIONS FROM CITY COMMISSIONS, ADVISORY BOARDS, AND COMMITTEES [T. WEST, C. SCHAFFER]:

The City Council will accept the resignation of Project Advisory Committee Member David Pacheco, effective July 15, 2008; and the resignation of Lesbian and Gay Advisory Board Member Chris Clarkin, effective July 21, 2008.

ACTION: Accept with regret the resignation of David Pacheco from the Project Advisory Committee and Chris Clarkin from the Lesbian and Gay Advisory Board. **Approved as part of the Consent Calendar.**

2.N. APPROVE CONTRACTS TO PROVIDE OFFICE SPACE FURNISHING AND INSTALLATION SERVICES [J. ENGLISH, S. KEENE, O. DELGADO]:

The City Council will consider approving contracts with Knoll Inc. and Saturn Systems Inc. to provide office space furnishing and installation services for an amount not to exceed \$107,399.23.

ACTION: 1) Approve contract with Knoll Inc. for an amount not to exceed \$65,645.23 to provide materials and installation for modular work space furniture; 2) Approve contract with Saturn Systems Inc. for an amount not to exceed \$41,754 to provide general construction services; and 3) Authorize City Manager to sign the agreements. **Approved as part of the Consent Calendar.**

2.O. AGREEMENT WITH DIGITAL MAP PRODUCTS TO PROVIDE CUSTOMIZED, WEB-BASED GIS SUBSCRIPTION SERVICES [S. KEENE, J. KEHO, B. SIEGL]:

The City Council will consider approving an Agreement with Digital Map Products for a three-year subscription to its customized CityGIS and Community View web-based GIS system for staff and public use, respectively.

ACTION: 1) Approve a three-year Agreement with Digital Map Products for thirty thousand six hundred dollars (\$30,600) in the first year and twenty five thousand dollars (\$25,000) in the second and third years for subscription services in the Community Development Department and others; and 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.P. APPROVE AGREEMENT WITH EDEN SYSTEMS, INC. FOR THE PURCHASE AND IMPLEMENTATION OF A NEW CASHIERING SYSTEM [A. GANDHY, D. HATCHER, C. DUNCAN]:

The City Council will consider approving an agreement with Eden Systems Inc. for the purchase, implementation and maintenance of a Cashiering Module.

ACTION: 1) Approve an agreement with Eden Systems Inc. in an amount not to exceed \$32,830. This amount includes a yearly maintenance fee of \$4,945; 2) Authorize the Director of Finance to approve future amendments to the agreement allowing the purchase of additional cashiering modules as needed; and 3) Authorize the City Manager to negotiate and execute all agreements. **Approved as part of the Consent Calendar.**

2.Q. AWARD OF CONSTRUCTION CONTRACT FOR CIP 0901, METRO RAPID BUS PAD AND STOP IMPROVEMENTS [O. DELGADO, S. PERLSTEIN]:

The City Council will consider awarding a construction contract for CIP 0901, Metro Rapid Bus Pad and Stop Improvements.

ACTION: 1) Accept the bid dated August 5, 2008 submitted by Vido Samarzich, Inc.; 2) Authorize the City Manager to enter into a contract with Vido Samarzich, Inc. in the amount of \$199,750 for the construction of CIP 0901, Metro Rapid Bus Pad And Stop Improvements; 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.R. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES ON CIP 0901, METRO RAPID BUS PAD AND STOP IMPROVEMENTS [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving a professional service agreement with RBF Consulting for construction management and inspection services on CIP 0901 Metro Rapid Bus Pad and Stop Improvements.

ACTION: Approve a professional services Agreement in an amount not to exceed \$65, 000 with RBF Consulting for construction management and inspection services on CIP 0901 Metro Rapid Bus Pad and Stop Improvements, and authorize the City Manager to sign the Agreement. **Approved as part of the Consent Calendar.**

2.S. EXTENSION OF AGREEMENT WITH JOHNSON'S SUPER SERVICE TO PROVIDE VEHICLE TOWING AND STORAGE SERVICES [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider approving a one year extension to the agreement with Johnson's Super Service to provide vehicle towing and storage services.

