

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, NOVEMBER 17, 2008  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**CALL TO ORDER:** Mayor Prang called the meeting to order at 6:44 P.M.

**PLEDGE OF ALLEGIANCE:** Father Geoffrey Farrow led the pledge. Rabbi Denise Eger and Reverend Neil Thomas led an invocation.

**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, City Clerk West, and Assistant City Clerk Schaffer.

**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 one (1) Item of Initiation of Litigation was added to the agenda. He stated that there was one (1) reportable action taken. Mayor Prang stated that the City agreed to join the Amicus Brief being prepared in support of the recently filed lawsuits regarding the passage of Proposition 8 in California. He stated that the closed session adjourned at 6:30 P.M.

**APPROVAL OF AGENDA:**

Councilmember Heilman requested that Item 5.A. be moved to the Consent Calendar as Item 2.Q.

**Motion by Mayor Pro Tempore Land, seconded by Councilmember Guarriello, to approve the November 17, 2008 agenda as amended and unanimously approved.**

**ADJOURNMENT MOTIONS:**

Mayor Pro Tempore Land requested that the meeting be adjourned in memory of James Warf, a scientist, chemist, and peace activist. James Warf was the father of Curren Warf, a physician at the Children's Hospital of Los Angeles. She requested that the meeting be adjourned in memory of long-time resident Ken Savage.

Councilmember Heilman requested that the meeting be adjourned in memory of Alan Spears, a Minnesota State Senator, and one of the first openly gay elected officials in the country.

Mayor Prang requested that the meeting be adjourned in memory of Richard Bobe, an openly gay member of the Los Angeles City Attorney's Office. He requested that the meeting be adjourned in memory of Alan Spears, a Minnesota State Senator, and one of the first openly gay elected officials in the country. He requested that the meeting be adjourned in memory of Michael McClure, a West Hollywood resident and the son of Dr. and Mrs. James McClure.

Councilmember Duran requested that the meeting be adjourned in memory of Richard Bobe, an openly gay member of the Los Angeles City Attorney's Office. 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: Spc. Adam M. Wenger, Pfc. Theron V. Hobbs, Staff Sgt. Timothy H. Walker.

### **PRESENTATION FROM DIGNITARIES:**

LOS ANGELES CITY COUNCILMEMBER TOM LABONGE, spoke regarding the upcoming California League of Cities Annual Conference. He spoke regarding the current economy and potential impacts on California Cities. He spoke regarding the recent passage of Proposition 8 in California. He spoke regarding the recent passage of Measure R on the November 4, 2008 ballot and in support of the inclusion of West Hollywood in the new Metro Red Line extension. He spoke regarding ongoing transportation issues in the Los Angeles area. He spoke in support of the City of Los Angeles and the City of West Hollywood working together in the coming years.

### **PRESENTATIONS:**

Councilmember Heilman presented commendations to Father Geoffrey Farrow and Rabbi Denise Eger.

Mayor Pro Tempore Land thanked the City's Public Safety staff, City Maintenance staff, and the West Hollywood Sheriff's Department for their assistance in organizing the protests regarding the passage of Proposition 8.

Councilmember Heilman presented commendations to the sponsors and planning committee members of the West Hollywood Book Fair.

Mayor Prang presented a proclamation to the Transgender Task Force in recognition of the Transgender Day of Remembrance.

Mayor Pro Tempore Land presented a proclamation to the Public Safety Commission and Neighborhood Watch Block Captains in recognition of the Lights on West Hollywood Program Launch.

### **1. PUBLIC COMMENT:**

LISA VASEY, LOS ANGELES, spoke in support of Item 2.N.

CARY STEVENS, STUDIO CITY, spoke in support of Item 2.N.

RIC RICKLES, WEST HOLLYWOOD, spoke in support of Item 2.P.

RICHARD KEARNS, LOS ANGELES, spoke regarding medical marijuana and HIV/AIDS issues.

