

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, OCTOBER 5, 2009  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**CALL TO ORDER:** Mayor Land called the meeting to order at 6:53 P.M.

**PLEDGE OF ALLEGIANCE:** Yola Dore 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 of Potential Initiation of Litigation were added to the agenda. He stated that the closed session adjourned at 6:30 P.M with no reportable action taken.

**APPROVAL OF AGENDA:**

Tom West, City Clerk, requested that Item 2.K. be TABLED.

Councilmember Duran requested that Item 5.A. be moved to the Consent Calendar as Item 2.W.

**Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Horvath to approve the October 5, 2009 agenda as amended, and unanimously approved.**

**ADJOURNMENT MOTIONS:**

Councilmember Prang requested that the meeting be adjourned in memory of Mark Wittenberg, a former employee of Cerrell Associates.

Mayor Pro Tempore Heilman requested that the meeting be adjourned in memory of the Uncle of City Manager Paul Arevalo.

Councilmember Horvath requested that the meeting be adjourned in memory of Maria Ann Maywarning, who was recently killed in a car accident in West Hollywood.

Mayor Land requested that the meeting be adjourned in memory of Pearl Borenstein, a long-time West Hollywood resident. She requested that the meeting be adjourned in

memory of Jeannette Goldstein, the mother of Public Safety Commissioner Norma Kemper.

Councilmember Duran requested that the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Spc. Michael S. Cote Jr., Senior Airman Matthew R. Courtois, Staff Sgt Allen French, Spc Russell Hercules, Sgt. Ryan C. Adams, Sgt. 1st Class Christopher D. Shaw, Spec. Kevin J. Graham, Lance Cpl. John J. Malone, Spec. Joseph V. White, Pfc. William L. Meredith, Sgt. Titus R. Reynolds, Staff Sgt. Jack M. Martin III, Sgt. Edward B. Smith.

### **PRESENTATIONS:**

Councilmember Horvath presented a proclamation in recognition of Domestic Violence and Partner Abuse Prevention Month.

Mayor Pro Tempore Heilman presented a proclamation in recognition of Disabilities Awareness Month.

Mayor Land presented a proclamation in recognition of Breast Cancer Awareness Month.

Mayor Land presented a plaque to outgoing Women's Advisory Board Member Heidi Schroeder.

Mayor Land congratulated Councilmember Horvath for being named Young Democrat of the Year by the Los Angeles County Democrats Association. Mayor Land congratulated Councilmember Prang for being elected Board Chair of the Los Angeles County Sanitation District. Mayor Land announced the resignation of David "Tradd" Keaton from the Lesbian and Gay Advisory Board.

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

DAVID GRUNWALD, WEST HOLLYWOOD, spoke regarding his new position as Executive Director of Alternative Living for the Aging, and spoke regarding the services that ALA provides to seniors.

ED BUCK, WEST HOLLYWOOD, spoke regarding relations between the United States and the country of Iran, and urged the Council to take measures to ensure that the City does not engage in business with any company who supports the current government of Iran.

RIC RICKLES, WEST HOLLYWOOD, spoke regarding the recent Book Fair in the City and thanked the City for sponsoring the event.

MARK ZANGRANDO, WEST HOLLYWOOD, spoke regarding a recent burglary at his home in the City and thanked the West Hollywood Sheriff's Department for their quick response.

### **COUNCILMEMBER COMMENTS:**

Mayor Land thanked the West Hollywood Sheriff and Fire Departments for their quick response times to public safety incidents in the City.

Councilmember Prang spoke in support of public comments urging the Council to take measures to ensure that the City does not engage in business with any company who supports the current government of Iran. He spoke regarding the upcoming AIDS Walk in the City and encouraged residents to participate with the West Hollywood Team.

Councilmember Horvath congratulated Mayor Land for being named the recipient of the Remarkable Woman Award from the National Council of Jewish Women Los Angeles. She spoke regarding a recent sexual assault that took place on Melrose Avenue near the City of West Hollywood. She spoke regarding an upcoming report at the next Public Safety Commission meeting regarding speeding in the City. She spoke regarding the upcoming "Army of Women" public service announcement campaign to encourage women to get involved in breast cancer research. She spoke regarding the ongoing "Face Book for Seniors" program at Plummer Park. She thanked City staff and the volunteers who organized the recent Book Fair in the City.

