

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, AUGUST 17, 2009  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**CALL TO ORDER:** Mayor Land called the meeting to order at 6:30 P.M.

**PLEDGE OF ALLEGIANCE:** Gary Augeri led the pledge.

**ROLL CALL:**

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

ABSENT: Councilmember Duran.

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 two (2) Items were added to the agenda; one pertaining to the Norwich Community Garden advising Council that the owners have decided to keep the existing lease; and one regarding Save Tara v. The City of West Hollywood, informing Council that the California Supreme Court has declined to review a previous decision in the case, which had been decided in favor of the City. He stated that the closed session adjourned at 6:20 P.M with no reportable action taken.

**APPROVAL OF AGENDA:**

Councilmember Horvath requested that Items 5.A., 6.A., and 6.B. be moved to the Consent Calendar as Items 2.Y., 2.Z., and 2.AA.

Mayor Pro Tempore Heilman requested that staff correct a typographical error in the Resolution for Item 2.Q.

Mayor Land 4.B. requested that Item 4.B. be moved to the Consent Calendar as Item 2.X.

**Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman to approve the August 17, 2009 agenda as amended, and approved with Councilmember Duran being absent.**

**ADJOURNMENT MOTIONS:**

Councilmember Prang requested that the meeting be adjourned in memory of Ernst Katz, founder of the California Junior Philharmonic Orchestra. He requested that the meeting be adjourned in memory of Jacques Teyssier, the life partner of openly-gay

Green Member of German Bundestag, Volker Beck. He requested that the meeting be adjourned in memory of Ernestina Durazo, the mother of Maria Elena Durazo, the current executive secretary-treasurer of the Los Angeles County Federation of Labor, AFL-CIO.

Mayor Land requested that the meeting be adjourned in memory of Eunice Kennedy Shriver.

## **PRESENTATIONS:**

Councilmember Horvath presented a plaque to outgoing Commissioner Gary Augeri and thanked him for his service on the Public Facilities and Human Services Commissions.

Mayor Land and Councilmember Horvath presented a proclamation in recognition of Women's Equality Day.

Mayor Pro Tempore Heilman presented certificates to departing City Council Interns Tami Lin and Peter Indall.

Mayor Land presented a proclamation in recognition of the 40<sup>th</sup> anniversary of the Palms Bar.

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

MARK OLSON, ON BEHALF OF SOUTHERN CALIFORNIA EDISON, spoke regarding Item 2.N. and provided additional clarification of the proposed above-ground equipment.

CURT SHEPPARD, BEVERLY HILLS, spoke in support of Item 2.R.

LOUANNE GREENWALD, LOS ANGELES, spoke regarding the West Hollywood Library Fund and gave an update on fund raising efforts to build the new library.

HILLARY SELVIN, LOS ANGELES, thanked the City Council and the Human Services Division of the City for working with social services and non-profit agencies to provide assistance to them during the current economy.

AVA ROSE, VENICE, thanked the City Council and the Human Services Division of the City for working with social services and non-profit agencies to provide assistance to them during the current economy.

STEVE PARGAMANIK, WEST HOLLYWOOD, spoke in support of Item 2.W., and spoke regarding homeless issues at Plummer Park in the City.

KATHLENE HEYMAN, WEST HOLLYWOOD, spoke in opposition to Item 3.B.

HEATHER BUTLER, WEST HOLLYWOOD, spoke in opposition to Item 3.B.

RABBI YOSEF CUNINI, WEST HOLLYWOOD, spoke in support of Item 3.B.

**COUNCILMEMBER COMMENTS:**

Councilmember Horvath announced that Senator Barbara Boxer will now be supporting the Silver Alert Bill in the U.S. Senate. She introduced a recent recipient of the West Hollywood Scholarship program who will be working in her office. She spoke regarding the recent opening of the Formosa Park. She congratulated everyone who participated in National Night Out, and thanked City staff and the Neighborhood Watch Captains for organizing the events. She congratulated Mayor Land on being a recent guest speaker at the NWPC Conference. She announced that Councilmember Prang will be honored by the Stonewall Young Democrats with a Mentorship Award.

Councilmember Prang spoke regarding the recent opening of Formosa Park. He congratulated everyone who participated in National Night Out, and thanked City staff and the Neighborhood Watch Captains for organizing the events. He spoke regarding the improvements made at a building located at the corner of Doheny and Santa Monica Boulevard. He spoke regarding Item 2.N. and spoke in support of the City's position. He spoke regarding public comments surrounding homeless issues at Plummer Park and requested City staff to investigate. He requested staff to report back to Council regarding a previous budget Item which contained proposed funding cuts to the Sheriff's budget.

Mayor Pro Tempore Heilman spoke regarding the upcoming Annual Book Fair in the City. He spoke regarding Item 2.U. and provided additional clarification of the Item.

Mayor Land congratulated Assistant City Clerk Corey Schaffer on his recent designation of Certified Municipal Clerk. She spoke regarding the success of the new West Hollywood Insiders incentive program to promote West Hollywood businesses. She spoke regarding the recent opening of the Formosa Park. She congratulated everyone who participated in National Night Out, and thanked City staff and the Neighborhood Watch Captains for organizing the events. She spoke regarding an upcoming Home Ownership Seminar being held in the City. She spoke regarding the upcoming Disabilities Awards and stated that nominations are currently being accepted. She spoke regarding public comments surrounding homeless issues at Plummer Park and requested City staff to investigate.

**CITY MANAGER'S REPORT:**

City Manager Arevalo spoke regarding a previous budget Item concerning proposed funding cuts to the Sheriff's budget, and provided further clarification of efforts the City is making to find alternative sources of funding. He stated that his office will return to Council with a comprehensive plan.

**FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk West stated that the fiscal impact on the Consent Calendar is \$281,700 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.,R.,S.,T.,U.,V.,W.,X.,Y.,Z.,AA.  
**Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman and approved with Councilmember Duran being absent.**

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

*The agenda for the meeting of Monday, August 17, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 13, 2009.*

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

**2.B. CORRECTION AND APPROVAL OF CITY COUNCIL MINUTES:**

*The City Council will consider approval of amended versions of the minutes from the meetings of July 13, 2009 and August 3, 2009.*

**ACTION:** Approve the minutes of July 13, 2009 and August 3, 2009. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NO. 632, RESOLUTION NO. 09-3879:**

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

**ACTION:** Approve Demand Register No. 632 and adopt Resolution No. 09-3879, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 632." **Approved as part of the Consent Calendar.**

**2.D. TREASURER'S REPORT FOR JUNE 2009:**

*The City Council will receive the Treasurer's Report for the month ended June 2009 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. ORDINANCE NO. 09-824 (2<sup>ND</sup> READING), AMENDING CHAPTER 5.72 (MESSAGE PARLORS AND TECHNICIANS) OF THE MUNICIPAL CODE [T. WEST, C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 09-824, a proposed ordinance amending Chapter 5.72 (Massage Parlors and Technicians) of the West Hollywood Municipal Code.*

**ACTION:** Waive further reading and adopt Ordinance No. 09-824, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 5.72 (MESSAGE PARLORS AND TECHNICIANS) OF THE

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

**2.F. ORDINANCE NO. 09-825 (2<sup>ND</sup> READING), REGARDING REMEDIAL PROCEDURES IN THE TRANSIENT OCCUPANCY TAX ORDINANCE [T. WEST, C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 09-825, a proposed ordinance regarding remedial procedures in the Transient Occupancy Tax Ordinance and amending Chapter 3.32 of the West Hollywood Municipal Code.*

**ACTION:** Waive further reading and adopt Ordinance No. 09-825, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING REMEDIAL PROCEDURES IN THE TRANSIENT OCCUPANCY TAX ORDINANCE AND AMENDING CHAPTER 3.32 OF THE WEST HOLLYWOOD MUNICIPAL CODE.” **Approved as part of the Consent Calendar.**

**2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

*The City Council will receive reports from the Arts and Cultural Affairs Commission on actions taken at their recent meetings.*

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

**2.H. ATTENDANCE REPORTS FOR CITY COMMISSIONS, ADVISORY BOARDS, AND THE PROJECT ADVISORY COMMITTEE [T. WEST, C. SCHAFFER]:**

*The City Council will receive the attendance reports for City Commission and Advisory Board meetings convened between May 2008 and May 2009. The Council will also consider excusing the absences of several members due to personal reasons.*

**ACTION:** 1) Receive and file the attendance reports; and 2) Excuse absences, due to personal reasons, for: Sofia Komskaya (Public Safety Commission); Aaron Kunz (Transportation Commission); Larisa Danilova (Russian Advisory Board); and Bernice Levin (Senior Advisory Board). **Approved as part of the Consent Calendar.**

**2.I. AGREEMENT FOR SERVICES WITH LILLEY PLANNING GROUP [A. MCINTOSH, J. KEHO]:**

*The City Council will consider approving an Agreement with Lilley Planning Group to provide planning services for the Planning Division.*

**ACTION:** 1) Approve the Agreement for Professional Planning Services with Lilley Planning Group not-to-exceed one hundred seventy five thousand dollars (\$175,000) for planning services in the Planning Division as needed not-to-exceed three years of service; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

- 2.J. AMENDMENT TO CONTRACT WITH COAST PARKING, INC. FOR VALET PARKING SERVICES [O. DELGADO, J. ROCCO, D. NORTE]:**  
*The City Council will consider approving an amendment to the current agreement with Coast Parking Inc. for valet parking services.*  
**ACTION:** 1) Approve Amendment to existing Agreement with Coast Parking Inc. to reduce the schedule of weekly valet services to Fridays, Saturdays and Sundays only; adjust monthly rent paid to the City to \$4,500 for services offered on Fridays, Saturdays and Sundays only; and approve the use of the 40 parking spaces in front of the Library for valet parking services on Fridays and Saturdays after 10 p.m.; and 2) Authorize the City Manager to sign the Addendum. **Approved as part of the Consent Calendar.**
- 2.K. AMENDMENT TO CONTRACT WITH WALKER RESTORATION CONSULTANTS [O. DELGADO, J. ROCCO, D. NORTE]:**  
*The City Council will consider an amendment to the contract with Walker Restoration Consultants.*  
**ACTION:** Authorize staff to revise the contract with Walker Restoration Consultants to include the following changes: 1) Increase the not to exceed amount for the contract from \$25,000 to \$65,000; and 2) Revise the Scope of Services to include the Ten Year Capital Improvement and Protection Program. **Approved as part of the Consent Calendar.**
- 2.L. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS AND APPROVAL OF AN AGREEMENT WITH STERN CONSULTING [P. AREVALO, M. GERLE]:**  
*The City Council will consider granting approval for staff to issue a Request For Proposals (RFP) for Customer Relationship Management (CRM) and Work Order Management (WOM) systems; and approve an agreement with Stern Consulting for RFP development and vendor evaluation services.*  
**ACTION:** 1) Authorize staff to issue an RFP for new Customer Relationship Management and Work Order Management systems; 2) Approve an agreement with Stern Consulting for RFP development and vendor selection services in an amount not to exceed \$66,550 bringing the total cost of RFP and Work Order Management development to \$91,550; and 3) Authorize the City Manager to sign and execute all necessary documents. **Approved as part of the Consent Calendar.**
- 2.M. AUTHORIZATION TO ISSUE A REQUEST FOR QUALIFICATIONS FOR REAL ESTATE BROKER OF RECORD [J. ENGLISH, L. BELSANTI]:**  
*The City Council will consider granting approval for staff to issue a Request For Qualifications (RFQ) to establish a pool of qualified real estate brokers for the purpose of assisting the City with the sales, transfers and exchanges of real property.*  
**ACTION:** Authorize staff to issue an RFQ to establish a pool of qualified real estate agents/brokers. **Approved as part of the Consent Calendar.**

