

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, AUGUST 6, 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: Donna Saur led the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: Councilmember Heilman

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 Item #2 was removed from the closed session agenda. He stated that the closed session adjourned at 6:20 p.m. with no reportable action.

APPROVAL OF AGENDA:

City Clerk Schaffer stated that an Urgency Item was submitted to the City Clerk’s Office. Mayor Prang asked that the Item be added to the agenda as Consent Calendar Item 2.P.

Motion by Mayor Pro Tempore Land to add an Urgency Item to the agenda as Item 2.P., and approved by Consensus of the Council with Councilmember Heilman being absent.

Councilmember Duran requested that Items 4.A., 5.B., 5.C., 5.D., and 6.A. be moved to the Consent Calendar as Items 2.Q., 2.R., 2.S., 2.T., and 2.U. respectively.

Motion by Councilmember Duran, seconded by Councilmember D’Amico to approve the August 6, 2012 agenda as amended. The agenda was approved with Councilmember Heilman being absent.

ADJOURNMENT MOTIONS:

Councilmember D’Amico requested that the meeting be adjourned in memory of Albert Gamboa, the twin brother of resident Robert Gamboa.

Mayor Prang requested that the meeting be adjourned in memory of West Hollywood resident Benjamin Creekmore (AKA Nelson Troye). He asked that the meeting be adjourned in memory of Doris Brown, mother of long-time resident Linda Ruiz. He asked that the meeting be adjourned in memory of Dr. Sally Kristen Ride. He asked that the meeting be adjourned in memory of Judge G. Keith Wisot. He also asked that the meeting be adjourned in memory of the following soldiers who died in Afghanistan since the last City Council meeting: Staff Sergeant Matthew S. Sitton, 26, 1st Sergeant Russell R. Bell, 37, Private 1st Class Jesus J. Lopez, 22, 1st Lieutenant Todd W. Lambka, 25, Specialist Kyle B. McClain, 25, Lance Corporal Curtis J. Duarte, 22, Gunnery Sergeant Daniel J. Price, 27, Gunnery Sergeant Jonathan W. Gifford, 34, Private 1st Class Jose Oscar Belmontes, 28, Sergeant Bobby L. Estle, 38, Specialist Benjamin C. Pleitez, 25, Private 1st Class Theodore M. Glende, 23, 1st Lieutenant Sean R. Jacobs, 23, Sergeant John E. Hansen, 41, Private 1st Class Adam C. Ross, 19, Sergeant Justin M. Hansen, 26, Sergeant Eric E. Williams, 27, Private 1st Class Julian L. Colvin, 21, Staff Sergeant Richard L. Berry, 27, Specialist Justin L. Horsley, 21, Private 1st Class Brenden N. Salazar, 20, Petty Officer 2nd Class Michael J. Brodsky, 33, Staff Sergeant Brandon R. Pepper, 31, Specialist Darrion T. Hicks, 21, Corporal Joshua R. Ashley, 23, Private 1st Class Jeffrey L. Rice, 24, Sergeant Jose Reyes, 24, Sergeant Daniel Rodriguez, 28, Specialist Krystal M. Fitts, 26, Specialist Sergio E. Perez Jr., 21, and Specialist Nicholas A. Taylor, 20.

PRESENTATIONS: None.

1. PUBLIC COMMENT:

SARAH SHEEHY spoke in support of Item 6.A.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding Item 5.B.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding Item 4.A.

MARC HAUPERT, BURBANK, spoke regarding the West Hollywood Library Fund and thanked Council for their support.

LARRY BLOCK, WEST HOLLYWOOD, spoke regarding Disability Awareness Month and thanked City Council for their support

FRANCOISE BRUN-COTTAN, WEST HOLLYWOOD, spoke regarding public safety and the need for additional patrols in residential areas.

IVY BOTTINI, WEST HOLLYWOOD, spoke in opposition to Item 5.D.

YOLA DORE, WEST HOLLYWOOD, thanked the City for allowing seniors to view the Olympics at Plummer Park, and spoke regarding an upcoming event for seniors who come to view the Olympics.

NICK GARZILLI, WEST HOLLYWOOD, spoke regarding green transportation.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke regarding Item 2.I.

CATHY BLAIVAS, WEST HOLLYWOOD, thanked the City for the recent Neighborhood Watch Meeting held at Plummer Park. She also spoke regarding Item 2.I.

LAURA BOCCALETTI, WEST HOLLYWOOD, thanked the City Council for the repairs that were made to Plummer Park. She also spoke regarding Item 2.I.

MARK HEINEMANN, WEST HOLLYWOOD, spoke regarding housing concerns at his building.

RORY BARISH, WEST HOLLYWOOD, spoke regarding leasing issues in the City.

SHERI LIN, WEST HOLLYWOOD, spoke regarding leasing issues in the City. She also spoke regarding West Hollywood not having a mandatory spay and neuter law.

CONSTANCE T. GABOR HILTON, WEST HOLLYWOOD, spoke regarding making Dorrington between Almont and Robertson into a Neighborhood Watch street. She spoke regarding traffic issues in the area.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember Duran announced that his Deputy Hernan Molina will be working on an interim basis in the Administrative Services Department. He introduced his Interim Council Deputy, Ian Owens. He thanked everyone for attending the recent "Buff & Cut" event. He introduced Council Intern Stephanie Montoya and thanked her for her time and service. He spoke regarding the Eastside, and the changes that have occurred due to the loss of the Redevelopment Agency and the Project Advisory Committee, specifically the increase in maintenance, code compliance and public safety issues. He spoke regarding bringing an Item forward to form an Eastside Advisory Board so that those in that community are represented.

