

PRESENTATIONS:

Mayor Land presented a Rainbow Key Award to Alyson Publications for their work in the Lesbian, Gay, Bisexual and Transgender Community.

Councilmember Guarriello presented a plaque to Jeanne Dobrin in honor of her 85th birthday and in appreciation for her contributions to the community.

Mayor Pro Tempore Heilman presented commendations to the organizers of the 2005 Russian Cultural Festival.

Councilmember Prang presented a plaque to outgoing Transportation Commissioner Brad Torgan for his contributions to the City.

Mayor Pro Tempore Heilman presented a commendation to the Bodhi Tree Bookstore for their contributions to the City.

Mayor Land presented commendations to the volunteers and sponsors of the 4th of July Picnic.

Councilmember Prang presented commendations to the Soviet Veterans Memorial Committee for their efforts to build a World War II Veterans' monument in West Hollywood.

Mayor Land presented a Proclamation regarding the upcoming Women's Equality Day, on August 26, 2005 and thanked members of the Women's Advisory Board for organizing the event.

1. PUBLIC COMMENT:

ALLEGRA ALLISON, NO CITY OF RESIDENCE, spoke regarding Item 2.T.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke regarding Item 2.T.

DANIEL WATSON, WEST HOLLYWOOD, spoke regarding Item 2.T.

KENT WOKER, WEST HOLLYWOOD, spoke regarding Item 2.T.

JORDAN KING, WEST HOLLYWOOD, spoke regarding construction and safety concerns at Sushi on Sunset, a business in West Hollywood.

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

STAN LOTHBRIDGE, WEST HOLLYWOOD, spoke regarding the property at 1343 N. Laurel Avenue.

JEFF BOOK, BEVERLY HILLS, spoke on behalf of the West Hollywood Municipal Employees and in support of Item 2.R.

DODANLORETZ KATYA, WEST HOLLYWOOD, spoke regarding construction and safety concerns at Sushi on Sunset, a business in West Hollywood.

HARRISON KLINE-AGUADO, WEST HOLLYWOOD, spoke regarding his recent appointment to Chair of the Disabilities Advisory Board.

WILLIAM NEISH, WEST HOLLYWOOD, spoke regarding City Councilmember salaries and various concerns regarding a transcript of a recent City meeting.

DON BRUHNKE, WEST HOLLYWOOD, spoke regarding the West Hollywood Gateway project and a parking ticket he recently received.

MICHAEL ARRIGO, WEST HOLLYWOOD, spoke in support of Item 8.A. on the Community Development Commission agenda.

COUNCILMEMBER COMMENTS:

Councilmember Prang asked staff to investigate the concerns raised during Public Comment regarding Sushi on Sunset. He also spoke regarding an upcoming notice from the Beverly Hills Water Company to inform residents that they will be testing for lead in the drinking water. He also asked staff to investigate the parking problems arising from a restaurant on the corner of Melrose and Kings Road named Citrine.

Councilmember Duran asked City Manager Arevalo to provide an update on the former West Hollywood Athletic Club. He also spoke regarding the property at 1343 N. Laurel Avenue and confirmed that no final decisions have been made regarding the development of the property. He also spoke regarding the difficulties of balancing the housing needs, historical preservation, and green space conservation in the City.

Councilmember Guarriello wished Shirley Kaplan a happy birthday. He asked City Manager Arevalo to investigate the concerns raised during Public Comment regarding the manner in which residents of 1343 N. Laurel Avenue were served their Notices of Eviction and whether proper procedures were followed.

Mayor Pro Tempore Heilman spoke regarding residents receiving parking tickets for parking "front-end-out" and asked the City Manager to investigate the issue. He also spoke regarding repeated complaints about the 24 Hour Fitness club in the City, and asked City Manager Arevalo to investigate the possibility of revoking their operating permits. He also spoke regarding the concerns about Sushi on Sunset. He thanked City staff for the recent successful labor negotiations. He also spoke regarding the property at 1343 N. Laurel Avenue and stated that he supports the development of senior housing on the site.

Mayor Land spoke regarding the concerns at Sushi on Sunset, the parking concerns on Kings Road, and the concerns about code violations at the 24 Hour Fitness club, and asked City Manager Arevalo to investigate these issues.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding the former West Hollywood Athletic Club, and informed Council that the Public Safety Department is currently keeping a close watch on the property. He also spoke regarding the possibility of the City acquiring the property in the near future.