Mayor Pro Tempore Heilman thanked City staff and the volunteers who organized the recent Book Fair in the City. He spoke regarding the upcoming Fire Prevention Week and encouraged residents to ensure that home smoke alarms are working and to take precautions to prevent fires at home. He spoke regarding the upcoming "California Shake Out" event and the need for residents to prepare for earthquakes.

Mayor Land spoke regarding auto burglaries and encouraged residents to take precautions to prevent incidents. She thanked City staff and the volunteers who organized the recent Book Fair in the City. She spoke regarding her recent attendance at the Travel and Tourism Marketing Association Gala. She spoke regarding the upcoming "Removing the Barriers Community Forum" to advocate for quality health care for lesbian, bisexual and transgender women. She spoke regarding an upcoming family summit titled "Our City, Our Children" in the City. She spoke regarding the upcoming "Army of Women" public service announcement campaign to encourage women to get involved in breast cancer research.

### **CITY MANAGER'S REPORT:**

City Manager Arevalo asked Jeffrey Huffer, Economic Development Manager, to provide an update on the construction of the new West Hollywood Library.

### **FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk West stated that the fiscal impact on the Consent Calendar is \$68,100.00 in expenditures and \$32,434.00 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. **Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman and unanimously approved with Item 2.K. being TABLED.**

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

*The agenda for the meeting of Monday, October 5, 2009 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, October 1, 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 21, 2009. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NO. 635, RESOLUTION NO. 09-3907:**

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

**ACTION:** Approve Demand Register No. 635 and adopt Resolution No. 09-3907, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 635." **Approved as part of the Consent Calendar.**

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

*The City Council will receive the Treasurer's Report for the month ended July 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 CLAIMS ADMINISTRATION:**

*The City Council is asked to deny Claims filed against the City, as a routine administrative step in claims processing.*

**ACTION:** Deny the claim of Steve Fritschle and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

**2.F. ORDINANCE NO. 09-828 (2<sup>ND</sup> READING), RELATING TO THE PLANNING COMMISSION REVIEW OF URBAN INNS AND REHABILITATION INCENTIVES [T. WEST, C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 09-828, a proposed ordinance approving Zoning Text Amendment 2009-001*

*relating to the Planning Commission review of urban inns and rehabilitation incentives.*

**ACTION:** Waive further reading and adopt 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." **Approved as part of the Consent Calendar.**

**2.G ORDINANCE NO. 09-829 (2<sup>ND</sup> READING), TO PERMIT THE SALES, SERVICE, AND CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE ONLY) AS AN ACCESSORY USE TO LIVE THEATERS WITH A MINOR CONDITIONAL USE PERMIT [T. WEST, C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 09-829, a proposed ordinance to permit the sales, service, and consumption of alcoholic beverages (beer and wine only) as an accessory use to live theaters with a minor Conditional Use Permit.*

**ACTION:** Waive further reading and adopt 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 LIVE THEATERS WITH A MINOR CONDITIONAL USE PERMIT." **Approved as part of the Consent Calendar.**

**2.H ORDINANCE NO. 09-830 (2<sup>ND</sup> READING), AMENDING THE REGULATIONS GOVERNING CONTRIBUTIONS TO MUNICIPAL ELECTION CAMPAIGNS FOR CITY COUNCIL OFFICES [T. WEST, C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 09-830, a proposed ordinance amending the regulations governing contributions to municipal election campaigns for City Council offices and amending the West Hollywood Municipal Code.*

**ACTION:** Waive further reading and adopt 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." **Approved as part of the Consent Calendar.**

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

*The City Council will receive reports from the Disabilities Advisory Board, Human Services Commission, Lesbian and Gay Advisory Board, Public Safety Commission and Transportation Commission on actions taken at their recent meetings.*

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

**2.J. RESIGNATIONS FROM CITY COMMISSIONS, ADVISORY BOARDS, AND COMMITTEES [T. WEST. C. SCHAFFER]:**

*The City Council will accept the resignation of Lesbian and Gay Advisory Board Member Jimmy Palmieri, effective September 18, 2009.*

**ACTION:** Accept with regret the resignation of Jimmy Palmieri from the Lesbian and Gay Advisory Board. **Approved as part of the Consent Calendar.**

**2.K. TRANSGENDER ADVISORY BOARD [K. COOK. B. SMITH. D. ESCOBEDO, C. SCHAFFER]:**

*The City Council will receive a proposal from staff regarding the proposed board structure and implementation of the Transgender Advisory Board, including number of members and criteria for membership.*

