

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JULY 2, 2012
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:30 P.M. – REGULAR MEETING

CALL TO ORDER: Mayor Prang called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE: A. Lee Walkup led the Pledge of Allegiance.

ROLL CALL:

PRESENT: Councilmember D'Amico, Councilmember Duran,
Councilmember Heilman, Mayor Pro Tempore Land and
Mayor Prang

ABSENT: None

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

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins reported that the closed session was called to order at 6:00 p.m. He stated that there was no public comment. He reported that no additional items were added to the agenda. He reported that the City Council elected not to appeal the case of LAUSD v. City of West Hollywood. He stated that the closed session adjourned at 6:25 p.m.

APPROVAL OF AGENDA:

City Clerk Schaffer stated that staff is requesting that Item 5.B be tabled.

Motion by Mayor Pro Tempore Land, seconded by Councilmember D'Amico to approve the July 2, 2012 agenda as amended. The agenda was unanimously approved.

ADJOURNMENT MOTIONS:

Mayor Pro Tempore Land requested that the meeting be adjourned in memory of Molly Oldman.

Mayor Prang requested that the meeting be adjourned in memory of Zev Heifetz, a former member of the Israeli Foreign Service. He also asked that the meeting be adjourned in memory of the following soldiers who died in Afghanistan since the last City Council meeting: Sergeant James L. Skalberg Jr., 25, 1st Lieutenant Stephen C. Prasnicky, 24, Not reported yet Jason White, 24, Staff Sergeant Matthew J. Leach, 29, Staff Sergeant Robert A. Massarelli, 32, Lance Corporal Niall W. Cotisears, 23, Lance

Corporal Hunter D. Hogan, 21, Major Paul C. Voelke, 36, Private 1st Class Steven P. Stevens II, 23, Lance Corporal Eugene C. Mills III, 21, Specialist John D. Meador II, 36, Sergeant 1st Class Matthew B. Thomas, 30, 1st Lieutenant Ryan D. Rawl, 30, Sergeant Jose Rodriguez, 22, and Private 1st Class Jarrod A. Lallier, 20.

PRESENTATIONS: None.

1. PUBLIC COMMENT:

ROB BERGSTEIN, WEST HOLLYWOOD, spoke regarding the Ellis Act.

LYNN RUSSELL, WEST HOLLYWOOD, spoke regarding development in the City.

STEPHEN MARTIN, WEST HOLLYWOOD, spoke in opposition to Item 2.G.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke in support of Item 2.L.

KARLA SANCHEZ, LOS ANGELES, spoke in support of Item 2.M., the upcoming "Fill the Boot" event in partnership with the Muscular Dystrophy Association and the West Hollywood Fire Department.

A. LEE WALKUP, WEST HOLLYWOOD, spoke regarding the upcoming International AIDS Conference in Washington D.C.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke regarding the scheduling of meetings in the City and suggested that transcripts of meetings be made available online.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke regarding various repairs needed at Plummer Park. She also spoke regarding the grass at West Hollywood Park.

AMY BREYER, PASADENA, spoke in support of West Hollywood being the future location of the Animal History Museum.

ESTHER BAUM, WEST HOLLYWOOD, spoke in opposition to Item 3.A., specifically the lack of parking.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember Heilman spoke regarding the recent College Prep Fair event held at Plummer Park and thanked Staff for their work on the programming. He spoke regarding the upcoming free Electronic Waste and Document Shredding Event to be held on July 14, 2012 in the City Hall Parking Lot from 9 a.m. – 3 p.m. He spoke regarding the Citywide Yard Sale scheduled for July 14 - 15, 2012 and encouraged residents to participate by registering on the City's website.

Councilmember Duran spoke regarding his recent attendance at the NALEO Conference in Florida. He wished everyone a happy 4th of July and stated that he will be participating in Concrete Hero Marathon to raise money for APLA. He also spoke regarding an upcoming "Buff & Cut" event to be held on July 28, 2012 to promote a physically fit lifestyle.

Councilmember D'Amico spoke regarding a West Hollywood Artist and his work. He spoke regarding homelessness in the City and asked the City Manager if Staff could come back to a future Council meeting with a report on how budgeted dollars are being spent to help with this issue. He also encouraged everyone to sign up at www.nextdoor.com; which provides important neighborhood information. He spoke regarding the success of the Sunset Strip Farmers' Market. He reported that the Lesbian Discussion Group will meet on July 11, 2012 and the Gay Men's Discussion Group will be held on July 12, 2012. He also stated that he would be participating in the Concrete Hero Marathon.

Mayor Pro Tempore Land spoke regarding homelessness in West Hollywood and asked City Manager Arevalo to have the Public Safety Staff and the Sheriff's Department report on this issue. She also spoke regarding public comment surrounding the posting of minutes and agendas for City Meetings on the City's website.

Mayor Prang spoke regarding a July 8, 2012 traffic alert along Santa Monica Blvd. from La Brea to Doheny between 9 p.m. – 5 a.m. He spoke regarding public comment surrounding the grass in West Hollywood Park and stated that the grass will be re-seeded in time for the Book Fair.

