CALL TO ORDER: Mayor Duran called the meeting to order at 6:39 p.m.

PLEDGE OF ALLEGIANCE: Cathy Blaivas led the Pledge of Allegiance.

ROLL CALL:
PRESENT: Councilmember D’Amico, Councilmember Heilman, Councilmember Land, Mayor Pro Tempore Prang and Mayor Duran
ABSENT: None
ALSO PRESENT: City Manager Arevalo, City Attorney Jenkins, City Clerk Schaffer and Assistant City Clerk Quarker

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 was no public comment. He reported that one additional item of Initiation of Litigation was added to the agenda. He stated that the closed session adjourned at 6:30 p.m. with no reportable action.

APPROVAL OF AGENDA:
Councilmember Heilman requested that Item 6.A be continued until January 17, 2012.

Motion by Councilmember Land, seconded by Mayor Pro Tempore Prang to approve the December 19, 2011 agenda as amended. The agenda was unanimously approved.

ADJOURNMENT MOTIONS:
Mayor Pro Tempore Prang asked that the meeting be adjourned in memory of the former President of Czechoslovakia, Vaclav Havel.

Mayor 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: Marine Samuel M. Griffith, 36, Private Jalfred D. Vaquerano, 20, Specialist Ronald H. Wildrick Jr., 30, Sergeant Christopher L. Muniz, 24, and Lance Corporal Christopher P.J. Levy, 21.
PRESENTATIONS:

Councilmember Heilman presented a commendation to outgoing Russian Advisory Board Members Steve Pargamanik and Lev Volovik.

1. PUBLIC COMMENT:

DESIREE JADE SOL, WEST HOLLYWOOD, spoke regarding the upcoming January Neighborhood Watch Captain Training and the Martin Luther King Jr. Day of Service Event. She spoke regarding the West Hollywood Cheerleaders Fundraiser on Friday, December 23, 2011.

TREVOR ORR, WEST HOLLYWOOD, spoke in opposition to the proposed changes to Plummer Park.

JACQUELINE HERNANDEZ, TEMPLE CITY, spoke in support of Item 2.L.

BEN COLEMAN, WEST HOLLYWOOD, thanked City Council for the extra police patrols around the City.

ED BUCK, WEST HOLLYWOOD, spoke regarding various issues that have been raised during the past year. He also spoke in support of creating a New Year's event in the City.

SOFIYA TURIN, WEST HOLLYWOOD, spoke in opposition to the proposed changes to Plummer Park.

COSMO BUA, SANTA MONICA, spoke in opposition to the proposed changes to Plummer Park.

AGASSI TOPCHIAN, WEST HOLLYWOOD, spoke in support of the proposed changes to Plummer Park.

A. LEE WALKUP, WEST HOLLYWOOD, spoke in support of more community involvement and spoke regarding Martin Luther King, Jr. Day.

MARINA AGEYEVA, LOS ANGELES, spoke in support of some of the proposed changes for Plummer Park, but expressed concern that classes and group activities would be disrupted during construction.

LEV VOLOVIK, WEST HOLLYWOOD, spoke in support of the proposed changes to Plummer Park, specifically the proposed renovations to Fiesta Hall.

TATYANA IVANOVA, WEST HOLLYWOOD, spoke in support of the proposed changes to Plummer Park.
Mayor Duran stated that the following person submitted a Citizens Position Slip in opposition to the proposed changes to Plummer Park, but did not wish to speak:

VIRGINIA GILLICK, WEST HOLLYWOOD

COUNCILMEMBER COMMENTS:

Councilmember Land wished everyone a happy holiday season and urged everyone to be safe and not drink and drive. She spoke in support of shopping locally during the holidays. She spoke regarding the recent Bicycle Task Force event, “Moving Beyond the Automobile,” and stated that DVD’s are available. She spoke regarding the City’s partnership with various healthcare and county organizations to continue to develop programs to improve healthcare for lesbian and bisexual women.

Councilmember D’Amico spoke regarding Item 2.S. and requested that the City consider hiring permanently for the Urban Designer position. He expressed concerns regarding the closing of Hamburger Hamlet and the Bodhi Tree in the City, and spoke in support of the Council and the Chamber doing more to encourage businesses to stay in the City. He spoke regarding the annual Christopher Street West (CSW) Pride event and concerns that were expressed regarding this past year’s event. He requested that the Board Members of CSW be invited to the next Council meeting to report on their plans for next year’s event. He spoke regarding the proper method of Christmas tree recycling.

