

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, SEPTEMBER 21, 2009
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Land called the meeting to order at 6:38 P.M.

PLEDGE OF ALLEGIANCE: Pam Komac led the pledge.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: City Manager Arevalo, City Attorney Jenkins, City Clerk West,
and Assistant City Clerk Schaffer.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins reported that the closed session was called to order at 6:00 P.M. He stated that there were no public speakers. He stated that three (3) Items were added to the agenda: two (2) Items of Threatened Litigation; and one (1) Item of Real Estate Acquisition regarding the property located at 8441 Santa Monica Boulevard. He stated that the closed session adjourned at 6:30 P.M with no reportable action taken.

APPROVAL OF AGENDA:

Mayor Land recused herself on Item 2.J. regarding the funding of the Saban Free Clinic.

Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Prang to approve the September 21, 2009 agenda as amended, and unanimously approved with Mayor Land ABSTAINING on the funding of the Saban Free Clinic in Item 2.J.

ADJOURNMENT MOTIONS:

Councilmember Prang requested that the meeting be adjourned in memory of Ron Kinsey, long-time resident and business owner. He requested that the meeting be adjourned in memory of Naum Reznick, a Russian immigrant and founder of the Russian Library in the City.

Mayor Land requested that the meeting be adjourned in memory of Pauline Ibarra, a resident and member of the transgender community.

Councilmember Duran requested that the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Staff Sgt. Todd W. Selge, Staff Sgt. Shannon Smith, Pfc. Zachary T. Myers, Pfc. Thomas F. Lyons, 1st Lt. Joseph D. Helton, Sgt. 1st Class Duane A. Thornsby.

PRESENTATIONS:

Mayor Pro Tempore Heilman and the City Council wished Abbe Land a happy birthday.

Mayor Land presented a proclamation to Faye Schecter in recognition of her 100th birthday.

Mayor Pro Tempore Heilman presented commendations to the organizers of the National Night Out events in the City.

Mayor Land presented a plaque to outgoing Neighborhood Watch Captain Ron Williamson.

Councilmember Horvath presented a plaque to outgoing Public Safety Commissioner Chad Blouin.

Mayor Land presented a proclamation in recognition of the 25th anniversary of Aid for AIDS.

Mayor Land wished Senior Advisory Board Member Rita Norton a happy 89th birthday.

1. PUBLIC COMMENT:

KATHRYN TUCK, REPRESENTING DISPUTE RESOLUTION SERVICES, spoke in support of Item 2.J. and provided clarification of the cases they are receiving in the current economic climate.

MARINA BERKMAN, WEST HOLLYWOOD, spoke in support of Item 2.J.

LYNN HOOPINGARNER, WEST HOLLYWOOD, thanked the City Council for recognizing the organizers of the National Night Out events in the City. She spoke regarding the appointments to the General Plan Advisory Committee.

DONALD ELMBLAD, WEST HOLLYWOOD, wished Mayor Land a happy birthday and spoke regarding rent control issues in the City.

PHILIP HOSKINS, WEST HOLLYWOOD, wished Mayor Land a happy birthday and spoke regarding safety issues surrounding the crosswalks on Santa Monica Boulevard.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding Item 6.A. and spoke in support of term limits for City Council.

TODD STEADMAN, EXECUTIVE DIRECTOR OF THE SUNSET STRIP BUSINESS ASSOCIATION, thanked the City Council, West Hollywood Sheriff and Fire Departments, and the businesses and residents of West Hollywood, for supporting the recent Sunset Strip Music Festival.

NIC ADLER, LOS ANGELES, thanked the City Council, West Hollywood Sheriff and Fire Departments, and the businesses and residents of West Hollywood, for supporting the recent Sunset Strip Music Festival.

KARMEN BECK, LOS ANGELES, thanked the City Council, West Hollywood Sheriff and Fire Departments, and the businesses and residents of West Hollywood, for supporting the recent Sunset Strip Music Festival.

COUNCILMEMBER COMMENTS:

Mayor Pro Tempore Heilman thanked everyone who helped organize the recent Sunset Strip Music Festival.