CITY MANAGER'S REPORT:

City Manager Arevalo stated that staff will be posting a line item budget on the City's website this week and will be providing a list of budget items to be discussed at a future Council meeting. He spoke regarding the public comments surrounding homeless issues and stated that staff will provide a report at the next Council meeting. He spoke regarding public comment surrounding agendas and minutes being posted on the City's website and stated that Staff will look into the issue.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$823,100 in expenditures and \$18,091 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar, 2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,N. **Motion by Mayor Pro Tempore Land, seconded by Councilmember D'Amico and unanimously approved, noting**

Mayor Prang's NO vote on Item 2.H. and Item 2.L. and Councilmember D'Amico's NO vote on Item 2.G.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, July 2, 2012 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, June 28, 2012.

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

2.B. APPROVAL OF MINUTES:

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

ACTION: Approve the minutes of June 18, 2012. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 701, RESOLUTION NO. 12-4337:

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

ACTION: Approve Demand Register No. 701 and adopt Resolution No. 12-4337, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 701". **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

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

ACTION: Deny the claim of Santa Monica Connection LLC and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. ORDINANCE NO. 12-894 (2ND READING) RECOMMENDING APPROVAL OF A ZONE TEXT AMENDMENT TO THE MUNICIPAL CODE TO ADD PROVISIONS FOR 'REASONABLE ACCOMMODATION' FOR PERSONS WITH DISABILITIES SEEKING EQUAL ACCESS TO HOUSING [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-894, recommending approval of a Zone Text Amendment to the Municipal Code to add provisions for 'reasonable accommodation' for persons with disabilities seeking equal access to housing.

ACTION: Waive further reading and adopt Ordinance No. 12-894, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD RECOMMENDING APPROVAL OF A ZONE TEXT AMENDMENT TO THE MUNICIPAL CODE TO ADD PROVISIONS FOR 'REASONABLE ACCOMMODATION' FOR PERSONS WITH DISABILITIES SEEKING EQUAL ACCESS TO HOUSING. **Approved as part of the Consent Calendar.**

2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

SUBJECT: The City Council will receive reports from the Public Safety Commission, Transportation Commission and the Russian Advisory Board on actions taken at their recent meetings.

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

2.G. PERMIT PARKING FEE INCREASE [O. DELGADO, J. ROCCO, D. NORTE]:

SUBJECT: The City Council will consider a two year plan to increase permit parking fees, and adopt a resolution amending the master fee resolution for FY12-13.

ACTION: 1) Approve a two-year plan to increase the permit parking fees approved on June 18, 2012; and 2) Adopt Resolution No. 12-4338, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MASTER FEE RESOLUTION (RESOLUTION NO. 12-4332) BY ESTABLISHING PERMIT PARKING RATES." **Approved as part of the Consent Calendar, noting Councilmember D'Amico's NO vote.**

2.H. HALLOWEEN CARNAVAL PRODUCTION SERVICES AGREEMENT AWARD [S. BAXTER, O. WALKER, C. SMITH]:

SUBJECT: The City Council will consider awarding an Agreement for the Halloween Carnival Production Services to Authentic Agency, Incorporated of West Hollywood.

ACTIONS: 1) Authorize the City Manager to execute a two year Agreement with Authentic Agency, Incorporated of West Hollywood, California in the not to exceed amount of \$408,000.00 per year, with the option to extend for one year; 2) Approve a contingency as approved by the City Manager of up to 15% of the Agreement amount; and 3) Authorize the City Manager to re-open and negotiate event elements and associated costs as warranted by budgetary constraints. **Approved as part of the Consent Calendar, noting Mayor Prang's NO Vote.**

2.I. AUTHORIZE RECEIPT OF GIFT AND GRANT FUNDS FOR FISCAL YEAR 2012-2013 FOR ARTS AND CULTURE PROGRAMMING [P. AREVALO, J. HUFFER, A. CAMPBELL]:

SUBJECT: The City Council will consider authorizing the receipt of a gift of \$20,385 from the Sunset Strip Business Association and Gibson Guitar Foundation for public art projects for the Sunset Strip, and a grant of \$1,100 from the office of Los Angeles County Supervisor Zev Yaroslavsky through the Los Angeles County Arts Commission to support a Summer Sounds concert in fiscal year 2012-2013.

ACTIONS: 1) Authorize receipt of \$20,385 from the Gibson Guitar Foundation through the Sunset Strip Business Association to be deposited into the City's Art and Beautification Fund for public art projects for the Sunset Strip; 2) Authorize receipt of \$1,100 from the office of Los

Angeles County Supervisor Zev Yaroslavsky through the Los Angeles County Arts Commission to support a Summer Sounds concert in fiscal year 2012-2013; and 3) Authorize the Director of Finance to increase the Arts and Beautification Fund revenue budget in account 209-461001 by \$21,485 and expenditure budget in account 209-1-01-10-535013 by \$1,100 for fiscal year 2012-13. **Approved as part of the Consent Calendar.**

2.J. ANNUAL ARTS GRANT APPLICATION AND GUIDELINES 2013 [P. AREVALO, J. HUFFER, A. CAMPBELL]:

SUBJECT: The Council will consider approving the Annual Arts Grant Program Applications and Guidelines for 2013 as recommended by the Arts and Cultural Affairs Commission.

