

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, DECEMBER 1, 2008
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Prang called the meeting to order at 6:36 P.M.

PLEDGE OF ALLEGIANCE: David Reid 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, 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 the City Manager was excused from the meeting during the discussion of Item 4 on the agenda. He stated that the Council made the following two amendments to Item 2.H. on the regular City Council Agenda regarding an amendment to the City Manager's employment agreement: 1) Delete Item 2 in the Background and Analysis section; 2) Make a minor correction to the car allowance provided in the agreement. He stated that the closed session adjourned at 6:30 P.M. with no reportable action taken.

APPROVAL OF AGENDA:

Staff requested that Item 2.J. be TABLED.

Mayor Pro Tempore Land requested that Items 2.I. and 2.R. be moved to the Excluded Consent Calendar.

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

Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land, to approve the December 1, 2008 agenda as amended and unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Heilman requested that the meeting be adjourned in memory of Pamela Willis, the sister of City staff member Michelle Bell.

Mayor Pro Tempore Land requested that the meeting be adjourned in memory of Ruth Greenberg, the mother of Daniel Greenberg and Susan Steinhauser, and a long-time activist for the arts.

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: Spc. Corey M. Shea, Sgt. Jose Regalado, Spc. Armando A. De La Paz, Spc. James M. Clay, Cpl. Aaron M. Allen, Chief Warrant Officer Christian P. Humphreys, Chief Warrant Officer Donald V. Clark.

PRESENTATIONS:

Mayor Pro Tempore Land presented a proclamation in recognition of the Day Without a Bag event in the City.

Mayor Pro Tempore Land presented a plaque to John Angelo in recognition of his retirement as the West Hollywood Youth and Adult Acting Teacher.

Mayor Prang presented a commendation to Dr. Laurie Franks for her contributions to the community through the Crescent Heights United Methodist Church.

Mayor Prang and Councilmember Heilman presented a proclamation in recognition of World AIDS Days, and presented the Paul Starke Warrior Awards.

1. PUBLIC COMMENT:

ROBERT BRUGEMAN, EXECUTIVE DIRECTOR OF THE AVENUES OF ART AND DESIGN, spoke in support of Item 2.T.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of Item 2.T.

JOSEPH M. CLAPSADDLE, WEST HOLLYWOOD, spoke in support of Item 2.U.

DARREN GOLD, WEST HOLLYWOOD, spoke in support of Item 2.T.

RICHARD KEARNS, LOS ANGELES, spoke regarding HIV/AIDS issues in the community.

DAVID REID, WEST HOLLYWOOD, thanked City Council and the City Cable Channel staff for their continued support of AIDS Watch in the City.

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

LUIS MARQUEZ, WEST HOLLYWOOD, spoke regarding a recent attack by a dog in the City and spoke regarding residents walking dogs off-leash in the City.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding parking and traffic safety issues on Norton Avenue.

LYNN HOOPINGARNER, WEST HOLLYWOOD, thanked City Council for their efforts to support the Shop West Hollywood event in the City, and spoke against Item 2.J.

REV. SCOTT IMLER, WEST HOLLYWOOD, thanked City Council for presenting a commendation to Dr. Laurie Franks. He spoke regarding the recent passage of Proposition 8 in California.

SAM BORELLI, WEST HOLLYWOOD, spoke regarding the upcoming Don't Drink and Drive campaign in the City.

KEN GOLDMAN, BEVERLY HILLS, spoke regarding extended-hours construction at the Pavilion's site and impacts on the residents on Keith Avenue.

MICHAEL ARRIGO, WEST HOLLYWOOD, thanked City Council for extending the City Line hours during special events in the City. He spoke regarding World AIDS Day.

JOHN ALLENDORFER, WEST HOLLYWOOD, spoke regarding graffiti on an exit ramp from the 101 Freeway at the Santa Monica Boulevard exit.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding the upcoming Don't Drink and Drive Napkin campaign in the City.