RODNEY SCOTT, LOS ANGELES, spoke regarding the recent passage of Proposition 8, and the protests that have been held in the City of West Hollywood and the Los Angeles area.

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

DONALD ELMBLAD, WEST HOLLYWOOD, spoke regarding the recent passage of Proposition 8. He spoke regarding rent control issues in the City.

ALEXANDER GHAFARI, WEST HOLLYWOOD, spoke regarding HIV transmissions from blood transfusions and requested the City Council to support legislation to help educate the public.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding technical difficulties during the recent meeting of the Planning Commission at Plummer Park.

HARRIET SEGAL, WEST HOLLYWOOD, spoke regarding a recent fire at her condominium building, and thanked the West Hollywood Fire Department for their rapid response. She spoke regarding technical difficulties during the recent meeting of the Planning Commission at Plummer Park.

ETHEL MCCLATCHEY, LOS ANGELES, spoke regarding an upcoming performance of the Los Angeles Doctor's Symphony Orchestra, and thanked the City for their ongoing support of arts groups in the area.

MARCY NORTON, WEST HOLLYWOOD, spoke in support of Item 2.P.

**COUNCILMEMBER COMMENTS:**

Councilmember Guarriello spoke regarding the recent Veterans' Day event in the City and thanked his Deputy Donna Saur and all the organizers of the event. He spoke regarding the recent Presidential Election on November 4, 2008.

Councilmember Heilman noted his NO vote on Item 2.J.

Councilmember Duran noted his ABSTENTION on the funding for the Gay Men's Chorus in Item 2.L., due to his position on the Board of Directors of the Chorus. He spoke in support of Item 2.N., and in support of the AIDS Research Alliance. He spoke regarding the recent passage of Proposition 8 in the State, and spoke regarding the

status of the petitions filed with the California courts in opposition to the Proposition. He spoke in support of the young citizens who have joined the political movement against Proposition 8. He spoke regarding Item 2.Q. (5.A.) and requested staff to investigate the possibility of locating additional parking spaces near the Tiny Tots area during the construction of the new library.

Mayor Pro Tempore Land spoke regarding public comments surrounding technical and sound difficulties at Plummer Park and requested the City Manager to investigate the issue. She spoke regarding the current Art on the Outside exhibit in the City. She spoke in support of patronizing West Hollywood businesses, particularly during the holiday season. She spoke regarding the wildfires in Southern California over the past week, and encouraged residents to donate to organizations who are providing aide to the victims.

Mayor Prang spoke regarding public comments surrounding technical and sound difficulties at Plummer Park and requested the City Manager to investigate the issue. He spoke regarding Item 2.Q. (5.A.) on the agenda, and provided further clarification regarding parking impacts due to the construction of the new library. He spoke in support of investigating the relocation of events normally held at West Hollywood Park to Plummer Park during the construction of the library. He thanked Councilmember Guarriello and his Deputy Donna Saur for organizing the recent Veterans' Day event in the City. He spoke regarding the upcoming General Municipal Election in the City on March 3, 2009.

#### **CITY MANAGER'S REPORT:**

City Manager Arevalo spoke regarding the current State budget and potential impacts on the City, and provided clarification of the City's efforts to monitor the situation. He spoke regarding the recent Mass Notification System being implemented in the City and encouraged residents to register their cell phone information in the system by visiting the City's website. He thanked the City Council for their leadership during the recent protests regarding the passage of Proposition 8.