He also spoke regarding the Annual Congress of Commissions and Advisory Boards and announced the key-note speaker, David Gottfried, who will speak on the subject of sustainability. He thanked Mayor Land for securing Mr. Gottfried as a speaker.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$1,540,131.00 in expenditures and \$53,166.00 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.,X.,Y.,Z.,AA.,BB.,CC.,EE.,FF. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

2.A. POSTING OF AGENDA:

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of July 18, 2005. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 537 AND NO. 538, RESOLUTION NO. 05-3284:

ACTION: Approve Demand Register No. 537, 538 and adopt Resolution No. 05-3284, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 537 and 538." **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Natalie Shaw and refer her to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. TREASURER'S REPORT FOR JUNE 2005:

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

2.F. ORDINANCE NO. 05-715 (2ND READING), A PROPOSED ORDINANCE TO ADD THE VIOLATION OF THE WATER PROTECTION PLAN CHAPTER TO THE ADMINISTRATIVE REMEDIES PROGRAM:

ACTION: Waive further reading and adopt Ordinance No. 05-715, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 1.08.010(e) BY ADDING CHAPTER 15.52 TO THE LIST OF CODE VIOLATIONS SUBJECT TO THE ADMINISTRATIVE PENALTY PROCEDURES." **Approved as part of the Consent Calendar.**

2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

2.H. RESIGNATIONS OF RICHARD KALEH FROM THE ARTS AND CULTURAL AFFAIRS COMMISSION AND STEVEN GREENE FROM THE PUBLIC FACILITIES COMMISSION:

ACTION: Accept with regret the resignations of Richard Kaleh from the Arts and Cultural Affairs Commission and Steven Greene from the Public Facilities Commission. **Approved as part of the Consent Calendar.**

2.I. REQUEST FOR AUTHORIZATION TO FUND SPACE PLANNING CONSULTANT SERVICES:

ACTION: Authorize the Director of Finance to appropriate \$24,500.00 from the general fund unallocated reserves to account 100-7060-9210 – City Hall improvements. **Approved as part of the Consent Calendar.**

2.J. APPROVAL OF TWO-YEAR CONTRACT FOR HALLOWEEN CARNAVAL EVENT:

ACTION: 1) Authorize the City Manager to enter into a two year contract between the City and Showtrends Inc. in an amount not to exceed \$178,100.00 each year; and 2) Authorize additional expenses on this contract, up to a ten percent (\$17,000), contingent upon any additional expenditure for this vendor being offset through revenue. **Approved as part of the Consent Calendar.**

2.K. APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH DAPEER, ROSENBLIT & LITVAK, LLP FOR PROSECUTION SERVICES:

ACTION: Approve the amendment with Dapeer, Rosenblit & Litvak, LLP, approving hourly rate for specialized legal services to \$145; and authorize the City Manager to execute the Amendment. **Approved as part of the Consent Calendar.**

2.L. UPGRADE OF THE TRAFFIC SIGNAL MANAGEMENT SYSTEM:

ACTION: Approve an agreement with Bi Tran Systems, Inc., in an amount not to exceed \$80,000 to upgrade the QuicNet Traffic Signal Management System and install a fully functional, Information Exchange Network site server/Control Data Interface. The agreement shall be based on the proposed dated June 30, 2005, in a format approved by the City Attorney, and authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

2.M. APPROVAL OF FINAL TRACT MAP NO. 60100 FOR THE CONDOMINIUM PROJECT LOCATED AT 8121 NORTON 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, 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. 60100; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 60100 the certificate, which embodies the approval of said map. **Approved as part of the Consent Calendar.**

2.N. FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH LOS ANGELES HOUSING PARTNERSHIP, INC. FOR THE RENOVATION OF THE FORMER FIRE STATION #7 INTO THREE AFFORDABLE HOUSING UNITS:

ACTION: 1) Approve the First Amendment to the Disposition and Development Agreement with Los Angeles Housing Partnership, Inc. for the development of three affordable units at 954-958 N. Hancock Avenue; 2) Authorize the City Manager to sign the Amendment to the Agreement; and 3) Authorize the Director of Finance and Technology to allocate \$12,246.14 of unallocated Housing Trust Funds to account 282-6050-9255 and add it to unspent Fire Station Project loan funds of \$3,674 to be spent on public improvements related to the affordable housing project. **Approved as part of the Consent Calendar.**

2.O. APPROVAL OF SIDE LETTERS OF AGREEMENT WITH THE WEST HOLLYWOOD MANAGEMENT ASSOCIATION (WHMA):