Councilmember Heilman spoke regarding public comment surrounding off-leash dogs in the City and requested the City Manager to investigate the matter. He spoke regarding public comments surrounding Item 2.J. and noted that the Item was TABLED. He spoke regarding public comments surrounding parking and traffic safety issues on Norton Avenue, and requested the City Manager to investigate the issue. He thanked David Reid for his continued work on the annual AIDS Watch event in the City. He spoke regarding public comment surrounding graffiti on an exit ramp from the 101 Freeway at the Santa Monica Boulevard exit, and requested the City Manager to contact the California Department of Transportation regarding the issue. He spoke regarding public comment surrounding extended-hours construction permits at the Pavilion's site and requested the City Manager to provide a report.

Councilmember Duran spoke regarding holiday light outages on Santa Monica Boulevard and requested the City Manager to follow-up with staff to correct the situation. He spoke regarding Item 2.T. and requested staff to investigate the current City policies regarding side-walk sales and side-walk signage for businesses during the current economic climate. He spoke regarding public comments surrounding parking and traffic safety issues on Norton Avenue, and requested the City Manager to investigate the issue. He spoke regarding public comment surrounding extended-hours construction permits at the Pavilion's site and requested the City Manager and the

Director of Community Development to provide a report. He spoke regarding World AIDS Day and spoke regarding the complexities of HIV/AIDS issues in the United States and the world.

Mayor Pro Tempore Land spoke regarding a recent one-man show performed by local resident Michael Kearns in the City. She encouraged residents to donate to food banks during the holidays, and provided information regarding the SOVA Food Pantry in the City. She spoke regarding public comment surrounding off-leash dogs in the City and requested the City Manager to investigate the issue and investigate ways to provide more education to the public. She spoke regarding public comment surrounding extended-hours construction permits at the Pavilion's site and requested the City Manager to provide a report and to investigate the possibility of providing more detailed information on public notices. She spoke regarding water conservation efforts in the City and upcoming education programs to inform residents of their responsibilities.

Mayor Prang wished everyone a happy upcoming holiday season. He spoke regarding public comment surrounding graffiti on an exit ramp from the 101 Freeway at the Santa Monica Boulevard exit, and requested the City Manager to contact the California Department of Transportation regarding the issue. He spoke regarding an upcoming flu shot event at Plummer Park in the City. He spoke regarding public comment surrounding off-leash dogs in the City, spoke regarding the need for better enforcement, and requested the City Manager to investigate the matter. He congratulated the City's Public Safety Division and Public Safety Commission for receiving a first place award for the recent National Night Out event in the City. He thanked the Transgender Task Force for organizing the recent Transgender Day of Remembrance event in the City. He congratulated resident Stuart Levitan, for his recent appointment to the California Fair Employment and Housing Commission. He spoke regarding an upcoming Town Hall Forum regarding the passage of Proposition 8 in California. He spoke regarding public comments surrounding parking and traffic safety issues on Norton Avenue, and requested the City Manager to investigate the issue. He spoke regarding public comment surrounding extended-hours construction permits at the Pavilion's site and requested the City Manager to provide a report. He also requested City staff to provide better information to the City Council regarding approvals of extended-hours construction permits in the City.

CITY MANAGER'S REPORT:

City Manager Arevalo requested Oscar Delgado, Director of Public Works, Susan Keene, Director of Community Development, and a representative from the Pavilion's construction project to provide clarification regarding extended construction hours during the month of December. He thanked Oscar Delgado for his participation on Team Weho, who will be participating in the upcoming AIDS Marathon in Hawaii.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$1,034,070.00 in expenditures and \$21,183.00 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H.,K.,L.,M.,N.,O.,P.,Q.,S.,T.,U. **Motion** by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously approved with Items 2.I. and 2.R. moved to the Excluded Consent Calendar, Item 2.J. being TABLED, and Councilmember Heilman voting NO on Item 2.F.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, December 1, 2008 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Wednesday, November 26, 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 17, 2008. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 615, RESOLUTION NO. 08-3757:

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

ACTION: Approve Demand Register No. 615 and adopt Resolution No. 08-3757, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 615." **Approved as part of the Consent Calendar.**

2.D. TREASURER'S REPORT FOR SEPTEMBER 2008:

The City Council will receive the Treasurer's Report for the month ended September 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 claim of Lisa Neumayer and Marc Wuertemburg and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 08-801 (2ND READING), AMENDING TITLE 19 (ZONING ORDINANCE) OF THE MUNICIPAL CODE ALLOWING DISCRETION OVER PROJECTS APPROVED BY A DEVELOPMENT

AGREEMENT RELATED TO AFFORDABLE HOUSING UNITS REQUIRED. [T. WEST, C. SCHAFFER]:

The City Council will waive further reading and adopt Ordinance No. 08-801, a proposed ordinance amending title 19 (Zoning Ordinance) of the municipal code allowing discretion over projects approved by a development agreement related to affordable housing units required.