#### **FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk West stated that the fiscal impact on the Consent Calendar is \$641,649.00 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.,O.,P.,Q. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously approved with Councilmember Heilman voting NO on Item 2.J., and Councilmember Duran ABSTAINING on the funding for the Gay Men's Chorus in Item 2.L., due to his position on the Board of Directors of the Chorus**

#### **2.A. POSTING OF AGENDA:**

*The agenda for the meeting of Monday, November 17, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, November 13, 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 November 3, 2008. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NO. 614, RESOLUTION NO. 08-3755:**

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

**ACTION:** Approve Demand Register No. 614 and adopt Resolution No. 08-3755, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 614." **Approved as part of the Consent Calendar.**

**2.D. TREASURER'S REPORT FOR AUGUST 2008:**

*The City Council will receive the Treasurer's Report for the month ended August 2008 pursuant to Section 53646 of the Government Code of the State of California.*

**ACTION:** Receive and file. **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 Adrienne Piper Briggs, Vivian Avedissian and Ross Lujan and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

**2.F. 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.G. AGREEMENT FOR STEAM CLEANING/PRESSURE WASHING SERVICES [L. LONG, S. BAXTER, K. TRUDEAU]:**

*The City Council will consider approving a three year Agreement for Services with Superior Property Services, Inc. for providing steam cleaning / pressure washing services.*

**ACTION:** 1) Approve a three year Agreement with Superior Property Services, Inc. to provide steam cleaning / pressure washing services in the amount not to exceed \$284,149.00 for fiscal years 2008/2009; 2009/2010 and 2010/2011; 2) Approve Superior Property Services, Inc. to provide additional related steam cleaning / pressure washing services at those unit costs established in the Agreement as said services are required and funding is available; 3) Authorize the City Manager to sign and execute the Agreement; AND 4) Reject all other proposals. **Approved as part of the Consent Calendar.**

**2.H. AGREEMENT WITH LSA ASSOCIATES, INC. TO PREPARE A FOCUSED ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED PLUMMER PARK CAPITAL IMPROVEMENT PROJECTS [S. KEENE, J. KEHO, S. BAXTER, F. CONTRERAS]:**

*The City Council will consider approving an Agreement with LSA Associates, Inc. to prepare a Focused Environmental Impact Report (EIR) document for the proposed Plummer Park Capital Improvement Projects.*

**ACTION:** 1) Approve the Agreement with LSA Associates, Inc., not-to-exceed one hundred and twenty-two thousand five hundred dollars (\$122,500) for goods and services in the preparation of a Focused EIR for the proposed Plummer Park Capital Improvement Projects; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

**2.I. AMEND AGREEMENT WITH SPENCER CONSULTING SERVICES FOR PROFESSIONAL SERVICES FOR PROJECTS THROUGH FY 09/10 [O. DELGADO, J. ROCCO, D. NORTE]:**

*The City Council will consider an amendment to increase the not to exceed amount of the contract for Spencer Consulting Services by \$50,000.*

**ACTION:** 1) Increase the not to exceed amount by 50,000 for a total contract of \$100,000.00; 2) Extend the term of the contract by one (1) year through June 30, 2010; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

**2.J. INTERIM PARKING REGULATIONS PROPOSED FOR THE EAST SIDE OF LARRABEE STREET BETWEEN THE HOURS OF 7AM TO 7PM [O. DELGADO, J. ROCCO, D. NORTE]:**

*The City Council will consider approving a recommendation to implement a two (2) hour time limit on the east side of Larrabee Street, between Nellas and Harratt Streets from 7pm to 7am.*

**ACTION:** 1) Authorize staff to implement a two (2) hour time limit on the east side of Larrabee Street, between Nellas and Harratt Streets, during the day, from 7am to 7pm on a six month trial basis; 2) Provide the City Council with a report after the six (6) month trial period that includes an analysis to determine the feasibility of making the trial regulations

permanent. **Approved as part of the Consent Calendar with Councilmember Heilman voting NO.**

**2.K. CITY INITIATED REVIEW OF 8875 CYNTHIA STREET FOR POSSIBLE LOCAL CULTURAL RESOURCE DESIGNATION [S. KEENE, J. KEHO, C. CORRAO]:**

*The City Council will consider a City initiated application for Local Cultural Resource review of a single-family dwelling constructed in 1902 and located at 8875 Cynthia Street in West Hollywood.*