ACTION: Approve grant criteria, applications and guidelines for the 2013 Arts Grant Program. **Approved as part of the Consent Calendar.**

2.K. CO-SPONSORSHIP OF “INSTALL: WEHO,” A PUBLIC ART INSTALLATION AND PERFORMANCE FESTIVAL [P. AREVALO, J. HUFFER, A. CAMPBELL]:

SUBJECT: The City Council will consider co-sponsoring “Install: WeHo,” a public art installation and performance festival on Sunday, September 16, 2012 and the use of the El Tovar lot for the event.

ACTIONS: 1) Co-sponsor “Install: WeHo,” a public art installation and performance festival on Sunday, September 16, 2012; 2) Authorize use of the El Tovar lot for “Install: WeHo”; 3) Authorize the use of the City of West Hollywood logo on materials associated with “Install: WeHo”; 4) Allow the sale and consumption of alcohol on the El Tovar lot on September 16, 2012 during “Install: WeHo”; and 5) Waive Special Event Permit fee and any other City-related fees for “Install: WeHo.” **Approved as part of the Consent Calendar.**

2.L. SUPPORT FOR AB 1446 (FEUER) LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY TRANSACTIONS AND USE TAX [J. HEILMAN, F. SOLOMON, A. LAND, C. PLANCK, J. HARRIS, K. ANDERSON]:

SUBJECT: The City Council will consider adopting a resolution in support of AB 1446 (FEUER), which allows the Los Angeles County Metropolitan Transportation Authority (MTA) to place on the ballot for vote the extension of the length of imposition of an existing transactions and use tax of 0.5% for specified purposes.

ACTIONS: 1) Adopt Resolution 12-4339 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING AB 1446 (FEUER) LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY TRANSACTIONS AND USE TAX”; and 2) Direct staff to send copies of signed resolutions to state Senator Fran Pavley, Assemblymember Mike Feuer, Senator Ted Lieu, and other key

legislators. **Approved as part of the Consent Calendar, noting Mayor Prang's NO vote.**

2.M. SUPPORT OF FIREFIGHTERS' "FILL THE BOOT" CAMPAIGN TO BENEFIT THE MUSCULAR DYSTROPHY ASSOCIATION [A. LAND, C. PLANCK]:

SUBJECT: The City Council will consider supporting the "Fill the Boot" campaign conducted annually by firefighters throughout the country to benefit the Muscular Dystrophy Association, taking place in West Hollywood July 24-26, 2012.

ACTIONS: 1) Approve the City of West Hollywood's support for the "Fill the Boot" campaign conducted annually by firefighters throughout the country to benefit the Muscular Dystrophy Association; 2) Approve the use of the intersection at Sunset Boulevard and Doheny July 24-26, 2012 and waive associated special event permit fee; and 3) Direct PIO staff to assist with the coordination and promotion of the event. **Approved as part of the Consent Calendar.**

2.N. COSPONSORSHIP AND CITY SUPPORT FOR SCREENING OF DOCUMENTARY "BONSAI PEOPLE" AT WEST HOLLYWOOD LIBRARY BY INTERNATIONAL VISITORS COUNCIL [J. D'AMICO, M. REX]:

SUBJECT: The City Council will consider co-sponsoring the screening of the documentary film "Bonsai People" by the non-profit International Visitors Council of Los Angeles at the West Hollywood Park Public Meeting Room (Council Chambers) on Sunday, July 22, 2012.

ACTION: 1) Approve co-sponsorship of the event, authorizing the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve in-kind support in the form of facility use waivers for the event totaling a not-to-exceed amount of \$250; 3) Authorize parking validation for a not-to-exceed amount of \$250 for attendees of the event; 4) Authorize the Public Information Office to utilize all appropriate communications tools to promote the event, including, but not limited to the City's website, and social media tools; and 5) Authorize the City Manager to sign and execute any necessary documents or forms. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. REHABILITATION, RESTORATION AND CONVERSION OF USE AT 1302 – 1310 SWEETZER AVENUE (EL MIRADOR) [J. KEHO, F. CONTRERAS]:

SUBJECT: At its June 18, 2012 meeting, the City Council closed the public hearing and continued this item to July 2, 2012 solely for further deliberation and no further public testimony will be taken. The applicant is requesting a Development Agreement and Rehabilitation Incentive for the rehabilitation and restoration of the El Mirador building at 1302 – 1310 N.

Sweetzer Avenue, with certain waivers of development standards and exaction fees to enable its use as condominiums or an Urban Inn. In addition to the Development Agreement and Rehabilitation Incentive, the project requires approval of a corresponding Zoning Map Amendment, Zone Text Amendment, Conditional Use Permit, and Tentative Tract Map.