Councilmember D'Amico spoke regarding the use and misuse of handicap parking placards in the City. He requested that the City Manager direct the Parking Division to look into this issue and provide a report back to Council. He spoke regarding increasing the fine for those that use handicap parking placards illegally. He also spoke regarding appointing Donna Saur to the Public Facilities Commission. He spoke regarding the success of the Sunset Strip Farmers' Market. He spoke regarding the upcoming Lesbian Discussion Group and the Gay Men's Discussion group scheduled for this Wednesday and Thursday.

Mayor Pro Tempore Land spoke regarding an upcoming event on Saturday, August 25, 2012 titled "Making Strides Against Breast Cancer". She spoke regarding the recent Fill the Boot fundraiser event hosted by the West Hollywood Fire Department. She spoke regarding the Shakespeare in the Park events that have been happening at Plummer

Park and now at Kings Road Park. She also spoke regarding comments made by Councilmember Duran regarding the Eastside and spoke in support of a discussion on the proposed East Side Advisory Board. She spoke in support of comments made by Councilmember D'Amico surrounding the use and misuse of parking placards and suggested that the Disabilities Advisory Board work on this issue. She spoke regarding Item 5.C. and spoke in support of placing funding for this event in the City's annual budget. She spoke regarding Item 5.B. and requested that redevelopment, the issue of historic preservation, and the issues of seniors aging in-place be a part of this discussion. She spoke in support of Item 6.A. She also spoke regarding Item 5.D. and asked that some of the concerns raised by the residents be taken into consideration when planning this event. She also spoke regarding the upcoming National Night Out events scheduled for August 7, 2012.

Mayor Prang spoke regarding National Night Out and stated that information can be found on the City's website. He congratulated Hernan Molina on his new assignment and welcomed the new Interim Council Deputy. He spoke regarding public comments surrounding mandatory spaying and neutering of pets and gave direction to Staff to investigate the issue and if necessary return to Council with an ordinance to bring the City in compliance with the County's ordinance. He spoke regarding public comments surrounding leasing issues in the City, and asked the Rent Stabilization and Housing Division to look into this issue. He requested the City Manager to monitor the next several meetings and propose additional meetings if necessary to ensure that Items can be heard in a timely manner. He spoke regarding public safety and the statistics that were given in Item 4.A. (2.Q.). He asked Captain Fraser to explain the overall statistics to the community. He spoke in support of Item 5.D., but spoke in opposition to using unobligated reserves to fund special events.

CITY MANAGER'S REPORT:

City Manager Arevalo asked Captain Kelly Fraser to speak regarding public safety in the City. Captain Fraser provided a report on the statistics provided in the Staff Report for Item 4.A. (2.Q.). She reported that with the additional funds provided by the City, additional patrols have been dispatched to various areas in the City. She spoke regarding an increase in patrols on the Eastside. She spoke regarding petty thefts in the City and how they are tracked by the Sheriff's Department. She spoke regarding specific arrests that have been made and encouraged everyone to attend National Night Out. She also spoke regarding a Community Academy where residents can participate in an eight-week program with the Sheriff's Department. The program allows residents to gain valuable information on how the Sheriff's Department works and how they can help.

Mayor Prang provided clarification that the increase of petty theft incidents relates to shoplifting at Target, and that strong armed robberies are related to residents walking home from bars in the late hours, as well as bar fights. He also spoke regarding the recent increase in the City's budget to address public safety.

The West Hollywood Fire Captain thanked the City Council for their support. He spoke regarding the Fire Department being in the initial planning stages for Halloween and the upcoming Sunset Strip Music Festival to ensure that the City remains safe.

City Manager Arevalo spoke regarding the upcoming Sunset Strip Music Festival. He spoke regarding public comment surrounding implementing a mandatory spay and neuter program and reported that the Facilities Division will be bringing an Item forward to bring the City into compliance with County law. He spoke regarding public comments surrounding handicapped parking placards, and stated that the City does special patrols, but stated that the fines are set by State law. He stated that Staff will look into the issue further. He spoke regarding the Eastside, and spoke regarding the possibility of allowing the Eastside Neighborhood Association to address issues in this part of the City. He spoke regarding public comment surrounding Item 2.I., and provided additional clarification. He stated that since redevelopment agencies no longer exist, successor agencies have been implemented to wind-down the former redevelopment agencies' administrative duties. He also provided clarification that an Oversight Board must be formed, which consists of two City employees and representatives from the County and the LAUSD and is run by the County. He spoke regarding the focus of the Successor Agency and the Oversight Board, which is primarily to work on clearing up debt associated with redevelopment. He encouraged residents to speak with Housing Manager Elizabeth Savage or Project Development Administrator Roderick Burnley for additional clarification.