ACTION: 1) Approve a one year extension to the agreement with Johnson's Super Service to provide vehicle towing and storage services for the City of West Hollywood through December 31, 2009; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.T. APPROVAL OF CONCESSIONS AGREEMENT WITH COAST PARKING INC. TO OPERATE VALET PARKING SERVICES FOR THE PUBLIC ON CITY SURFACE LOTS [O. DELGADO, J. ROCCO, R. MARQUEZ]:

The City Council will consider approval of a one year contract with two 1-year extensions with Coast Parking Inc. to provide public valet parking services.

ACTION: 1) Approve an agreement with Coast Parking Inc. to provide valet parking services for the City of West Hollywood; 2) Approve an agreement term of one (1) year, beginning September 1, 2008 through August 31, 2009 with Coast Parking Inc. for the use of five City parking lots for \$15,000 per month (\$180,000 annually); and 3) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.U. AUTHORIZATION TO APPROVE AN AGREEMENT FOR CONSULTANT SERVICES WITH JOAN SATT [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approving a contract with Joan Satt, a consultant, to provide public education for the City's solid waste and recycling programs.

ACTION: Approve a contract with Joan Satt for professional consulting services for a total amount not to exceed \$40,000 for solid waste and recycling public education, and authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.V. AGREEMENT TO PROVIDE ELECTION SERVICES FOR THE MARCH 3, 2009 GENERAL MUNICIPAL ELECTION [T. WEST, C. SCHAFFER]:

The City Council will consider approving an agreement with Martin and Chapman Company to provide election supplies and related services for the upcoming General Municipal Election to be held on Tuesday, March 3, 2009.

ACTION: 1) Approve an agreement with Martin and Chapman Company in an amount not-to-exceed \$83,000 for Election Services for the General Municipal Election to be held on March 3, 2009; 2) Authorize the City Clerk to issue Change Orders not to exceed 10% of the original proposal; and 3) Authorize the City Manager to execute agreement. **Approved as part of the Consent Calendar.**

2.W. APPROVAL OF FINAL TRACT MAP NO. 61859 FOR THE CONDOMINIUM PROJECT LOCATED AT 1236 - 1250 HARPER AVENUE [O. DELGADO, S. PERLSTEIN]:

The City Council will consider the approval of Final Tract Map No. 61859, a forty unit condominium, located on Harper Avenue, between Norton Avenue and Fountain Avenue.

ACTION: 1) Make findings for the Final Tract 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 Tract Map No. 61859; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 61859 the certificate that embodies the approval of said map. **Approved as part of the Consent Calendar.**

2.X. APPROVAL OF FINAL TRACT MAP NO. 62131 FOR THE CONDOMINIUM PROJECT LOCATED AT 1029 VISTA STREET [O. DELGADO, S. PERLSTEIN]:

The City Council will consider the approval of Final Tract Map No. 62131, a five unit condominium, located on Vista Street, between Santa Monica Boulevard and Romaine Street.

ACTION: This Item was TABLED.

2.Y. IMPLEMENTATION OF DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7600 BLOCK OF LEXINGTON AVENUE [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider a petition for preferential parking filed by residents representing a majority of the residential dwelling units on the 7600 block of Lexington Avenue.

ACTION: Introduce for first reading Ordinance No. 08-795, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7600 BLOCK OF LEXINGTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE ". **Approved as part of the Consent Calendar.**

2.Z. IMPLEMENTATION OF DISTRICT 10 PREFERENTIAL PARKING REGULATIONS ON THE 1000 BLOCK OF ORANGE GROVE AVENUE [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider a petition for preferential parking filed by residents representing a majority of the residential dwelling units on the 1000 block of Orange Grove Avenue.

ACTION: Introduce for first reading Ordinance No. 08-796, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.250 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 10 PREFERENTIAL PARKING REGULATIONS ON THE 1000 BLOCK OF ORANGE GROVE AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE ". **Approved as part of the Consent Calendar.**

2.AA. SCHEDULING A SECOND COMMUNITY MEETING FOR THE GENERAL PLAN UPDATE PROJECT [S. KEENE, J. KEHO, F. STEFAN]:

The City Council will consider a proposed community-wide General Plan Update community meeting for Saturday, November 8, 2008 at Fiesta Hall (Plummer Park). This would be the second community-wide meeting for the General Plan Update process and would focus on possible visions for West Hollywood in the year 2030.