**ACTION:** 1) Approve the transition of the Transgender Task Force into the Transgender Advisory Board, to be comprised of seven (7) members to meet the first Wednesday of the month, at West Hollywood City Hall at 7:00 PM; 2) Rescind Resolution 09-3829 and adopt resolution 09-3908 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGARDING THE ORGANIZATION OF THE CITY APPOINTED ADVISORY BOARDS; 3) Direct the City Clerk to notice and accept applications for the Transgender Advisory Board. The Transgender Task Force does not have consistent appointed members therefore application will need to be advertised; 4) Approve the recommended bylaws of the Transgender Advisory Board; and 5) Authorize the Director of Finance to allocate \$2,100 (\$50 a member, 7 members for 6 months) from the unallocated General Fund reserves to 100-1-01-18-534112. **This Item was TABLED.**

**2.L. LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY (LACMetro) PROPOSITION A FUNDS AND THE CITYLINE TRANSIT SERVICES PROGRAM [L. LONG, D. DENNIS, J. ROONEY]:**

*The City Council will consider the approval of a one year agreement with the LACMTA for reimbursement of \$33,234 for the collection and reporting of National Transit Database (NTD) statistics for the CityLine transit services program.*

**ACTION:** 1) Authorize the City Manager to execute an MOU agreement with the Los Angeles County Metropolitan Transit Authority (LACMetro) for a Proposition A Incentive Grant for the NTD reporting; and 2) Authorize the Director of Finance to increase budgeted revenues in the Prop A Fund, Account No. 203-422020 by \$33,234. **Approved as part of the Consent Calendar.**

**2.M. HISTORIC RESOURCES UPDATE [A. MCINTOSH, J. KEHO, J. CHASE]:**

*This report is an update to the City Council on the pending historic nomination applications and the meeting held with affected property owners.*

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

**2.N. REFORMING CALIFORNIA TOWN HALL FORUM [J. DURAN, H. MOLINA]:**

*The City Council will consider hosting a town hall forum discussion on the need to reform California.*

**ACTION:** 1) Approve hosting of a town hall forum on November 10, 2009 at West Hollywood Park Auditorium focusing on California reform; and 2) Direct staff to assist with the coordination of the forum. **Approved as part of the Consent Calendar.**

**2.O. CITY CO-SPONSORSHIP OF LOVE YOUR BODY DAY 2009 [C. PLANCK, L. FOOKS]:**

*The City Council will consider co-sponsoring the Hollywood Chapter of the National Organization for Women's Love Your Body Day to be held on October 24, 2009 at West Hollywood Park.*

**ACTION:** 1) Approve the City of West Hollywood's co-sponsorship of Love Your Body Day with Hollywood's Chapter of the National Organization for Women (NOW) and the use of the City's name and logo on printed materials advertising the event; 2) Approve the use of West Hollywood Park by Hollywood NOW on Saturday, October 24, 2009 from 12 pm-4 pm; and 3) Direct staff to assist with the coordination and promotion of the event. **Approved as part of the Consent Calendar.**

**2.P. BREAST CANCER AWARENESS MONTH EVENTS AND PROGRAMS [A. LAND, C. PLANCK L. HORVATH, I. PINE, L. ISENBERG]:**

*The City Council will receive information on the events and programs planned for Breast Cancer Awareness Month in October.*

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

**2.Q. SUPPORT OF TRANSGENDER DAY OF REMEMBRANCE [K. COOK, B. SMITH, D. ESCOBEDO]:**

*The City Council will consider supporting the Transgender Day of Remembrance co-sponsored by the West Hollywood Transgender Task Force.*

**ACTION:** 1) Direct staff to work with the West Hollywood Transgender Task Force to support the Day of Remembrance Event; 2) Approve a rolling street closure on Santa Monica Boulevard between Martel Avenue and Crescent Heights Boulevard on Thursday, November 20, 2009 from 5:00 PM to 8:00 PM to accommodate a march in honor of Day of Remembrance; 3) Approve a street closure on Crescent Heights between Santa Monica Boulevard and Norton Avenue on Thursday, November 20,

2009 from 4:00 pm to 8:00 pm to accommodate ceremony for the placing of the Transgender Memorial; and 4) Waive special event permit fees of \$800. **Approved as part of the Consent Calendar.**