Councilmember Prang wished Mayor Land and Rita Norton a happy birthday. He spoke regarding the irrigation on the median strips along Santa Monica Boulevard, and requested staff to investigate the City's current policy and the possibility of more water conservation efforts.

Councilmember Horvath thanked everyone who helped organize the recent Sunset Strip Music Festival. She congratulated Lesbian and Gay Advisory Board Member Ivy Bottini on the recent opening of her art show. She wished a happy new year to the Jewish community. She spoke regarding an upcoming Brown Bag Lunch event sponsored by the National Council of Jewish Women. She spoke regarding the upcoming AIDS walk in the City. She spoke regarding the upcoming Facebook for Seniors Program at Plummer Park. She spoke regarding her recent attendance at the League of California Cities Annual Conference, and in the introduction and passage of a resolution from the City of West Hollywood.

Councilmember Duran thanked his Council Deputy Hernan Molina for his work with Senator Dianne Feinstein's office to support the re-enactment of the Ryan White Act, which provides funding to people living with HIV/AIDS. He spoke regarding an upcoming Town Hall Meeting regarding reforms to the California Constitution with Assemblymember Mike Feuer. He spoke regarding his participation in the upcoming performance to celebrate the 10 year anniversary of the Laramie Project, along with members of the Gay Men's Chorus. He requested the City Manager and Public Safety staff to provide a report on preparations for the upcoming Halloween Carnival in the City.

Mayor Land spoke regarding public comments surrounding safety at the crosswalks on Santa Monica Boulevard, and requested the City Manager to provide an update to Council. She spoke regarding an upcoming event called A Conversation with West Hollywood Residents with Children. She announced that September 21, 2009 is International Peace Day. She congratulated West Hollywood Elementary School on the significant increase on their Academic Performance Index test scores.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding the watering of the medians in the City and stated that his office will be returning to Council with a detailed report. He spoke regarding public comment surrounding the appointment of the General Plan Advisory Committee and provided clarification of the appointment process.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$4,089,488.00 in expenditures and \$-7,100.00 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. **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Horvath and unanimously approved with Mayor Land ABSTAINING on the funding of the Saban Free Clinic in Item 2.J..**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, September 21, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, September 17, 2009.

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

2.B. APPROVAL OF MINUTES:

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

ACTION: Approve the minutes of September 8, 2009. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 634, RESOLUTION NO. 09-3902:

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

ACTION: Approve Demand Register No. 634 and adopt Resolution No. 09-3902, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 634." **Approved as part of the Consent Calendar.**

2.D. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Disabilities Advisory Board, the Project Advisory Committee, the Public Facilities Commission and the Senior Advisory Board on actions taken at their recent meetings.

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

2.E. RESOLUTION APPROVING MINOR CONDITIONAL USE PERMIT 2008-007 FOR EXTENDED HOURS FOR AN EXISTING RESTAURANT (BOSSA NOVA) LOCATED AT 685 N. ROBERTSON BLVD. [A. MCINTOSH, J. KEHO, L. YELTON]:

The City Council will consider approval of a resolution for extended hours to an existing restaurant.

ACTION: Adopt Resolution No. 09-3903, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, GRANTING THE APPEAL OF AURELIO MARTINS AND PARTIALLY OVERTURNING THE PLANNING COMMISSION ACTION AND CONDITIONALLY APPROVING MINOR CONDITIONAL USE PERMIT 2008-007, ON AN APPLICATION OF BOSSA NOVA RESTAURANT TO ALLOW EXTENDED HOURS FOR AN EXISTING RESTAURANT LOCATED AT 685 N. ROBERTSON BLVD., WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A) **Approved as part of the Consent Calendar.**

2.F. PLANNING AND BUILDING PERMIT FEES FOR REDEVELOPMENT FACADE GRANT PROGRAMS [A. WINDERMAN, R. BURNLEY]:

The City Council will consider a recommendation to waive planning and building permit fees for façade grant programs.

ACTION: Amend policy of waiving planning and building permit fees for CDBG-funded façade rehabilitation grant programs to include projects using local redevelopment funds. **Approved as part of the Consent Calendar.**

2.G. DEPARTMENT OF PUBLIC WORKS PARKING DIVISION FEE SCHEDULE [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider amending the Parking Division's fee schedule to offer patrons the option of paying parking rates based on an hourly fee or a fixed maximum amount.