ACTION: Direct staff to hold a General Plan Community Fair on November 8, 2008 and to begin noticing and outreach for the event.
Approved as part of the Consent Calendar.

2.BB. SAN VICENTE/ROBERTSON BLVD. ROAD CLOSURE REQUEST - EMMY EVENT [L. LONG, N. BEARD, C. SMITH]:

The City Council will consider a request to close San Vicente Blvd. between Melrose Ave. and Santa Monica Blvd. and Robertson Blvd between Melrose Ave. and Santa Monica Blvd. on Sunday, September 21, 2008 from 3pm to 2am on Monday September 22, 2008 in support of the HBO Emmy event at the Pacific Design Center.

ACTION: Approve the closure of San Vicente Blvd. between Melrose Ave. and Santa Monica Blvd. and approve the closure of Robertson Blvd. between Melrose Ave. and Santa Monica Blvd. on Sunday, September 21, 2008 from 3pm to 2am on Monday, September 22, 2008. **Approved as part of the Consent Calendar.**

2.CC. AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IMPOSING A BAN ON PLASTIC, SINGLE USE, CARRYOUT SHOPPING BAGS [S. GUARRIELLO, D. SAUR, A. LAND, C. PLANCK, D. GEVORKYAN]:

The City Council of The City of West Hollywood will consider adopting an ordinance to ban plastic single use, carryout, shopping bags from grocery and retail establishments in West Hollywood.

ACTION: 1) Direct the City Attorney to research the feasibility of drafting an ordinance that will establish a municipal code implementing a ban on all forms of single use, plastic bags from all West Hollywood grocery and retail stores.; 2) Direct staff to institute a collaboration with Athens Services to form a "Reusable Shopping Bag" outreach/education program to assist West Hollywood businesses and consumers to adjust to the new ordinance; 3) The ban would take effect twelve months after the establishment of the ordinance to give retailers adequate time to adjust operations accordingly to the new provisions of the ordinance; and 4) Direct staff to send a letter to Assemblyman Mike Feuer, Senator Fran Pavley, and to the California League of Cities to support a statewide ban on single-use, carryout, plastic shopping bags. **Approved as part of the Consent Calendar.**

2.DD. A RESOLUTION IN SUPPORT OF H.R. 5842 AND H.R. 5843 [J. DURAN, H. MOLINA]:

The City Council will consider adopting resolutions in support of two bills introduced by Congressman Barney Frank of Massachusetts.

ACTION: 1) Adopt Resolution 08-3724, "A RESOLUTION IN SUPPORT OF H.R. 5842 – THE MEDICAL MARIJUANA PATIENT PROTECTION ACT"; 2) Adopt Resolution 08-3725, "A RESOLUTION IN SUPPORT OF H.R. 5843 – ACT TO REMOVE FEDERAL PENALTIES FOR THE PERSONAL USE OF MARIJUANA BY RESPONSIBLE ADULTS"; and 3)

Direct staff to send copies of signed resolutions to Congressmen Henry Waxman and Barney Frank, Senators Dianne Feinstein and Barbara Boxer, and other legislators and governmental agencies. **Approved as part of the Consent Calendar.**

2.EE. A RESOLUTION TO NAME MAY 1, 2009 AS SILVER STAR BANNER DAY IN THE CITY OF WEST HOLLYWOOD IN HONOR OF FALLEN MEMBERS OF THE AMERICAN ARMED FORCES [J. PRANG, J. STEVENS]:

The City Council will consider adopting a resolution to name May 1, 2009 as "Silver Star Banner Day" in the City of West Hollywood in honor of fallen or injured members of the American Armed Forces.

ACTION: This Item was TABLED.

2.FF. A RESOLUTION IN SUPPORT OF HR 5887 (MC KEON), THE SOLEDAD CANYON MINE ACT, ENDING MINING OPERATIONS IN SOLEDAD CANYON [J. PRANG, J. STEVENS, S. GUARRIELLO, D. SAUR]:

The City Council will consider adopting a resolution in support of HR 5887 (McKeon), which would provide the Secretary of Interior a mechanism to cancel contracts for the sale of materials CA-20139 and CA-22901 mined from Soledad Canyon near Santa Clarita, CA.