**ACTION:** Adopt Resolution 08-3756 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE PROPOSED CULTURAL RESOURCE NOMINATION OF THE EXTERIOR OF THE STRUCTURE LOCATED AT 8875 CYNTHIA STREET AS A LOCAL CULTURAL RESOURCE (CULTURAL RESOURCE DESIGNATION 2008-001)." **Approved as part of the Consent Calendar.**

**2.L. ARTS AND CULTURAL AFFAIRS COMMISSION 2009 ANNUAL ARTS GRANTS [R. REYNOLDS, J. HUFFER, A. CAMPBELL]:**

*The Council will consider the Arts and Cultural Affairs Commission recommendations to award Annual Arts Grants to seventeen arts organizations.*

**ACTION:** Approve recommendations of the Arts and Cultural Affairs Commission to award 2009 annual Arts Grants totaling \$70,000 as outlined in Exhibit A. **Approved as part of the Consent Calendar with Councilmember Duran ABSTAINING on the funding for the Gay Men's Chorus.**

**2.M. CITY CO-SPONSORSHIP OF THE 2008 AIDSWATCH [H. GOSS, K. EGENBERGER]:**

*The City Council will consider co-sponsoring the 2008 AIDSWATCH and providing television production, public information support and social service information to this year's Citychannel broadcast.*

**ACTION:** 1) Approve the City of West Hollywood as co-sponsor of the 2008 AIDSWATCH presentations on Monday, December 1, 2008; and 2) Authorize the Public Information and Prosecution Services Department to provide support for this project, including use of Citychannel facilities, broadcast time on Channel 6, public information support and social services support. **Approved as part of the Consent Calendar.**

**2.N. AIDS RESEARCH ALLIANCE RELOCATION [L. LONG, D. GIUGNI]:**

*The City Council will consider a contract with AIDS Research Alliance for relocation assistance, tenant improvements, and rental subsidy in return for social services provided to West Hollywood community members who are living with HIV/AIDS or affected by the HIV/AIDS epidemic*

**ACTION:** 1) Approve a contract with AIDS Research Alliance for \$115,000 for relocation assistance, tenant improvements and rental

subsidy in return for services to West Hollywood community members for five years; 2) Authorize Social Services staff to negotiate a scope of service for participation by West Hollywood community members in clinical trials, and 3) Authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

**2.O. SUPPORT OF TRANSGENDER DAY OF REMEMBRANCE [K. COOK, B. SMITH, D. ESCOBEDO]:**

*The City Council will consider supporting the Transgender Day of Remembrance co-sponsored by the West Hollywood Transgender Task Force.*

**ACTION:** 1) Direct staff to work with the West Hollywood Transgender Task Force to support the Day of Remembrance Event; 2) Approve a rolling street closure on Santa Monica Boulevard between Martel Avenue and Crescent Heights Boulevard on Thursday, November 20, 2008 from 9:00 PM to 10:00 PM to accommodate a march in honor of Day of Remembrance; and 3) Waive special event permit fees of \$800. **Approved as part of the Consent Calendar.**

**2.P. CO-SPONSORSHIP OF WEST HOLLYWOOD LIBRARY LITERARY AND EDUCATIONAL EVENTS [J. HEILMAN, F. SOLOMON]:**

*The City Council will consider co-sponsorship of West Hollywood Library literary and education events on an on-going basis.*

**ACTION:** 1) Approve co-sponsorship of West Hollywood Library and Educational Events and authorize the use of the City name and logo on invitations, programs and other collateral materials; and 2) Direct the Department of Public Information and Prosecution Services and the Human Services Department to utilize city resources to publicize these events. **Approved as part of the Consent Calendar.**

**2.Q. (5.A.) MITIGATION MEASURES TO LESSEN THE CONSTRUCTION IMPACTS FOR THE NEW WEST HOLLYWOOD LIBRARY AND WEST HOLLYWOOD PARK MASTER PLAN PHASE 1 IMPLEMENTATION [J. ENGLISH, R. REYNOLDS, J. HUFFER, O. DELGADO, J. ROCCO]:**