RESOLUTION: Adopt Resolution No. 09-3904, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUBSTITUTING LANGUAGE REFERRED TO AS PARKING FLAT RATES WITH MAXIMUM RATES AND AMENDING HOURS OF OPERATION AT CERTAIN MUNICIPAL GARAGES AND AMENDING RESOLUTION NO. 09-3854". **Approved as part of the Consent Calendar.**

2.H. REQUEST FOR AUTHORIZATION TO ISSUE A JOINT REQUEST FOR PROPOSALS (RFP) FOR PARKING CITATION PROCESSING WITH THE CITIES OF BEVERLY HILLS AND SANTA MONICA [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider granting approval for staff to issue a joint Request For Proposals (RFP) for parking citation processing.

ACTION: Authorize staff to issue an RFP for parking citation processing. **Approved as part of the Consent Calendar.**

- 2.I. LETTER OF INTENT PROCESS FOR NEW FUNDING SUPPORT FOR SOCIAL SERVICES [L. LONG, D. DENNIS]:**
The City Council will consider releasing a Letter of Intent for the allocation of funds to programs providing supportive services for Seniors and people living with disabilities including HIV and AIDS, and HIV prevention education to mitigate the cuts to these services made at the State and County level.
ACTION: Recommend that a Letter of Intent process be conducted for the allocation of \$100,000 in new funding to partially mitigate State and County cuts in supportive services for Seniors and people living with disabilities and HIV prevention education. **Approved as part of the Consent Calendar.**
- 2.J. SOCIAL SERVICES CONTRACT RENEWALS [L. LONG, D. DENNIS]:**
The City Council will consider renewals of Social Services contracts for the second year of the two-year funding process from October 1, 2009 to September 30, 2010 with a 2% cost of living increase.
ACTION: Approve the 2009-10 Social Services contract renewals with a 2% cost of living increase and authorize the City Manager to sign. **Approved as part of the Consent Calendar with Mayor Land ABSTAINING on the funding of the Saban Free Clinic.**
- 2.K. CONTRACT RENEWAL WITH JEWISH FAMILY SERVICES [L. LONG, N. BEARD]:**
The City Council will consider renewing the contract with Jewish Family Services for reception area services at the Community Center at Plummer Park.
ACTION: Approve a two-year contract from 07/01/09 – 06/30/11 with Jewish Family Services in the amount of \$150,000 (\$75,000 annually) for reception area services at the Community Center at Plummer Park and authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**
- 2.L. PURCHASE OF STREETScape FURNITURE FROM VIACOM/DECAUX LLC [L. LONG, S. BAXTER, H. COLLINS]:**
The City Council will consider approving the purchase of street furnishings from Viacom/Decaux LLC.
ACTION: Authorize the purchase and installation of trash receptacles, bus stop map holders and newspaper corrals from Viacom/Decaux LLC in an amount not to exceed \$247,000. **Approved as part of the Consent Calendar.**
- 2.M. RENAMING OF HOLLOWAY PARK AND VETERANS MEMORIAL IN HONOR OF SAL GUARRIELLO [L. LONG, S. BAXTER, H. COLLINS]:**
The City Council will consider the recommendations of the Public Facilities Commission for renaming the Holloway Park and Veterans Memorial in recognition and honor of the late Councilmember Sal Guarriello.

ACTION: 1) Accept the recommendation of the Public Facilities Commission to rename Holloway Park and Veterans' Memorial as the Sal Guarriello Veterans' Memorial; and 2) Accept the recommendations of the Public Facilities Commission to execute the rededication with three distinctive actions: a) Place a rededication plaque directly adjacent to the existing park plaque (Attachment "A"); b) Inscribe a quote made by the late Councilmember Sal Guarriello on the rear of the cast concrete shield and flagpole wall, east of the inscribed quote made by Robert Pinsky (Attachment "B"); and c) Incorporate the Memorial's new name, Sal Guarriello Veterans' Memorial, into the design of the Memorial's water feature. **Approved as part of the Consent Calendar.**

2.N. TOY BOX HOLIDAY CHARITY FUNDRAISER SPONSORSHIP [J. PRANG, M. HAIBACH, A. LAND, C. PLANCK]:

The City Council will consider co-sponsorship of the 14th Annual Toy Box Party, hosted by IN Magazine and Frontiers Magazine in support of the 2009 Children's Hospital Los Angeles Annual Holiday Toy Drive, on Sunday, December 13, 2009.