- 2.N. OPPOSITION TO RULE MODIFICATIONS TO ACCOMMODATE SOUTHERN CALIFORNIA EDISON COMPANY'S INITIATIVE TO INSTALL ABOVE-GROUND EQUIPMENT [J. ENGLISH, L. BELSANTI]:**  
*The City Council will consider adopting a resolution in opposition to the rule modifications to accommodate Southern California Edison Company's (SCE) initiative to install above-ground equipment in SCE's underground distribution systems.*  
**ACTION:** 1) Adopt Resolution No. 09-3880 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO RULE MODIFICATIONS TO ACCOMMODATE SOUTHERN CALIFORNIA EDISON COMPANY'S INITIATIVE TO INSTALL ABOVE-GROUND EQUIPMENT"; and 2) Direct staff to send copies of the signed resolution to Southern California Edison and the Westside Cities Council of Governments. **Approved as part of the Consent Calendar.**
- 2.O. STATE LEGISLATIVE UPDATE [P. AREVALO, V. LOVE, K. KRIETZMAN]:**  
*The City Council will receive a Legislative Report detailing legislative activities current as of July, 2009, from Helyne Meshar & Associates.*  
**ACTION:** Receive and file. **Approved as part of the Consent Calendar.**
- 2.P. SAN VICENTE/ROBERTSON BLVD. ROAD CLOSURE REQUEST - EMMY EVENT [L. LONG, N. BEARD, C. SMITH]:**  
*The City Council will consider a request to close San Vicente Blvd. between Melrose and Santa Monica Blvd. and Robertson Blvd between Melrose and Santa Monica Blvd. on Sunday, September 20, 2009 from 3pm to 2am on Monday September 21, 2009 in support of the HBO Emmy event at the Pacific Design Center.*  
**ACTION:** Approve the closure of San Vicente Blvd. between Melrose and Santa Monica Blvd. and approve the closure of Robertson Blvd. between Melrose and Santa Monica Blvd. on Sunday, September 20, 2009 from 3pm to 2am on Monday, September 21, 2009. **Approved as part of the Consent Calendar.**
- 2.Q. A RESOLUTION CONDEMNING THE VIOLENCE AGAINST HUMAN RIGHTS ACTIVISTS IN RUSSIA [J. HEILMAN, F. SOLOMON, J. KATALBAS]:**  
*The City Council will consider adopting a resolution condemning the violence against human rights activists in Russia.*  
**ACTION:** 1) Adopt Resolution No. 09-3881, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING THE VIOLENCE AGAINST HUMAN RIGHTS ACTIVISTS IN RUSSIA"; and 2) Direct staff to send copies of the Resolution to U.S. Secretary of State Hillary Clinton, U.S. Senator Barbara Boxer, U.S. Senator Diane Feinstein, all members of the U.S. Senate Committee on Foreign

Relations, all members of the U.S. House Committee on Foreign Affairs, the Russian Consulate General, U.S. Consulate in Russia, U.S. Ambassador to Russia, Amnesty International and Human Rights Watch. **Approved as part of the Consent Calendar.**

**2.R. ANNUAL RECOGNITION OF JEFF GRIFFITH YOUTH CENTER'S GED PROGRAM GRADUATES [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON, T. LIN]:**

*The City Council will consider making the recognition of the Jeff Griffith Youth Center's GED program graduates an annual event.*

**ACTION:** Direct appropriate staff to make the recognition of the Jeff Griffith Youth Center's GED program graduates an annual event in the City of West Hollywood. **Approved as part of the Consent Calendar.**

**2.S. RESOLUTIONS IN SUPPORT OF AB 688 (ENG), SB 197 (PAVLEY), AB 789 (DE LEON), AND AB 532 (LIEU), CONCERNING DOMESTIC VIOLENCE [C. PLANCK, L. FOOKS, T. LIN]:**

*The City Council will consider adopting resolutions in support of AB 688 (Eng), SB 197 (Pavley), AB 789 (De Leon), and AB 532 (Lieu), concerning domestic violence.*

**ACTION:** 1) Adopt Resolution No. 09-3882 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 688 (Eng), REGARDING DOMESTIC VIOLENCE"; 2) Adopt Resolution No. 09-3883, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 197 (PAVLEY), REGARDING DOMESTIC VIOLENCE COURT PROCEEDINGS"; 3) Adopt Resolution No. 09-3884, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 789 (DE LEON), REGARDING DOMESTIC VIOLENCE SEARCH WARRANTS"; 4) Adopt Resolution No. 09-3885, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 532 (LIEU), REGARDING DOMESTIC VIOLENCE SEARCH WARRANTS"; and 5) Send copies of the signed resolutions to the respective elected officials' offices, Los Angeles Sheriff's Department, Los Angeles District Attorney's Office, California Partnership to End Domestic Violence, California NOW, American Association of University Women – California, and the Brady Campaign. **Approved as part of the Consent Calendar.**

**2.T. SUPPORT OF THE FITNESS INTEGRATED WITH TEACHING KIDS ACT (FIT KIDS ACT), H.R. 1585 (KIND) AND S. 634 (HARKIN) [C. PLANCK, L. FOOKS, T. LIN]:**

*The City Council will consider adopting a resolution in support of The Fitness Integrated with Teaching Kids Act (FIT Kids Act), H.R. 1585 (Kind) and S. 634 (Harkin).*