ACTION: Waive further reading and adopt 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." **Approved as part of the Consent Calendar with Councilmember Heilman voting NO.**

2.G. 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.H. AMENDMENT TO THE CITY MANAGER'S EMPLOYMENT AGREEMENT [J. PRANG, J. DURAN]:

The City Council will consider an amendment to the City Manager's employment agreement.

ACTION: Approve an amendment to the City Manager's Employment Agreement relative to car allowance, housing loan, and salary adjustment and authorize the Mayor to sign. **Approved as part of the Consent Calendar.**

2.I. AGREEMENT FOR SERVICES WITH MARC ASSOCIATES FOR FEDERAL LOBBYING AND LEGISLATIVE ADVOCATE SERVICES [J. ENGLISH, L. BELSANTI]:

The City Council will consider authorizing an Agreement for Services with MARC Associates to provide federal lobbying and legislative advocate services.

ACTION: This Item was moved to the Excluded Consent Calendar.

2.J. CONTRACT WITH DON MARUSKA & COMPANY, INC, CONSULTANT [P. AREVALO, K. KRIETZMAN]:

The Council will consider approving a Contract Amendment to Contract 004135 with Don Maruska & Company, Inc. for the purposes of providing further guidance for the Executive Team in developing strategic directions on critical issues and providing other services to the City Manager and City Departments as needed and as outlined in the revised Scope of Services.

ACTION: This Item was TABLED.

2.K. AWARD OF A CONSTRUCTION CONTRACT FOR SEWER REPAIR AND REHABILITATION – PHASE 1, CIP 0902 [O. DELGADO, S. PERLSTEIN]:

The City Council will consider approval of a construction contract for rehabilitation of sewers in the northwest area of the City.

ACTION: 1) Accept the bid dated November 18, 2008, submitted by Insituform Technologies, Inc.; 2) Authorize the City Manager to enter into a contract with Insituform Technologies, Inc., in the amount of \$418,298.25 for the construction of CIP 0902, Sewer Repair and Rehabilitation – Phase 1; 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.L. 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 Sewer Repair and Rehabilitation - Phase 1, CIP 0902.

ACTION: Approve a professional services Agreement in an amount not to exceed \$76,451 with RBF Consulting and authorize the City Manager to sign the Agreement. **Approved as part of the Consent Calendar.**

2.M. AWARD OF CONSTRUCTION CONTRACT FOR CIP 0905, CONCRETE REPAIR PROGRAM [O. DELGADO, S. PERLSTEIN]:

The City Council will consider awarding a construction contract for the Concrete Repair Program, CIP 0905.

ACTION: 1) Accept the bid dated November 18, 2008, submitted by Kacey Construction; 2) Authorize the City Manager to enter into a contract with Kacey Construction in the amount of \$249,615.00 for the construction of CIP 0905, Concrete Repair Program; and 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 10% of the contract amount. **Approved as part of the Consent Calendar.**

2.N. APPROVAL OF FINAL TRACT MAP NO. 62040 FOR THE CONDOMINIUM PROJECT LOCATED AT 1137 HACIENDA AVENUE [O. DELGADO, S. PERLSTEIN]:

The City Council will consider the approval of Final Tract Map No. 62040, an eight unit condominium, located on Hacienda Place, between Fountain Avenue and Holloway Drive.

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. 62040; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 62040 the certificate that embodies the approval of said map.
Approved as part of the Consent Calendar.

2.O. SELECTION OF VEHICLES FOR THE DIAL A RIDE SERVICE [L. LONG, D. DENNIS, J. ROONEY]:

The City Council will consider acquiring five Amerivan vehicles under the California State Contract.