Mayor Prang provided additional clarification regarding Item 2.I., stating that the primary intent of the Item is to maintain the status quo.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$132,810 in expenditures and \$ -4,000 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.,O.,P.(*Urgency*),Q.,R.,S.,T.,U. **Motion by Councilmember D'Amico, seconded by Councilmember Duran, and approved with Councilmember Heilman being absent and noting Mayor Prang's abstention on Item 2.G. and his NO vote on Item 2.L.**

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, August 6, 2012 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 2, 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 July 16, 2012. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 703, RESOLUTION NO. 12-4345:

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

ACTION: Approve Demand Register No. 703 and adopt Resolution No. 12-4345, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 703". **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

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

ACTION: Deny the claims of Safeway Insurance (Polima Gorban), Andrew Gallagher, and Latrece Boston and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. TREASURER'S REPORT FOR FEBRUARY 2012 [D. WILSON, G. SCHUCHARD, N. CORONADO]:

SUBJECT: The City Council will receive the Treasurer's Report for the month ended February 2012 pursuant to Section 53646 of the Government Code of the State of California.

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

2.F. ORDINANCE NO. 12-896 (2ND READING) AMENDING THE BUSINESS LICENSE ORDINANCE PERTAINING TO THE RENEWAL OF BUSINESS LICENSES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-896, amending West Hollywood Municipal Code Chapter 5.08 to require all associated fees be paid upon renewal of a business license.

ACTION: Waive further reading and adopt Ordinance No. 12-896, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUSINESS LICENSE ORDINANCE PERTAINING TO THE RENEWAL OF BUSINESS LICENSES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.G. ORDINANCE NO. 12-897 (2ND READING) APPROVING AMENDMENTS TO THE MUNICIPAL CODE TO INCLUDE REGULATIONS THAT GOVERN AIRSPACE SUBDIVISIONS [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-897, approving amendments to the Municipal Code to

include regulations that govern Airspace Subdivisions, including subdivisions for mixed-use, multi-story buildings within commercial zoning districts, and adjacent residential parcels which are a part of the mixed-use project.

ACTION: Waive further reading and adopt Ordinance No. 12-897, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING AMENDMENTS TO THE MUNICIPAL CODE TO INCLUDE REGULATIONS THAT GOVERN AIRSPACE SUBDIVISIONS."

Approved as part of the Consent Calendar, noting the Abstention of Mayor Prang.

2.H. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

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

2.I. CONSIDERATION OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION CONCERNING PLUMMER PARK SERVICE AGREEMENTS [D. WILSON, B. ROSEN, S. BAXTER, E. SAVAGE, J. LEONARD, M. JENKINS, R. SMITH]:

SUBJECT: This item recommends that the City and the City Council, acting on behalf of the Successor Agency, approve an assignment and assumption agreement, wherein the City assigns and the Successor Agency assumes the rights and obligations described in five service agreements entered into by the City exclusively for work conducted on Plummer Park, which is a project that is administered by the Successor Agency as the successor to the former Community Development Commission (the "Commission").

ACTIONS: 1) Staff recommends that the City Council approve the Assignment and Assumption Agreement attached hereto as Exhibit A as drafted; and 2) Authorize the City Manager to take any additional actions needed to implement the Agreement. **Approved as part of the Consent Calendar.**

2.J. CONSIDERATION OF AN AMENDMENT TO THE AGREEMENT FOR SERVICES BETWEEN THE CITY AND LANCE, SOLL & LUNGHARD [S. BAXTER, E. SAVAGE, J. LEONARD, D. WILSON, B. ROSEN, M. JENKINS, R. SMITH]:

SUBJECT: This item recommends that the City approve an Amendment to the Agreement for Services between the City and Lance, Soll & Lunghard for specified accounting and auditing services.

ACTIONS: 1) Staff recommends that the City Council approve Amendment to the Agreement for Services attached hereto as Exhibit A

as drafted; and 2) Authorize the City Manager to take any additional actions needed to implement the Agreement. **Approved as part of the Consent Calendar.**

2.K. AGREEMENT FOR SERVICES WITH LILLEY PLANNING [J. KEHO, M. ANTOL, B. ROME]:

SUBJECT: The City Council will consider authorizing an agreement for services with Lilley Planning Group to provide planning services during recruitment of two planner positions.

ACTIONS: 1) Approve an Agreement for Services through December 31, 2012 in the not-to-exceed amount of forty thousand dollars (\$40,000) with Lilley Planning Group for temporary planning services; and 2) Authorize the City Manager to sign and execute all necessary documents. **Approved as part of the Consent Calendar.**

2.L. AGREEMENT FOR SERVICES WITH DEKRA-LITE [P. AREVALO, J. HUFFER, M. LOUIE]:

SUBJECT: The City Council will consider entering into an agreement with Dekra-Lite for purchase installation, repair and storage of the holiday lights for Santa Monica Boulevard associated with Santa Monica Boulevard Maintenance District, Zones 1, 2 and 3.

ACTIONS: 1) Approve an agreement with Dekra-Lite in an amount not-to-exceed \$77,810.43 for the installation, repair and storage of the holiday lights including purchase of new LED string lights along Santa Monica Boulevard for the 2012 holiday season; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar, noting the NO Vote of Mayor Prang.**

2.M. NOTICE OF COMPLETION FOR SAN VICENTE BLVD. STREET PAVING PROGRAM, CIP 1203 [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will consider approving the Notice of Completion for the San Vicente Blvd. Street Paving Program, CIP 1203.

ACTIONS: Accept the work and authorize the following: a) Filing a Notice of Completion by the City Engineer; b) Final payment to the contractor at the end of the 35 day lien period; c) Release of the Performance Bond on the date of recordation of the Notice of Completion; and d) Release of the Payment Bond 35 days after the date of recordation of the Notice of Completion, pending no receipt of Stop Notices. **Approved as part of the Consent Calendar.**

2.N. STATUS UPDATE ON THE NEW MUNICIPAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will receive a report from staff regarding a status update on the new Municipal National Pollutant Discharge Elimination System (NPDES) Permit.