ACTION: 1) Adopt Resolution No. 08-3727, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF HR 5887 (MC KEON), THE SOLEDAD CANYON MINE ACT, ENDING MINING OPERATIONS IN SOLEDAD CANYON"; and 2) Direct staff to send copies of signed resolutions to Representative Howard P. "Buck" McKeon, Representative Henry Waxman, Speaker of the House Nancy Pelosi, Senators Diane Feinstein and Barbara Boxer, Santa Clarita Mayor Bob Kellar and Victorville Mayor Terry E. Caldwell. **Approved as part of the Consent Calendar.**

THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:38 P.M.

The Community Development Commission approved the minutes from the July 21, 2008 meeting, and approved a contract with Patricia Smith, ASLA, AICP for the La Brea Avenue Conceptual Streetscape Plan. 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 WEST HOLLYWOOD CITY COUNCIL: 7:39 P.M.

3. PUBLIC HEARINGS:

3.A. APPROVAL OF RESOLUTION FOR EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS BETWEEN THE CITY

OF CERRITOS AND THE CITY OF WEST HOLLYWOOD [A. WINDERMAN, J. SKORNECK, R. BURNLEY]:

The City Council will solicit comments on the City of West Hollywood's proposed acquisition of CDBG funds from the City of Cerritos. Following the public hearing the City Council will consider approving the proposed resolution and letter of agreement.

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

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

Mayor Prang closed the public hearing.

ACTION: 1) Adopt Resolution No. 08-3728, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF CERRITOS FOR THE EXCHANGE OF CDBG FUNDS FOR THE FISCAL YEAR 2008-2009."; 2) Authorize the City Manager to execute all necessary Letters of Agreements and Amendments for the purpose of exchanging CDBG funds with the identified agency; and 3) Authorize the Director of Finance and Technology to appropriate \$206,509.41 from the General Fund Unallocated Reserves to the Expenditure for Traded Funds (100-3-06-06-531016) line item in FY 2008-2009 in recognition of receiving \$308,223 in CDBG funds. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land and unanimously approved.**

3.B. PROPOSED RESOLUTION FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) [S. KEENE, T. SLIMMER]:

The City Council will hold a public hearing to consider adopting a resolution finding the City to be in conformance with the Los Angeles County Congestion Management Program (CMP).

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

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

Mayor Prang closed the public hearing.

ACTION: Adopt Resolution No. 08-3729, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN CONFORMANCE WITH THE LOS ANGELES COUNTY CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH

CALIFORNIA GOVERNMENT CODE SECTION 65089.” **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and unanimously approved.**

4. UNFINISHED BUSINESS:

4.A. APPOINTMENT OF VOTING DELEGATES FOR THE LEAGUE OF CALIFORNIA CITIES [T. WEST, C. SCHAFFER]:

The City Council will consider appointing a Voting Delegate and Voting Delegate – Alternate(s) for the League of California Cities in preparation for their upcoming Annual Conference.

ACTION: The City Council appointed the following Voting Delegates to the League of California Cities: Delegate – Mayor Pro Tempore Abbe Land; Alternate(s) – Councilmember Sal Guarriello.

5. NEW BUSINESS: None.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE:

6.A. AN AMENDMENT TO WHMC §17.56.010(h)(2) TO SPECIFY THAT AN OWNER OR A RESIDENT MANAGER REQUIRED TO HOLD OFFICE HOURS MUST HOLD THOSE HOURS ON THE RENTAL PREMISES [A. WINDERMAN, M. HULL, J.S. LEWIS]:

Under current law, any property with more than 16 rental units must have a resident manger and the manager must hold regular office hours. This proposed ordinance revision would not change the current law, but would clarify existing law to state explicitly that the resident manager must hold his or her office hours on the property.

Councilmember Duran requested information from staff regarding whether the ordinance was in regards to a single building in the City. He spoke regarding the possibility of office hours being flexible for on-site managers and residents who work during normal business hours.