**2.R. SUPPORT H.R. 3567 (NADLER), THE REPEAL OF THE DEFENSE OF MARRIAGE ACT (DOMA) [L. HORVATH, I. PINE, J. DURAN, H. MOLINA]:**

*The City Council will consider adopting a resolution supporting HR 3567.*

**ACTION:** Adopt Resolution No. 09-3909, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF HR 3567 (NADLER), REPEAL OF THE DEFENSE OF MARRIAGE ACT – DOMA"; and 2) Direct staff to send copies of the adopted resolution to U.S. Representatives Henry Waxman, Jerrold Nadler, Senators Dianne Feinstein and Barbara Boxer, and Human Rights Campaign. **Approved as part of the Consent Calendar.**

**2.S. ENDORSEMENT OF THE NATIONAL EQUALITY MARCH, OCTOBER 10-11, 2009, IN WASHINGTON, D.C. [L. HORVATH, I. PINE, L. LONG, J. BOOK]:**

*The City Council will consider endorsing Equality Across America's National Equality March, pursuing full equality for LGBT people in all matters governed by civil law in all 50 states.*

**ACTION:** 1) Adopt Resolution No. 09-3910, "A Resolution of the City Council of the City of West Hollywood in support of endorsing the National Equality March, October 10-11, 2009, in Washington, D.C."; and 2) Direct staff to send copies of the adopted resolution to Congressman Henry Waxman, Senator Dianne Feinstein and Senator Barbara Boxer. **Approved as part of the Consent Calendar.**

**2.T. OPPOSE QUESTION 1 IN MAINE'S ELECTION OF NOVEMBER 3, 2009 [L. LONG, J. BOOK]:**

*The City Council will consider adopting a resolution opposing Question 1 in the November 3, 2009, election in the State of Maine.*

**ACTION:** Adopt Resolution No. 09-3911, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO QUESTION 1 IN THE NOVEMBER 3, 2009, ELECTION IN THE STATE OF MAINE." **Approved as part of the Consent Calendar.**

**2.U. CO-SPONSORSHIP OF "RISE UP AND SHOUT! 2009, A BENEFIT FOR GAY YOUTH" [L. LONG, J. BOOK]:**

*The City Council will consider co-sponsoring "Rise Up and Shout! 2009, A Benefit for Gay Youth," to be held October 24, 2009, at the Barnsdall Gallery Theatre.*

**ACTION:** Approve city co-sponsorship for the program "Rise Up and Shout! 2009, A Benefit for Gay Youth." **Approved as part of the Consent Calendar.**



**2.V. SPONSORSHIP OF 'REMOVING THE BARRIERS' WORKSHOP [A. LAND, C. PLANCK, T. MANDEL]:**

*The City Council will consider sponsoring a "Removing the Barriers" workshop for community members and healthcare professionals regarding the care and services of lesbian, bisexual and transgendered women in health care settings.*

**ACTION:** The City will host the "Removing the Barriers" workshop at Plummer Park on October 14, 2009. **Approved as part of the Consent Calendar.**

**2.W. (5.A.) AMEND AGREEMENT FOR SERVICES WITH LILLEY PLANNING GROUP INC. FOR PERMIT TECHNICIAN SERVICES IN THE BUILDING AND SAFETY DIVISION [A. MCINTOSH, S. BAILEY]:**

*The City Council will consider approving an Amendment of the Agreement for Services with Lilley Planning Group Inc. to provide ongoing Permit Technician services for the Community Development Department, Building and Safety Division.*

**ACTION:** 1) Approve the Amended Agreement for Permit Technician Services with Lilley Planning Group Inc., increasing the \$175,000 amount by an additional amount not-to-exceed sixty thousand dollars (\$60,000) for Building and Safety services in the Building and Safety Division. Total Contract = \$235,000; 2) Authorize the City Manager to sign the agreement; and 3) Authorize the Director of Finance to appropriate \$60,000.00 from unallocated reserves in the General Fund to account 100-3-07-76-531004. **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**

**3.A. AMENDMENT OF CONDITIONAL USE PERMIT TO EXTEND HOURS OF OPERATION OF NIGHTCLUB AT 8811 SANTA MONICA BOULEVARD (ELEVEN) [A. MCINTOSH, J. KEHO, C. CORRAO]:**

*The City Council has requested to review the Planning Commission approval of an amendment to Conditional Use Permit 005-001 for the nightclub known as Eleven, to extend the hours of operation. The subject site is located at 8811 Santa Monica Boulevard.*

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 October 5, 2009.