ACTIONS: Receive and file the report from staff regarding the new Municipal National Pollutant Discharge Elimination System (NPDES) Permit. **Approved as part of the Consent Calendar.**

2.O. CO-SPONSORSHIP OF FUNDRAISING EVENT FOR THE WEST HOLLYWOOD LIBRARY FUND IN CONJUNCTION WITH THE LIBRARY PHOTOGRAPHY EXHIBIT “AUTHOR, AUTHOR” [P. AREVALO, J. HUFFER, A. CAMPBELL]:

SUBJECT: The City Council will consider co-sponsoring and fee waivers for a fundraising event for the West Hollywood Library Fund on Thursday, September 27, 2012 in conjunction with the exhibit “Author, Author,” by photographer Michael Childers.

ACTIONS: 1) Co-sponsor “Author, Author” reception and lecture on Thursday, September 27, 2012; 2) Authorize use of the West Hollywood Library Complex and Grounds; 3) Authorize the use of the City of West Hollywood logo on materials associated with the event; 4) Allow the consumption of food and alcohol beverages on City-owned property and buildings; and 5) Waive Special Event Permit fee, facility rental fee, parking fees and any other City-related fees for the event. **Approved as part of the Consent Calendar.**

2.P. (URGENCY) CITY COUNCIL TO AFFIRM THEIR CONTINUED COMMITMENT TO COMPLY FULLY WITH THE BROWN ACT OPEN MEETING REQUIREMENTS [J. PRANG, M. HAIBACH]:

SUBJECT: The City Council will affirm their commitment to continue to comply fully with the Brown Act open-meeting requirements.

ACTION: 1) Accept the recommendation of the City Attorney and affirm the City’s commitment to continue to comply fully with the Brown Act open-meeting requirements for public notice and agenda-posting, as well as public announcements of actions taken in Closed Session; and affirm and support the City Manager’s and the City Clerk’s actions to ensure that the City of West Hollywood continues to remain in full Brown Act compliance. **Approved as part of the Consent Calendar.**

2.Q. (4.A.) PUBLIC SAFETY UPDATE [K. COOK, J. AUBEL, K. FRASER, A. WHITTLE]:

SUBJECT: The City Council will receive an update on public safety activities and give additional direction to staff.

ACTIONS: 1) Approve the following public safety priorities including: Continue to work with local businesses, residents, and neighboring jurisdictions to promote neighborhood livability and mitigate impacts from nighttime establishments; Continue to collaborate with the Code Compliance Division to address various nuisance issues, including dogs off leash, inappropriate disposal of dog waste, scavenging, and noise; Monitor and adjust traffic enforcement deployment as needed to address speeding vehicles, driving while using cell phones and “distracted movement”, bicycles on sidewalks, and other traffic violations; Continue to

aggressively address criminal transient issues, and assist Social Services with overall homelessness issues; Continue to provide attentive customer service; 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; and 2) Give additional direction to staff as necessary. **Approved as part of the Consent Calendar.**

2.R. (5.B.) DISCUSSION OF NEED TO PROTECT AND PRESERVE HOUSING FOR ALL RESIDENTS OF WEST HOLLYWOOD BY ESTABLISHING INCENTIVES AND ASSISTANCE PROGRAMS TO PROMOTE REHABILITATION OF EXISTING HOUSING [J. D'AMICO, M. REX, J. DURAN, H. MOLINA]:

SUBJECT: The City Council will discuss the need to protect and preserve housing for all residents of West Hollywood by including the development of incentives and assistance programs to promote rehabilitation of existing residential apartment buildings as a priority in the work plans for City's Long Range and Mobility Planning and Rent Stabilization and Housing Divisions.

ACTIONS: 1) Council directed the Long Range Planning and Mobility and the Rent Stabilization and Housing Divisions to outline a study on our aging rent stabilized housing stock; 2) Council directed that the study focus on identifying and prioritizing areas of concern and developing incentives and assistance programs to promote rehabilitation of existing rent stabilized buildings; and 3) Council directed staff to provide a general project outline at an upcoming City Council meeting and the project should be included as a high priority as part of the Long Range and Mobility Division project prioritization. **Approved as part of the Consent Calendar.**

2.S. (5.C.) SPONSORSHIP OF JOINT WEST HOLLYWOOD / CAL-ARTS WHAP! LECTURE SERIES [J. D'AMICO, M. REX]:

SUBJECT: The City Council will consider continued sponsorship of a lecture series arranged jointly by the City of West Hollywood and the California Institute of the Arts.

ACTIONS: 1) Approve sponsorship of the CalArts Lecture Series and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve the use of City venues for such events and a waiver of event permits, parking validations and associated fees; 3) Direct the Public Information Office to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media tools; 4) Authorize the Director of Finance to allocate \$10,000 from unallocated General Fund Reserves in fiscal year 2012-13 to account number 100-1-01-10-535013, Special Events Programming, for expenditures related to the CalArts Lecture Series; and 5) Authorize the City Manager to sign all required documents relating to this item. **Approved as part of the Consent Calendar.**

2.T. (5.D.) CO-SPONSORSHIP OF GO-GO DANCER APPRECIATION DAY IN CONJUNCTION WITH LOCAL BUSINESSES [J. D'AMICO, M. REX]:

SUBJECT: The City Council will consider co-sponsoring the 2nd Annual Go-Go Dancer Appreciation Day celebration in conjunction with local businesses around the City.