Councilmember Heilman spoke regarding the photo exhibit “Deserve Dignity” by Zoe Zimmer at the West Hollywood Library. He wished everyone a happy holiday season.

Mayor Pro Tempore Prang requested that Item 2.S. be moved to Excluded Consent. He spoke regarding recent scavenging “sting operations” conducted by the Sheriff’s Department. He spoke regarding a new program called “Stop Door Spam,” which reduces the amount of fliers, menus, and advertisements being placed on constituents’ doors. He thanked City Council and City staff for their work and wished everyone a wonderful holiday and New Year.

Mayor Duran spoke regarding the West Hollywood Recovery Center being closed from December 19, 2011 – December 27, 2011. He stated that recovery meetings will take place at the Log Cabin and Fountain and Fairfax Centers during the closure. He spoke regarding the closing of Hamburger Hamlet and other long-term businesses in the City and the correlation between the increases in rent for those businesses who are at the end of a fifteen or twenty year lease. He spoke regarding his upcoming trip to Washington D.C. to attend a Catholics for Choice event. He spoke regarding ending the military death adjournments that the City has done, due to the fact that President Obama has announced the withdrawal of troops from Iraq. He spoke regarding the proposed changes to Plummer Park and asked City Manager Arevalo for a proposed timeline on when various meetings will be held. He requested that Councilmember D’Amico be appointed to the Plummer Park Subcommittee in his place. He spoke
regarding the recent Gay Men’s Chorus holiday concert. He wished everyone a happy holiday and New Year.

CITY MANAGER’S REPORT:

City Manager Arevalo spoke regarding the standing Council Subcommittee that was created to discuss the issues surrounding the proposed changes to Plummer Park. He spoke regarding the proposed changes to parking and reported that property owners adjacent to the park are not interested in selling to the City. He spoke regarding bringing information to the January 17, 2012 City Council meeting that would include a timeline, information on outreach, and new costs associated with changes to the plans. He spoke regarding Item 2.S. and stated that the goal is to hire in-house, and that the job description is currently being revised by Staff.

After the explanation given by City Manager Arevalo, Mayor Pro Tempore Prang requested that Item 2.S. be placed back onto the Consent Calendar.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is $394,199 in expenditures and $105,100 in potential revenue.

2. CONSENT CALENDAR:


2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, December 19, 2011 was posted at City Hall, Plummer Park, the Sheriff’s Station and at the West Hollywood Library on Thursday, December 15, 2011.

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

2.B. APPROVAL OF MINUTES:

SUBJECT: The City Council is requested to approve the minutes of prior Council meetings.

ACTION: Approve the minutes of December 5, 2011. Approved as part of the Consent Calendar.

2.C. DEMAND REGISTER NO. 688, RESOLUTION NO. 11-4250:

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

ACTION: Approve Demand Register No. 688 and adopt Resolution No. 11-4250, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF
DEMANDS ON DEMAND REGISTER NO. 688” Approved as part of the Consent Calendar.

2.D. CLAIMS ADMINISTRATION:
SUBJECT: 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 Mercury as subrogee of Robert Ciancimino and Golden Eagle Insurance as subrogee of Randall McCoy and refer them to the City’s claims adjuster. Approved as part of the Consent Calendar.

2.E. TREASURER’S REPORT FOR AUGUST 2011 [A.GANDHY, G. SCHUCHARD]:
SUBJECT: THE City Council will receive the Treasurer’s Report for the month ended August 2011 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.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:
SUBJECT: 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. OPPOSE THE 10 PERCENT REDUCTION OF MEDI-CAL PROVIDER REIMBURSEMENT RATES [J. DURAN, H. MOLINA, J. D’AMICO, M. REX, J. HARRIS]:
SUBJECT: The City Council will consider adopting a resolution in opposition to the 10 percent reduction in Medi-Cal provider reimbursement rates.
ACTIONS: 1) Adopt Resolution No. 11-4251, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION OF THE 10 PERCENT REDUCTION OF MEDI-CAL PROVIDER REIMBURSEMENT RATES”; and 2) Direct Staff to send copies of the adopted resolution to Governor Jerry Brown, Department of Health Care Services Director Toby Douglas, State Senator Fran Pavley and Assembly Member Mike Feuer. Approved as part of the Consent Calendar.