ACTION: Authorize co-sponsorship of the Toy Box Party, which includes: a) Authorize the use and closure of Larrabee Street between Santa Monica Boulevard and Cynthia Street between 12 p.m. – 9 p.m. Sunday, December 13th as outlined in Exhibit A for the 2009 Toy Box Party; and b) Authorize the waiver of all applicable City of West Hollywood Special Event Fees and additionally direct City Recreation Services Staff to coordinate street closure, event set up and tear down with event organizers. **Approved as part of the Consent Calendar.**

2.O. SUPPORT THE RYAN WHITE CARE ACT AMENDMENTS OF 2009 [J. DURAN, H. MOLINA, J. PRANG, N. HAIBACH]:

The City Council will consider supporting legislation amending the Ryan White HIV/AIDS Treatment Modernization Act of 2006, also known as the Ryan White Care Act (RWCA).

ACTION: 1) Adopt Resolution 09-3905 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF RYAN WHITE CARE ACT AMENDMENTS OF 2009"; and 2) Direct staff to send copies of the adopted resolution to Senators Dianne Feinstein and Barbara Boxer, Congressman Henry Waxman and other members of the Senate and House Committees. **Approved as part of the Consent Calendar.**

2.P. SUPPORT FOR FEDERAL HEALTH CARE REFORM [A. LAND, C. PLANCK, L. HORVATH, I. PINE]:

The City Council will consider supporting the principles that President Barack Obama has outlined in order to unite our voices in support of meaningful, comprehensive health care reform – including a strong public option.

ACTION: 1) Adopt Resolution No. 09-3906, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF FEDERAL HEALTH CARE REFORM"; and 2) Direct staff to send letters of support for comprehensive health care reform to President Barack Obama, U.S. Senator Dianne Feinstein, U.S. Senator Barbara Boxer and U.S. Representative Henry Waxman. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. AMENDMENT TO THE ZONING ORDINANCE TO MODIFY THE REVIEW PROCESS FOR URBAN INNS [A. MCINTOSH, J. KEHO, C. CORRAO]:

The City Council will hold a public hearing regarding an amendment to the Zoning Ordinance for the review process for urban inns. The proposal would require review by the Planning Commission in addition to the Historic Preservation Commission.

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

Chris Corrao, Assistant Planner, provided background information as outlined in the staff report dated September 21, 2009.

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

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

Councilmember Prang expressed concerns regarding language in the proposed ordinance that would require the Historic Preservation Commission to make a timely recommendation to the Planning Commission.

ACTION: Staff recommends that the City Council hold the public hearing, consider all pertinent testimony and approve the amendment by adopting the following: Introduce on first reading Ordinance No. 09-828, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2009-001 RELATING TO THE PLANNING COMMISSION REVIEW OF URBAN INNS AND REHABILITATION INCENTIVES." (EXHIBIT A); with the following amendment to the proposed ordinance, "The Commission shall consider the recommendation of the HPC, if any, regarding the request. **Motion by Councilmember Duran, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

3.B AMENDMENT TO THE ZONING ORDINANCE TO PERMIT THE SALES, SERVICE, AND CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER

AND WINE ONLY) AS AN ACCESSORY USE TO THEATERS AND COMMUNITY CENTERS WITH A MINOR CONDITIONAL USE PERMIT [A. MCINTOSH, J. KEHO, L. YELTON]:

The City Council will hold a public hearing to consider an amendment of the City of West Hollywood Zoning Ordinance to permit the sales, service, and consumption of alcoholic beverages (beer and wine only) as an accessory use to theaters with a minor conditional use permit. Currently, theaters and community centers are not permitted to sell alcohol as an accessory use.

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

Laurie Yelton, Associate Planner, provided background information as outlined in the staff report dated September 21, 2009.