ACTION: Authorize the City Manager to execute an agreement with Creative Bus Sales in an amount not to exceed \$202,000 for acquisition of five 6 passenger vehicles to be used on the dial a ride service. **Approved as part of the Consent Calendar.**

2.P. DESIGNATE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH (DPH), ENVIRONMENTAL HEALTH DIVISION, SOLID WASTE MANAGEMENT PROGRAM, AS THE LOCAL ENFORCEMENT AGENCY (LEA) RESPONSIBLE FOR THE CITY OF WEST HOLLYWOOD'S SOLID WASTE MANAGEMENT PROGRAM [O. DELGADO, S. PERLSTEIN, J. HARMON]:

The City Council will consider designating Los Angeles County Department of Health, Environmental Health Division, Solid Waste Management Program, as the local enforcement agency responsible for the City of West Hollywood's solid waste management program.

ACTION: Adopt Resolution 08-3758 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO DESIGNATE THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH, ENVIRONMENTAL HEALTH DIVISION, SOLID WASTE MANAGEMENT PROGRAM, AS THE LOCAL ENFORCEMENT AGENCY RESPONSIBLE FOR THE CITY'S SOLID WASTE MANAGEMENT. **Approved as part of the Consent Calendar.**

2.Q. AMENDING THE HOURS OF ENFORCEMENT AND TOW AWAY NO PARKING ZONES FOR PARKING METERS ON SUNSET BOULEVARD EAST OF LA CIENEGA BOULEVARD TO CITY LIMIT [J. ENGLISH, K. COOK, B. GOLDMAN, O. DELGADO, J. ROCCO]:

The City Council will consider amending the hours of enforcement and designated tow away no parking zones for parking meters on Sunset Boulevard east of La Cienega Boulevard to City limit.

ACTION: Adopt Resolution No. 08-3759 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE HOURS OF ENFORCEMENT AND TOW AWAY NO PARKING ZONES FOR PARKING METERS ON SUNSET BOULEVARD EAST OF LA CIENEGA BOULEVARD TO CITY LIMIT. **Approved as part of the Consent Calendar.**

2.R. FEDERAL LEGISLATIVE PRIORITIES 2009-2010 [P. AREVALO, K. KRIETZMAN, J. ENGLISH, L. BELSANTI]:

The Council will consider approving the City of West Hollywood's draft Federal Priority Issues for legislative activity in the 2009-2010 Federal legislative session.

ACTION: This Item was moved to the Excluded Consent Calendar.

2.S. SCHEDULE DATES FOR ELECTION AND INSTALLATION OF NEW MAYOR AND MAYOR PRO TEMPORE FOR CALENDAR YEAR 2009 [T. WEST, C. SCHAFFER]:

The City Council will consider confirming the date for the election of the new Mayor and Mayor Pro Tempore and scheduling the Installation of the new Mayor and Mayor Pro Tempore for 2009.

ACTION: 1) Confirm the date of March 16, 2009 for the Election of the new Mayor and Mayor Pro Tempore; and 2) Schedule the Installation Activities for the Mayor and Mayor Pro Tempore for April 20, 2009. **Approved as part of the Consent Calendar.**

2.T. WAIVE PERMIT FEES FOR THE FIRST AVENUES OF ART & DESIGN HOLIDAY SHOPPING NIGHT EVENT 2008 [R. REYNOLDS, J. HUFFER, M. LOUIE]:

The City Council will consider a recommendation waiving city-related event permit fees in the Avenues of Art and Design Business Improvement District during the evening of Thursday, December 11, 2008 for a Holiday Walk on the Avenues event.

ACTION: Waive all City fees associated with the Avenues of Art & Design Holiday Walk 2008. **Approved as part of the Consent Calendar.**

2.U. TOY BOX HOLIDAY CHARITY FUNDRAISER SPONSORSHIP [J. PRANG, J. STEVENS, A. LAND, C. PLANCK]:

The City Council will consider co-sponsorship of the 13th Annual Toy Box Party, hosted by IN Magazine and Frontiers Magazine in support of the Children's Hospital Los Angeles Annual Holiday Toy Drive, on December 14, 2008.

