

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, SEPTEMBER 4, 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: Owen Ward 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 there were no items added to the agenda. He stated that the closed session adjourned at 6:25 p.m. with no reportable action.

APPROVAL OF AGENDA:

Mayor Pro Tempore Land requested that Items 5.A. and 5.D. be moved to the Consent Calendar as Item 2.CC. and Item 2.DD. respectively.

Mayor Pro Tempore Land requested that Item 2.M. be moved to the Excluded Consent Calendar.

Councilmember D'Amico requested that Item 2.V. be tabled. He also requested that Item 2.T. be moved to the Excluded Consent Calendar.

Councilmember Duran requested that Item 2.Y. be moved to the Excluded Consent Calendar.

Motion by Mayor Pro Tempore Land, seconded by Mayor Prang to approve the September 4, 2012 agenda as amended. The agenda was unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Heilman requested that the meeting be adjourned in memory of Arthur Kruskall, father of Jewish Vocational Services and WHEST Employment Program Coordinator David Kruskall.

Mayor Pro Tempore Land requested that the meeting be adjourned in memory of the father of Ramon Mendez, Chair of the West Hollywood Housing Corporation Board of Directors.

Mayor Prang requested that the meeting be adjourned in memory of Viola Culcasi, mother of Steve Martinez, head of the FBI in Los Angeles. 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, David V. Williams, 24, Sergeant 1st Class, Coater B. Debose, 55, Sergeant, Louis R. Torres, 23, Private 1st Class, Patricia L. Horne, 20, Sergeant, Christopher J. Birdwell, 25, Specialist, Mabry J. Anders, 21, Staff Sergeant, Jessica M. Wing, 42, Staff Sergeant, Jonathan P. Schmidt, age not reported, Rank not reported, Jeremie S. Border, age not reported, and Specialist, Kyle R. Rookey, 23.

PRESENTATIONS:

Mayor Pro Tempore Land presented a proclamation to outgoing Disabilities Advisory Board Member Tim Carlson.

1. PUBLIC COMMENT:

YOLA DORE, WEST HOLLYWOOD, spoke in support of Item 2.M. and spoke regarding Item 5.B.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding Item 2.V. She also spoke in support of the newly installed crosswalk signals.

OWEN WARD, LOS ANGELES, spoke in support of a bicycle sharing program in the City.

LARRY BLOCK, WEST HOLLYWOOD, spoke regarding the upcoming Disabilities Service Awards and reminded people about nominations for the awards. He also encouraged those interested to apply to become a member of the Disabilities Advisory Board. He spoke regarding term limits for commission and board members.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in opposition to Items 2.F., 2.G., and 2.H.

CRAIG MILLER, SANTA MONICA, spoke in support of Item 2.U.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in support of Item 2.Z. She also spoke regarding her attendance at a recent Oversight Board Meeting, and spoke regarding an upcoming meeting on September 20, 2012 at Plummer Park where there will be a presentation given on redevelopment issues.

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke regarding signature gathering for a petition regarding term limits.

CHRISTOPHER LANDAVAZO, WEST HOLLYWOOD, thanked the City Council for adjourning the meetings in honor of fallen soldiers. He also spoke regarding an upcoming fundraiser for Veterans at Pink Taco on Sunset on September 11, 2012.

WILLIAM NEISH, WEST HOLLYWOOD, spoke regarding the signature gathering for a petition regarding term limits.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke regarding Item 2.M. She also spoke in support of Item 2.R. but requested clarification on what areas are involved. She spoke in support of Item 5.B. She spoke regarding recent neighborhood meetings held by The Hudson.

LYNN RUSSELL, WEST HOLLYWOOD, spoke regarding redevelopment agreements.

BEN COLEMAN, WEST HOLLYWOOD, spoke regarding Item 2.R. and spoke in support of more enhancements to crosswalks in the City.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember D'Amico wished Jeanne Dobrin a Happy Birthday. He spoke regarding an upcoming West Hollywood discussion regarding equality and politics, where Councilmember Duran will be part of the panel. He spoke regarding efforts made by the City of Cleveland to market to the LGBT Community, and spoke in support of enhancing how West Hollywood outreaches to the gay and lesbian community. He spoke regarding the upcoming Automated Parking Garage Subcommittee Meeting and encouraged residents to attend. He spoke regarding the ongoing Sunset Strip Farmers' Market on Thursday nights. He spoke regarding the upcoming Gay Men's Discussion Group, where the topic is Alcohol & Drug Recovery Month, and spoke regarding the upcoming Lesbian Discussion Group, where the topic will be Money Matters.

Councilmember Duran spoke regarding Item 2.Q. and spoke regarding bottle necking during rush hour and asked that special attention be made to the Elementary School pick-up and drop-off locations. He also announced that September is Alcohol & Drug Addiction Recovery Month. He spoke regarding the upcoming Gay Mens' Discussion Group on September 13, 2012 at 7:30 p.m., where the topic will be Alcohol & Drug Recovery.

Councilmember Heilman spoke regarding Councilmember D'Amico's comments surrounding the efforts made by the City of Cleveland to market to the LGBT Community, and spoke in support of further discussion regarding the matter.

Mayor Pro Tempore Land spoke regarding the recent Women's Equality Day and Making Strides Against Breast Cancer events in the City. She spoke regarding public comment surrounding the Cops for Causes Event, and requested that a Proclamation be given to the organizers. She also asked that the City Attorney or the City Clerk provide clarification regarding public comments surrounding initiative petitions and who can view the signatures.

Mayor Prang spoke regarding public comment surrounding safety issues associated with rainbow crosswalks and provided clarification of the materials being used. He congratulated WEHO News on their 7th Anniversary. He thanked everyone who attended his recent Town Hall meeting. He spoke regarding Item 2.Z. and asked that the resolution be sent to the U.S. Ambassador to Russia and the Russian Ambassador to the U.S. He spoke regarding City Hall getting exterior water-proofing and painting and the traffic delays surrounding the area. He also spoke regarding the upcoming tree trimming on Sunset Blvd.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding an upcoming meeting scheduled for September 20, 2012 from 6:30 p.m. – 8:00 p.m. regarding the dissolution of redevelopment agencies. He spoke regarding the City's efforts to track and retain redevelopment funds where possible.