**ACTION:** 1) Adopt Resolution No. 09-3886, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE FITNESS INTEGRATED WITH TEACHING KIDS ACT (FIT KIDS



ACT), H.R. 1585 (KIND) AND S. 634 (HARKIN); and 2) Send copies of the signed resolutions to Representative Ron Kind, U.S. Senator Tom Harkin, U.S. Senator Dianne Feinstein, U.S. Senator Barbara Boxer, Representative Henry Waxman, Save the Children, National PTA, Campaign to End Obesity and Afterschool Alliance. **Approved as part of the Consent Calendar.**

**2.U. UNEMPLOYMENT ACTION PLAN [J. HEILMAN, F. SOLOMON, L. LONG, D. DENNIS, D. GIUGNI]:**

*This item gives the City Council the opportunity to direct staff to develop and implement an action plan for dealing with unemployment in West Hollywood*

**ACTION:** 1) Direct staff to convene a working group consisting of relevant staff and social service providers to develop an action plan to address the current unemployment problem; and 2) Direct staff to return to Council with recommendations and a plan for implementing measures to supplement our current employment-related programs. **Approved as part of the Consent Calendar.**

**2.V. SUPPORT OF THE EMPLOYMENT NON-DISCRIMINATION ACT (ENDA) OF 2009 [A. LAND, C. PLANCK, J. PRANG, M. HAIBACH]:**

*The City Council will consider adopting a resolution in support of the Employment Non Discrimination Act of 2009.*

**ACTION:** 1) Adopt Resolution No. 09-3887, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE EMPLOYMENT NON-DISCRIMINATION ACT OF 2009, ENDA"; 2) Send copies of the signed resolutions to Representatives representing West Hollywood, as well as Barney Frank, Tammy Baldwin, and Jared Polis and Senators Jeff Merkley, Susan Collins, Edward M. Kennedy, and Olympia Snowe; and 3) Communicate priority status of this legislation to federal lobbyist. **Approved as part of the Consent Calendar.**

**2.W. OPPOSE THE PROPOSED CLOSURE OF THE BEVERLY HILLS COURTHOUSE [J. DURAN, H. MOLINA]:**

*The City Council will consider adopting a resolution opposing the proposed closure of Beverly Hills court.*

**ACTION:** 1) Adopt Resolution No. 09-3888, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE PROPOSED CLOSURE OF THE BEVERLY HILLS COURTHOUSE"; and 2) Send copies of the signed resolution to the Los Angeles County Superior Court Presiding Judge Charles W. McCoy, Jr., Assistant Presiding Judge Lee Small Edmon, Senator Fran Pavley and Assemblymember Mike Feuer. **Approved as part of the Consent Calendar.**

**2.X. (4.B) CONTRACT FOR HALLOWEEN CARNAVAL EVENT [L. LONG, N. BEARD, C. SMITH]:**

*The City Council will consider approving the attached contract for Authentic to provide a variety of production services in the presentation of the City's annual Halloween Carnival.*

**ACTION:** 1) Authorize the City Manager to enter into a one year contract between the City and Authentic in an amount not to exceed \$315,000.00 with designated extensions if mutually agreed upon. (Exhibit A); and 2) Notify the current staging contractor of the termination of his contract.  
**Approved as part of the Consent Calendar.**

**2.Y. (5.A.) ANNUAL CODE COMPLIANCE WORK PLAN [O. DELGADO, J. AUBEL, J. SKORNECK]:**

*The City Council will receive a twelve month work plan for the Commercial and Residential Code Compliance Divisions.*

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

**2.Z. (6.A.) PROPOSED AMENDMENT TO RENT STABILIZATION ORDINANCE [M. JENKINS, A. WINDERMAN, A. REGAN]:**

*The City Council will consider a proposed amendment to the Rent Stabilization Ordinance to allow the hearing examiner to order a refund of excess fees.*

**ACTION:** Introduce on first reading Ordinance No. 09-826, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING WHMC § 17.44.040 TO ALLOW TENANTS TO SEEK A REFUND OF EXCESS FEES COLLECTED BY OWNERS." **Approved as part of the Consent Calendar.**

**2.AA. (6.B.) PROPOSED AMENDMENTS TO RENT STABILIZATION ORDINANCE AND RENT STABILIZATION REGULATIONS REGARDING STAYS OF DECISIONS PENDING APPEAL [M. JENKINS, A. WINDERMAN, A. REGAN]:**

*The City Council will consider proposed amendments to the Rent Stabilization Ordinance and Rent Stabilization Regulations to stay decisions of the hearing examiner pending appeal.*

**ACTION:** 1) Introduce on first reading Ordinance No. 09-827, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING WHMC §§ 17.44.010(8) AND 17.44.020(4) TO STAY HEARING EXAMINERS' DECISIONS PENDING APPEAL."; and 2) Adopt Resolution No. 09-3889, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD RENT STABILIZATION REGULATIONS REGARDING STAYING HEARING EXAMINERS' DECISIONS PENDING APPEAL." **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**

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

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

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

Terri Slimmer, Transportation and Transit Manager, provided background information as outlined in the staff report dated August 17, 2009.

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

Mayor Land closed the public hearing.