ACTION: Authorize co-sponsorship of the Toy Box Party, which includes: a) Authorize the use and closure of Larrabee Street between Santa Monica Boulevard and the property line of the north parking lot adjacent to 8811 Santa Monica Blvd (Eleven Nightclub) between 12 p.m – 9 p.m. Sunday, December 14th as outlined in Exhibit A for the 2008 Toy Box Party; and b) Authorize the waiver of all applicable City of West Hollywood

Special Event Fees and additionally direct City Recreation Services Staff to coordinate street closure, event set up and tear down with event organizers. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. REPEAL GENERAL PLAN AMENDMENT 2006-004 AND ZONE TEXT AMENDMENT 2006-003 [S. KEENE, J. KEHO, J. ALKIRE]:

The City Council of the City of West Hollywood will consider whether to repeal General Plan Amendment 2006-004 and Zone Text Amendment 2006-003.

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

Jennifer Alkire, Associate Planner, provided background information as outlined in the staff report dated December 1, 2008.

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

TOM DEMILLE, WEST HOLLYWOOD, spoke in opposition to the Item.

Mayor Prang closed the public hearing.

Mayor Prang spoke in support of the Item, but spoke in opposition to the process of how the Item came before City Council.

ACTION: Adopt Ordinance No. 08-802, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REPEALING GENERAL PLAN AMENDMENT 2006-004 AND ZONE TEXT AMENDMENT 2006-003 WHICH ALLOW ALTERED DEVELOPMENT STANDARDS WITH THE APPROVAL OF A DEVELOPMENT AGREEMENT FOR PROPERTIES IN THE COMMUNITY COMMERCIAL ZONING DISTRICT AND LOCATED ALONG SANTA MONICA BOULEVARD IN WEST HOLLYWOOD, CALIFORNIA." (Exhibit A) **Motion by Councilmember Duran, seconded by Councilmember Guarriello and unanimously approved.**

3.B APPEAL OF PLANNING COMMISSION APPROVAL OF REQUEST TO DEMOLISH A TOTAL OF THIRTEEN (13) MULTI- FAMILY APARTMENT UNITS AND CONSTRUCT A NEW SIXTEEN (16) UNIT RESIDENTIAL CONDOMINIUM STRUCTURE AT 8017-8023 NORTON AVENUE, WEST HOLLYWOOD, CALIFORNIA [S. KEENE, J. KEHO, J. ALKIRE]:

The City Council will consider an appeal of the Planning Commission's approval of permits to demolish all buildings on two residential lots with a

total of thirteen rental units and construct a new four-story, sixteen unit condominium building with one level of subterranean parking.

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

Jennifer Alkire, Associate Planner, provided background information as outlined in the staff report dated December 1, 2008.

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

JAMES WESTMORELAND, THE APPELLANT, spoke in opposition to the Item and in support of the appeal.

RODNEY KAHN AND NATHAN AHDOOT, ON BEHALF OF THE APPLICANT, spoke in support of the Item and in opposition to the appeal.

LESLIE GERSICOFF, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

TOM DEMILLE, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

ED BUCK, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the Item and in support of the appeal.

JAMES WESTMORELAND, THE APPELLANT, provided rebuttal.

RODNEY KAHN, ON BEHALF OF THE APPLICANT, provided rebuttal.

Mayor Prang closed the public hearing.

Councilmember Duran, Councilmember Heilman, Mayor Pro Tempore Land, and Mayor Prang disclosed site visits.

Councilmember Duran spoke regarding the City's Interim Zoning Ordinance, and spoke regarding concerns surrounding the loss of affordable housing in the City. He spoke in opposition to the revised project design. He spoke in support of the increase in parking spaces in the new project.

Mayor Pro Tempore Land spoke in opposition to the project design for this particular location. She spoke regarding concerns about the actual completion of the project if approved.

Mayor Prang spoke in opposition to the design of the project. He spoke regarding the fact that three Planning Commissioners voted NO on the project.