*The City Council will review and consider approving an array of construction mitigation measures planned for West Hollywood Park in association with Phase 1 Implementation of the West Hollywood Park Master Plan and New Library all designed to lessen community impacts.*

**ACTION:** 1) Receive and file and provide comment on the West Hollywood Park Library and Phase 1 Implementation Mitigation programs and plan; and 2) Authorize the Department of Public Works to proceed with the issuance of an RFP for construction of a temporary 82-space parking lot. **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**



**3.A. APPEAL OF HISTORIC PRESERVATION COMMISSION RECOMMENDATION FOR THE DESIGNATION OF THE PROPERTY LOCATED AT 1228 FLORES AVENUE AS A LOCAL CULTURAL RESOURCE [S. KEENE, J. KEHO, J. ALKIRE]:**

*On July 28, 2008 the Historic Preservation Commission voted to recommend that the City Council designate the property located at 1228 Flores Street a Local Cultural Resource under Criteria A.3 and B. Both parties involved in this appeal have agreed to continue this matter to a date uncertain.*

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

Mayor Prang closed the public hearing.

**ACTION:** Staff recommends that the City Council continue this item to a date uncertain. **Carried by Consensus of the Council.**

**3.B. AMENDMENT TO THE ZONING ORDINANCE TO ALLOW DISCRETION OVER PROJECTS APPROVED BY A DEVELOPMENT AGREEMENT RELATED TO AFFORDABLE HOUSING UNITS REQUIRED [S. KEENE, J. KEHO, H. WALDSTEIN]:**

*The City Council will hold a public hearing to consider an amendment to the City of West Hollywood's Zoning Ordinance allowing the City Manager to make minor modifications to projects approved by a development agreement as regards to clustering and other characteristics of required inclusionary units.*

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

Heather Waldstein, Contract Planner, provided background information as outlined in the staff report dated November 17, 2008.

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

DONALD ELMBLAD, WEST HOLLYWOOD, spoke regarding affordable housing issues in the City.

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

Mayor Prang closed the public hearing.

Councilmember Heilman spoke regarding the requirements for residents in affordable housing units to annually certify their income. He spoke in opposition to the Item.

**ACTION:** Introduce on first reading Ordinance No. 08-801, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE

19 (ZONING ORDINANCE) OF THE MUNICIPAL CODE ALLOWING DISCRETION OVER PROJECTS APPROVED BY A DEVELOPMENT AGREEMENT RELATED TO AFFORDABLE HOUSING UNITS REQUIRED.” (ATTACHMENT A) **Motion by Councilmember Duran, seconded by Mayor Pro Tempore Land and approved with Councilmember Heilman and Mayor Prang voting NO.**

**4. UNFINISHED BUSINESS:**

**4.A. COMMISSION APPOINTMENTS [T. WEST, C. SCHAFFER]:**

*The City Council will consider making a direct appointment to City Commissions, Advisory Boards, and Committees.*

**ACTION:** Councilmember Duran made the following direct appointment to the Rent Stabilization Commission: S. Christopher Winter.

**5. NEW BUSINESS:**

**5.A. MITIGATION MEASURES TO LESSEN THE CONSTRUCTION IMPACTS FOR THE NEW WEST HOLLYWOOD LIBRARY AND WEST HOLLYWOOD PARK MASTER PLAN PHASE 1 IMPLEMENTATION [J. ENGLISH, R. REYNOLDS, J. HUFFER, O. DELGADO, J. ROCCO]:**

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

**EXCLUDED CONSENT CALENDAR:** None.

**PUBLIC COMMENT:** None.

**6. LEGISLATIVE:** None

**COUNCILMEMBER COMMENTS:** None.

**ADJOURNMENT:** The City Council adjourned at 8:27 P.M. in memory of James Warf, Ken Savage, Alan Spears, Richard Bobe, Michael McClure, 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, December 1, 2008 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.