Councilmember Duran requested clarification from staff regarding the neighborhood impacts listed in the staff report. He requested further clarification from the Sheriff's Captain regarding the nature and number of complaints from residents regarding the nightclub.

Councilmember Prang disclosed his attendance at a community meeting and a meeting with the business owner.

Councilmember Duran disclosed a recent site visit to the nightclub.

Mayor Pro Tempore Heilman disclosed a recent site visit to the nightclub.

Councilmember Horvath disclosed a meeting with the business owner.

Mayor Land disclosed her attendance at a community meeting and a meeting with the business owner.

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

TODD ELLIOTT, ON BEHALF OF THE APPLICANT, spoke in support of the Item.

BOE TRUMBULL, WEST HOLLYWOOD, spoke in support of the Item.

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

JOE KENAN, WEST HOLLYWOOD, spoke in support of the Item.

CORI ZIGMAN, WEST HOLLYWOOD, spoke in support of the Item.

EUGENE KING LEE, WEST HOLLYWOOD, spoke in support of the Item.

XANDER SAIDE, WEST HOLLYWOOD, spoke in support of the Item.

BRIAN DALE, WEST HOLLYWOOD, spoke in support of the Item.

PAUL NICHOLLS, WEST HOLLYWOOD, spoke in support of the Item.

DAVID ALLI, WEST HOLLYWOOD, spoke in support of the Item.

KEN CONGEMI, WEST HOLLYWOOD, spoke in support of the Item.

ARTHUR KHAYAT, WEST HOLLYWOOD, spoke in support of the Item.

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

ZAM LOOMSTEIN, WEST HOLLYWOOD, spoke in support of the Item.

DANIEL SCHORES, WEST HOLLYWOOD, spoke in support of the Item.

SAM BORELLI, WEST HOLLYWOOD, spoke in opposition to the Item.

BOBBY TRENDY, WEST HOLLYWOOD, spoke in support of the Item.

CHAD CROMER, WEST HOLLYWOOD, spoke in support of the Item.

HARIQBAL BASI, WEST HOLLYWOOD, spoke in support of the Item.

TODD ELLIOTT, ON BEHALF OF THE APPLICANT, provided rebuttal.

Councilmember Horvath and Councilmember Duran requested clarification from the applicant regarding the number of security guards employed by the nightclub and the number patrolling the neighborhood.

Mayor Land closed the public hearing.

Mayor Pro Tempore Heilman requested clarification from staff regarding the history of permit approvals for the current business.

Councilmember Duran requested clarification from staff regarding the valet parking operations located in front of the nightclub. He requested clarification from staff regarding noise violations following efforts by the nightclub to mitigate noise in the surrounding neighborhood, and clarification regarding complaints or incidents in the alley behind the club.

Councilmember Duran spoke in support of the Item. He spoke regarding his previous residence near the nightclub and the LGBT community who support the clubs in the area. He spoke regarding the need to focus on reducing the noise impacts of patrons who are leaving the clubs. He spoke in support of more security guards patrolling the neighborhoods during the late night hours. He spoke in support of a probationary period to review the impacts on residents and the neighborhood, and spoke in support of creating a business improvement district to address these issues.

Councilmember Horvath thanked everyone who spoke during public comment. She spoke in support of the business hiring security guards to address noise and safety issues and impacts on the residents. She spoke regarding potential public safety issues and spoke in support of a six-month probationary period to review the impacts on residents and the neighborhood.

Councilmember Prang spoke regarding his previous residence near the nightclub. He spoke regarding neighborhood livability and public safety issues in the area and expressed concerns regarding the City's policy on granting extended hours permits for businesses. He spoke in support of the Item, and the issue of equity in relation to other surrounding

businesses. He spoke in support of imposing restrictions on the extended hours permits, and spoke in support of a three-month and six-month probationary period to review the impacts on residents and the neighborhood. He spoke in support of a requirement that all personnel of the business receive training from City staff and the Sheriff's Department. He spoke in support of creating a business improvement district to address these issues. He spoke in support of more security guards patrolling the neighborhoods during the late night hours. He spoke in support of staff bringing forward mitigation measures regarding the parking lot located behind Video West. He expressed concerns regarding the potential increase of extended hours permit applications from other businesses in the City and the impacts on neighborhood livability, public safety, and law enforcement agencies.