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

ODALYS NANIN, WEST HOLLYWOOD, spoke in support of the Item.

CAREY EMBRY, LOS ANGELES, spoke in support of the Item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of a limitation of hours for the sales, service, or consumption of alcoholic beverages.

Mayor Pro Tempore Heilman spoke regarding correspondence received from the Coast Theatre in support of the Item.

ACTION: Hold a public hearing, and introduce on first reading Ordinance No. 09-829, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING ZONE TEXT AMENDMENT 2008-001 AMENDING TITLE 19 OF THE ZONING ORDINANCE TO PERMIT THE SALES, SERVICE, AND CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY) AS AN ACCESSORY USE TO THEATERS WITH A MINOR CONDITIONAL USE PERMIT" (ATTACHMENT A). **Motion by Councilmember Duran, seconded by Councilmember Horvath and unanimously approved.**

4. UNFINISHED BUSINESS:

4.A. APPOINTMENT OF VOTING DELEGATES FOR THE NATIONAL LEAGUE OF CITIES [T. WEST, C. SCHAFFER, G. VESPOINT]:

The City Council will consider appointing a Voting Delegate and Voting Delegate – Alternate(s) for the National League of Cities in preparation for their upcoming Annual Conference.

ACTION: The City Council did not appoint a Voting Delegate and Voting Delegate – Alternate to the Annual Business Meeting of the National League of Cities. **Carried by Consensus of the Council.**

5. NEW BUSINESS:

5.A. PUBLIC SAFETY UPDATE [K. COOK, B. GOLDMAN, J. GRAHAM]:

The City Council will receive a six month update on public safety activities from January – June 2009 and give additional direction to staff.

Kristin Cook, Public Safety Manager, provided background information as outlined in the staff report dated September 21, 2009.

Councilmember Horvath thanked Public Safety staff for the comprehensive report.

Councilmember Duran requested clarification from the Sheriff's Department regarding the number of calls from seniors for assistance during the Summer months. He requested clarification regarding the compilation of statistics for narcotics incidents.

Councilmember Prang spoke regarding the possibility of providing different levels of services for 911 calls, depending on the nature of the emergency.

Mayor Pro Tempore Heilman spoke regarding the possibility of providing different levels of services for 911 calls, depending on the nature of the emergency, and the possibility of coordinating social services agencies to deal with some of the issues. He spoke regarding the cooling centers provided by the City for seniors during the Summer months. He spoke regarding shop lifting issues around the Gateway Center, and requested clarification from staff regarding ongoing efforts to address the issue. He spoke regarding a series of burglaries in the Melrose area.

Mayor Land regarding the cooling centers provided by the City for seniors during the Summer months. She spoke regarding ongoing efforts by the City and social services agencies to work on homeless issues in the City. She spoke regarding the City's efforts to maintain neighborhood livability, and spoke in support of the distribution of the Light Up the Neighborhood safety lights for residents. She spoke regarding crime in alleys and requested staff to investigate methods to address the issues. She spoke in support of the formation of a Business Improvement District in the area of Robertson and Santa Monica Boulevard. She spoke in support of the City Council meeting with the Sheriff's Department, particularly new Sheriff Deputies, to discuss issues and policies of the City.

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

ACTION: 1) Approve the following public safety priorities including: a) Continue to work with local businesses, residents, and neighboring jurisdictions to promote neighborhood livability and mitigate impacts from nighttime establishments; b) Monitor and adjust traffic enforcement deployment as needed to address speeding vehicles and other traffic violations; c) Continue to aggressively address criminal transient issues, and assist Social Services with overall homelessness issues; d) Examine ways to improve customer relations and educate the community on how to properly report problems to the Sheriff's Station; and e) Continue to educate the community through Neighborhood Watch and the Public Safety Commission's "Live, Work, Play, Be Safe" campaign on key public safety issues; 2) Identify other public safety priorities to include in the Public Safety Division's work plan; 3) Direct staff to return to City Council with proposed dates for an emergency management exercise; and 4) Give additional direction to staff as necessary. **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Duran and unanimously approved.**

5.B. REQUEST FOR JOINT STUDY SESSION DATES [A. MCINTOSH, J. KEHO, B. SIEGL]:

The City Council will consider scheduling three joint study sessions with the Planning Commission to discuss policy issues related to the General Plan Update.