ACTION: 1) Approve the Side Letters of Agreement with WHMA granting the Cesar Chavez Holiday on the last Monday in March and an additional COLA of 1.8% effective July 1, 2005; and 2) Authorize the City Manager to

execute the Side Letters of Agreement on behalf of the City. **Approved as part of the Consent Calendar.**

2.P. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE ASSOCIATION OF COUNCIL DEPUTIES (ACD) FOR THE PERIOD OF JULY 1, 2005, THROUGH JUNE 30, 2010:

ACTION: 1) Approve the Memorandum of Understanding with ACD, which incorporates the agreements contained in the attached tentative agreements; and 2) Authorize the City Manager to execute the Memorandum of Understanding on behalf of the City. **Approved as part of the Consent Calendar.**

2.Q. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE ASSOCIATION OF CONFIDENTIAL EMPLOYEES (ACE), SUPERVISORY AND NON-SUPERVISORY UNITS, FOR THE PERIOD OF JULY 1, 2005, THROUGH JUNE 30, 2010:

ACTION: 1) Approve the Memorandum of Understanding with ACE, which incorporates the agreements contained in the attached tentative agreements; and 2) Authorize the City Manager to execute the Memorandum of Understanding on behalf of the City. **Approved as part of the Consent Calendar.**

2.R. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE WEST HOLLYWOOD MUNICIPAL EMPLOYEES (WEHOME), AFSCME LOCAL 3339, FOR THE PERIOD OF JULY 1, 2005, THROUGH JUNE 30, 2010:

ACTION: 1) Approve the Memorandum of Understanding with WEHOME, AFSCME Local 3339, which incorporates the agreements contained in the attached tentative agreements; and 2) Authorize the City Manager to execute the Memorandum of Understanding on behalf of the City. **Approved as part of the Consent Calendar.**

2.S. EXTENSION OF THE TERM OF A PROMISSORY NOTE WITH THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION FOR THE 8-UNIT AFFORDABLE HOUSING PROJECT LOCATED AT 1123 NORTH DETROIT STREET:

ACTION: 1) Approve an amendment to the agreement with the West Hollywood Community Housing Corporation extending the term of the promissory note for an additional five years for the property located at 1123 North Detroit Street; and 2) Authorize the City Manager to execute the amendment and any related documents. **Approved as part of the Consent Calendar.**

2.T. QUARTERLY REPORT FROM THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:

ACTION: Receive and file the FY 2004-05 Third Quarter Report of the West Hollywood Community Housing Corporation. **Approved as part of the Consent Calendar.**

2.U. NOTICE OF COMPLETION FOR CIP 0408 LA CIENEGA BLVD. AND MELROSE AVE. STREET PAVING PROGRAM:

ACTION: Accept the work and authorize the following: (a) Filing a Notice of Completion by the City Engineer; (b) Final payment to the contractor at the end of the 35 day lien period; (c) Release of the Performance Bond on the date of recordation of the Notice of Completion; and (d) Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices. **Approved as part of the Consent Calendar.**

2.V. REQUEST FOR AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL (RFP) FOR ON-STREET PAY BY SPACE STATIONS:

ACTION: Authorize staff to issue an RFP for on-street pay by space stations. **Approved as part of the Consent Calendar.**

2.W. RUSSIAN CULTURAL FESTIVAL:

ACTION: 1) Authorize the Director of Finance and Technology to appropriate \$15,000 from undesignated reserves in the General Fund, to the Recreation Division special events account for distribution; 2) Authorize the Director of Finance and Technology to increase the revenue and expenditure budget as needed to properly record sponsorships and donations; 3) Authorize the use of Plummer Park and its facilities at no cost; 4) Approve a beer and wine garden to be operated by and for the benefit of a non profit; and 5) Waive permitted parking on Vista and Fuller Streets from 7pm to Midnight on event day. **This item was TABLED by Consensus of the Council.**

2.X. CO-SPONSORSHIP OF CRYSTAL-METHAMPHETAMINE SUMMIT ORGANIZED BY THE LOS ANGELES GAY AND LESBIAN CENTER AND OTHER COMMUNITY BASED ORGANIZATIONS:

ACTION: Approve co-sponsorship of the "Crystal Methamphetamine Summit" organized by the Los Angeles Gay and Lesbian Center (LAGLC) and allow LAGLC to use the City of West Hollywood's name and logo on the advertising. **Approved as part of the Consent Calendar.**