Mayor Pro Tempore Heilman thanked everyone who spoke during public comment. He spoke in support of after hours establishments and in support of a more vibrant nightlife in the City. He spoke in support of the recent renovation of the nightclub. He expressed concerns regarding public comment stating that the extended hours will provide a place for people to calm down and sober up. He spoke regarding impacts on law enforcement due to the extended hours. He spoke in support of reviewing extended hours permits for businesses individually based on their location and the type of business. He spoke in opposition to the proposed extended hours permits based on the location of this particular business and its proximity to a residential neighborhood. He expressed concerns regarding the potential increase of extended hours permit applications from other businesses in the City and the impacts on neighborhood livability, public safety, and law enforcement agencies.

Mayor Land thanked everyone who spoke during public comment. She expressed concerns regarding the proposed extended hours permits based on the location of this particular business. She spoke regarding the lack of opposition to the Item during public comment. She expressed concerns regarding the potential increase of extended hours permit applications from other businesses in the City and the impacts on neighborhood livability, public safety, and law enforcement agencies. She spoke in support of the Item, but spoke in support of imposing restrictions on the extended hours permits, and spoke in support of a three-month or six-month probationary period to review the impacts on residents and the neighborhood.

**ACTION:** 1) Adopt resolution No. 09-3912, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD UPHOLDING THE PLANNING COMMISSION'S ACTION APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT 005-001, A REQUEST TO EXTEND HOURS OF OPERATION IN A NIGHTCLUB, FOR THE PROPERTY LOCATED AT 8811 SANTA MONICA BOULEVARD, WEST

HOLLYWOOD, CALIFORNIA (ELEVEN)" (Attachment A); with the following modifications to the resolution: a) amend Section 5.7 to require a review by the Community Development Director in three months and a review by the Planning Commission in six months and one year; b) amend Section 4.7 to allow the Interior Permitted Hours of operation to be extended to 4:00 a.m. for two weekends each month during the first three months, to be increased to all weekends following approval at the three month Community Development Director review; c) amend the resolution to add a section requiring all establishment staff to receive training by City staff and the West Hollywood Sheriff's Department, and to require sign-off from the Sheriff's Department on a security plan for the establishment; d) require a review of operations if there is a transfer of ownership 2) give direction to staff to investigate the impacts of extended hours of businesses in the City and to report back to Council; and 3) give direction to staff to explore the creation of a business improvement district for this area and report back to Council. **Motion by Councilmember Prang, seconded by Councilmember Duran and approved with Mayor Pro Tempore Heilman voting NO.**

**4. UNFINISHED BUSINESS: None**

**5. NEW BUSINESS:**

**5.A. AMEND AGREEMENT FOR SERVICES WITH LILLEY PLANNING GROUP INC. FOR PERMIT TECHNICIAN SERVICES IN THE BUILDING AND SAFETY DIVISION [A. MCINTOSH, S. BAILEY]:**

*The City Council will consider approving an Amendment of the Agreement for Services with Lilley Planning Group Inc. to provide ongoing Permit Technician services for the Community Development Department, Building and Safety Division.*

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

**5.B. ADVISORY BOARD TASK FORCE [V. LOVE, T. WEST]:**

*The City Council will consider establishing an Advisory Board Task Force of Council Members and staff to review the organizational structure of the City's Advisory Boards.*

Tom West, City Clerk, provided background information as outlined in the staff report dated October 5, 2009.

**ACTION:** Establish an Advisory Board Task Force that will consist of Mayor Land, Councilmember Horvath, the City Manager, the City Attorney and the City Clerk to review the missions, by-laws, policies and procedures of the City Advisory Boards and provide recommendations within 90 days. **Carried by Consensus of the Council.**

**EXCLUDED CONSENT CALENDAR: None.**

**PUBLIC COMMENT:**

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding California training requirements for employees who serve alcohol. She spoke regarding members of the public who spoke in opposition to Item 3.A. when it was before the Planning Commission.

**6. LEGISLATIVE: None**

**COUNCILMEMBER COMMENTS:**

Mayor Pro Tempore Heilman spoke regarding Lesbian and Gay Advisory Board Member David "Tradd" Keaton who was reportedly in a recent car accident.

**ADJOURNMENT:** The City Council adjourned at 9:20 P.M. in memory of Mark Wittenberg, City Manager Paul Arevalo's Uncle, Maria Ann Maywarning, Pearl Borenstein, Jeannette Goldstein, 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 19, 2009 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.