**ACTION:** Adopt Resolution No. 09-3890, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN CONFORMANCE WITH THE LOS ANGELES COUNTY CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089." **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Horvath and approved with Councilmember Duran being absent.**

**3.B. APPEAL OF THE PLANNING COMMISSION'S DECISION REGARDING THE 9200 SUNSET BOULEVARD INTENSIFICATION OF USE PROJECT (SOHO HOUSE) [A. MCINTOSH, J. KEHO, F. CONTRERAS]:**

*The City Council will consider two appeals of the Planning Commission's decision regarding the 9200 Sunset Boulevard Intensification of Use Project. One appeal was filed by Jeff Seymour on behalf of Mani Brothers 9200 Sunset (DE), LLC, ("Appeal A"); the other appeal was filed by Douglas Carstens on behalf of the Beverly Hills West Hollywood Neighborhood Association, ("Appeal B"). A supplemental staff report includes analysis in response to Appeal B, draft resolutions, and staff's recommendation which expand the analysis and information in the previously distributed staff report. Also included in this report as EXHIBITS D and E, respectively, are a Memorandum to the Planning Commission dated July 29, 2009 and additional correspondence from constituents received after the July 29, 2009 Planning Commission hearing.*

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

Francisco Contreras, Senior Planner, provided background information as outlined in the staff report dated August 17, 2009.

Councilmember Prang disclosed a recent tour of the site.

Mayor Pro Tempore Heilman disclosed a tour of the site.

Councilmember Horvath disclosed a meeting with one of the appellants.

Mayor Land disclosed a recent tour of the site and a meeting with the appellants.

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

STEVEN AFRIAT, JEFFREY SEYMOUR, AND MARK STERES, ON BEHALF OF THE APPLICANT, spoke in support of the proposed project.

DOUG CARSTENS, ON BEHALF OF ONE OF THE APPELLANTS, spoke in opposition to the project.

BARRY BRUCKER, BEVERLY HILLS, expressed concerns regarding impacts on the residents, and parking and traffic impacts. He spoke regarding the possibility of discussion between the City of West Hollywood and the City of Beverly Hills regarding the proposed project.

JOHN MIRISCH, BEVERLY HILLS, spoke regarding other Soho House locations and their proximity to residential neighborhoods. He expressed concerns regarding impacts on the residents, and parking and traffic impacts. He spoke regarding the possibility of discussion between the City of West Hollywood and the City of Beverly Hills regarding the proposed project.

NANCY KRASNE, BEVERLY HILLS, expressed concerns regarding the mitigation of the neon in the proposed project, traffic and parking concerns, and impacts on the residents. She spoke in opposition to the project. She spoke regarding the possibility of discussion between the City of West Hollywood and the City of Beverly Hills regarding the proposed project.

LAWRENCE WHITING, LOS ANGELES, spoke in support of the proposed project.

SHARON SANDOW, EXECUTIVE DIRECTOR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the proposed project.

DEEDY OBERMAN, BEVERLY HILLS, spoke in opposition to the proposed project.

JOAN HENEHAN, CHAIR OF THE BOARD OF DIRECTORS OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the proposed project.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in support of the proposed project.

JORGE USATORRES, WEST HOLLYWOOD, spoke in opposition to the proposed project.

JOYCE MCRAE, WEST HOLLYWOOD, spoke in opposition to the proposed project.

GREG NEUFELD, WEST HOLLYWOOD, spoke in opposition to the proposed project.

BEVERLY HOWING, WEST HOLLYWOOD, spoke in opposition to the proposed project.

ALAN JOHNSON, WEST HOLLYWOOD, spoke in support of the proposed project.

HOWARD STORM, WEST HOLLYWOOD, spoke in opposition to the proposed project.

MARTIN GORDON, BEVERLY HILLS, spoke in opposition to the proposed project.

DOLORIS LUCKMAN, WEST HOLLYWOOD, spoke in opposition to the proposed project.

ROSEMARY EDELMAN, WEST HOLLYWOOD, spoke in opposition to the proposed project.

PAUL COOPER, WEST HOLLYWOOD, spoke in opposition to the proposed project.

JAMES LUMSDEN, LOS ANGELES, spoke in opposition to the proposed project.

NICK GROUF, BEVERLY HILLS, spoke in opposition to the proposed project.

JACOB WIZMAN, BEVERLY HILLS, spoke in support of the proposed project.

ROBERT WHITE, WEST HOLLYWOOD, spoke in support of the proposed project.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding issues surrounding the issuance of an alcohol license. She spoke in support of the owners installing a garbage chute. She spoke in support of denying the appeal.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the proposed project.

STEVEN GOLIGHTLY, WEST HOLLYWOOD, spoke in support of the proposed project.

MARK LEHMAN, WEST HOLLYWOOD, spoke in support of the proposed project.

ARLEN ANDELSON, BEVERLY HILLS, spoke in support of the proposed project.

ELYSE EISENBERG, WEST HOLLYWOOD, spoke in support of the proposed project.

TODD STEADMAN, EXECUTIVE DIRECTOR OF THE SUNSET STRIP BUSINESS ASSOCIATION, spoke in support of the proposed project.

BOBBI ELLIOTT, LOS ANGELES, spoke in support of the proposed project.

WEBSTER STONE, NEW YORK CITY, spoke in support of the proposed project.

ROBERT STONE, LOS ANGELES, spoke in support of the proposed project.

JANE BUCKINGHAM, BEVERLY HILLS, spoke in support of the proposed project.

SIMON BOYCE, WEST HOLLYWOOD, spoke in support of the proposed project.

ARNIE SMITH, WEST HOLLYWOOD, spoke in support of the proposed project.

CHRISTINE FAZZINO, WEST HOLLYWOOD, spoke in support of the proposed project.

IRWIN DEUTCH, WEST HOLLYWOOD, spoke in support of the proposed project.

SCOTT LASTAITI, BEVERLY HILLS, spoke in support of the proposed project.

MIKE CAVALLUZZI, WEST HOLLYWOOD, spoke in support of the proposed project.

RICHARD HEYMAN, WEST HOLLYWOOD, spoke in support of the proposed project.

DAVID GLEASON, LOS ANGELES, spoke in support of the proposed project.

GEORGE WARD, WEST HOLLYWOOD, spoke in support of the proposed project.

GARY WEINSTEIN, WEST HOLLYWOOD, spoke in support of the proposed project.