2.Y. A RESOLUTION IN SUPPORT OF THE 85TH ANNIVERSARY OF WOMEN'S RIGHT TO VOTE:

ACTION: 1) Adopt Resolution 05-3285, "A RESOLUTION IN SUPPORT OF THE 85TH ANNIVERSARY OF WOMEN'S RIGHT TO VOTE"; and 2) Send copies of the resolution to U.S. Senators Barbara Boxer and Diane Feinstein, California Senators Sheila James Kuehl, U.S. representative Henry Waxman, Governor Arnold Schwarzenegger, the California Commission on the Status of Women, the Los Angeles County

Commission on the Status of Women, the League of Women Voters, the National Organization for Women, NOW and the Feminist Majority.
Approved as part of the Consent Calendar.

2.Z. A RESOLUTION IN SUPPORT OF SB 192, A BILL CREATING SUITABILITY STANDARDS FOR THE SALE OF ANNUITIES TO SENIORS:

ACTION: 1) Adopt Resolution 05-3286, "A RESOLUTION IN SUPPORT OF SB 192, A BILL CREATING SUITABILITY STANDARDS FOR THE SALE OF ANNUITIES TO SENIORS"; and 2) Send copies of the resolution to California Senators Jack Scott and Sheila James Kuehl, California Assemblymember Paul Koretz, and Governor Arnold Schwarzenegger. **Approved as part of the Consent Calendar.**

2.AA. A RESOLUTION IN SUPPORT OF ANNUAL PARTICIPATION IN THE UNITED STATES CONFERENCE OF MAYORS CANCER AWARENESS PROGRAM:

ACTION: 1) Adopt Resolution No. 05-3287, "A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF ANNUAL PARTICIPATION IN THE UNITED STATES CONFERENCE OF MAYORS CANCER AWARENESS PROGRAM"; 2) Direct staff to send copies of signed resolution to the United States Conference of Mayors; and 3) Direct staff to incorporate materials from the United States Conference of Mayors Cancer Awareness Program with the City's on-going cancer awareness efforts.
Approved as part of the Consent Calendar.

2.BB. RESOLUTIONS IN SUPPORT OF SB 720 (Kuehl), A BILL AUTHORIZING A DISTRICT ATTORNEY OR CITY ATTORNEY TO PURSUE AN ACTION OF CONTEMPT AGAINST ANY PARTY INVOLVED IN A DOMESTIC VIOLENCE CASE FOR FAILING TO COMPLY WITH THE DOMESTIC VIOLENCE ACT; and AB 1288 (Chu), A BILL REQUIRING THE DEFENDANTS IN DOMESTIC VIOLENCE CASES TO RELINQUISH ALL FIREARMS, AND WOULD AUTHORIZE PEACE OFFICERS TO REPORT TO THE CALIFORNIA DEPARTMENT OF JUSTICE INFORMATION REGARDING THOSE FIREARMS HELD IN DOMESTIC VIOLENCE CASES":

ACTION: 1) Adopt Resolution No. 05-3288, "A RESOLUTION IN SUPPORT OF SB 720 (Kuehl), BILL AUTHORIZING A DISTRICT ATTORNEY OR CITY ATTORNEY TO PURSUE AN ACTION OF CONTEMPT AGAINST ANY PARTY INVOLVED IN A DOMESTIC VIOLENCE CASE FOR FAILING TO COMPLY WITH THE DOMESTIC VIOLENCE PROTECTION ACT"; and 2) Adopt Resolution No. 05-3289, "A RESOLUTION IN SUPPORT AB 1288 (Chu), A BILL REQUIRING THE DEFENDANTS IN DOMESTIC VIOLENCE CASES TO RELINQUISH ALL FIREARMS, AND WOULD AUTHORIZE PEACE OFFICERS TO REPORT TO THE CALIFORNIA DEPARTMENT OF JUSTICE INFORMATION REGARDING THOSE FIREARMS REPORTED TO BE HELD IN

DOMESTIC VIOLENCE CASES.” **Approved as part of the Consent Calendar.**

2.CC. AIDS WALK 2005:

ACTION: Council will provide staff with direction to either:

1) Authorize co-sponsorship of the AIDS Walk 2005 which includes: (a) Authorize the waiver of all City of West Hollywood special event fees for this event; (b) Authorize the Director of Finance to appropriate \$23,000 from the unallocated General Reserves as follows: Public Safety - \$8,000 in account 100 4000 8262; barricades, street signage and event noticing - \$15,000 in account 100 5010 8262; (c) Approve date, Sunday, October 16, 2005 and location, West Hollywood Park and surrounding residential streets; or 2) Decline the co-sponsorship of the event. **Move to approve co-sponsorship of the event as part of the Consent Calendar.**

2.DD. DEVELOP ACTIONS TO CITY COUNCIL TO CURB HELICOPTER NOISE AND HELICOPTER OVER FLIGHTS IN WEST HOLLYWOOD:

ACTION: Moved to Excluded Consent Calendar.