City Attorney Jenkins provided clarification regarding public comment surrounding signatures on initiative petitions. He stated that the petitions are not public record and are not subject to disclosure. He stated that they are exempt from disclosure under the Public Records Act. He stated that the only individuals who will review the documents are the City Clerk, and the County Registrar of Voters, who count signatures on the City's behalf. He also stated that if requested in a lawsuit, the signatures could be provided to a Court of Law under seal.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$908,512 in expenditures and \$994,503 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar, 2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,N.,O.,P.,Q.,R.,S.,U.,W.,X.,Z.,AA.,BB.,CC.,DD.
Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and approved, noting Mayor Prang's No vote on Item 2.G., and Councilmember D'Amico's No vote on Item 2.F. and Item 2.G.

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Tuesday, September 4, 2012 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 30, 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 August 20, 2012. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 705, RESOLUTION NO. 12-4351:

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

ACTION: Approve Demand Register No. 705 and adopt Resolution No. 12-4351, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 705". **Approved as part of the Consent Calendar.**

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

SUBJECT: The City Council will receive the Treasurer's Reports for the month ended March 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.E. 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 Starbucks Corporation and Woodrow Clark and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 12-890 (2ND READING) 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 [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-890, 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.

ACTION: Waive further reading and adopt Ordinance No. 12-890, "AN ORDINANCE 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." **Approved as part of the Consent Calendar noting Councilmember D'Amico's No vote.**

2.G. ORDINANCE NO. 12-891 (2ND READING) 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 8564 – 8590 MELROSE AVENUE [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-891, 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 8564 – 8590 Melrose Avenue.

ACTION: Waive further reading and adopt Ordinance No. 12-891, "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 8564 – 8590 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar noting Councilmember D'Amico's and Mayor Prang's No vote.**

2.H. ORDINANCE NO. 12-895 (2ND READING) 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 [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-895, 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.

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

- 2.I. ORDINANCE NO. 12-900 (2ND READING) AMENDING TITLE 10, CHAPTER 10.08.260 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 11 PREFERENTIAL PARKING REGULATIONS ON THE 8300 AND 8400 BLOCKS OF CLINTON AVENUE [C. SCHAFFER, Y. QUARKER]:**
SUBJECT: The City Council will waive further reading and adopt Ordinance No. 12-900, amending Title 10, Chapter 10.08.260 of the West Hollywood Municipal Code implementing District 11 Preferential Parking Regulations on the 8300 and 8400 blocks of Clinton Avenue.
ACTION: Waive further reading and adopt Ordinance No. 12-900, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.260 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 11 PREFERENTIAL PARKING REGULATIONS ON THE 8300 AND 8400 BLOCKS OF CLINTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". **Approved as part of the Consent Calendar.**
- 2.J. CONSTRUCTION OF A COMMERCIAL DEVELOPMENT AT 8801 SUNSET BOULEVARD [J. KEHO, D. DEGRAZIA, A. GALLO]:**
SUBJECT: At its meeting of August 20, 2012, the City Council reconsidered the applicant's request for a 47,690 sq. ft. commercial development containing retail and office space at 8801 Sunset Boulevard that integrated a new large screen video sign into the building facades. After deliberating on the current proposal, the Council directed staff to return with a resolution denying the project based on the impacts to the adjacent residential neighborhood, the building's scale and massing, and the signage not making a positive contribution with the design of the building.
ACTION: Deny the request and adopt the following: Draft Resolution No. 12-4352: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE DEMOLITION OF AN EXISTING COMMERCIAL BUILDING AND ASSOCIATED SURFACE PARKING LOT FOR THE CONSTRUCTION OF A THREE-STORY BUILDING CONTAINING 18,600 SQUARE FEET OF RETAIL SPACE, 29,090 SQUARE FEET OF OFFICE SPACE, 13,823 SQUARE FEET OF OPEN SPACE, AN INTEGRATED LARGE SCREEN VIDEO SIGN, AND GROUND LEVEL AND SUBTERRANEAN PARKING CONTAINING 191 PARKING SPACES FOR THE COMMERCIAL DEVELOPMENT LOCATED AT 8801 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A) **Approved as part of the Consent Calendar.**
- 2.K. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**
SUBJECT: The City Council will receive reports from the Arts and Cultural Affairs Commission, the Public Safety Commission, the Transportation Commission and the Disabilities Advisory Board on actions taken at their recent meetings.

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

2.L. REAPPOINTMENT OF CITY COMMISSIONERS AND NOTIFICATION OF ADVISORY BOARD ABSENCES [C. SCHAFFER, Y. QUARKER]:

SUBJECT: Councilmember Duran will consider reappointing Leon Shparaga to the Transportation Commission, and Mayor Prang will consider reappointing Charles Henry to the Rent Stabilization Commission. Mayor Prang will receive notification that Efim Kutz has exceeded the number of allowed absences for the Russian Advisory Board and the Mayor will consider whether or not to vacate the seat.

ACTIONS: 1) Reappoint Leon Shparaga to the Transportation Commission and Charles Henry to the Rent Stabilization Commission for the remainder of their terms expiring May 31, 2013; and 2) Receive notification that Efim Kutz has exceeded the number of allowed absences for the Russian Advisory Board and determine not to vacate the seat.
Approved as part of the Consent Calendar.

2.M. EASTSIDE TASK FORCE [J. DURAN, I. OWENS, J. PRANG, M. HAIBACH]:

SUBJECT: The City Council will consider the establishment of an Eastside Task Force. The purpose of the Task Force is to actively engage Eastside Constituents and encourage community participation with regards to Quality of Life, Public Safety, and Community Involvement issues that face constituents of the eastside (east of Hayworth Avenue).

ACTION: This Item was moved to the Excluded Consent Calendar.

2.N. AGREEMENT FOR SERVICES WITH JEWISH FAMILY SERVICE TO ADDRESS THE HEALTH AND SAFETY NEEDS OF RESIDENTS WITH HOARDING BEHAVIOR [S. BAXTER, E. SAVAGE]:

SUBJECT: The City Council will consider approval of a contract with Jewish Family Service's Comprehensive Service Center (JFS) for cost reimbursement as a part of the program that addresses the health and safety needs of low-income residents with hoarding behavior.

ACTIONS: 1) Approve a \$30,000 contract for a two year period with JFS to cover costs of health and safety improvements for low-income resident hoarders; and 2) Authorize the City Manager to execute the contract.
Approved as part of the Consent Calendar.