2.H. CALLING ON THE NIGERIAN GOVERNMENT TO ABANDON THE ANTI-HOMOSEXUALITY BILL [J. HEILMAN, F. SOLOMON, J. ERICKSON]:
SUBJECT: The City Council will consider adopting a resolution denouncing the Nigerian Anti-Gay Bill.
ACTIONS: 1) Adopt Resolution No. 11-4252, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENOUNCING THE NIGERIAN ANTI-GAY BILL”; and 2) Send copies of the signed resolutions to the President of Nigeria, U.S. Secretary of State Hillary

2.I. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1202, CONCRETE REPAIR PROGRAM EAST SIDE [S. PERLSTEIN, O. DELGADO]:
SUBJECT: The City Council will consider awarding a construction contract for the Concrete Repair Program East Side, CIP 1202.
ACTIONS: 1) Accept the bid dated December 7, 2011, submitted by C.J Concrete Construction, Inc.; and 2) Authorize the City Manager to enter into a contract with C.J Concrete Construction, Inc. in the amount of $80,980 for the construction of CIP 1202, Concrete Repair Program East Side; 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; and 4) Approve Resolution 11-4253, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF CONCRETE REPAIR PROGRAM EAST SIDE, CIP 1202, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT”; and 5) Make a finding that pursuant to the provisions of the California Environmental Quality Act (CEQA-Public Resources Code, Section 21084 et. Seq.), Concrete Repair Program East Side, CIP 1202 meets the requirements for a categorical exemption in compliance with Article 19, Section 15301, (Class 1- Existing Facilities). Approved as part of the Consent Calendar.

2.J. CONTRACT FOR FY 11-12 SEWER ROOT CONTROL SERVICES [S. PERLSTEIN, O. DELGADO]:
SUBJECT: The City Council will consider approval of a professional service contract with Dukes Root Control, Inc. for sewer root control services.
ACTION: Authorize the City Manager to enter into a professional service contract with Dukes Root Control, Inc. in an amount not to exceed $80,000 to provide sewer root control services for the City of West Hollywood for FY 11-12. Approved as part of the Consent Calendar.

2.K. NOTICE OF COMPLETION FOR THE PUBLIC PARKING LOT AT 9056 SUNSET BLVD., CIP 1108 [S. PERLSTEIN, O. DELGADO]:
SUBJECT: The City Council will consider approving the Notice of Completion for a 25 space public parking lot at 9056 Sunset Blvd., CIP 1108 by Palp Inc., dba Excel Paving Co.
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.**


SUBJECT: The City Council will consider approving the annual participation in the West Hollywood Women’s Heart Health Campaign 2012 and American Heart Month.

**ACTIONS:** 1) Approve programming for the City’s expanded participation in American Heart Month featuring National Wear Red Day activities and West Hollywood Goes Red; and 2) Direct staff to promote the West Hollywood Women’s Heart Health Campaign 2012, American Heart Month and heart health awareness education during February and throughout the year. **Approved as part of the Consent Calendar.**


SUBJECT: The City Council will consider approval of co-sponsorship of a National Council of Jewish Women/LA program that will commemorate the anniversary of Roe v. Wade and the City’s ongoing commitment to women’s reproductive rights.

**ACTION:** Approve the City of West Hollywood’s co-sponsorship of The National Council of Jewish Women/LA’s panel discussion on January 18, 2012 and the use of the City's name and logo on printed materials advertising the event. **Approved as part of the Consent Calendar.**

2.N. **SPONSORSHIP OF GAY MEN’S DISCUSSION GROUP AND LESBIAN DISCUSSION GROUP [J. D’AMICO, M. REX]:**

SUBJECT: The City Council will consider sponsorship of a series of moderated group discussions on topics relevant to Gay Men and Lesbians, respectively.

**ACTIONS:** 1) Approve sponsorship of the Gay Men’s Discussion Group and the Lesbian Discussion Group and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve the use of a City venue for such events and a waiver of event permits and associated fees; and 3) Direct the Public Information Office to utilize all appropriate communication tools to promote the event including, but not limited to, the City’s website and social media tools. **Approved as part of the Consent Calendar.**

2.O. **NOTICE OF COMPLETION, RUSSIAN READING ROOM TENANT IMPROVEMENTS AND BOOK RELOCATION PROJECT, C.I.P. 55-11/12-02 [S. BAXTER, S. CAMPBELL, H. COLLINS]:**

SUBJECT: The City Council will consider accepting the improvements completed by Fast Track Construction Corporation and authorizing the
filing of a Notice of Completion for the Russian Reading Room Tenant Improvements and Book Relocation Project, C.I.P. 55-11/12-02. 