2.EE. (4.B.) UPDATE ON MULTI-SPACE PARKING METER PILOT PROGRAM:

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

2.FF. (6.A.) URGENCY ORDINANCE ADOPTING BY REFERENCE TITLE 27 (ELECTRICAL CODE) OF THE LOS ANGELES COUNTY CODES INCORPORATING THE CALIFORNIA STATE BUILDING STANDARDS CODE:

ACTION: Waive further reading and adopt Urgency Ordinance No. 05-717U, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING BY REFERENCE TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2004 EDITION; MAKING AMENDMENTS TO SAID CODE; AMENDING CHAPTER 13.08 OF TITLE 13 OF THE WEST HOLLYWOOD MUNICIPAL CODE; AND DECLARING THE URGENCY THEREOF.” **Approved as part of the Consent Calendar.**

THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 8:09 P.M.

The Community Development Commission approved the minutes from the June 6, 2005 meeting, and authorized staff to issue two Requests for Qualifications for developers in the East Side Redevelopment Project Area. 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 CITY COUNCIL: 8:27 P.M.**

3. PUBLIC HEARINGS:

**3.A. SUNSET/OLIVE MIXED USE PROJECT AND ENVIRONMENTAL
IMPACT REPORT, (DEVELOPMENT PERMIT 01-01, DEMOLITION
PERMIT 01-01, CONDITIONAL USE PERMIT 01-01, GENERAL PLAN
AMENDMENT 01-03 and ZONING MAP AMENDMENT 01-01):**

Mayor Land stated that a letter was submitted to the City requesting that Item 3.A. be withdrawn.

ACTION: Receive and file the withdrawal letter. **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Guarriello and unanimously approved.**

**3.B. PROPOSED RESOLUTION FINDING THE CITY TO BE IN
CONFORMANCE WITH THE CONGESTION MANAGEMENT
PROGRAM (CMP):**

Mayor Land stated that the item was noticed as required by law.

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

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the Item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding traffic concerns in the City.

Mayor Land closed the public hearing.

Dennis Woods, Transportation Planner, presented background information on the staff report dated August 18, 2005.

ACTION: Adopt Resolution No. 05-3290, "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 Councilmember Prang, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

**3.C. APPEAL OF PLANNING COMMISSION APPROVAL OF A NEW
CHARTER ELEMENTARY SCHOOL LOCATED AT 1261-1265 FAIRFAX
AVENUE IN WEST HOLLYWOOD, CA.:**

Mayor Land stated that the item was noticed as required by law.

Jennifer Noel, Contract Planner, presented background information on the staff report dated August 18, 2005.

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

MURRAY FISHER, REPRESENTING THE APPELLANT, spoke regarding concerns and stipulations that the Appellant is requesting to the Item.

CHAVA DANIELSON, REPRESENTING THE APPLICANT, spoke in support of the Item.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in support of the Item.

CHUCK BERGANSKY, WEST HOLLYWOOD, spoke in support of the Item.

ALVIN HOPKINS, LOS ANGELES, spoke in support of the Item.

GARY FLOYD, PASADENA, spoke regarding sound issues at the site.

JOHNNA HAMPTON WALKER, LOS ANGELES, spoke in support of the Item.

JUDY LEVIN, WEST HOLLYWOOD, spoke in support of the Item.

TERESA DARTEZ, WEST HOLLYWOOD, spoke in support of the Item.

ALICE HOROWITZ, SOUTH PASADENA, spoke in support of the Item.

BONNIE SIKOWITZ, LOS ANGELES, spoke in support of the Item.

RONALD NEW, LOS ANGELES, spoke regarding noise concerns with the proposed project.

STACEY METLISS, WEST HOLLYWOOD, spoke regarding noise and traffic concerns with the proposed project.

RENEE KHOURY, WEST HOLLYWOOD, spoke in support of the Item.

BERNADETTE HANGSTEBECK, LOS ANGELES, spoke in support of the Item.

MOLLY BRANDENBURG, LOS ANGELES, spoke in support of the Item.