The Item was noticed as required by law.

Francisco Contreras, Senior Planner, provided background information as outlined in the Staff Report dated July 2, 2012.

Councilmember D'Amico requested clarification from City Attorney Jenkins as to whether there have been any developments regarding the project since the last meeting on this Item. City Attorney Jenkins reported that there were not any developments regarding the project.

Mayor Prang spoke in support of the comments made by Mayor Pro Tempore Land and Councilmember Heilman at the previous public hearing and stated that he is troubled with granting the proposed considerations for this property. He spoke regarding the importance of keeping the historic building in the City, and spoke regarding trying to find a solution that would allow the building to be protected. He spoke regarding the lack of parking and spoke in opposition to converting the property into an Urban Inn. He spoke in support of allowing condominiums with certain conditions. He spoke regarding other historic buildings within the City that must meet City code and spoke in opposition to creating exceptions for one building.

City Attorney Jenkins spoke regarding a recent meeting with Staff to discuss the possibility of having the top two floors of the property as condominiums and the bottom four floors as an Urban Inn to help address the parking issues.

Councilmember Heilman spoke in support of denying the request and asking the owner to return with revisions based on comments made by the City Council. He spoke regarding the need to see financial information as it relates to the cost of the building and the owners debt obligation to the building to determine if concessions can be made.

Councilmember D'Amico spoke in support of having two uses at the site. He spoke regarding the primary focus being to have the building occupied and expressed concern over the current condition of the building. He spoke regarding the issues with parking at the building and throughout the City and the need to ensure that parking requirements are followed. He spoke in support of moving forward and allowing the owner to build on the site; with the condition that 24-parking spaces are provided.

Councilmember Duran spoke in support of the preservation of the historic structure. He spoke regarding the building being a jewel in the City and how it may not be able to meet the current parking requirements without dramatically developing the building. He spoke in support of giving the owner special considerations to ensure that the historic building stays in the City.

Mayor Prang spoke in support of finding a workable solution but expressed concerns regarding Councilmember D'Amico's recommendation regarding the parking requirements. He spoke regarding the concepts of historic preservation and rent stabilization being at odds as it relates to this building. He expressed concern with making these types of decisions on an individual project basis and not comprehensively as a City.

Councilmember Heilman requested clarification regarding whether there are currently people being allowed to stay in the building despite the fact that the renters were removed under the Ellis Act.

Mayor Pro Tempore Land spoke in support of the developer returning to Council as soon as possible.

City Attorney Jenkins requested clarification from Councilmember Heilman whether under his proposed motion the project would return directly to Council. Councilmember Heilman provided clarification that his proposed motion to deny the project without prejudice would not require the owner to submit new application fees and would allow the owner to return directly to Council.

ACTIONS: Deny the project without prejudice, and direct the applicant to return with a newly proposed design and plans that are more consistent with the City Council's concerns regarding parking, traffic and the use of the entirety of the property. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land, and approved with Councilmember D'Amico and Councilmember Duran voting NO.**

3.B. AMENDMENT TO THE ZONING ORDINANCE ESTABLISHING THE AVENUES BONUS OVERLAY DISTRICT [J. KEHO, D. DEGRAZIA, A. GALLO]:

SUBJECT: At its June 18, 2012 meeting, the City Council continued this item to July 2, 2012. The City Council will adopt on second reading an amendment to the City of West Hollywood Zoning Ordinance to reflect the new Avenues Bonus Overlay Zoning District. The City Council considered this item at a public hearing on Monday, May 21, 2012. After hearing all pertinent testimony, Council approved the application request on a 3-2 vote with Mayor Prang and Councilmember D'Amico voting "no".

The Item was noticed as required by law.

Adrian Gallo, Associate Planner provided background information as outlined in the Staff Report dated July 2, 2012.

Councilmember D'Amico requested clarification regarding the environmental studies for both the Bonus Overlay District and the project at 8564-8590 Melrose Avenue. John Keho, Planning Manager, provided clarification regarding the environmental study.

Councilmember Heilman requested clarification regarding height restrictions associated with the Bonus Overlay District.

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

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding noticing of the Item and spoke in opposition to the Item.

JAMES KASHIAN, WESTWOOD, spoke in opposition to the Item.

KIMBERLY WINICK, WEST HOLLYWOOD, spoke in opposition to the Item and in favor of a Melrose Specific Study.

PADI MOSCHETTA, WEST HOLLYWOOD, spoke in opposition to the Item.

SHEILA LIGHTFOOT, WEST HOLLYWOOD, spoke in opposition the Item.

RICHARD GIESBRET, WEST HOLLYWOOD, spoke in opposition to the Item.

KEITH RAND, WEST HOLLYWOOD, spoke in opposition to the Item.

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

Mayor Prang closed the public hearing.

Councilmember D'Amico requested clarification from staff regarding Section 7 of the proposed Ordinance, which includes the findings required for approval of the Avenues Commercial Development Bonus. He particularly expressed concerns regarding whether the project met findings d, e, and f. He requested clarification regarding finding f and whether there is a global definition of "public benefit". Staff provided clarification that "public benefit" is determined on proposed individual projects.