2.O. INTERIM PARKING REGULATIONS PROPOSED FOR THE WEST SIDE OF HAMMOND STREET BETWEEN SUNSET BLVD. AND PHYLLIS AVENUE [O. DELGADO, J. ROCCO, D. NORTE]:

SUBJECT: The City Council will consider implementing interim parking regulations on the west side of Hammond Street between Sunset Blvd. and Phyllis Avenue based on meeting the criteria of Ordinance No. 08-782.

ACTIONS: 1) Authorize staff to implement an interim two (2) hour time limit on the west side of Hammond Street between Sunset Blvd. and

Phyllis Avenue, as a six (6) month trial between the hours of 7 a.m. to 7 p.m., Monday-Friday; and 2) Provide the City Council with a report after the six (6) month trial period that includes an analysis to determine the feasibility of making the trial regulations permanent. **Approved as part of the Consent Calendar.**

2.P. CITY COUNCIL UPDATE REGARDING CHANGES TO CITYCHANNEL PROGRAMMING AND RE-NAMING AND RE-BRANDING CITYCHANNEL TO “WEHOTV” [H. GOSS, K. EGENBERGER]:

SUBJECT: Staff is providing an update to the City Council regarding changes to Citychannel programming that will soon be initiated as well as plans to re-name and rebrand Citychannel to WehoTV.

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

2.Q. RE-CONVEYANCE OF RIGHTS OF INGRESS AND EGRESS TO OR FROM HARRATT STREET TO THE PROPERTIES LOCATED AT 9031-9041 HARRATT STREET [J. KEHO, D. DEGRAZIA]:

SUBJECT: The City Council will consider a re-conveyance of rights of ingress and egress to allow residential-only vehicle access to and from Harratt Street that is needed to implement the conditions of approval the City Council imposed on the mixed-use hotel and condominium project that the City Council approved on April 5, 2010, and modified on June 4, 2012.

ACTION: Approve the attached Re-Conveyance of Rights of Ingress and Egress. **Approved as part of the Consent Calendar.**

2.R. CROSSWALK VISIBILITY ENHANCEMENTS ON SANTA MONICA BLVD AND AWARD OF THE CONSTRUCTION CONTRACT FOR CIP 1303, RECTANGULAR RAPID FLASH BEACONS AT THREE INTERSECTIONS [O. DELGADO, S. PERLSTEIN, S. CAMPBELL, J. KEHO, M. ANTOL]:

SUBJECT: The City Council will consider awarding a construction contract for the installation of CIP 1303, Rectangular Rapid flashing Beacons at Three Intersections, as well as authorizing landscape improvements on Santa Monica Blvd. to enhance crosswalk visibility.

ACTIONS: 1) Accept the Bid dated August 7, 2012, submitted by Republic Intelligent Transportation Services Inc., dba Republic ITS; 2) Authorize the City Manager to enter into a contract with Republic Intelligent Transportation Services Inc., dba Republic ITS. in the amount of \$49,400.00 for the construction of CIP 1303, Rectangular Rapid Flashing Beacons at Three Intersections; 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 20% of the contract amount; 4) Approve Resolution 12-4353, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF RECTANGULAR RAPID FLASHING BEACONS AT THREE INTERSECTIONS, CIP 1303, PURSUANT TO

GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT'; and 5) Approve Amendment No. 2 to the Agreement with West Coast Arborists in an amount not to exceed \$25,000 and authorize the City Manager to sign the Amendment for relocation of eleven palm trees on Santa Monica Blvd. **Approved as part of the Consent Calendar.**

2.S. NOTICE OF COMPLETION FOR CIP 1206, CONCRETE REPAIR PROGRAM [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will consider approving the Notice of Completion for CIP 1206 Concrete Repair Program by Civil Works Corp.

ACTION: 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.T. FOUNTAIN AVENUE BICYCLE ROUTE IMPROVEMENTS [J. KEHO, M. ANTOL, W. DAVIS]:

SUBJECT: Staff will begin the installation of the "Share the Road" signs and shared lane pavement markings as part of the Fountain Avenue bicycle improvements in the fall of 2012.

ACTION: Receive and file. **This Item was moved to the Excluded Consent Calendar.**

2.U. CO-SPONSORSHIP OF THE 2012 AIDS WALK EVENT [S. BAXTER, C. SMITH]:

SUBJECT: The City Council will consider co-sponsoring the 2012 AIDS Walk Event taking place on October 14, 2012, including approving use of West Hollywood Park, City parking lots and structures and associated street closures for the event.

ACTIONS: 1) Approve co-sponsorship of AIDS Walk 2012, taking place on Sunday, October 14, 2012, in and around West Hollywood Park and surrounding streets; 2) Approve stage placement on San Vicente Boulevard north of Santa Monica Boulevard from 12:00 a.m. to 4:00 p.m. on Sunday, October 14, 2012; 3) Approve the lifting of Permit Parking in Districts 1 & 2 from 7:00 am to 2:00 pm on October 14, 2012; 4) Approve event street closures as described in this report; 5) Approve use of West Hollywood Park and City parking lot and structures as described in this report; and 6) Approve a waiver of City-related fees including Special Event Permit Fee of \$2,400; Street Closure Fee of \$350; and Building and Safety Permit Fees of \$200 and Facility Use Fees of \$1,421.00. **Approved as part of the Consent Calendar.**

2.V. A RESOLUTION REQUESTING THAT THE CITY OF BEVERLY HILLS AND THE BEVERLY HILLS UNIFIED SCHOOL DISTRICT DROP THEIR LAWSUITS AGAINST THE MTA AND ALLOW THE WESTSIDE SUBWAY EXTENSION PROJECT TO MOVE FORWARD [J. D'AMICO, M. REX]:

SUBJECT: The City Council will consider adopting a resolution requesting that the City of Beverly Hills and the Beverly Hills Unified School District withdraw their lawsuits against the Metropolitan Transportation Authority and allow the Westside Subway Extension project to move forward as approved by the MTA Board of Directors.

ACTIONS: This Item was Tabled.

2.W. A RESOLUTION URGING THE STATE OF CALIFORNIA'S DIVISION OF OIL, GAS & GEOTHERMAL RESOURCES TO PLACE A MORATORIUM ON HYDRAULIC FRACTURING [A. LAND, C. PLANCK]:

SUBJECT: The City Council will consider adopting a resolution urging the State of California's Division of Oil, Gas & Geothermal Resources (DOGGR) to place a moratorium on hydraulic fracturing ("fracking").