Bianca Siegl, Associate Planner, provided background information as outlined in the staff report dated September 21, 2009.

ACTION: 1) The City Council set the following date for a joint study session: Monday, November 16, 2009, at 6:30 PM, at a regularly-scheduled City Council meeting; and 2) direct staff to return to Council with possible dates for a meeting in conjunction with a General Plan Community Workshop event; and dates for a meeting during a regularly-scheduled Planning Commission meeting. **Carried by Consensus of the Council.**

5.C. PROJECT ADVISORY COMMITTEE APPOINTMENTS AND RE-APPOINTMENTS [T. WEST, C. SCHAFFER]:

The City Council will consider making at-large appointments to the Project Advisory Committee.

ACTION: The City Council made the following appointments to the Project Advisory Committee: Steven Aaron, David Aghaei, Lisa Andreson, Michael Arrigo, Eleanor Barrett, Dmitriy Belyavskiy, Rob Bergstein, Chad Blouin, Innis Bruner, Rica Burton, Yola Dore, Bobby English, Carlos Florez, Jason Daniel Illoulian, Scott Imler, Richard Karat, Linda Kaufman, William Leahy, Steve Levin, Lyndia Lowy, Joel Mark, Carol Massie, Roxanne McBryde, Tad Myroskov, Sharon O'Rourke, Andrew Rakos, Josh Rothstein, Randy Steinberg, Maryann Szyskowski, Kenneth

Tashman, Fred Vanacore, Scottman Wall, Steve Wayland, Ruth Williams, Neal Zaslavsky.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding her participation in public comment during City Council meetings, and spoke regarding her attendance at the recent General Plan Advisory Committee.

6. LEGISLATIVE:

- 6.A. CAMPAIGN FINANCE REFORM ORDINANCE [M. JENKINS, T. WEST]:**
The City Council will consider an ordinance amending the regulations governing contributions to Municipal Election campaigns for City Council Offices and amending the West Hollywood Municipal Code.

City Attorney Jenkins provided background information as outlined in the staff report dated September 21, 2009.

ED BUCK, WEST HOLLYWOOD, spoke regarding the need for campaign finance regulations and spoke in support of the Item.

PHILIP HOSKINS, WEST HOLLYWOOD, spoke regarding the compromises made by the Campaign Finance Reform Committee to reach a solution, and spoke in support of the Item.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke in support of the Item.

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

Councilmember Prang spoke in support of the Item. He spoke in support of increasing the amount of funds allowed in a candidate's account twenty-four months prior to the election from \$250.00 to \$1,000.00. He spoke regarding the proposed limitation of officeholder funds for membership in any athletic, social, fraternal, veteran or religious organization, and expressed concerns that this restriction might prohibit contributions to community organizations. He spoke in opposition to candidates being required to submit quarterly reports for their officeholder accounts, and spoke in support of submitting semi-annual reports to the City Clerk's office. He spoke in support of allowing candidates more time to come into compliance with the new regulations, if adopted.

Mayor Pro Tempore Heilman spoke in support of reducing the campaign contribution limit from \$1,000.00 to \$500.00. He spoke in opposition to candidates being required to submit quarterly reports for their officeholder

accounts, and spoke in support of submitting semi-annual reports to the City Clerk's office. He requested clarification from the City Attorney regarding the time period to deplete funds from campaign accounts prior to elections. He spoke regarding the proposed limitation of officeholder funds for membership in any athletic, social, fraternal, veteran or religious organization, and expressed concerns that this restriction might prohibit contributions to community organizations.

Councilmember Horvath spoke in support of the Item, and the need for campaign finance regulations. She spoke regarding the possibility of allowing candidates to raise funds for their office holder account, which would be separate from funds used for campaign purposes. She spoke regarding the possibility of creating spending limits for office holder accounts. She requested clarification from the City Attorney regarding the allowable use of excess funds in the new regulations. She spoke regarding reducing the campaign contribution limit from \$1,000.00 to \$500.00, and the difficulties this might create for candidates to raise appropriate funds for elections.