Councilmember Guarriello spoke regarding the possibility of office hours being flexible for on-site managers and residents who work during normal business hours.

ACTION: Introduce on first reading Ordinance No. 08-797, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING WHMC §17.56.010(H)(2) TO SPECIFY THAT AN OWNER OR RESIDENT MANAGER REQUIRED TO HOLD OFFICE HOURS MUST HOLD THOSE HOURS ON THE RENTAL PREMISES.” **Motion by**

Councilmember Heilman, seconded by Councilmember Guarriello and unanimously approved.

6.B INTERIM URGENCY ORDINANCE FOR EXTENDED HOURS PERMITS [J. ENGLISH, L. BELSANTI, K. COOK, B. GOLDMAN]:

The City Council will consider adopting an interim urgency ordinance to prohibit the issuance of permits for extending hours of operation between 2 a.m. and 6 a.m. If adopted, the interim urgency ordinance would be in effect for no more than 45 days during which time staff will meet with interested stakeholders and a public hearing will be held to consider the extension of the prohibition while the City develops new criteria and conditions for the issuance of extended hours permits.

Joan English, Assistant City Manager, provided background information as outlined in the staff report dated August 18, 2008.

ED STERLING, WEST HOLLYWOOD, spoke in support of the Item, but in opposition to granting an extended hours permit to Eleven Bar.

BEN McCORMICK, WEST HOLLYWOOD, spoke in support of the Item.

GELSON VIERRA, REDONDO BEACH, on behalf of Bossa Nova restaurant, spoke in opposition to the Item.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of the Item.

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

Mayor Pro Tempore Land thanked those who spoke on the issue and thanked staff for bringing the Item forward. She stated that 45 days should be enough time for staff to consider the issue and bring it back to Council for action, and spoke in support of limiting the ordinance to 45 days. She spoke in support of certain businesses, including restaurants, being exempted from the Urgency Ordinance. She spoke in support of development of standards for issuing extended hours permits in the City, but clarified that she is not against extended hours permits.

Joan English responded that the 45-days may need to be extended in order for the Planning Commission to consider the issue and bring suggestions to Council. City Manager Arevalo assured Mayor Pro Tempore Land that the process would not be unduly delayed.

Councilmember Duran spoke in support of the current extended hours permit approval process. He spoke regarding possible negative impacts on businesses because of permit approvals being too strict. He spoke in support of exploring additional Business Improvement Districts (BID) and

other solutions to reduce the impact of nighttime businesses. He questioned the element of urgency attached to this item.

Councilmember Heilman spoke regarding West Hollywood being a World-Class City and the need to protect residents from the impacts of businesses. He spoke in support of exploring additional Business Improvement Districts (BID) and other solutions to reduce the impact of nighttime businesses and to help pay for law enforcement and clean-up. He questioned the element of urgency attached to this item and spoke in support of the current extended hours permit approval process.

Councilmember Guarriello spoke in support of the Item. He stated that 45 days should be enough time for staff to consider the issue and bring it back to Council for action, and spoke in support of limiting the ordinance to 45 days.

Mayor Prang spoke in support of the item. He spoke in support of the 45 day period of time to investigate the issues, and develop criteria and standards for issuing extended hours permits. He spoke in support of the Sheriff's public safety concerns regarding the issuance of extended hours permits, and requested a public safety assessment regarding these concerns.

ACTION: 1) Direct the Assistant City Manager and the Community Development Department to develop criteria and conditions for the issuance of extended hours permits - with additional direction to include any ordinance changes and differentiations in standards for issuance of permits; and 2) Direct the Assistant City Manager, Economic Development Department and Public Information and Prosecution Services Department to outreach to businesses in areas with high concentration of nighttime businesses to begin the process of exploring additional Business Improvement Districts (BID) and other solutions to reduce the impact of nighttime businesses. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and carried by consensus of the Council.**

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 8:28 P.M. in memory of Fred Anderson, Eldon Zangrando, Lillian Gephardt, Madeleine Stoner, Richard Alseth, Jerome Holtzman, Larry Townsend, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting. They adjourned to their next regular meeting, which will be on Monday, September 15, 2008 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.