ACTIONS: 1) Adopt Resolution No. 12-4355, "A RESOLUTION URGING THE STATE OF CALIFORNIA'S DIVISION OF OIL, GAS & GEOTHERMAL RESOURCES TO PLACE A MORATORIUM ON HYDRAULIC FRACTURING"; and 2) Direct staff to send copies of the signed resolution to Assemblymembers Mike Feuer and Betsy Butler, Senator Fran Pavley, U.S. Representatives Henry Waxman and Adam Schiff, and California's Division of Oil, Gas & Geothermal Resources (DOGGR). **Approved as part of the Consent Calendar.**

2.X. ALCOHOL AND DRUG ADDICTION RECOVERY MONTH [S. BAXTER, D. GIUGNI]:

SUBJECT: The City Council will recognize September as Alcohol and Drug Addiction Recovery Month.

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

2.Y. SUPPORT FOR PROPOSITION 35: CALIFORNIANS AGAINST SEXUAL EXPLOITATION ACT [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON, D. SOKOLOVSKY]:

SUBJECT: The City Council will consider supporting California ballot measure, Proposition 35, CALIFORNIANS AGAINST SEXUAL EXPLOITATION ACT" that will appear on the Nov. 6, 2012 General Election ballot.

ACTIONS: This Item was moved to the Excluded Consent Calendar.

2.Z. CONDEMNATION OF THE PROSECUTION OF "PUSSY RIOT" [J. HEILMAN, F. SOLOMON, K. ANDERSON, M. GESCHWIND]:

SUBJECT: The City Council will consider adopting a resolution condemning the disproportionate prosecution and imprisonment of Russian punk band "Pussy Riot".

ACTIONS: 1) Adopt Resolution 12-4357 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING THE PROSECUTION AND IMPRISONMENT OF RUSSIAN PUNK BAND ‘PUSSY RIOT’”; and 2) Direct staff to send copies of the signed resolutions to Secretary of State Hillary Clinton, U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, Amnesty International Board Chair Shahram Hashemi, and U.S. Ambassador to the United Nations Susan Rice, with the revision to include the U.S. Ambassador to Russia and the Russian Ambassador to the U.S. to the list of those receiving copies of the signed resolution. **Approved as part of the Consent Calendar.**

2.AA. SUPPORT FOR CO-SPONSORSHIP OF FUNDRAISING EVENT FOR OUTFEST [A. LAND, C. PLANCK]:

SUBJECT: The City Council will consider co-sponsoring and providing fee waivers for a fundraising event for Outfest on September 19, 2012 in the City Council Chambers featuring a reading and book signing by author Dan Bucatinsky.

ACTION: 1) Co-sponsor a fundraiser for Outfest featuring a reading, performance and book-signing on September 19, 2012; 2) Authorize use of the West Hollywood Council Chambers for this event; 3) Authorize the use of the City of West Hollywood logo on materials associated with the event; and 4) Waive facility rental fee, parking fees and any other City-related fees for the event. **Approved as part of the Consent Calendar.**

2.BB. COLLABORATION WITH “ROOM TO READ” ORGANIZATION [J. HEILMAN, F. SOLOMON, K. ANDERSON]:

SUBJECT: The City Council will consider approving a collaboration with the non-profit organization Room to Read as part of the opening year of our new library.

ACTIONS: 1) Approve a collaboration between the City of West Hollywood, Room to Read, the new West Hollywood Library and local schools to support the construction of new libraries in developing countries; 2) Request that the West Hollywood Library display material related to the initiative in the new library; and 3) Authorize the inclusion of a Room to Read booth in the West Hollywood Book Fair. **Approved as part of the Consent Calendar.**

2.CC. (5.A.) ASSIGNMENT AGREEMENT BETWEEN THE CITY OF POMONA AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS [S. BAXTER, P. SLOANE, D. WILSON, D. HATCHER]:

SUBJECT: The City Council will consider a General Fund trade agreement for Prop A Local Return Funds with the City of Pomona.

ACTIONS: 1) Approve a Prop A fund trade agreement with the City of Pomona for \$750,000 West Hollywood General Funds in exchange for \$1,000,000 City of Pomona Prop A Funds; 2) Authorize the City Manager to execute the agreement; 3) Authorize the Director of Finance to

appropriate \$750,000 from reserves in the General Fund to Expenditure for Traded Funds (100-1-03-31-531016); and 4) Authorize the Director of Finance to increase budgeted revenues in the Prop A Fund, Account No. 203-421001 by \$1,000,000. **Approved as part of the Consent Calendar.**

2.DD. (5.D.) CONTINUED SPONSORSHIP OF HUMAN RIGHTS SPEAKERS SERIES [J. HEILMAN, F. SOLOMON, K. ANDERSON]:

SUBJECT: The City Council will consider continuing sponsorship of the City of West Hollywood's Human Rights Speakers Series programming.

ACTIONS: 1) Approve continuation of the Human Rights Speakers Series; 2) Approve sponsorship of the Human Rights Speakers Series and authorize the use of the City name and logo on related materials; 3) Authorize staff to solicit co-sponsors for the Human Rights Speakers Series; 4) Approve the use of the West Hollywood Library Complex City Council chambers, community room, and parking structure; 5) Authorize the Director of Finance to allocate \$10,000 from unallocated General Fund Reserves in fiscal year 2012-13 to Special Events Programming for expenditures related to the Human Rights Speakers Series; 6) Direct the Public Information Office to utilize all appropriate communication tools to promote the programming; and 7) Authorize the City Manager to sign all required documents relating to this item. **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: 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 September 4, 2012.

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

JEROME NASH, APPLICANT, spoke regarding the history of the property and issues surrounding the project. He spoke regarding his desire to move forward on the project.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding potential parking issues with the project.

COLLEEN KEANE, WEST HOLLYWOOD, spoke in support of a condominium conversion, and asked that Council take more time to consider the project and impacts on the neighborhood.

MARCIA MCKEEGAN, WEST HOLLYWOOD, spoke in support of a condominium conversion and in opposition to an urban inn.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding issues surrounding the process for the project. He expressed concerns regarding protecting historic resources in the City. He spoke in support of deferring action on the Item until studies are completed on aging housing in the City.

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke in support of the Item.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding the removal of rental tenants under the Ellis Act at the property. He expressed concerns regarding the development agreement and the possible precedent it could set for other properties.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the eviction of the previous tenants under the Ellis Act. She spoke regarding previous attempts to renovate the property without following requirements of historic preservation.