DONALD LUCIANO, LOS ANGELES, spoke in support of the proposed project.

MARILYN HESTON, LOS ANGELES, spoke in support of the proposed project.

BRIAN SALZMAN, WEST HOLLYWOOD, spoke in support of the proposed project.

NIKKI HASKELL, WEST HOLLYWOOD, spoke in support of the proposed project.

MARK WARE, WEST HOLLYWOOD, spoke in support of the proposed project.

RUSS FILICE, WEST HOLLYWOOD, spoke in support of the proposed project.

ANTHONY RENNERT, MARINA DEL REY, spoke in support of the proposed project.

EREZ CHAIM, WEST HOLLYWOOD, spoke in support of the proposed project.

LYNNE DEUTCH, WEST HOLLYWOOD, spoke in support of the proposed project.

MATTHEW RHYS, WEST HOLLYWOOD, spoke in support of the proposed project.

JONATHON AUBRY, WEST HOLLYWOOD, spoke in support of the proposed project.

NIC ADLER, LOS ANGELES, spoke in support of the proposed project.

CATHERINE HAHN, BEVERLY HILLS, spoke regarding parking concerns and concerns regarding the waiving of special events permits by the applicants.

FRANCES PENNINGTON, LOS ANGELES, spoke in support of the proposed project.

CHAZ BREWER, LOS ANGELES, spoke in support of the proposed project.

MARCUS BUCKINGHAM, BEVERLY HILLS, spoke in support of the proposed project.

MARIE GORDON, BEVERLY HILLS, spoke in opposition to the proposed project.

DOUG CARSTENS, ON BEHALF OF ONE OF THE APPELLANTS, provided rebuttal.

MARK STERES, ON BEHALF OF THE APPLICANT, provided rebuttal.

Councilmember Horvath requested clarification from staff regarding special events permits at the location. She requested clarification from staff regarding the hours of operation of other rooftop restaurants and clubs. She requested clarification from staff regarding public comment surrounding the alley located behind the building and it being impacted by traffic and parking.

Councilmember Prang requested clarification from staff regarding special events permits at the location. He requested further clarification from staff regarding parking requirements for the proposed project. He requested clarification regarding what streets were included in the traffic impact study.



Mayor Pro Tempore Heilman requested clarification regarding the impacts on the property if the Soho House were to cease operation.

Mayor Land requested clarification regarding construction impacts and construction hours. She requested clarification from staff regarding security requirements for the proposed project.

Mayor Land closed the public hearing.

Mayor Land thanked everyone who came out and spoke.

Mayor Pro Tempore Heilman thanked everyone who came out and spoke. He spoke regarding neighbors concerns surrounding traffic and noise impacts of a nightclub in the area, but stated that he believes the proposed project does not qualify as a night club, and is more similar to a restaurant. He spoke regarding the applicant's other development projects in the City and their contribution to the community. He spoke in support of the project. He spoke in opposition to the suggestion during public comment of discussion between the City of West Hollywood and the City of Beverly Hills regarding the proposed project. He spoke in support of adding a condition to require Planning Commission review of the property if the Soho House ceases operation. He spoke in support of the appeal regarding the hours of operation for serving alcohol.

Councilmember Prang thanked everyone who came out and spoke. He spoke regarding public concerns surrounding traffic and noise impacts, but stated that he believes the proposed project does not qualify as a night club and that the concerns raised for this particular project do not have merit. He spoke regarding the City's ongoing successful efforts to manage night life in the City. He spoke in support of the proposed project. He spoke in support of the appeal regarding the hours of operation for serving alcohol.

Councilmember Horvath thanked everyone who came out and spoke. She spoke regarding the inevitable impacts of paparazzi and the other impacts of being located in the middle of the show business industry. She spoke in support of the appeal regarding the hours of operation for serving alcohol, but spoke in support of keeping the hours of alcohol service and consumption in line with other establishments in the area. She spoke in support of the leadership of the proposed management and in support of the project. She spoke in support of the Environmental Impact Report prepared for the project.

Mayor Land spoke in support of the Environmental Impact Report prepared for the project, and stated that many of the parking, traffic, and safety issues have already been addressed. She spoke in support of the applicant's previous projects in the City and their contribution to the

community. She spoke in support of the proposed project. She spoke in support of adding a condition to require Planning Commission review of the property if the Soho House ceases operation. She spoke in support of the appeal regarding the hours of operation for serving alcohol.

**ACTION:** Staff recommends that the City Council hold a public hearing, consider all pertinent testimony, deny the appeals and conditionally approve the project by adopting the following: 1) Resolution No. CC 09-3891, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, GRANTING THE APPEAL OF MANI BROTHERS 9200 SUNSET (DE), LLC, AND DENYING THE APPEAL BEVERLY HILLS WEST HOLLYWOOD NEIGHBORHOOD ASSOCIATION AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT ("EIR"), ADOPTING A MITIGATION MONITORING PROGRAM ("MMP"), AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS ("SOC") FOR THE INTENSIFICATION OF USE PROJECT LOCATED AT 9200 SUNSET BOULEVARD, WITH THE PROVISION OF OFF-SITE PARKING AT 9201 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A); and 2) Resolution No. CC 09-3892, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, GRANTING THE APPEAL OF MANI BROTHERS 9200 SUNSET (DE), LLC, AND DENYING THE APPEAL OF BEVERLY HILLS WEST HOLLYWOOD NEIGHBORHOOD ASSOCIATION AND CONDITIONALLY APPROVING DEVELOPMENT PERMIT 008-029, DEVELOPMENT PERMIT 008-010, MINOR CONDITIONAL USE PERMIT 008-004, ADMINISTRATIVE PERMIT 008-014, AND PARKING USE PERMIT 008-004 FOR THE INTENSIFICATION OF USE PROJECT LOCATED AT 9200 SUNSET BOULEVARD, WITH THE PROVISION OF OFF-SITE PARKING AT 9201 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA" (EXHIBIT B); with the following modifications; 1) amend Section 11.3 of the resolution to read "Sales and Service of Alcohol in Interior Restaurant Dining Area - 7:00 am to 1:30 am daily", "Consumption of Alcohol in Interior Restaurant Dining Area - 7:00 am to 2:00 am daily", "Sales and Service of Alcohol in Outdoor Dining Area - 7:00 am to 11:30 pm daily", "Consumption of Alcohol in Outdoor Dining Area - 7:00 am to 12:00 am (midnight) daily"; and 2) Add Section 14.25 to read, "In the event that there is a change of ownership resulting in a change of control of the operation on the Penthouse and Sky Penthouse floors or if the Soho House is replaced in its entirety by another operator, at City's election this permit shall be subject to review at a public hearing by the Planning Commission in order to assure that the quality of the new operation is reasonably comparable and that the new operator is qualified to perform the conditions of approval herein". **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Prang and approved with Councilmember Duran being absent.**