SAVANNAH BOUCHER, WEST HOLLYWOOD, spoke regarding noise concerns with the proposed project.

JOANNA BEACOM, LOS ANGELES, spoke in support of the Item.

HEATHER BOYLSTON, LOS ANGELES, spoke in support of the Item.

MARJORIE THREM, LOS ANGELES, spoke in support of the Item.

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

TOM NORTH, LOS ANGELES, spoke in support of the Item.

LUCY NORLAND, WEST HOLLYWOOD, spoke regarding noise concerns with the proposed project.

MARIANNE ARREAGA, WEST HOLLYWOOD, spoke regarding noise and traffic concerns with the proposed project.

CHARLIE HUTCHINSON, LOS ANGELES, spoke in support of the Item.

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

MURRAY FISHER, REPRESENTING THE APPELLANT, presented his rebuttal.

CHAVA DANIELSON, REPRESENTING THE APPLICANT, presented her rebuttal.

Mayor Land closed the public hearing.

Councilmember Guarriello spoke regarding the former school at St. Ambrose and the lack of complaints when that school was in operation. He also spoke regarding the high number of schools in dense residential areas in other cities.

Mayor Pro Tempore Heilman welcomed the school to the City and spoke regarding fund raising opportunities for the school. He also spoke in support of moving the play area, breaking up the lunch areas, and appointing a liaison. He spoke in support of the school providing Russian speaking teachers. He spoke regarding the possibility of a sound wall being installed at a future date and the possibility of a City grant to assist in the building costs.

Councilmember Duran spoke regarding other options for noise reduction, rather than a sound wall. He also spoke regarding holding community meetings to keep discussion between the school and residents open. He

spoke regarding the possibility of using the parking lot and meeting space at St. Ambrose for other non-profit organizations in the City.

Councilmember Prang spoke regarding the need for the sound wall and the possibility of adding the wall at a future date. He also spoke regarding the possibility of a grant from the City or the Redevelopment Agency. He spoke regarding his concerns about parents following the rules regarding child drop-offs. He also spoke regarding the use of St. Ambrose for other non-profit organizations in the City.

Mayor Land spoke regarding the possibility of investigating the noise mitigation during the first six months of operation and bringing the issue back for discussion during the first community meeting.

ACTION: 1) Conduct a public hearing; and 2) Adopt Resolution No 05-3291, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF ZION KALI, APPROVING CONDITIONAL USE PERMIT 2005-03 AND ADOPTING A NEGATIVE DECLARATION FOR A NEW CHARTER ELEMENTARY SCHOOL TO BE KNOWN AS LARCHMONT CHARTER SCHOOL AND TO USE THE EXISTING SCHOOL FACILITIES LOCATED AT 1261-1265 FAIRFAX AVENUE IN WEST HOLLYWOOD, CALIFORNIA." **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Guarriello and unanimously approved to deny the appeal and adopt the resolution with the following amendments:**

1. Restrict play area to between the school building and auditorium building, east of the trees
2. Lunch area broken up into smaller areas located around the auditorium building
3. Appoint resident liaison and inform the City of the name and contact information for this person
4. Hold a community meeting every six months for the first two years, and annually thereafter
5. Direct staff to investigate sound mitigation measures during the first six months of operation and return to the Planning Commission with recommendations

3.D. APPEAL OF PLANNING COMMISSION APPROVAL FOR DEMOLITION OF A TEN UNIT APARTMENT BUILDING AND CONSTRUCTION OF A SIXTEEN UNIT APARTMENT BUILDING AT 1248-1252 N. LAUREL AVENUE:

Mayor Land stated that the item was noticed as required by law.

John Keho, Planning Manager, presented background information on the staff report dated August 18, 2005.

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

WILLIAM NEISH, THE APPELLANT, spoke in opposition to the Item.

TODD ELLIOT AND BRAD TORGAN, ON BEHALF OF THE APPLICANT, spoke in support of the Item.

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

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in opposition to the Item.

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

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

ELENA GOLDENBERG, WEST HOLLYWOOD, spoke in support of the Item.

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

SUSAN LEMONE, LOS ANGELES, spoke in support of the Item.

NANCY EVANS, WEST HOLLYWOOD, spoke in support of the Item.

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

BARBARA ROBERTSON, WEST HOLLYWOOD, spoke in opposition to the Item.

SABRINA VEUSKUS, SANTA MONICA, spoke in opposition to the Item.

MATTHEW GOLDSMITH, LOS ANGELES, spoke in opposition to the Item.