ACTIONS: 1) Approve co-sponsorship of Go-Go Dancer Appreciation Day to be held on October 27, 2012 on Larrabee Street in West Hollywood in collaboration with local businesses and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve in-kind support in the form of a waiver of special event permit fees, waiver of encroachment permit and meter fees and other City-related fees for Go-Go Dancer Appreciation Day; 3) Direct the Public Information Office to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media tools; 4) Authorize the Economic Development Department, the Public Safety Division, the Public Information Department and Recreation Services Division to work with the event producers to discuss logistics and mitigations, organize and publicize the event; 5) Authorize the closure of Larrabee Street between Santa Monica Blvd and the alley North of the Boulevard from 4:00pm on October 27, 2012 until no later than 3:00am on October 28, 2012; 6) Authorize the Director of Finance to increase budgeted expenditures from unallocated reserves in the General Fund to account number 100-2-04-04-534320 by \$4,500 for public safety costs and account number 100-1-01-00-531001 by \$500 for promotional materials; and 7) Authorize the City Manager to sign and execute any documents or forms that may be necessary for the successful implementation of this event. **Approved as part of the Consent Calendar.**

2.U. (6.A.) SINGLE-USE PLASTIC BAG BAN ORDINANCE [J. KEHO, M. ANTOL, B. SIEGL, J. HYMAN]:

SUBJECT: The City Council will consider adopting an ordinance to ban single-use plastic carryout shopping bags at the point of sale from grocery stores and all other retail establishments in the City of West Hollywood.

ACTIONS: 1) Consider the environmental addendum, the community outreach conducted by the City's Long Range and Mobility Planning Division, and the proposed ordinance; 2) Adopt Resolution 12-4346, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING AN ADDENDUM TO THE LOS ANGELES COUNTY FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) FOR ORDINANCES TO BAN PLASTIC CARRYOUT BAGS IN LOS ANGELES COUNTY, ADOPTING A MITIGATION MONITORING PROGRAM, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS (Attachment A)"; and 3) Introduce on first reading Ordinance 12-898, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 15 OF THE WEST HOLLYWOOD MUNICIPAL CODE BANNING

SINGLE-USE PLASTIC CARRYOUT SHOPPING BAGS AND IMPOSING A FEE ON RECYCLABLE PAPER BAGS (Attachment B).” Approved as part of the Consent Calendar.

THE CITY COUNCIL RECESSED AND RECONVENED AS THE SUCCESSOR AGENCY TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:47 P.M.

The Successor Agency to the West Hollywood Community Development Commission approved the minutes of the May 7, 2012 meeting; approved an Assignment and Assumption Agreement; approved an agreement for services for accounting and auditing services; approved an agreement for legal services; and adopted a Recognized Obligation Payment Schedule and Administrative Budget for the period January 1, 2013 through June 30, 2013.

The actions are more fully described in the minutes of the Successor Agency to the West Hollywood Community Development Commission.

THE SUCCESSOR AGENCY TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE WEST HOLLYWOOD HOUSING AUTHORITY: 7:48 P.M.

3. PUBLIC HEARINGS:

3.A. CONSTRUCTION OF A COMMERCIAL DEVELOPMENT AT 8801 SUNSET BOULEVARD [J. KEHO, D. DEGRAZIA, A. GALLO]:

SUBJECT: At its meeting of May 7, 2012, the City Council continued this item and directed staff to re-notice and re-open the public hearing to consider demolishing a commercial structure to construct a 47,690 sq. ft. commercial development containing retail and office space. The project also integrates a large screen video sign into the building facades. Based on the revised project received from the applicant, Staff is requesting a continuance in order to complete the environmental review.

ACTION: Continue the public hearing to Monday, August 20, 2012.
Approved by Consensus of the Council with Councilmember Heilman being absent.

3.B. DEMOLITION OF 16 UNITS TO CONSTRUCT A 17-UNIT BUILDING AT 1350 HAYWORTH AVENUE [J. KEHO, D. DEGRAZIA, L. YELTON]:

SUBJECT: The City Council will hold a continued public hearing to consider a request to demolish a 16-unit apartment building to construct a four-story, 17-unit condominium building for the property located at 1350 Hayworth Avenue.

The Item was noticed as required by law.

Laurie Yelton, Associate Planner, and Urban Designer Todd Gish, provided background information as outlined in the Staff Report dated August 6, 2012.

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

JAY VANOS, REPRESENTING THE APPLICANT, spoke regarding various meeting held between the applicant, staff, and the residents and the revisions that have been made to the project.

THOMAS FUCHS, WEST HOLLYWOOD, spoke in opposition to the project.

ED LEISNER, WEST HOLLYWOOD, spoke in support of the project.

VIRGINIA GILLICK, WEST HOLLYWOOD, thanked the applicant and Staff for listening to the neighbors regarding this project. She spoke in opposition to the project due to the size of the project.

WILLIAM LEE MATIS, WEST HOLLYWOOD, spoke in opposition to the project.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke in opposition to the project.

MARION GROSS, BEVERLY HILLS, spoke in support of the project.

MARTIN MERVEL, LOS ANGELES, spoke in support of the project.

LYNN RUSSELL, WEST HOLLYWOOD, spoke in opposition to the project.

MARK MALLOUK, WEST HOLLYWOOD, spoke in opposition to the project.