**3.C. APPEAL OF THE PLANNING COMMISSION'S DETERMINATION THAT A PROPOSED PUBLIC PARKING LOT CONSISTING OF 39 SPACES LOCATED AT 8459 SUNSET BOULEVARD IS CONSISTENT WITH THE GENERAL PLAN [A. MCINTOSH, J. KEHO, N. GAPPER, J. ROCCO]:**

*The City Council will hold a public hearing to consider an appeal by Jeffrey Morgan, contesting the Planning Commission's determination that a proposed public parking lot with accessory and subordinate billboard displays located at 8459 Sunset Boulevard, West Hollywood, California, is consistent with the General Plan.*

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

Nathan Gapper, Contract Planner, and Oscar Delgado, Director of Public Works, provided background information as outlined in the staff report dated August 17, 2009, and the supplemental staff report which changed the number of proposed parking spaces to 35.

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

JEFFREY MORGAN, THE APPELLANT, spoke in opposition to the Item and in support of the appeal.

SCOTT WELLMAN, ON BEHALF OF THE APPELLANT, spoke in opposition to the Item and in support of the appeal.

ELYSE EISENBERG, WEST HOLLYWOOD, expressed concerns regarding the number of compact parking spaces in the proposed lot. She spoke in support of creating more parking on Sunset Boulevard. She spoke in opposition to the billboard heights in the proposed project.

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

SCOTT WELLMAN, ON BEHALF OF THE APPELLANT, provided rebuttal.

Mayor Land closed the public hearing.

Mayor Land thanked the people who came out and spoke.

City Attorney Jenkins stated that a supplement to the staff report was prepared and delivered to the Council, the appellant, and made available for the public. He provided additional clarification of the Item.

Mayor Pro Tempore Heilman spoke regarding the proposed Item being consistent with the General Plan, and spoke regarding the history of the site being used as a parking lot with billboards located on the property.

**ACTION:** Adopt Resolution No. 09-3893, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE APPEAL OF JEFFREY MORGAN AND UPHOLDING THE PLANNING COMMISSION DETERMINATION THAT A PUBLIC PARKING LOT CONSISTING OF 35 SPACES AND SUBORDINATE AND ACCESSORY BILLBOARD DISPLAYS LOCATED AT 8459 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA IS CONSISTENT WITH THE GENERAL PLAN." (EXHIBIT A) **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Prang and approved with Councilmember Duran being absent.**

#### 4. UNFINISHED BUSINESS:

##### 4.A. SCOPES OF SERVICES WITH RAIMI & ASSOCIATES, FEHR & PEERS, NELSON/NYGAARD, VERONICA TAM & ASSOCIATES, STRATEGIC ECONOMICS, URBAN STUDIO, KFM GEOSCIENCE, AND EDAW AECOM, TO PROVIDE PROFESSIONAL SERVICES IN ASSOCIATION WITH THE DEVELOPMENT OF A COMPREHENSIVE UPDATE TO THE CITY'S GENERAL PLAN [A. MCINTOSH, J. KEHO, T. SLIMMER, B. SIEGL, M. RYCHLICKI]:

*The City Council will consider authorizing the City Manager to enter into agreements with a group of eight consultants for professional services to complete the comprehensive update to the City's General Plan, and directing staff to carry out the General Plan Update with the principles and procedures described in this staff report.*

Anne Browning McIntosh, Director of Community Development and Deputy City Manager, and Bianca Siegl, Associate Planner, provided background information as outlined in the staff report dated August 17, 2009.

Mayor Land spoke regarding the need for adherence to a strict timeline to move forward with the General Plan revisions. She requested that Council receive regular reports from the General Plan Advisory Committee.

**ACTION:** 1) Authorize the City Manager to approve an agreement with Raimi & Associates in an amount not-to-exceed \$237,825 for professional services to complete the comprehensive update to the City's General Plan; 2) Authorize the City Manager to approve an agreement with Fehr & Peers in an amount not-to-exceed \$130,000 for professional services to study traffic impacts and complete the update of the City's Transportation Element; 3) Authorize the City Manager to approve an agreement with