WILLIAM NEISH, WEST HOLLYWOOD, spoke in support of compromise and the need for discussion regarding historic properties in the City.

LYNN RUSSELL, WEST HOLLYWOOD, spoke in opposition to the Item and expressed concerns over several parts of the development agreement, including parking and waivers given by the City.

JEROME NASH, APPLICANT, provided a brief rebuttal and spoke regarding his intention to create a great project and restore the building.

Mayor Prang closed the public hearing.

Councilmember Heilman requested clarification as to whether or not the Applicant submitted an application to the Historic Preservation Commission to replace the windows at the property. City Attorney Jenkins

provided clarification that the Applicant never submitted a complete application for window replacement, but the matter was placed on the Historic Preservation Commission agenda and the Commission denied the window replacement. He also provided clarification that the Applicant was informed that he had the opportunity to complete an application for window replacement with specifications of the number and type of windows. John Keho, Acting Director of Community Development, provided clarification that he did not believe an application was submitted.

Councilmember Heilman requested clarification regarding the City Attorney's directive to Staff that communication from Mr. Nash be directed to the City Attorney. The City Attorney stated that due to the communication issues in the past, he instructed Staff to direct communication with Mr. Nash to his office to streamline communication.

Councilmember Heilman requested clarification regarding any financial hardship on the part of the Applicant. John Keho, Acting Director of Community Development, stated that all financial information received is included in the staff report.

Councilmember D'Amico spoke regarding the Item not mirroring the number of units that were originally proposed in the August 6, 2012 Item, and requested clarification regarding the change in the number of units.

City Attorney Jenkins provided clarification that there is a difference in the number of units as it reflects what the Applicant is willing to agree to.

Councilmember Duran thanked everyone who came out to speak. He spoke regarding the issue of preserving historic properties while still attempting to preserve affordable housing in the City, and the difficulties associated with government regulation and allowing the markets to have free rule. He spoke regarding the history of the building and spoke regarding the fact that the current building is vacant and the tenants have been removed under the Ellis Act. He spoke regarding the issue of parking associated with the project and the issues of the lack of parking in the center of the City. He spoke regarding the three options in the Item and stated that the easiest fit of the three would be condominiums; which would be more compatible to the neighborhood. The second most compatible would be 32 rental apartments; however the building would have to be vacant for a period of time and the former tenants would have the first right of refusal; which may lead to the owner to keep the building vacant until this period expired. He spoke regarding the possible conversion to an urban inn and expressed concerns regarding this use. He requested clarification from staff regarding how operational restrictions are approved if the property is converted to an urban inn.

Francisco Contreras, Senior Planner, provided clarification that the operational restrictions for an urban inn are already included in the resolution before Council. He stated that if other issues arose regarding the property, they would be handled by Commercial Code Compliance.

Councilmember Duran requested clarification of the approval of a valet parking plan if the property is converted to an urban inn. He requested clarification regarding whether an urban inn would require a business license.

Francisco Contreras, Senior Planner, spoke regarding provisions already in place to address valet parking issues, and he stated that there are also provisions where permits are reviewed by the Director of Community Development. He also stated that an inn would require a license and would be subject to the restrictions on the type of business license.

Mayor Pro Tempore Land spoke in support of deferring a decision on this property until further studies are completed regarding the City's housing stock. She expressed concerns regarding the lack of documentation to show the economic hardship for the landlord in regard to the property. She expressed concerns regarding approving this type of project without any tradeoff to require the owner to provide affordable housing in association with the project. She spoke in opposition to the project as presented. She spoke regarding comments made by the Applicant regarding the City's response and spoke regarding the process and efforts made by the City during the process. She spoke regarding the need to look at ways to protect the City's affordable housing as well as protecting historic properties in the City.

Councilmember Heilman thanked everyone who came out to speak. He spoke regarding the windows at the property and the City's efforts to communicate the process for applying for replacement of the windows. He spoke regarding other historic buildings in the City that are maintained by the owners who follow the process when changes are needed. He spoke regarding his inquiries to the City Attorney regarding the decision to direct all interaction with the Applicant to the City Attorney and spoke regarding concerns with the Applicant's interactions with staff. He expressed concerns regarding entering into a development agreement with an Applicant who has been contentious with City Staff. He expressed concerns regarding the lack of documentation to show economic hardship of the landlord in regard to the property. He spoke in support of some waivers if the project becomes condominiums or rental units, but in opposition to waivers if the project becomes an urban inn. He spoke regarding the Item before Council tonight being different from what was proposed during the last meeting, specifically the change in the number of units being recommended to satisfy the Applicant. He spoke in opposition to the Item as presented.

Councilmember D'Amico requested clarification from the City Attorney regarding whether the City Council will be approving a development agreement that will give the Applicant the ability to choose one of the three options. City Attorney Jenkins stated that this is the case, and the option of the urban inn was included to give the Applicant options in case the economy is not favorable for condominiums or rental units.

Councilmember D'Amico spoke regarding the possibility of including a provision that if an urban inn is chosen at a future date that the Applicant be required to have a public review of the inn. City Attorney Jenkins provided clarification that the current item provides the approvals for the urban inn and does not require a future hearing to obtain approvals.

Mayor Prang spoke regarding the City's process and stated that this particular project is a difficult issue to resolve. He spoke regarding the need for Council to try to use common sense and come to the best practical solution. He spoke regarding the importance of the preservation of the building; which will be a public benefit. He also spoke regarding the mistakes made on both sides during the course of this project. He expressed concerns over the action becoming a precedence and spoke regarding the language included by Staff to ensure that it isn't. He spoke in support of the development agreement, but stated he would not vote for approval of this type of project in the future. He spoke regarding the three options before Council and the fact that the applicant will have the option to choose one of them based on Council's approval of the Item. He expressed concerns regarding the urban inn and stated that he hopes that it would be a last resort.

Councilmember D'Amico spoke regarding the number of condominium units being proposed being 28 instead of 32. He also spoke in support of this not being the start of precedence, but the end of an era and spoke in support of resolving the issue and the need to work on goals to prevent the City from being in the same situation again with other historic properties.

Councilmember Heilman suggested that language be included in the development agreement that if the project becomes an urban inn, that a payment towards inclusionary housing be submitted to the City.

Councilmember Duran spoke regarding a requirement to provide inclusionary housing fees over time if the property is converted to an urban inn as a possible disincentive to the conversion of an inn.