STEVE WARD, BEVERLY HILLS, spoke in opposition to the project.

CHRISTINA SCHUCH, WEST HOLLYWOOD, spoke in opposition to the project.

STEVE MARTIN, WEST HOLLYWOOD, spoke in opposition to the project.

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

JEROME NASH, LOS ANGELES, spoke regarding development standards in the City.

Mayor Prang read the names of the following residents who expressed opposition to the Item but did not wish to speak: PAT DIXON, STEPHANIE J. HARKER, PETER LANDROCHE, ALLEGRA ALLISON, LAURA BOCCALETTI, SUSANA MILLER, and VICTOR OMELCZENKO.

SHERI BONSTELLE, REPRESENTING THE APPLICANTS, provided a rebuttal. She spoke regarding the Developers taking the direction of the Council by meeting with residents and staff to revise the project. She spoke regarding the reduction in the size of the project as well as the set-back.

Councilmember D'Amico requested clarification from staff regarding the entitlement to a building located near this property.

John Keho, Planning Manager, reported that the State of California has extended all tract maps until 2014 and the City has been extending all entitlements to mirror this.

Mayor Prang closed the public hearing.

Councilmember D'Amico spoke regarding the applicant's responsiveness to comments from the City Council and the neighbors. He spoke regarding the applicant's ongoing desire to construct a four-story building and efforts to minimize the impacts for a four-story structure. He requested clarification regarding the proposed number of parking spaces in the project and the possibility of removing one of the parking spaces to allow for the retention of a tree associated with the project. He spoke in support of the efforts to mitigate impacts on the courtyard of the neighboring Hollywood Riviera. He spoke in support of the project, but expressed concerns regarding the length of the process.

Mayor Pro Tempore Land disclosed that she visited the site. She spoke in support of removing the parking space to save a tree associated with the project. She spoke regarding the project not being precedent setting but a project that takes into account the historic property next door and the character of the street. She spoke in support of the architect's efforts to address many of the neighbor's concerns. She spoke in support of the project.

Councilmember Duran provided a brief background on the history of this project and the issues the City faced during the beginning stages of this project. He spoke regarding the lawsuit the City faced regarding this project, and reported that the City was not successful in that lawsuit and spoke regarding possible monetary consequences associated with not

approving the project. He spoke in support of the process for this particular project, stating that the neighborhood expressed their concerns and the architect has redesigned the building on three separate occasions. He spoke regarding the improved designs and the need to find compromise with this project. He spoke in support of moving forward on the project.

Councilmember Duran disclosed that he visited the property and spoke with neighbors and the applicant's team.

Councilmember D'Amico disclosed that he visited the property and attended the Planning Design Review Meetings.

Mayor Prang disclosed that he spoke with the attorney representing the applicant.

ACTIONS: Staff recommends that the City Council hold a public hearing, consider all pertinent testimony and conditionally approve the project by adopting the following: 1) Introduce for first reading Ordinance No. 12-899, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEVELOPMENT AGREEMENT AND ZONE MAP AMENDMENT, CREATING A DEVELOPMENT AGREEMENT OVERLAY DISTRICT ON THE PROPERTY LOCATED AT 1350 N. HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A); 2) Resolution No. 12-4347, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 66227), FOR A 17-UNIT CONDOMINIUM PROJECT FOR THE PROPERTY LOCATED AT 1350 N. HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT B); and 3) Resolution No. 12-4348, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT, DEVELOPMENT PERMIT AND ADOPTING A NEGATIVE DECLARATION, FOR THE DEMOLITION OF 16 DWELLING UNITS AND THE CONSTRUCTION OF A FOUR-STORY, 17-UNIT CONDOMINIUM BUILDING, LOCATED AT 1350 N. HAYWORTH AVENUE, WEST HOLLYWOOD, CALIFORNIA" (ATTACHMENT C); with an amendment to remove one parking space from the proposed development to retain the tree located in the front of the property. **Motion by Mayor Pro Tempore Land, seconded by Councilmember D'Amico and approved with Councilmember Heilman being absent and noting the NO vote of Mayor Prang.**

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

SUBJECT: At its meeting on July 2, 2012, the City Council: 1) directed staff to prepare a resolution denying the project without prejudice; 2) directed the applicant to return with a new proposal that is more consistent with the City Council's concerns regarding parking, traffic and the use of the entirety of the property; and 3) directed that the new proposal return directly to the City Council with no new fees paid by the applicant. Staff re-noticed to open the public hearing for the project in order to provide the City Council with additional information and provide alternative proposals that were not considered before. After the public hearing, the City Council has the option to adopt the resolution denying the project without prejudice, or approve one of the proposed alternatives.

The Item was noticed as required by law.

Francisco Contreras, Senior Planner, provided background information as outlined in the Staff Report dated August 6, 2012.

City Attorney Jenkins spoke regarding a recent meeting with the applicant and stated that the Item was scheduled as a public hearing so that the project could be reviewed and public testimony could be heard. City Attorney Jenkins apologized to the applicant for not sending the staff report to him in a timely manner. He stated for clarification purposes that the applicant has not agreed to any of the recommendations in the staff report, but stated that the alternative project proposals listed in the staff report were developed during a brainstorming session with Staff to find ways to save the building and provide Council with additional options.

JEROME NASH, APPLICANT, spoke regarding the project and expressed his frustration regarding the issues surrounding this building. He spoke regarding the windows in the building that were non-functional and stated that the City did not respond to his many requests regarding the windows.