Fehr & Peers in an amount not-to-exceed \$150,000 for professional services to prepare a Nexus Study for Traffic Mitigation; 4) Authorize the City Manager to approve an agreement with Nelson/Nygaard, Inc., in an amount not-to-exceed \$55,000 for professional services relating to traffic and transportation issues in the City's General Plan; 5) Authorize the City Manager to approve an agreement with Veronica Tam & Associates in an amount not-to-exceed \$101,691 for professional services to complete the update of the City's Housing Element; 6) Authorize the City Manager to approve an agreement with Strategic Economics in an amount not-to-exceed \$112,870 for professional economic analysis services to assist with the comprehensive update to the City's General Plan; 7) Authorize the City Manager to approve an agreement with Urban Studio in an amount not-to-exceed \$44,361 for professional urban design services to assist with the comprehensive update to the City's General Plan; 8) Authorize the City Manager to approve an agreement with KFM Geoscience in an amount not-to-exceed \$10,530 for professional geotechnical analysis services to assist with the comprehensive update to the City's General Plan; 9) Authorize the City Manager to approve an agreement with EDAW/AECOM in an amount not-to-exceed \$370,715 for preparation of an Environmental Impact Report and Climate Change Action Plan for the City's General Plan; 10) Authorize the Director of Finance to allocate \$150,000 from the undesignated reserves in the Traffic Mitigation Fund and increase budgeted expenditures in account 208-3-07-83-533038 by \$150,000; 11) Authorize the Director of Finance to allocate \$520,000 from the undesignated reserves in the General Fund and increase budgeted expenditures in account 100-3-07-83-533038 by \$520,000, and 12) The City Council directs the Director of Community Development to carry out the completion of the General Plan Update, using the principles and process as described in this staff report. **Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman and approved with Councilmember Duran being absent.**

**4.B CONTRACT FOR HALLOWEEN CARNAVAL EVENT [L. LONG, N. BEARD, C. SMITH]:**

*The City Council will consider approving the attached contract for Authentic to provide a variety of production services in the presentation of the City's annual Halloween Carnival.*

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

**5. NEW BUSINESS:**

**5.A. ANNUAL CODE COMPLIANCE WORK PLAN [O. DELGADO, J. AUBEL, J. SKORNECK]:**

*The City Council will receive a twelve month work plan for the Commercial and Residential Code Compliance Divisions.*

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

**5.B. CELEBRATION OF THE 25<sup>TH</sup> ANNIVERSARY OF THE INCORPORATION OF THE CITY OF WEST HOLLYWOOD [H. GOSS, T. WHITE, L. LONG, N. BEARD, R. REYNOLDS, A. CAMPBELL]:**

*The City Council will consider approval of staff's recommendations for the proposed year-long celebration of the 25<sup>th</sup> anniversary of the incorporation of the City of West Hollywood, the "25<sup>th</sup> Anniversary of Cityhood."*

Helen Goss, Director of Public Information and Prosecution Services, provided background information as outlined in the staff report dated August 17, 2009.

**ACTION:** 1) Review and approve the overall conceptual plans for the year-long celebration of the City's 25<sup>th</sup> Anniversary of Cityhood which will take place from Sunday, November 29, 2009 through Monday, November 29, 2010; 2) Approve the date of Sunday, November 22, 2009 for the Cityhood Celebration Party from 4 p.m. to 8 p.m.; 3) Approve the date of Saturday, April 17, 2010 for the Cityhood Community Celebration along San Vicente Boulevard; 4) Approve the street closure of San Vicente Boulevard between Melrose Avenue and Santa Monica Boulevard on Saturday, April 17, 2010 for the Cityhood Community Celebration; 5) Approve the date of Monday, November 29, 2010 for the City's Annual Congress and a Community Awards Program as a culmination of the City's year-long celebration; and 6) Provide further direction to staff regarding the City's 25<sup>th</sup> Anniversary of Cityhood celebration activities. **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Horvath and approved with Councilmember Duran being absent.**

**5.C. CITY COUNCILMEMBER TOUR OF WEST HOLLYWOOD DEVELOPMENT [J. HEILMAN]:**

*In recent years, the City Council has evaluated and implemented policy regarding multiple-family housing construction in the City. A number of projects have been constructed according to these land use policies. Staff is eager to conduct tours with Councilmembers of some of the more illustrative examples, so that the Council may have a dialog at a future meeting about the effectiveness of these policies.*

Mayor Pro Tempore Heilman provided background information as outlined in the staff report dated August 17, 2009.

**ACTION:** It is recommended that the City Council: 1) Agree to participate in this program; 2) Direct staff to begin scheduling tour times with each Council office within the next 45 days; and 3) Discuss the City Council's observations at a future Council meeting in two months. **Motion by Councilmember Horvath, seconded by Mayor Pro Tempore Heilman and approved with Councilmember Duran being absent.**

**EXCLUDED CONSENT CALENDAR: None.**

**PUBLIC COMMENT:**

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding public comments from Beverly Hills City Councilmembers during Item 3.B. She expressed concerns regarding the appointment of the General Plan Advisory Board.

**6. LEGISLATIVE:**

**6.A. PROPOSED AMENDMENT TO RENT STABILIZATION ORDINANCE [M. JENKINS, A. WINDERMAN, A. REGAN]:**

*The City Council will consider a proposed amendment to the Rent Stabilization Ordinance to allow the hearing examiner to order a refund of excess fees.*

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

**6.B. PROPOSED AMENDMENTS TO RENT STABILIZATION ORDINANCE AND RENT STABILIZATION REGULATIONS REGARDING STAYS OF DECISIONS PENDING APPEAL [M. JENKINS, A. WINDERMAN, A. REGAN]:**

*The City Council will consider proposed amendments to the Rent Stabilization Ordinance and Rent Stabilization Regulations to stay decisions of the hearing examiner pending appeal.*

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

**COUNCILMEMBER COMMENTS: None.**

**ADJOURNMENT:** The City Council adjourned at 10:48 P.M. in memory of Ernst Katz, Jacques Teyssier, Ernestina Durazo, and Eunice Kennedy Shriver. They adjourned to a special closed session meeting, which will be on Saturday, August 22, 2009 at 11:00 A.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 this 8<sup>th</sup> day of September, 2009 by the following vote:

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

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ABBE LAND, MAYOR

ATTEST:

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THOMAS R. WEST, CITY CLERK