**ACTIONS:** 1) Filing a Notice of Completion with the County Recorder; 2) Final payment to contractor at the end of the 35 day lien period; 3) Release the Performance Bond on the date of recordation of the Notice of Completion; and 4) 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.P. **PRACTICE STANDARDIZED APTITUDE TEST (SAT) AND AMERICAN COLLEGE TEST (ACT) SITE PROGRAM [A. LAND, C. PLANCK, J. D’AMICO, M. REX, D. MEGERDICHIAN]:**

**SUBJECT:** The City Council will consider approving a test site program allowing the use of West Hollywood City facilities for practice Standardized Aptitude Tests (SATs) and American College Tests (ACTs) for high school students.

**ACTIONS:** 1) Approve the use of West Hollywood City facilities as test site locations on scheduled Saturdays for three proctored practice SAT and/or ACT test sessions for high school students during 2012; and 2) Direct staff to coordinate test dates and publicize the program to local youth, teens, and schools. **Approved as part of the Consent Calendar.**

2.Q. **OPPOSE ELIMINATION OF LGBT, RACIAL AND RELIGIOUS PROTECTIONS IN PUERTO RICO’S HATE CRIMES LAW [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON]:**

**SUBJECT:** The City Council will consider opposing the elimination of LGBT racial and religious protections in Puerto Rico’s hate crimes law.

**ACTIONS:** 1) Adopt Resolution No. 11-4254, “A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE ELIMINATION OF LGBT, RACIAL and RELIGIOUS PROTECTIONS IN PUERTO RICO’S HATE CRIMES LAW; and 2) Direct staff to send letters of opposition to the elimination of LGBT, racial and religious protections in Puerto Rico’s hate crimes laws to Gov. Luis Fortuño, Senate President Thomas Rivera-Schatz and Speaker of the House Jenniffer A. González Colón. **Approved as part of the Consent Calendar.**

2.R. **MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WEST HOLLYWOOD AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR GRANT FUNDING OF PEDESTRIAN UPGRADES TO TRAFFIC SIGNALS [J. ENGLISH, S. PERLSTEIN]:**

**SUBJECT:** The City Council will consider the approval of a Memorandum of Understanding for grant funding for pedestrian upgrades at 42 signalized intersections.
ACTIONS: 1) Authorize the City Manager to sign the Memorandum of Understanding between the City of West Hollywood and the Los Angeles County Metropolitan Transportation Authority for grant funding of Pedestrian Signal Upgrades at Various Intersections Citywide - LACMTA Call for Projects ID#F3608 and FTIP#F3608; and 2) Authorize the Director of Finance to increase the budget by $105,100 in both the expenditure line item 202-4-08-84-705032 and in the grant revenue line item 202-422013. Approved as part of the Consent Calendar.

2.S. AMENDMENT TO AN AGREEMENT FOR URBAN DESIGN CONSULTING SERVICES [A. MCINTOSH, J. KEHO, M. ANTOL, B. ROME]:
SUBJECT: The City Council will consider approving an amended Agreement for ongoing Urban Design consulting services with TODD GISH, CONSULTANT for the Community Development Department.
ACTIONS: 1) Approve the amended agreement for Urban Design consulting services with TODD GISH, CONSULTANT to increase the not-to-exceed amount of 20,000 by an additional $35,000 for a total of $55,000 to cover the costs of providing continued services; and 2) Authorize the City Manager to sign the agreement. Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS:

3.A. AMENDMENT TO THE ZONING ORDINANCE TO REFLECT NEW COMMERCIAL ZONING DISTRICTS, MODIFY DEVELOPMENT INCENTIVES AND LAND USES, AND UPDATE THE ZONING MAP PURSUANT TO THE WEST HOLLYWOOD GENERAL PLAN 2035 [A. MCINTOSH, M. ANTOL, B. SIEGL]:
SUBJECT: As the first step in implementing the West Hollywood General Plan 2035, the City Council will hold a public hearing to consider amendments to the West Hollywood Zoning Ordinance and Zoning Map to reflect new commercial zoning districts, eliminate mixed-use development incentives from certain parcels on Santa Monica Boulevard, eliminate the existing density bonus for exemplary green buildings in residential zones, eliminate the public parking bonus, and prohibit residential uses in certain commercial nodes, as directed by the General Plan.