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

COLLEEN KEANE, WEST HOLLYWOOD, spoke in opposition to the project.

TOM ROBBINS, WEST HOLLYWOOD, spoke in opposition to the project.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of Alternative Project Proposal #9 listed in the staff report.

JOHN MURDOCK, SANTA MONICA, spoke in support of denial of the project and in support of Alternative Project Proposal #9.

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke in support of the proposed Urban Inn to save the historic building.

LYNN RUSSELL, WEST HOLLYWOOD, spoke in opposition to the Item and in support of Alternative Project Proposal #9 in the staff report.

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

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding the changes to development and the economy. He spoke in support of creating a task force to discuss the broader issues of housing.

City Clerk Schaffer read the names of the following residents who expressed opposition to the Item but did not wish to speak: PAUL SHIPLEY, ADAM GULINER.

City Clerk Schaffer read the name of the following resident who expressed support of the Item but did not wish to speak: SUSANA MILLER.

JEROME NASH, APPLICANT, provided a brief rebuttal.

Mayor Prang closed the public hearing.

Mayor Pro Tempore Land spoke regarding the history of the property and the fact that she did not support the tenants being removed under the Ellis Act. She spoke regarding her concerns about meeting with developers and other people in the city who have threatened litigation with the City. She spoke regarding the fact that the City is planning to discuss the issue of historic properties and renovation of those properties as a larger discussion throughout the City. She spoke in support of preserving the building, but expressed concerns regarding the recommendation before Council. She spoke in support of Alternative Project Proposal #9 listed in the staff report. She expressed her concern with Mr. Nash not having adequate time to review the staff report beforehand.

Councilmember Duran spoke regarding previous attempts to come to a solution for this project and stated his willingness to consider this property on an ad-hoc basis to preserve this historic building. He spoke in support of treating the building as an exception and thanked Staff for their suggested alternative project proposals. He spoke in support of continuing to use the property for housing. He spoke in opposition to the alternatives of short-term executive housing, student housing, or façade easement. He spoke regarding other cities approving the use of urban inns for historic properties. He spoke in support of considering Alternative Project Proposals 1-5 provided in the staff report, and spoke in support of

continuing to work with the property owner to preserve this historic building.

Councilmember D'Amico expressed concerns with supporting Alternative Project Proposal #9 and stated that the Council should come to a decision. He spoke in support of considering Alternative Project Proposals 1-5 provided in the staff report. He spoke regarding each project being evaluated on its merit and spoke regarding the importance of this historic building.

Mayor Prang spoke regarding the difficulty of reaching a decision regarding the property. He spoke regarding mistakes made by both the City and the Applicant throughout the history of the process, but spoke regarding the need to focus on the future of the building. He expressed concerns regarding the use of development agreements for projects in the City, particularly regarding special exceptions that they provide for a single property owner. He spoke about the conflicts between the Historic Preservation Ordinance and the Rent Stabilization Ordinance. He expressed concerns with the building meeting current standards for condominiums. He expressed concerns with the building being developed into an Urban Inn. He spoke regarding the building already being vacated under the Ellis Act and the difficulty of ever returning the building to a rent controlled building. He spoke in support of looking at ways to save the historic building from demolition. He spoke regarding ensuring that this decision would not be extended beyond this particular property; and assurances from Mr. Nash that this will not happen at another building. He spoke in support of creating a task force to discuss historic preservation and rent stabilization issues. He spoke in support of considering Alternative Project Proposals 1-5 provided in the staff report.

Mayor Pro Tempore Land spoke regarding the need to discuss the issue of historic buildings in the City as soon as possible. She spoke regarding not wanting to lose this historic building.

ACTION: 1) Direct the City Attorney to meet with the Applicant and discuss Alternative Project Proposals 1-5 in the staff report to determine the feasibility of bringing the project forward utilizing one of these alternatives in association with an amended development agreement; and 2) direct Staff to either return with a re-noticed public hearing regarding the project or to return with a resolution denying the project. **Motion by Councilmember Duran, seconded by Councilmember D'Amico and approved with Councilmember Heilman being absent and noting the NO vote of Mayor Pro Tempore Land.**

4. UNFINISHED BUSINESS:

4.A. PUBLIC SAFETY UPDATE [K. COOK, J. AUBEL, K. FRASER, A. WHITTLE]:

SUBJECT: The City Council will receive an update on public safety activities and give additional direction to staff.

ACTIONS: This Item was moved to the Consent Calendar.

4.B. CONTINUED DISCUSSION ON CLOSING PUBLIC STREETS TO PEDESTRIAN TRAFFIC [P. AREVALO, J. HUFFER, M. LOUIE]:

SUBJECT: The City Council will receive additional information pertaining to a staff item introduced at the City Council meeting of May 7, 2012 that sought to close a portion of Robertson Blvd. to allow foot traffic during the summer months.

City Manager Arevalo and Maribel Louie, Economic Development Analyst, provided background information as outlined in the Staff Report dated August 6, 2012.

Mayor Pro Tempore Land spoke in support of allowing a Business Improvement District to develop this type of program. She spoke in support of creating a study to look at other areas that may benefit more from this Item.

Councilmember D'Amico spoke in support of creating a Santa Monica BID as soon as possible, and spoke in support of moving forward with street closures in consultation with a BID. He spoke in support of the City looking into the opportunities of closing streets in different areas of the City; especially on the Eastside. He spoke in support of eventually moving forward with street closures if a Santa Monica BID is not formed in time to consider Robertson street closures for the summer of 2013.