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

WILLIAM NEISH, THE APPELLANT, presented his rebuttal.

BRAD TORGAN, ON BEHALF OF THE APPLICANT, presented his rebuttal.

Mayor Land closed the public hearing.

Councilmember Duran asked staff to clarify a document received from Ed Buck regarding categorical exemption. He also spoke regarding a response the City received from the State Historic Preservation Officer, which indicates that the City makes the final determination whether a property has a significant environmental impact. He spoke regarding the lack of substantial evidence to demonstrate that an EIR should be completed. He also provided statistics regarding demolition and development within the City. He spoke in favor of denying the appeal and approving the project.

Councilmember Prang spoke regarding the City's efforts to provide a fair and open process for this Item. He also spoke regarding the property's failure to meet the City's standards for historical preservation and spoke in favor of denying the appeal and approving the project.

Mayor Pro Tempore Heilman spoke regarding the current state of the property located at 1248 N. Laurel, and spoke in favor of the new design, the increase in units, and the improvement in parking. He also spoke regarding the City's efforts to provide the Appellant with proper due process. He spoke in favor of denying the appeal and approving the project.

Councilmember Guarriello spoke regarding a recent site visit and the property's failure to meet the City's standards for historical preservation.

ACTION: Adopt Resolution No. 05-3292, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF WILLIAM NEISH, AND AFFIRMING THE PLANNING COMMISSION'S APPROVAL OF DEMOLITION PERMIT 2004-002 AND DEVELOPMENT PERMIT 2004-001 TO PERMIT THE DEMOLITION OF A TEN UNIT APARTMENT BUILDING AND CONSTRUCTION OF A SIXTEEN UNIT APARTMENT BUILDING LOCATED AT 1248-1252 N. LAUREL AVENUE IN THE CITY OF WEST HOLLYWOOD." **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Guarriello and unanimously approved.**

4. UNFINISHED BUSINESS:

4.A. 2004/2005 HALLOWEEN CARNAVAL:

Nancy Beard, Recreation Services Manager, presented background information on the staff report dated August 18, 2005.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding concerns about the event.

VICTOR OLMECHEMKO, WEST HOLLYWOOD, spoke in support of the Item and the addition of the costume stage.

Mayor Land requested clarification from staff regarding the addition of a costume stage to the 2005 Carnival event.

Mayor Pro Tempore Heilman requested staff to ensure that the City has more control over what music is played during the event.

Councilmember Duran spoke regarding the corporate sponsorship of the event.

ACTION: 1) Continue to manage the event at its current level of attendance with quality entertainment; 2) Ensure level of safety personnel is appropriate to the crowd size; and 3) Approve necessary street closures and parking requirements. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

4.B. UPDATE ON MULTI-SPACE PARKING METER PILOT PROGRAM:

ACTION: Moved to the Consent Calendar as Item 2.EE.

4.C. AUTHORIZATION FOR THE SCHEMATIC DESIGN AND DESIGN DEVELOPMENT PHASES OF THE WEST HOLLYWOOD PARK MUNICIPAL PARKING GARAGE:

Ray Reynolds, Economic Development Director, presented background information on the staff report dated August 18, 2005.

No Speakers.

Mayor Pro Tempore Heilman spoke regarding the possibility of including restroom facilities in the parking garage design.

ACTION: 1) Approve an agreement with MDA Johnson-Favaro in an amount not-to-exceed \$293,216 for the Schematic Design and Design Development services for a West Hollywood Park Municipal Parking Garage; 2) Approve an agreement with 3D/International Inc., in an amount not-to-exceed \$30,800 for the construction management and technical oversight services related to the development of a West Hollywood Park Municipal Parking Garage; 3) Authorize the Director of Finance to appropriate \$324,016 including a 10% contingency from the unallocated reserves in the City's Parking Improvement Fund and increase budgeted expenditures by \$324,016; and 4) Authorize City Manager to sign and execute all necessary documents. **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Guarriello and unanimously approved.**

4.D. ADVISORY BOARD APPOINTMENTS:

No Speakers.

ACTION:

- 1) Make 1 at-large appointment to the Lesbian & Gay Advisory Board;
Marian Jones
- 2) Make 1 at-large appointment to the Russian Advisory Board; and
Grigoriy Adlivankin
- 3) Make 1 at-large appointment to the Women's Advisory Board.
Vicki Geis

5. NEW BUSINESS:

5.A. A RESOLUTION SUPPORTING THE ACQUISITION AND USE OF ALTERNATIVE-FUEL VEHICLES:

Mayor Pro Tempore Heilman presented background information on the staff report dated August 18, 2005.