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

Bianca Siegl, Senior Planner, provided background information as outlined in the Staff Report dated December 19, 2011.

Mayor Pro Tempore Prang requested clarification on the proposed limitations on bonuses.
Councilmember Heilman spoke regarding the removal of density bonuses in residential areas for green building and asked if the other incentives will remain in place for green buildings. Bianca Siegl stated that those incentives would remain.

Councilmember D'Amico requested clarification on density bonuses for entertainment production facilities.

Councilmember Land thanked Staff for their work on the General Plan.

**ACTION:** Staff recommends that the City Council hold the public hearing, consider all pertinent testimony, and adopt on first reading the following: Ordinance No. 12-882, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING OF ZONE TEXT AMENDMENT 2011-005 RELATING TO COMMERCIAL ZONING DISTRICTS AND DEVELOPMENT INCENTIVES, AND ZONE MAP AMENDMENT 2011-007 UPDATING THE ZONING MAP, TO COMPORT WITH THE WEST HOLLYWOOD GENERAL PLAN 2035.” (ATTACHMENT A) Motion by Councilmember Land, seconded by Councilmember D'Amico and approved with Mayor Pro Tempore Prang voting No.

4. **UNFINISHED BUSINESS: NONE.**

5. **NEW BUSINESS: NONE.**

**EXCLUDED CONSENT CALENDAR: NONE.**

**PUBLIC COMMENT:**

GILLIAN WARE, WEST HOLLYWOOD, spoke in opposition to the proposed changes to Plummer Park.

CHLOE ROSS, WEST HOLLYWOOD, spoke in support of allowing the residents to meet with the Council Subcommittee regarding the proposed changes to Plummer Park. She spoke in opposition to the proposed underground parking.

LAURA BOCALLETTI, WEST HOLLYWOOD, thanked the Councilmembers for their recent comments regarding Plummer Park and spoke in support of more community input regarding the project.
CATHY BLAIVAS, WEST HOLLYWOOD, spoke in support of the comments by City Manager Arevalo and the need for dialogue regarding the proposed parking at Plummer Park.

STEPHANIE J. HARKER, WEST HOLLYWOOD, spoke regarding community members attendance at various Commission and Advisory Board meetings to discuss the proposed changes to Plummer Park.

LYNN RUSSELL, WEST HOLLYWOOD, spoke in opposition to the proposed changes to Plummer Park, specifically the removal of trees. She spoke regarding the noticing of meetings regarding Plummer Park.

NICOLE SNELL, WEST HOLLYWOOD, spoke in opposition to the proposed changes to Plummer Park, and spoke in support of more community input regarding the project.

RUDOLF MARTIN, WEST HOLLYWOOD, spoke in support of the comments made by City Manager Arevalo regarding additional community input concerning the proposed changes to Plummer Park.

SUMMER HAMIDE, WEST HOLLYWOOD, spoke in opposition to the proposed changes to Plummer Park, and spoke in support of more community input regarding the project.

6. LEGISLATIVE:

6.A. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUSINESS LICENSE ORDINANCE PERTAINING TO PEDDLING FOOD FROM THE PUBLIC RIGHT-OF-WAY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [O. DELGADO, J. AUBEL]: SUBJECT: The City Council will consider repealing subsection (1)(k) of Section 5.92.050 of Title 5, Chapter 5.92 and amending subsection (2) of section 5.92.050 of Title 5, Chapter 5.92 of the West Hollywood Municipal Code pertaining to mobile food vending.

ACTION: This Item was continued to January 17, 2012.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 7:57 p.m. in memory of Vaclav Havel, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting. The City Council adjourned to their next regular meeting, which will be on Tuesday, January 17, 2012 at 6:30 P.M. in the West Hollywood Park Public Meeting Room - Council Chambers, 625 N. San Vicente Boulevard.
PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 17th day of January 2012 by the following vote:

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

_______________________
JOHN J. DURAN, MAYOR

ATTEST:

_____________________________________
COREY SCHAFFER, CITY CLERK