Mayor Prang provided clarification that the proposed Item is not to approve the project on Melrose, but is an amendment to the Zoning Ordinance.

Mayor Prang read the following names of those that were opposed to the Item but did not wish to speak: RICHARD BLONS, MICHAEL ZANNELLA, VICTOR OMELCZENKO, LARRY CHAMBLEE, MARJORIE POLLACK, MIKE GIVENS, SANDY POLLACK, DEBBIE MEISTER, MARTIN STRUDLER, VIRGINIA GILLICK.

Councilmember Heilman spoke in support of making the language more explicit in finding d, by stating that the development does not result in detrimental impacts to both residential and commercial development.

Councilmember D'Amico spoke in support of making the language more explicit in finding d, to include both residential and commercial development. He spoke regarding the possibility of adding an additional finding to the ordinance to state that the bonus is supported by adjacent neighborhood groups.

Councilmember Duran spoke in support of the revisions to the ordinance as suggested by Councilmember D'Amico.

Mayor Pro Tempore Land spoke in support of the Item and in support of a revision to finding d, stating that the development does not result in detrimental impacts to both residential and commercial development.

City Attorney Jenkins clarified that the since substantive changes have been made to the Ordinance, the Item would need to be brought back for 2nd Reading with the revisions to finding d to include the verbiage "residential and commercial."

ACTION: Hold a public hearing, consider all pertinent testimony, approve the application request and re-introduce on first reading Draft Ordinance No. 12-890, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A ZONE TEXT AMENDMENT THAT ESTABLISHES THE AVENUES BONUS OVERLAY DISTRICT, ADDING A NEW CHAPTER [19.14.100] TO TITLE 19 OF THE WEST HOLLYWOOD MUNICIPAL CODE, AND AMENDING CHAPTERS 19.04.020 AND 19.10.050." (ATTACHMENT A); with an amendment to Section 7, 19.10.05(C)(2)(d) to read: "The development does not result in detrimental impacts to existing or anticipated residential or commercial development in the vicinity of the project;". **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and approved, with Councilmember D'Amico voting NO.**

3.C. COMMERCIAL PROJECT AT 8564-8590 MELROSE AVE. [J. KEHO, D. DEGRAZIA, A. GALLO]:

SUBJECT: At its June 18, 2012 meeting, the City Council continued this item to July 2, 2012. The Council will hold a continued public hearing to consider a commercial development known as Melrose & Westmount. The proposed project is the construction of an approximately 29,445-square-foot commercial structure (wholesale and furnishing showrooms) with two levels of underground parking. The project involves a Zone Map Amendment to include the property within the Avenues Bonus Overlay Zoning District.

The Item was noticed as required by law.

Adrian Gallo, Associate Planner, provided background information as outlined in the Staff Report dated July 2, 2012.

Councilmember D'Amico spoke regarding the changes the applicant has made, but expressed concerns regarding the size of the building and the eight foot wall along Melrose Avenue and suggested reducing the wall to 42". He spoke in support of reducing the size of the building from 30,000 square feet to 20,000 square feet.

Councilmember Duran spoke regarding recent meetings with the neighbors regarding this project and stated that the information he received regarding the driveway and the signage, could impact his decision on this project.

City Attorney Jenkins provided clarification that the applicant has not had a chance to respond to the additional information received by Councilmember Duran. He spoke regarding the possibility of continuing the Item and re-noticing the public hearing.

Councilmember Heilman spoke regarding the public comments received by Councilmember Duran and the minimal impacts on the project.

Mayor Prang spoke in support of allowing all parties to comment on the project.

Councilmember Duran asked that the Item be continued to the first meeting in August and that the public hearing be re-opened.

City Attorney Jenkins stated that the only party prejudiced by the discussion Councilmember Duran had with neighbors would be the applicant. He provided clarification that the applicant could simply answer the question as to whether he needs an opportunity to respond to the public comments raised to Councilmember Duran.

Mr. Solemani responded that he wished to move forward with the Item.

Councilmember Duran withdrew his motion to Table the Item.

ACTIONS: Hold a public hearing, consider all pertinent testimony, and approve the proposed project by the following actions: 1) re-introduce on first reading Draft Ordinance No. 12-891: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A ZONING MAP AMENDMENT IN CONJUNCTION WITH A PROPOSED ZONE TEXT AMENDMENT, FOR THE PROPERTIES LOCATED AT 8564 – 8590 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A); and direct staff to return to Council with an amended resolution No. 12-_____: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND APPROVING A DEMOLITION PERMIT, DEVELOPMENT PERMIT, AND A LOT LINE ADJUSTMENT, FOR THE DEMOLITION OF SIX COMMERCIAL STRUCTURES TO CONSTRUCT A TWO-STORY, 29,445-SQUARE-FOOT COMMERCIAL BUILDING, FOR THE PROPERTIES LOCATED AT 8564-8590 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA" (ATTACHMENT B); with an amendment to Section 7(d) to read "The development does not result in detrimental impacts to existing or anticipated residential or commercial development in the vicinity of the project;" and with direction to address additional mitigation to prohibit right hand turns down Westmount; require additional signage; and limit the size of the solid portion of the wall along the front opening to 42". **Motion by Councilmember Heilman, seconded by Councilmember Duran, and approved with Councilmember D'Amico and Mayor Prang voting NO.**