Councilmember Heilman spoke regarding the possibility of calculating the inclusionary housing fees based on an estimate by Staff and requiring the payments over a specific period of time.

Staff provided clarification that a previous calculation of approximately \$924,000 was estimated as the inclusionary housing fees associated with the property.

Councilmember Duran suggested that the fee be spread out over a fifteen year period.

Council took a recess so that the City Attorney could confer with the Applicant.

City Attorney Jenkins provided clarification from his discussion with the Applicant that the Applicant's first choice for the property is an urban inn. He provided clarification that the Applicant prefers not to reduce the number of units for an urban inn and prefers that they be maintained at 32 units, with the understanding that he may reconfigure what is currently at the site today. He provided clarification that the Applicant stated he is unwilling to agree to a provision to require the payment of inclusionary housing fees if an urban inn is selected.

Councilmember D'Amico requested clarification on whether an urban inn is required to have any public space. He requested clarification from staff regarding the square footage of the property and the calculation by staff of an estimated inclusionary housing fee.

Councilmember Duran requested clarification as to why an urban inn has fewer impacts than residential units. Staff stated that parking requirements are lower, no other optimum facilities are required, such as a pool, and there would be no outdoor special events as they are prohibited.

Mayor Prang spoke in support of having language placed in the development agreement that limits the number of units for an urban inn to 28 units and if an urban inn is developed that the Applicant pay the \$924,000 inclusionary housing fee.

RECOMMENDATION: Approve the revised project by adopting the following ordinances and resolution: 1) Introduce on first reading Ordinance No. 12-901, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A DEVELOPMENT AGREEMENT AND ADOPTING A ZONE MAP AMENDMENT, CREATING A DEVELOPMENT AGREEMENT OVERLAY ZONE FOR THE REHABILITATION AND RESTORATION OF THE EL MIRADOR BUILDING AT 1302-1310 N. SWEETZER AVENUE, WEST HOLLYWOOD, CALIFORNIA, WITH CERTAIN WAIVERS OF DEVELOPMENT STANDARDS AND EXACTION FEES TO ENABLE ITS USE AS CONDOMINIUMS OR AN URBAN INN" (ATTACHMENT A); with

the following amendments to the development agreement: a) modify Section 2.5 to modify the number of urban inn units to 28 from 32; b) to provide that if the building is used as an urban inn commencing with the issuance of a certificate of occupancy that the Applicant would pay the Affordable Housing In-lieu Fee on the basis of a 15-year amortization period for whatever number of years it is used as an urban inn, up to a maximum of 15-years, to fully depreciate the amount of the fee based on the ultimate square footage calculation made by Staff; 2) Introduce on first reading Ordinance No. 12-902, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A ZONE TEXT AMENDMENT AMENDING PROVISIONS OF THE ZONING CODE GOVERNING THE DEVELOPMENT AGREEMENT OVERLAY ZONE" (ATTACHMENT B); and 3) Adopt Resolution No. 12-4358, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A REHABILITATION INCENTIVE, CONDITIONAL USE PERMIT, AND TENTATIVE TRACT MAP, FOR THE REHABILITATION AND RESTORATION OF THE EL MIRADOR BUILDING AT 1302-1310 N. SWEETZER AVENUE, WEST HOLLYWOOD, CALIFORNIA, WITH CERTAIN WAIVERS OF DEVELOPMENT STANDARDS AND EXACTION FEES TO ENABLE ITS USE AS CONDOMINIUMS OR AN URBAN INN" (ATTACHMENT C) **Motion by Mayor Prang, seconded by Councilmember Duran, and approved noting the No votes of Councilmember Heilman and Mayor Pro Tempore Land.**

4. UNFINISHED BUSINESS:

4.A. APPOINTMENT OF VOTING DELEGATES FOR THE NATIONAL LEAGUE OF CITIES [C. SCHAFFER, Y. QUARKER]:

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

ACTION: Appoint Mayor Prang as the Voting Delegate to the Annual Conference of the National League of Cities. **Approved by Consensus of the Council.**

5. NEW BUSINESS:

5.A. ASSIGNMENT AGREEMENT BETWEEN THE CITY OF POMONA AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS [S. BAXTER, P. SLOANE, D. WILSON, D. HATCHER]:

SUBJECT: The City Council will consider a General Fund trade agreement for Prop A Local Return Funds with the City of Pomona.

ACTION: This Item was approved as part of the Consent Calendar.

5.B. EXPLORE THE INSTALLATION AND USE OF SECURITY CAMERAS IN PLUMMER PARK TO INCREASE PUBLIC SAFETY [J. PRANG, M. HAIBACH]:

SUBJECT: The City Council will consider the installation of security camera/surveillance system in various areas throughout Plummer Park as a means to deter criminal activity and make the park safer.

Mayor Prang provided background information as outlined in the Staff Report dated September 4, 2012.

City Clerk Schaffer stated that the following individual expressed support for the Item but did not wish to speak: CATHY BLAIVAS, VICTOR OMELCZENKO, and STEPHANIE HARKER.

Mayor Pro Tempore Land spoke regarding the recent Neighborhood Watch meeting held at Plummer Park and expressed concerns over giving residents a false sense of security. She expressed concerns over who will be monitoring the cameras and how often.

Councilmember Duran spoke in opposition to the Item. He expressed concerns with government surveillance at a public park, due to a person's expectation to privacy in a public space.

Mayor Prang spoke regarding the cameras being placed outside and stated that the cameras could be surveillance cameras that can be time delayed and used in case of a crime.

Councilmember D'Amico spoke in support of the Item, but requested clarification on where the cameras would be placed.

Councilmember Heilman expressed concern with monitoring residents' activities but spoke in support of placing cameras near Great Hall and Long Hall; which are more secluded. He expressed concerns regarding the costs associated with the cameras and spoke regarding the possibility of exploring the issue further when the plans for Plummer Park renovations are more solidified.

ACTION: The City Council will direct City staff to work with our Public Safety Commission and the Sheriffs to investigate various options and costs for the installation of security cameras strategically placed in vulnerable locations throughout Plummer Park, and return to Council within 120 days with a recommendation. Options that should be explored include: 1) Type of Video cameras (hours of surveillance, if not 24/7); 2) Live Video Monitoring and Surveillance; 3) Motion Activated Cameras; and 4) Best location of cameras within the park. **Motion by Mayor Prang, seconded by Councilmember D'Amico, and approved noting the No vote of Councilmember Duran.**

5.C. DISCUSSION OF LONG RANGE AND MOBILITY PLANNING DIVISION WORK PROGRAM [J. KEHO, M. ANTOL]:

SUBJECT: Staff recommends that the City Council review the proposed Long Range and Mobility Division Work Program, provide comment and approve as proposed, or reallocate staff time to different projects.

Melissa Antol, Long Range & Mobility Planning Manager, provided background information as outlined in the Staff Report dated September 4, 2012.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke regarding the number of programs that have come out of the General Plan. He spoke in support of Staff recommendations.

KEVIN BURTON, WEST HOLLYWOOD, spoke in support of the medium scale and smaller scale recommendations, but spoke in support of the Eastside-Fairfax Land Use as the large scale planning recommendation.

TESS LOTTA, LOS ANGELES, spoke in support of the Item.

DAVID WARREN, WEST HOLLYWOOD, spoke in support of the Item, but asked that traffic calming measures be implemented including left turn signals, right-lane re-striping, and ideas for the next fiscal year.

Councilmember D'Amico requested clarification regarding a previous direction given by Council to Staff to allocate \$25,000 for mitigation efforts for development projects already approved and smaller traffic mitigation projects as suggested during public comment. He spoke regarding the need to address historic preservation and housing issues in the City. Staff provided clarification that the calming and traffic mitigations measures are already included in the City's work plan and provided clarification that the issues of historic preservation and housing will be handled by the Current and Historic Preservation Planning Division.

Councilmember Heilman thanked staff for their efforts in bringing the Item forward. He spoke in support of making the Eastside-Fairfax Land Use, Urban Design & Mobility Plan the most important Large Scale Planning Effort. He spoke in support of the Medium Scaled Planning Efforts. He spoke in support of pushing for a regional bike sharing program. He spoke in support of not losing sight of energy efficiency efforts in the City.

Mayor Pro Tempore Land requested clarification on the Transportation Demand Management program under Smaller Scale Projects. Staff stated that this would include bike-sharing, incentives to Staff for carpooling, etc.

Mayor Pro Tempore Land requested clarification regarding the steps that would be taken during the next 18 months if the Melrose Urban Design Study is selected as the top Large Scale Planning Effort. She spoke regarding the importance of the Eastside-Fairfax Land Use, Urban Design & Mobility Plan and the need to make sure efforts on the Eastside match efforts on the Westside. She spoke in support of the Bicycle & Pedestrian Master Plan. She spoke in support of a regional bike sharing program, but also requested that the City look into doing a pilot program here in West Hollywood.

Councilmember Duran spoke regarding the need to finish the Melrose Urban Design Study, but also spoke regarding the need to address the Eastside-Fairfax Land Use efforts immediately following the Melrose study. He spoke in support of the recommended Medium Scale Planning Efforts. He expressed concerns regarding the Bike Sharing Program in the City, and spoke in support of exploring a regional program. He expressed concerns regarding changes on Fountain Avenue and impacts on the mobility on that street. He spoke in support of the idea of Parklets to create more open meeting spaces. He spoke in support of mixed-use housing along Santa Monica Blvd. and the possibility of creating artist's lofts in the area. He spoke regarding the need to look at historic preservation, planning and housing issues in the City.

Councilmember D'Amico requested clarification of the timeline for completing the Melrose Urban Design Study. John Keho, Acting Director of Community Development, stated that the projects that were previously approved were part of the Plan, and that process needs to be continued and the estimated time given by Staff is eighteen months.

Councilmember D'Amico spoke in support of looking at smaller transportation studies and traffic mitigation efforts in lieu of focusing on Transportation Demand Management under the Smaller Scale Projects.

City Manager Arevalo spoke regarding the fact that the Melrose Urban Design Study is already in process and the need to continue efforts on the project. He spoke regarding the possibility of initiating the Eastside-Fairfax Land Use discussions sooner, rather than waiting a full 18 months. He spoke regarding the activity already taking place on the Eastside under the General Plan, including the Movie Town Plaza site and the Faith Plating site. He spoke regarding the possibility of using the Eastside Task Force as a launching point for these efforts.

Mayor Prang spoke in support of the completion of the Melrose Urban Design Plan, but spoke in support of dedicating resources to the Eastside. He spoke in support of a Regional Bike Sharing Program. He spoke in support of looking at smaller transportation studies and traffic mitigation

efforts in lieu of focusing on Transportation Demand Management under the Smaller Scale Projects.

Councilmember D'Amico spoke in support of looking into a local bike sharing program, in conjunction with exploring a regional bike sharing program. He spoke in support of adding Landscaping and Native Plants to the Smaller Scale Projects.

Councilmember Heilman spoke regarding implementing mitigation measures under projects that are already approved and the possibility of creating a requirement to review whether the measures are being implemented and to measure their effectiveness.

ACTION: Review the proposed Long Range and Mobility Division Work Program provide comment and approve the proposed LRMP Work Program for the 2012-2014 budget. Additional direction was given to Staff to make efforts to address the first two studies under the Large Scale Planning Efforts in a phased approach, and under the Smaller Scale Projects to focus on a regional bike sharing program and to look at implementing transportation and traffic mitigation efforts in lieu of focusing on Transportation Demand Management. **Motion by Councilmember Duran, seconded by Mayor Prang, and unanimously approved.**

5.D. CONTINUED SPONSORSHIP OF HUMAN RIGHTS SPEAKERS SERIES [J. HEILMAN, F. SOLOMON, K. ANDERSON]:

SUBJECT: The City Council will consider continuing sponsorship of the City of West Hollywood's Human Rights Speakers Series programming.

ACTION: This Item was moved to the Consent Calendar.

5.E. COMMISSION APPOINTMENTS [C. SCHAFFER, Y. QUARKER]:

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

ACTION:

Mayor Prang made the following direct appointment:

- a. Public Safety Commission: **Bob Burke**

EXCLUDED CONSENT CALENDAR:

2.M. EASTSIDE TASK FORCE [J. DURAN, I. OWENS, J. PRANG, M. HAIBACH]:

SUBJECT: The City Council will consider the establishment of an Eastside Task Force. The purpose of the Task Force is to actively engage Eastside Constituents and encourage community participation with regards to Quality of Life, Public Safety, and Community Involvement issues that face constituents of the eastside (east of Hayworth Avenue).

Mayor Pro Tempore Land spoke in support of using the Task Force to help move forward on some of the Long Range and Mobility Planning Programs that involve the Eastside.

Councilmember Duran spoke regarding the Task Force having a duration of six-months to discuss issues of public safety, transportation and land use.

Councilmember Heilman spoke in support of continuing, or reappointing, the Eastside PAC for six months.

Mayor Prang spoke regarding his previous support of continuing the Eastside PAC. He spoke in support of the proposed Task Force and the smaller number of members.

Councilmember D'Amico spoke in support of the Item and of having a small body that can work with Council for a short period of time. He spoke in support of reevaluating the Task Force after six months.

ACTION: 1) Establish a Task Force consisting of nine (9) Eastside Community Members; residential owner-occupants, residential tenants, and business owners; 2) Direct the City Manager to assign a City staff member as the staff liaison for the Eastside Task Force; 3) Direct staff to post/publish required notices, as well as applications for members; and 4) Return to the City Council Meeting on Monday November 5th, 2012 for Council to make appointments, and schedule the initial meeting. **Motion by Councilmember D'Amico, seconded by Councilmember Duran, and unanimously approved.**

2.T. FOUNTAIN AVENUE BICYCLE ROUTE IMPROVEMENTS [J. KEHO, M. ANTOL, W. DAVIS]:

SUBJECT: Staff will begin the installation of the "Share the Road" signs and shared lane pavement markings as part of the Fountain Avenue bicycle improvements in the fall of 2012.

Councilmember D'Amico spoke in support of installing sharrows in the City, but expressed concerns regarding public safety and possible accidents associated with them. He spoke in support of turning the sharrows down Sweetzer to connect to the bicycle lanes on Santa Monica Boulevard.

TESS LOTTA, LOS ANGELES, spoke in support of the Item.

KEVIN BURTON, WEST HOLLYWOOD, spoke in support of the Item.

Councilmember Heilman spoke regarding the need to evaluate the project after implementation. He spoke regarding the differences between traffic

on Fountain Avenue in West Hollywood as opposed to Fountain Avenue in Los Angeles. He spoke in support of looking at other streets with less traffic or slower moving traffic.

Councilmember Duran spoke regarding safety concerns and accidents involving bikes and vehicles. He spoke regarding the difficulty in balancing parking, motorists, and bicycles in the City.

Mayor Pro Tempore Land spoke regarding the City being bike-friendly. She stated that the City is trying to be part of a regional system and Fountain Avenue is a designated bike route. She spoke in support of turning the sharrows down Sweetzer to connect to the bicycle lanes on Santa Monica Boulevard.

Mayor Prang spoke regarding the safety issues expressed by Council. He spoke in support of turning the sharrows down Sweetzer to connect to the lanes on Santa Monica Boulevard.

ACTION: Receive and file with additional direction to develop an evaluation component, look into turning the Sharrows down Sweetzer Avenue, and explore suggestions made by Council to investigate other streets to place sharrows. **Approved by Consensus of the Council.**

2.Y. SUPPORT FOR PROPOSITION 35: CALIFORNIANS AGAINST SEXUAL EXPLOITATION ACT [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON, D. SOKOLOVSKY]:

SUBJECT: The City Council will consider supporting California ballot measure, Proposition 35, CALIFORNIANS AGAINST SEXUAL EXPLOITATION ACT” that will appear on the Nov. 6, 2012 General Election ballot.

Councilmember Duran expressed his opposition this Item. He spoke regarding the difficulties of regulating criminal justice by initiative, and stated that the initiatives are often too broad and that the Legislature has no ability to make corrections or adjustments to the laws. He spoke regarding the requirement in this law that all registered sex offenders report their internet usage. He spoke regarding gay men in the City who are on the Sex Offender Registration List because of previous laws regarding gay men and sex.

ACTIONS: 1) Adopt Resolution 12-4356 “A RESOLUTION SUPPORTING PROPOSITION 35: CALIFORNIANS AGAINST SEXUAL EXPLOITATION ACT”; and 2) Direct staff to send copies of signed resolutions to Senator Fran Pavley and Assemblymember Mike Feuer. **Motion by Mayor Pro Tempore Land, seconded by Mayor Prang, and approved noting Councilmember Duran’s No Vote and Councilmember D’Amico’s Abstention.**

6. LEGISLATIVE:

6.A. ORDINANCE AMENDING REGULATIONS GOVERNING MUNICIPAL ELECTION CAMPAIGNS PERTAINING TO CAMPAIGN LITERATURE [J. D'AMICO, M. REX, M. JENKINS, C. SCHAFFER]:

SUBJECT: The City Council will consider adopting an ordinance that would amend the City's Municipal Code to require candidates and committees to transmit campaign literature to the City Clerk and require the City Clerk to post this campaign literature on the City's website.

Councilmember D'Amico provided background information as outlined in the Staff Report dated September 4, 2012.

Councilmember Heilman expressed concern regarding some campaign literature that may be defamatory towards a candidate or City employee; which the City would be obligated to post under this ordinance. He requested clarification from the City Attorney regarding the City's potential liability.

City Attorney Jenkins provided clarification that as written, the City would be required to post the materials without alteration. He provided clarification that there are certain immunities for defamation that may apply to the City, but stated that he would have to research this issue. He spoke regarding the possibility of amending the ordinance to allow for discretion for determining whether a piece of campaign literature is defamatory.

Councilmember D'Amico provided clarification that the proposed ordinance mirrors ordinances adopted by Los Angeles and other Cities.

Mayor Pro Tempore Land requested clarification regarding what constitutes campaign literature, specifically in regards to whether emails that were sent out would need to be included. Councilmember D'Amico stated that anything that is sent out with the committee or campaign number is considered campaign material.

Councilmember Duran spoke regarding the contentiousness of West Hollywood elections. He spoke regarding the purpose of the Los Angeles ordinance which is intended as a deterrent for sending negative campaign literature. He expressed concerns regarding the two day requirement for posting and the possibility of changing the requirement to two weeks following the election.

Mayor Prang spoke regarding past negative literature and expressed concern with placing negative campaign pieces on the City's website in perpetuity.

ACTION: Table the Item. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land and unanimously approved.**

PUBLIC COMMENT: None.

COUNCILMEMBER COMMENTS:

Mayor Pro Tempore Land announced the Jewish New Year and wished everyone a Happy New Year.

ADJOURNMENT: The City Council adjourned at 10:43 p.m. in memory of the father of Ramon Mendez, Arthur Kruskall, Viola Culcasi, 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, October 1, 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 1st day of October, 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