ACTIONS: 1) Receive and file report with direction from the City Council; and 2) direct City Staff to investigate the possible creation of temporary closures utilizing City streets in commercial or residential areas Citywide.

Motion by Councilmember D'Amico, seconded by Mayor Pro Tempore Land and approved with Councilmember Heilman being absent.

5. NEW BUSINESS:

5.A. CITY COUNCIL DISCUSSION REGARDING ADJUSTMENTS TO THE AGENDA AND FREQUENCY OF CITY COUNCIL MEETINGS [J. PRANG, M. HAIBACH, J. D'AMICO, M. REX]:

SUBJECT: The City Council will consider modifications to the agenda structure and frequency of City Council meetings.

Mayor Prang provided background information as outlined in the Staff Report dated August 6, 2012.

Mayor Prang read the names of the following residents who expressed support of the Item but did not wish to speak: LAURA BOCCALETTI, STEPHANIE HARKER, CATHY BLAIVAS, PAT DIXON, and VIRGINIA GILLICK

Councilmember D'Amico spoke in support of Council Meetings every two weeks.

Mayor Pro Tempore Land spoke regarding the need for special meetings and study sessions to talk through issues that need additional discussion. She spoke in support of the Item, but expressed concern with the suggested of moving Councilmember Comments to the end of the meeting.

Mayor Prang spoke in support of the Item.

Councilmember Duran spoke in support of self-policing to keep the meeting lengths manageable. He spoke in support of continuing to meet the first and third Monday of the month. He spoke in support of limiting the presentations to only essential matters. He spoke regarding Items being continued multiple times until the meeting agendas are impacted.

City Manager Arevalo spoke regarding Items coming back to Council multiple times and stated that Staff will work with Council on these types of Items.

ACTIONS: Council provided direction to Staff on possible changes to the scheduling of City Council meetings, organization of City Council Agendas, and possible limitations on presentations at City Council Meetings to help limit the length of meetings. **Carried by Consensus of the Council with Councilmember Heilman being absent.**

5.B. DISCUSSION OF NEED TO PROTECT AND PRESERVE HOUSING FOR ALL RESIDENTS OF WEST HOLLYWOOD BY ESTABLISHING INCENTIVES AND ASSISTANCE PROGRAMS TO PROMOTE REHABILITATION OF EXISTING HOUSING [J. D'AMICO, M. REX, J. DURAN, H. MOLINA]:

SUBJECT: The City Council will discuss the need to protect and preserve housing for all residents of West Hollywood by including the development of incentives and assistance programs to promote rehabilitation of existing residential apartment buildings as a priority in the work plans for City's Long Range and Mobility Planning and Rent Stabilization and Housing Divisions.

ACTIONS: This Item was moved to the Consent Calendar.

- 5.C. SPONSORSHIP OF JOINT WEST HOLLYWOOD / CAL-ARTS WHAP! LECTURE SERIES [J. D'AMICO, M. REX]:**
SUBJECT: The City Council will consider continued sponsorship of a lecture series arranged jointly by the City of West Hollywood and the California Institute of the Arts.
ACTIONS: This Item was moved to the Consent Calendar.
- 5.D. CO-SPONSORSHIP OF GO-GO DANCER APPRECIATION DAY IN CONJUNCTION WITH LOCAL BUSINESSES [J. D'AMICO, M. REX]:**
SUBJECT: The City Council will consider co-sponsoring the 2nd Annual Go-Go Dancer Appreciation Day celebration in conjunction with local businesses around the City.
ACTIONS: This Item was moved to the Consent Calendar.
- 5.E. COMMISSION APPOINTMENT [C. SCHAFFER, Y. QUARKER]:**
SUBJECT: The City Council will consider making a direct appointment to the Public Facilities Commission.
ACTION:
Councilmember D'Amico made the following direct appointment:
a. Public Facilities Commission: **Donna Saur**
- 5.F. SET DATE FOR THE ANNUAL CONGRESS FOR COMMISSIONS AND ADVISORY BOARDS [C. SCHAFFER, Y. QUARKER]:**
SUBJECT: The City Council will consider scheduling the Annual Congress for Commissions and Advisory Boards.

Mayor Pro Tempore Land stated that she is not available on October 4, 2012.

Mayor Prang stated that October 10, 2012 would work best for him.

ACTION: Direct the City Manager to determine whether Councilmember Heilman is available on either October 3, 2012 or October 10, 2012 and direct Staff to schedule the Annual Congress based on that information.
Approved by Consensus of the Council with Councilmember Heilman being absent.

EXCLUDED CONSENT CALENDAR: None.

6. LEGISLATIVE:

- 6.A. SINGLE-USE PLASTIC BAG BAN ORDINANCE [J. KEHO, M. ANTOL, B. SIEGL, J. HYMAN]:**
SUBJECT: The City Council will consider adopting an ordinance to ban single-use plastic carryout shopping bags at the point of sale from grocery stores and all other retail establishments in the City of West Hollywood.

ACTIONS: This Item was moved to the Consent Calendar.

PUBLIC COMMENT:

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding Item 3.C.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in opposition to Item 5.D.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 10:25 p.m. in memory of Albert Gamboya, Benjamin Creekmore (AKA Nelson Troye), Doris Brown, Sally Kristen Ride, Judge G. Keith Wisot, 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, August 20, 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 20th day of August, 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