3.D. COMMERCIAL PROJECT AT 8711 MELROSE AVENUE [J. KEHO, F. CONTRERAS]:

SUBJECT: At its June 18, 2012 meeting, the City Council continued this item to July 2, 2012. The proposed project is the construction of an approximately 23,045-square-foot, two-story (with partial third story) commercial structure designed as retail and wholesale design showrooms. The project would also include a 9,677-square-foot outdoor terrace that would be designated as wholesale design showroom for outdoor furnishings. The project requires a Zone Map Amendment to include the property within the Avenues Bonus Overlay Zoning District.

The Item was noticed as required by law.

Francisco Contreras, Senior Planner, provided background information as outlined in the Staff Report dated July 2, 2012.

Councilmember Duran disclosed that he spoke with Mr. Seymour and Mr. Illoulilian and members of the West Hollywood West Association.

Councilmember Heilman disclosed that he visited the site and spoke with Mr. Seymour and Mr. Illouliau

Mayor Pro Tempore Land disclosed that she spoke with Mr. Seymour and Mr. Illouliau and neighboring residents.

JEFF SEYMOUR, REPRESENTING THE APPLICANT, spoke in support of the project.

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

Mayor Prang read the names of the following individuals who wanted to express their opposition to the project but did not wish to speak: MANNY RODRIGUEZ, DEBBIE MEISTER, VICTOR OMELCZENKO.

Mayor Prang read the names of the following individuals who wanted to express their support for the project but did not wish to speak: DARREN GOLD, KAREN KUO CHEN.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of the project design, but could not support moving forward on the project due to the City's process.

HANY HADDAD, WEST HOLLYWOOD, spoke in support of the project.

JOSEPH OBEZO, WEST HOLLYWOOD, spoke in support of the project.

DANA AL-HAJ, WEST HOLLYWOOD, spoke in support of the project.

STEVE MARTIN, WEST HOLLYWOOD, spoke in support of the project.

JEFF SEYMOUR, REPRESENTING THE APPLICANT, provided a brief rebuttal and spoke in support of the City's process in approving development projects.

ACTIONS: Hold a public hearing, consider all pertinent testimony, and approve the proposed project by the following actions: 1) Introduce for first reading Ordinance No. 12-895, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A ZONING MAP AMENDMENT TO INCLUDE THE SUBJECT PROPERTY WITHIN THE AVENUES BONUS OVERLAY ZONING DISTRICT, IN CONJUNCTION WITH THE PROPOSED COMMERCIAL PROJECT AT 8711 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A); and 2) and direct staff to return to Council with an amended resolution No. 12-_____, "A RESOLUTION OF THE CITY COUNCIL OF

THE CITY OF WEST HOLLYWOOD ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING A DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF AN APPROXIMATELY 23,045-SQUARE-FOOT THREE-STORY COMMERCIAL STRUCTURE (RETAIL AND WHOLESALE DESIGN SHOWROOM), FOR THE PROPERTY LOCATED AT 8711 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA" (EXHIBIT B); with an amendment to Section 5 (paragraph 4) to read "The development does not result in detrimental impacts to existing or anticipated residential or commercial development in the vicinity of the project." **Motion by Councilmember D'Amico, seconded by Mayor Pro Tempore Land, and unanimously approved.**

4. UNFINISHED BUSINESS:

4.A. ENTERTAINMENT SHUTTLE OPTIONS [S. BAXTER, D. DENNIS, P. GOODMAN, M. ANTOL]:

SUBJECT: The City Council will receive information regarding entertainment shuttle options.

Perri Sloane Goodman, Transportation Program Administrator, provided background information as outlined in the Staff Report dated July 2, 2012.

Councilmember Duran requested clarification regarding ADA requirements associated with the proposed shuttle.

Staff stated that any public entity is required to provide equal access and the vehicles that are being proposed would meet these requirements.

SHEILA LIGHTFOOT, WEST HOLLYWOOD, spoke in support of the idea of a shuttle, but requested that it be called the "Weho Trolley" and that it be available for residents and visitors. She also spoke in support of funding the trolley with advertising, and spoke in support of the formation of a task force.

LUCAS JOHN, WEST HOLLYWOOD, spoke in support of a shuttle, but expressed concerns regarding the proposed schedule and the use of Cityline buses. He spoke in support of the formation of a task force.

BEN COLEMAN, WEST HOLLYWOOD, spoke in support of a shuttle, but expressed concerns over using the Cityline bus as a pilot. He spoke in support of creating a task force to ensure that the shuttle is rolled out creatively.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke in support of the Item and in support of the suggestions made by other public speakers.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in support of the Item and in support of a two-month trial. She spoke in support of obtaining sponsors.

STEVE MARTIN, WEST HOLLYWOOD, spoke in support of the Item, but spoke in support of having a longer pilot project. He spoke in support of creating a task force.

City Clerk Schaffer read the name of the following individual who wanted to express her support for the project but did not wish to speak: VIRGINIA GILICK

Councilmember Duran thanked Staff for their work on this Item. He spoke regarding the City having a “daytime economy” and a “night-time economy” and spoke in support of the shuttle focusing on the night-time economy. He spoke regarding the possible reduction of accidents, DUI’s, and traffic in association with the shuttle. He spoke in support of extending the line to Crescent Heights and limiting it to Friday and Saturday. He spoke in support of the shuttle being a Trolley or a Red Car. He expressed concerns regarding forming a task force and suggested a longer pilot project. He spoke regarding the need to ensure that all vehicles are ADA compliant.

Mayor Pro Tempore Land thanked Staff for their work on the Item. She expressed concerns regarding riders using the shuttle and then returning to their car and driving under the influence. She also expressed concerns regarding the costs and the use of Proposition A funding for this project, and requested a more comprehensive financial analysis. She spoke in support of having the shuttle run every 15 minutes, but spoke regarding the need to provide clarification about where the stops would be located. She spoke regarding the demographics of shuttle riders and parking issues associated with the shuttle. She spoke regarding the possibility of creating a task force to explore what the City wants to say in regards to the shuttle.

Councilmember D’Amico thanked the public for getting involved in the community projects and thanked Staff for their work on the Item. He suggested that the Item be moved to the City’s Special Event’s Division to fine tune the project. He spoke in support of exploring the option of the City engaging one of the tour buses that are currently servicing West Hollywood to reduce the costs or to provide the vehicle for free in exchange for advertising. He spoke in support of moving forward with the Item and implementing a pilot program this summer.

City Manager Arevalo spoke regarding the possible business partnerships that could be engaged in moving forward with the project. He provided

clarification that staff could investigate possible options for sponsorship within the business community.

Councilmember Heilman spoke in support of the idea of having a shuttle on Santa Monica Boulevard. He spoke regarding the previous shuttle not having enough ridership, and the difficulty in providing a shuttle with all the suggested elements at no or low cost. He spoke regarding a previous direction given by Council regarding outreach to advertising companies that garnered no interest due to the time of day and the limited area in which the shuttle would be running. He spoke in support of reaching out again to advertising companies as well as tour bus companies that currently service the West Hollywood area. He spoke in support of the shuttle running every 15 minutes, and using the current Cityline Shuttle. He expressed concern over having the shuttle as a party shuttle with music and loud horns. He spoke in support of expanding the line to Crescent Heights.

Mayor Pro Tempore Land spoke in support of a longer pilot program.

Mayor Prang thanked everyone for coming out and speaking on the Item. He spoke regarding the Staff Report not being comprehensive enough for Council to give proper direction. He expressed concerns over the costs and the lack of a ridership study. He spoke regarding the previous night-time shuttle and how it did not have adequate ridership. He spoke regarding parking in the area not being as difficult as it was in 1997. He spoke regarding previous attempts to advertise on shuttles; and the lack of interest from the business community. He spoke in support of giving Staff additional direction to provide Council with more information, including a professional analysis of costs and ridership. He spoke in support of hiring a consultant to investigate the implementation, operation and marketing of the shuttle. He also spoke in support of creating a task force.

Councilmember Heilman spoke in support of requesting Staff to return to Council with a more detailed budget and proposal to operate the shuttle.

Councilmember D'Amico spoke regarding the improvements in technology for wrapping vehicles to allow for advertising on the shuttles. He spoke in support of using the City's existing shuttles to move forward with a pilot project in the more immediate future. He spoke in support of creating advertising on all of the City shuttles to encourage investors and to help fund the nighttime shuttle. He spoke regarding marketing the shuttle via social media and turning the project over to the City's Special Events Division.

Councilmember Duran spoke in support of creating a task force with the community to explore options for implementation, branding and marketing

of the shuttle, and spoke in support of creating a task force that will think outside the box. He spoke regarding garnering input from young people and those that frequent the clubs in West Hollywood.

Mayor Pro Tempore Land spoke regarding the need to understand the financial impact associated with the shuttle and the possible trade-offs for other transportation programs. She spoke in support of wrapping the City's existing shuttles and garnering additional advertising dollars as well. She expressed concern with trying to implement the project by August or September, and suggested that the process be well thought out before implementation.

City Manager Arevalo stated that Staff could return to Council with more detail which may include the hiring of a consultant and the process of finding a branding company. He spoke regarding looking at the long-term benefits, and looking at other Cities that have similar programs.

Mayor Prang spoke in support of the idea and stated that it could add value to the City, but spoke regarding gathering more information before moving forward. He spoke in support of hiring a consultant in lieu of a pilot project. He spoke in support of directing staff to take input and return to Council with a proposed comprehensive schedule and plan to address the issues raised by Council.