Councilmember Duran spoke regarding the use of campaign funds in previous elections. He spoke regarding voter outreach in the City, and the need for candidates to use mailings to reach voters. He expressed concerns regarding some of the limitations in the proposed regulations. He spoke in support of reducing the campaign contribution limit from \$1,000.00 to \$500.00. He spoke in support of increasing the amount of funds allowed in a candidate's account twenty-four months prior to the election from \$250.00 to \$1,000.00. He expressed concerns surrounding creating office holder accounts. He spoke in opposition to the proposed remedies for violations. He spoke in support of the proposed election cycle.

Mayor Land spoke regarding the current regulations for campaign contributions. She spoke in support of moving excess funds into an officeholder account. She spoke in support of reducing the campaign contribution limit from \$1,000.00 to \$500.00. She spoke in support of the proposed election cycle. She spoke in support of increasing the amount of funds allowed in a candidate's account twenty-four months prior to the election from \$250.00 to \$1,000.00. She spoke in opposition to candidates being required to submit quarterly reports for their officeholder accounts, and spoke in support of submitting semi-annual reports to the City Clerk's office. She spoke in support of the proposed remedies for violations.

ACTION: 1) Determine monetary amount that a Council Member may transfer from a campaign account to an office holder account, and 2) Introduce on first reading Ordinance No. 09-830, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE REGULATIONS

GOVERNING CONTRIBUTIONS TO MUNICIPAL ELECTION CAMPAIGNS FOR CITY COUNCIL OFFICES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE”; with the following amendments: a) amend Section 2.76.050 to read “Campaign accounts shall be depleted to not more than one thousand dollars (\$1,000.00) on the date that is twenty-four months prior to the next election in which the account holder intends to be a candidate for City Council. Transfer of surplus funds to a separate officeholder account in the maximum amount permitted by and to be used in compliance with Section 2.76.060 will satisfy this requirement. Any additional surplus funds beyond those permitted to be transferred to an officeholder account shall be expended exclusively in compliance with Government Code Section 89515 or remitted to the City to be used for programs that enhance voter education and participation in elections. Within ten (10) days of commencing fund raising for an election, candidates shall provide the City Clerk with documentary evidence that their campaign accounts show not greater than a one thousand dollar (\$1,000.00) balance on the date that is twenty-four months before the election for which the contributions are to be accepted.”; b) amend Section 2.76.060 to read “An officeholder account shall not hold more than ten thousand dollars (\$10,000.00) at any one time.”; c) amend Section 2.76.060 to read “Funds in an officeholder account shall not be used or expended... (c) for membership dues in any athletic club or similar club or organization membership in which is primarily personal or social (but excluding membership in or contributions to community-serving or civic organizations)...”; d) amend Section 2.76.060 to read “Every City Councilmember who establishes and maintains an officeholder account shall file with the City Clerk a semi-annual report on a form provided by the Clerk enumerating all deposits into the officeholder account and identifying all disbursements from the account in excess of one hundred dollars (\$100.00) by showing the payee, date, amount, person(s) whose expenses were reimbursed and purpose of each such disbursement.”; and e) amend Section 2.76.070 to add Section 2. to read “Notwithstanding the provisions of Section 2.76.040, a person may make and a candidate or committee may solicit and accept a contribution for the purpose of retiring a campaign debt incurred in connection with the March 2009 municipal election until the date that is six months from the effective date of this Ordinance.” **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Prang and unanimously approved.**

COUNCILMEMBER COMMENTS:

Councilmember Horvath thanked Donna Saur for her efforts as Interim Council Deputy. She introduced her new Council Deputy, Ivor Pine. She spoke regarding the upcoming West Hollywood Book Fair.

Mayor Pro Tempore Heilman spoke regarding the upcoming West Hollywood Book Fair, and the upcoming Algonquin Awards.

Mayor Land thanked everyone for their happy birthday wishes.

ADJOURNMENT: The City Council adjourned at 9:24 P.M. in memory of Ron Kinsey, Naum Reznick, Pauline Ibarra, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting. They adjourned to their next regular meeting, which will be on Monday, October 5, 2009, at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.