Councilmember Heilman expressed concerns surrounding the design of the project, but spoke regarding the conditions of the current structure at the site. He spoke regarding the need for City to be more consistent in efforts to promote outstanding design for projects in the City. He spoke regarding the fact that the developer followed the appropriate steps in the application process.

ACTION: 1) Direct staff to return to Council with a resolution to grant the appeal of Leslie Gersicoff and James Westmoreland and reverse the Planning Commission's approval of Demolition Permit (DMP) 2006-042, Development Permit (DVP) 2006-057, and Tentative Tract 69825 (Tentative Tract Map 2006-026) for the demolition of all existing structures on site (including thirteen (13) residential units) and the construction of a new sixteen (16) unit condominium building located at 8017-8023 Norton Avenue, West Hollywood, California without prejudice to the applicant resubmitting, prior to June 4, 2009 (the expiration date of the Interim Zoning Ordinance), complete revised plans (and payment of required fees) for re-processing of the revised project pursuant to development standards in effect prior to the adoption of the Interim Zoning Ordinance.
Motion by Mayor Pro Tempore Land, seconded by Councilmember Guarriello, as Amended by Motion by Councilmember Heilman and seconded by Councilmember Duran and unanimously approved (Councilmember Guarriello and Mayor Prang voting NO on the amendment to the motion allowing re-submittal of revised plans without prejudice).

4. **UNFINISHED BUSINESS: None**

5. **NEW BUSINESS: None**

EXCLUDED CONSENT CALENDAR:

2.I. **AGREEMENT FOR SERVICES WITH MARC ASSOCIATES FOR FEDERAL LOBBYING AND LEGISLATIVE ADVOCATE SERVICES [J. ENGLISH, L. BELSANTI]:**

The City Council will consider authorizing an Agreement for Services with MARC Associates to provide federal lobbying and legislative advocate services.

Mayor Pro Tempore Land spoke regarding concerns surrounding a merger of the proposed lobbyist with another firm. She spoke in support

of decreasing the length of their contract from one year to six months.

Councilmember Duran spoke in support of keeping the length of the contract at one year.

Councilmember Heilman spoke in support of keeping the length of the contract at one year.

Mayor Prang spoke in support of decreasing the length of their contract from one year to six months.

ACTION: 1) Approve an agreement with MARC Associates in an amount not-to-exceed \$95,000 for services from December 31, 2008 to December 31, 2009; 2) Authorize the City Manager to sign and execute all necessary documents; and 3) direct staff to include language in the contract to require City Council to be notified in the event of a merger between MARC Associates and any other company. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Guarriello and unanimously approved.**

2.R. FEDERAL LEGISLATIVE PRIORITIES 2009-2010 [P. AREVALO, K. KRIETZMAN, J. ENGLISH, L. BELSANTI]:

The Council will consider approving the City of West Hollywood's draft Federal Priority Issues for legislative activity in the 2009-2010 Federal legislative session.

Mayor Pro Tempore Land spoke regarding the City having a strategic plan for the City's legislative priorities. She spoke in support of the inclusion of the following legislative priorities: the environment; natural occurring retirement communities; the impacts on health care from the deficit reduction act; advocacy on F-Pact funding in the State of California; and birth control and pharmaceutical issues.

Councilmember Duran spoke in support of the inclusion of the gay and lesbian agenda in the City's legislative priorities, particularly the inclusion of the transgender community in the agenda.

Councilmember Heilman spoke in support of the inclusion of the following legislative priorities: HIV/AIDS issues; more clarification on transportation priorities; and affordable housing.

ACTION: 1) Review and approve the draft Federal Legislative Priorities; and 2) Direct staff to submit the Federal Legislative Priorities to U.S. Congressional Representatives; Senators Dianne Feinstein and Barbara Boxer and Representative Henry Waxman, President-Elect Barack Obama, the City's federal lobbyist, MARC Associates and the City's state

Lobbyist Helyne Meshar. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and unanimously approved with additional direction from Council.**

PUBLIC COMMENT:

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding City Council deliberation of Item 3.B.

6. LEGISLATIVE: None

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT The City Council adjourned at 9:19 P.M. in memory of Pamela Willis, Ruth Greenberg, 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, January 5, 2009 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.