Councilmember Heilman spoke regarding the possibility of using the existing buses for a short period of time in conjunction with hiring a consultant to provide expertise to help develop the program for the future.

Councilmember Duran expressed concern over doing a pilot program using the Cityline and spoke in support of gathering more information and input before moving forward.

City Manager Arevalo suggested that Council table the Item, direct staff to issue an RFP to hire a consulting firm to conduct a comprehensive study and plan regarding the project, and direct staff to return to Council in August with a scope of work for the consultant.

Councilmember D'Amico spoke in support of including an element in the RFP regarding the possibility of connecting the shuttle with the Red Line during late night hours of operation.

ACTION: Table the Item, direct staff to issue an RFP to hire a consulting firm to conduct a comprehensive study and plan regarding the project, and direct staff to return to Council in August with a scope of work for the consultant. **The Item was approved by Consensus of the Council.**

5. NEW BUSINESS:

5.A. BUS BENCHES [J. HEILMAN, F. SOLOMON]:

SUBJECT: The City Council will consider directing staff to remove the bus stop “rails” and provide alternatives to the Transportation Commission and City Council.

Councilmember Heilman provided background information as outlined in the Staff Report dated July 2, 2012.

City Clerk Schaffer read the names of the following individuals who wanted to express their support for the Item but did not wish to speak: VIRGINIA GILLICK, STEPHANIE HARKER, CATHY BLAIVAS.

Councilmember D’Amico spoke regarding looking into chairs with arms like those used in the City of Santa Monica.

Councilmember Duran spoke in support of benches with arms to deter individuals from lying on the benches. He spoke regarding the need to balance ADA issues and competing interests on sidewalks such as bicycles and pedestrians.

Mayor Prang requested clarification from staff regarding the choice of the current bench rails. He spoke regarding the need to maintain the rails if no other options exist.

ACTION: Direct staff to develop a plan to remove and replace the bus bench “rails” in all existing locations, and return with alternatives within 90 days. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land, and unanimously approved.**

5.B. CITY COUNCIL DISCUSSION REGARDING PRESENTATIONS GIVEN AT CITY COUNCIL MEETINGS [J. PRANG, M. HAIBACH, J. D’AMICO, M. REX]:

SUBJECT: The City Council will have an open discussion to consider possible changes to the City Council agendas regarding possibly limiting the number of presentations given at City Council meetings and/or reorienting the time at which presentations are given.

ACTIONS: This Item was tabled.

5.C. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE FOR SUMMER 2012 [C. SCHAFFER]:

SUBJECT: The City Council will consider revising the City Council Regular Meeting Schedule for the summer months of 2012.

City Manager Arevalo spoke regarding looking at the second meeting in August as a “place-holder” for a meeting to discuss the Plummer Park Master Plan.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke in support of having a meeting with a single item agenda to discuss Plummer Park.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in support of having a meeting with a single item agenda to discuss Plummer Park.

GEOFFREY BUCK, WEST HOLLYWOOD, spoke in support of having a meeting with a single item agenda to discuss Plummer Park.

The following individual submitted a Citizen Position Slip to express her support for the Item but did not wish to speak: VIRGINIA GILLICK.

Mayor Pro Tempore Land spoke in support of having a meeting in August to discuss Plummer Park, but suggested that if the funding is not available, that Staff provide options to discuss at the meeting.

Councilmember Heilman spoke regarding the need to ensure that any proposed improvements have funding options associated with them and the need to reevaluate the need for a single meeting in response to changes in funding. He stated that due to travel it is unlikely that he will be in attendance for the August 6 meeting.

ACTIONS: 1) City Council tentatively designated the August 20, 2012 Meeting to discuss the recommendations of the City Council Subcommittee regarding the Phase I Plummer Park Master Plan Implementation Project with the provision that if the funding is not available regarding the Master Plan, the meeting will be scheduled accordingly. **This Item was approved by Consensus of the Council.**

5.D. COMMISSION AND ADVISORY BOARD APPOINTMENTS [C. SCHAEFFER, Y. QUARKER]:

SUBJECT: The City Council will consider making direct appointments to City Commissions and Advisory Boards.

ACTIONS:

Councilmember D'Amico made the following direct appointments:

- a. Public Facilities Commission: Tabled.
- b. Lesbian & Gay Advisory Board: Amy Ruskin

EXCLUDED CONSENT CALENDAR: None.

6. LEGISLATIVE: None.

PUBLIC COMMENT: None.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 10:21 p.m. in memory of Zev Heifetz, Molly Oldman, and all the soldiers who died in Afghanistan since the last City Council meeting. The City Council adjourned to their next regular meeting, which will be on Monday, July 16, 2012 at 6:30 P.M. in the West Hollywood Park Public Meeting Room - Council Chambers, 625 N. San Vicente Boulevard.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 16th day of July, 2012 by the following vote:

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

JEFFREY PRANG, MAYOR

ATTEST:

COREY SCHAFFER, CITY CLERK