No Speakers.

ACTION: 1) Adopt Resolution No. 05-3293, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE ACQUISITION AND USE OF ALTERNATIVE-FUEL VEHICLES"; 2) Direct city staff to develop a comprehensive implementation plan to maximize usage of alternative fuel vehicles as well as ways to increase public awareness and support more usage of alternative fuel vehicles by the public; and 3) Send copies of the resolution to U.S. Senators Barbara Boxer and Diane Feinstein, U.S. Representative Henry Waxman, Governor Schwarzenegger, California State Representatives Sheila Kuehl and Paul Koretz, City Lobbyist Helyne Meshar, California Environmental Protection Agency, South Coast Air Quality Management District and the Coalition for Clean Air. **Motion by Councilmember Prang, seconded by Councilmember Duran and unanimously approved.**

5.B. WORKSHOPS FOR CONDOMINIUM ASSOCIATION MANAGERS AND BOARDMEMBERS:

Mayor Pro Tempore Heilman presented background information on the staff report dated August 18, 2005.

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

Councilmember Prang spoke in support of the Item and spoke regarding specific issues that could be included in the training.

Councilmember Duran spoke regarding the possibility of holding the trainings in the condominium buildings rather than at City Hall.

Mayor Land spoke regarding adapting portions of the Neighborhood Watch training curriculum to provide consistency in the City's training.

ACTION: 1) Direct the Department of Rent Stabilization and Housing to organize and schedule a series of workshops for managers and board members of condominium associations; 2) Direct the Department of Administrative Services to implement a one-year trial program whereby our Legal Services Division's mediation services are made available for condominium related disputes; and 3) Direct the Department of Public Information to publicize the program and its services. **Motion by Councilmember Prang, seconded by Councilmember Duran and unanimously approved.**

5.C. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE FOR OCTOBER 2005:

Tom West, City Clerk, presented background information on the staff report dated August 18, 2005.

No Speakers.

ACTION: Do not reschedule Council meeting of October 3, 2005. Requested staff to return with an item to discuss scheduling of the November 21, 2005 Council meeting. **Moved by consensus of the Council.**

5.D. COMPENSATION ADJUSTMENT FOR COUNCIL MEMBERS:

Tom West, City Clerk, presented background information on the staff report dated August 18, 2005.

No speakers.

Mayor Land spoke in support of the item.

Councilmember Prang spoke in support of the item.

Councilmember Duran also spoke in support of the item.

Mayor Pro Tempore Heilman spoke in favor of tabling the item.

ACTION: 1) Direct staff to return with an appropriate ordinance that addresses recommendations on the issues and alternatives raised in this item. **Moved by consensus of the Council.**

EXCLUDED CONSENT CALENDAR:

2.DD. DEVELOP ACTIONS TO CITY COUNCIL TO CURB HELICOPTER NOISE AND HELICOPTER OVER FLIGHTS IN WEST HOLLYWOOD:

Mayor Land presented background information on the staff report dated August 18, 2005.

No Speakers.

ACTION: Direct the Public Safety Division to work with the Sheriff, Public Safety Commission and other Commissions as necessary to develop recommendations to City Council to curb helicopter noise and helicopter over flights in West Hollywood. **Motion by Mayor Land, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

PUBLIC COMMENT:

MATHEW GOLDSMITH, WEST HOLLYWOOD, spoke regarding the need to preserve the property located at 1248 N. Laurel Ave.

6. LEGISLATIVE:

6.A. URGENCY ORDINANCE ADOPTING BY REFERENCE TITLE 27 (ELECTRICAL CODE) OF THE LOS ANGELES COUNTY CODES INCORPORATING THE CALIFORNIA STATE BUILDING STANDARDS CODE:

ACTION: Moved to Consent Calendar as Item 2.FF.

COUNCILMEMBER COMMENTS:

Councilmember Duran spoke regarding his absence at the upcoming September 6, 2005 City Council meeting.

ADJOURNMENT: The City Council adjourned at 12:20 A.M. in memory of Svetlana Nikiforova, Dr. Jeffrey Noodleman, and Dr. Saul Fox to a special Closed Session meeting of the Council meeting regarding employee evaluation which will be on Monday, August 29, 2005 at 6:00 P.M. at West Hollywood City Hall, 8300 Santa Monica Boulevard.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held on September 6, 2005 by the following vote:

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

ABBE LAND, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK