

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, DECEMBER 2, 2013  
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS  
625 N. SAN VICENTE BOULEVARD**

**6:30 P.M. – REGULAR MEETING**

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

**PLEDGE OF ALLEGIANCE:** Richard Settle led the Pledge of Allegiance.

**ROLL CALL:**

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

ABSENT:

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

**APPROVAL OF AGENDA:**

Councilmember Duran requested that Item 2.N. be moved to the Excluded Consent Calendar. This Item was moved back to the Consent Calendar following Councilmember and City Manager's Comments.

Mayor Pro Tempore D'Amico requested that Items 4.A. and 4.B. be moved to the Consent Calendar as Items 2.T. and 2.U.

City Attorney Jenkins provided additional clarification on Items 2.L. and 2.M., stating that the Items are being approved with the contingency that an amendment to the final inclusionary housing agreement in regards to parking will be brought back to Council on December 16, 2013.

**Motion by Councilmember Prang, seconded by Councilmember Duran, to approve the agenda as amended, and unanimously approved.**

**ADJOURNMENT MOTIONS:**

Councilmember Duran requested that the meeting be adjourned in memory of Bob Tomasino, a long-time LGBT activist. He requested that the meeting be adjourned in memory of Randy Keegan.

Councilmember Prang requested that the meeting be adjourned in memory of the following soldier who died in Afghanistan since the last City Council Meeting: Staff Sergeant Alex A. Viola, 29.

Mayor Land requested that the meeting be adjourned in memory of Goldie Kahn, a long-time resident.

**PRESENTATIONS:** None.

**1. PUBLIC COMMENT:**

ANNA SWETT, WEST HOLLYWOOD, spoke regarding public safety issues in the City.

MARC HAUPERT, BURBANK, thanked Council for their support of the upcoming program regarding 2020 Visioning of HIV/AIDS Care.

HEIDI SHINK, WEST HOLLYWOOD, spoke in support of Item 5.A.

SOFIA RAKOVICH, WEST HOLLYWOOD, spoke in support of Item 5.A.

LARRY BLOCK, WEST HOLLYWOOD, spoke regarding the 29<sup>th</sup> birthday of the City of West Hollywood.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of Item 2.H. He spoke in support of Item 2.P.

FRANKIE BARCENA, ALHAMBRA, spoke in support of the LGBT community and the City.

**COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:**

Councilmember Duran spoke regarding Item 2.N. and requested clarification from the City Manager as to whether the pilot project can be extended month-to-month until Council receives a report and makes a final determination regarding the entertainment shuttle. City Manager Arevalo provided clarification that Staff can bring forward an Item on December 16, 2013 to extend the contract on a month-to-month basis, and Item 2.N. was requested to be moved back to the Consent Calendar. Councilmember Duran spoke regarding the recent World AIDS Days events at the City. He spoke regarding the upcoming town hall meeting regarding media depictions of Gay African-American Men. He spoke regarding a possible new drug that is being tested by Danish scientists that might be the closest thing to a cure for HIV/AIDS. He spoke regarding his upcoming attendance at the Annual Gay and Lesbian Victory Fund Conference in Denver. He spoke regarding Item 2.S. and thanked Council for supporting the Item.

Councilmember Heilman spoke regarding an upcoming panel discussion in the City regarding the criminalization of HIV/AIDS. He thanked his colleagues for attending the upcoming Annual Gay and Lesbian Victory Fund Conference and spoke in support of possibly holding the conference in West Hollywood for the City's 30<sup>th</sup> anniversary. He thanked the public speaker who congratulated him on being on the City Council for 29 years of Cityhood.

Mayor Pro Tempore D'Amico spoke regarding the upcoming meeting with City Staff regarding the design of new homes being developed in the West Hollywood West area of the City. He spoke regarding the recent Transgender Day of Remembrance event in the City. He spoke regarding an upcoming screening in the City of a film made by one of the Arts and Cultural Affairs Commissioners regarding Russian Immigrants who came to West Hollywood. He spoke regarding his upcoming attendance at the Annual Gay and Lesbian Victory Fund Conference in Denver.

Mayor Land spoke regarding the recent Transgender Day of Remembrance event in the City and the Transgender Awareness Month activities in the City. She spoke regarding Item 2.N. and requested that when the Item returns on December 16 that information be included in the staff report on how the project will be evaluated.

Councilmember Heilman spoke regarding Item 4.B. and provided clarification of another City that recently passed a living wage ordinance in regards to hotel employees. City Attorney Jenkins responded that Staff is reviewing this ordinance and a memo providing clarification will be distributed to the City Council in the near future.

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

City Manager Arevalo stated that Staff is planning a celebration in honor of the City's 30<sup>th</sup> Anniversary.

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

Assistant City Clerk Quarker stated that the fiscal impact on the Consent Calendar is \$274,500 in expenditures, \$0 in potential revenue, and (\$28,643) in waived fees.

#### **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.,Q.,R.,S.,T.,U. **Motion by Councilmember Duran, seconded by Mayor Pro Tempore D'Amico, and unanimously approved.**

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

*SUBJECT: The agenda for the meeting of Monday, December 2, 2013 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Wednesday, November 27, 2013.*

**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 November 18, 2013. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NO. 734, RESOLUTION NO. 13-4513:**

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

**ACTION:** Approve Demand Register No. 734 and adopt Resolution No. 13-4513, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 734". **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 Viatcheslav Meisner, Jack Cook and Ashouri Masoumeh and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

**2.E. TREASURER'S REPORT FOR JULY 2013 [D. WILSON, L. QUIJANO, N. CORONADO]:**

*SUBJECT: The City Council will receive the Treasurer's Report for the month ended July 2013 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. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

*SUBJECT: The City Council will receive reports from the Human Services Commission, Public Facilities Commission, Lesbian and Gay Advisory Board and the Senior Advisory Board on actions taken at their recent meetings.*

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

**2.G. FUNDING FOR SOBER NEW YEAR'S EVE [E. SAVAGE, D. DENNIS, D. GIUGNI, J. BOOK]:**

*SUBJECT: The City Council will consider authorizing additional funds in support of a Sober New Year's Eve special event which is being produced by a consortium of non-profit agencies on December 31, 2013, from 9 pm to 2 am at the West Hollywood Park Auditorium.*

**ACTIONS:** 1) Authorize reimbursement of up to \$1,000 in costs, from the budget for Gay and Lesbian Programs, for the Sober New Year's Eve event on December 31, 2013, in West Hollywood Park Auditorium; and 2) Authorize reimbursement of up to \$500 in costs, from the budget for the Disabilities Advisory Board, for the same event. **Approved as part of the Consent Calendar.**

**2.H. MILLS ACT CONTRACT FOR 1000-1006 LARRABEE STREET (ENGLISH VILLAGE) [S. DE WOLFE, D. DE GRAZIA, J. ALKIRE]:**

**SUBJECT:** *The applicant is requesting the approval of a Mills Act Contract for the property located at 1000-1006 Larrabee Street (English Village).*

**ACTION:** Staff recommends that the City Council approve a Mills Act Contract between the City of West Hollywood and the owner of the property at 1000-1006 Larrabee Street (English Village), and authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

**2.I. SECOND AMENDMENT TO THE AGREEMENT WITH ACCO FOR HEATING, VENTILATION AND AIR CONDITIONING REPAIR SERVICES [O. DELGADO, S. CAMPBELL, H. COLLINS]:**

**SUBJECT:** *The City Council will consider amending the Agreement with ACCO Engineered Systems, Inc. (ACCO) for Heating, Ventilation and Air Conditioning Maintenance and Repair Services (HVAC).*

**ACTIONS:** 1) Approve the Second Amendment to the Agreement with ACCO to provide HVAC Maintenance and Repair Services and increase the not to exceed amount of the Agreement to \$80,000 for the remainder of fiscal year 2013-2014; and 2) Authorize the City Manager to execute the First Amendment to the Agreement and increase the not to exceed amount of the Agreement to \$80,000. **Approved as part of the Consent Calendar.**

**2.J. AGREEMENT FOR SERVICES FOR REAL-TIME CLOSED CAPTIONING OF LIVE COVERAGE ON WEHOTV [S. BAXTER, L. BELSANTI, K. EGENBERGER]:**

**SUBJECT:** *The City Council will consider authorizing an Agreement for Services for a two year term with VITAC Corporation for real-time closed captioning of live television broadcasts of City meetings and other live City programming.*

**ACTIONS:** 1) Approve a two year agreement with VITAC for real-time closed captioning of City meetings for a not-to-exceed amount of \$38,000; and 2) Authorize the City Manager to execute all necessary documents. **Approved as part of the Consent Calendar.**

**2.K. CONTRACT FOR FY 13-14 SEWER ROOT CONTROL SERVICES [O, DELGADO, S. PERLSTEIN]:**

**SUBJECT:** *The City Council will consider approval of a professional service contract with Dukes Root Control, Inc. for sewer root control services.*

**ACTION:** Authorize the City Manager to enter into a professional service contract with Dukes Root Control, Inc. in an amount not to exceed \$75,000 to provide sewer root control services for the City of West Hollywood for FY 13-14. **Approved as part of the Consent Calendar.**

**2.L. APPROVAL OF FINAL TRACT MAP NO. 71004 FOR THE SUBDIVISION OF AIRSPACE LOTS FOR THE MIXED USE**

**DEVELOPMENT PROJECT LOCATED AT 1216-1226 N. LA BREA AVENUE AND 7070 FOUNTAIN AVENUE. [O. DELGADO, S. PERLSTEIN]:**

*SUBJECT: The City Council will consider the approval of Final Tract Map No. 71004, subdivision of 15 airspace lots for the mixed use development located at 1216-1226 N. La Brea Avenue and 7070 Fountain Avenue*

**ACTIONS:** 1) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act; b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Tract Map No. 71004; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 71004, the certificate that embodies the approval of said map. **Approved as part of the Consent Calendar.**

**2.M. APPROVAL OF FINAL TRACT MAP NO. 71005 FOR THE SUBDIVISION OF AIRSPACE LOTS FOR THE MIXED USE DEVELOPMENT PROJECT LOCATED AT 7113 – 7125 SANTA MONICA BLVD, 1122 N. DETROIT STREET, AND 1111 N. LA BREA AVENUE [O. DELGADO, S. PERLSTEIN]:**

*SUBJECT: The City Council will consider the approval of Final Tract Map No. 71005, subdivision of 11 airspace lots for the mixed use development located at 7113 – 7125 Santa Monica Blvd., 1122 N. Detroit Street, and 1111 N. La Brea Avenue.*

**ACTIONS:** 1) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 66474.6 of the Subdivision Map Act; b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Tract Map No. 71005; and 3) Instruct the City Clerk to endorse on the face of the

map of Final Tract Map No. 71005, the certificate that embodies the approval of said map. **Approved as part of the Consent Calendar.**

**2.N. ENTERTAINMENT SHUTTLE – PILOT PROGRAM UPDATE [P. AREVALO, M. LOUIE, L. BIERY]:**

*SUBJECT: The City Council will receive an update regarding the conclusion of the Entertainment Shuttle pilot program operating on weekend nights along Santa Monica Boulevard.*

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

**2.O. RESOLUTION IN SUPPORT OF S. 1290 (KLOBUCHAR) THE “PROTECTING DOMESTIC VIOLENCE AND STALKING VICTIMS ACT OF 2013” [A. LAND, K. HASHMI, J. SCHWEIGERT]:**

*SUBJECT: The City Council will consider adopting a resolution in support of S. 1290 (Klobuchar) the “Protecting Domestic Violence and Stalking Victims Act of 2013”.*

**ACTIONS:** 1) Adopt Resolution No. 13-4514, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S. 1290 (KLOBUCHAR) THE ‘PROTECTING DOMESTIC VIOLENCE AND STALKING VICTIMS ACT OF 2013’”; and 2) Direct staff to send copies of signed resolution to U.S. Senators Dianne Feinstein, Barbara Boxer, and Amy Klobuchar, and U.S. Representative Adam Schiff. **Approved as part of the Consent Calendar.**

**2.P. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADVOCATING THE VOLUNTEER INCOME TAX ASSISTANCE PROGRAM/EARNED INCOME TAX CREDIT TO CONSTITUENTS IN WEST HOLLYWOOD [J. PRANG, M. HAIBACH, J. HEILMAN, F. SOLOMON]:**

*SUBJECT: The City Council will consider a resolution to join the California State Board of Equalization, Franchise Tax Board, Internal Revenue Service and Jerome E. Horton, Chairman to the California State Board of Equalization in advocating the Earned Income Tax Credit and the Volunteer Income Tax Assistance Program to qualified families and individuals.*

**ACTIONS:** 1) Adopt Resolution No. 13-4515; “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADVOCATING THE VOLUNTEER INCOME TAX ASSISTANCE PROGRAM/EARNED INCOME TAX CREDIT TO CONSTITUENTS IN WEST HOLLYWOOD”; 2) Direct staff to send copies of the adopted resolution to the office of Jerome E. Horton, Chairman of the California State Board of Equalization; 3) Authorize the use of the City of West Hollywood logo on materials associated with the program; and 4) Direct City Staff and PIO to place a public service announcement on the City’s local cable show and to have VITA related posters, and brochures at City facilities including public libraries, city hall, and all public sites throughout the city. **Approved as part of the Consent Calendar.**

**2.Q. CO-SPONSORSHIP OF “ONE NIGHT: EZTV, SISGRAPH AND DIGITAL ART IN WEHO” A PUBLIC ART INSTALLATION AND PERFORMANCE FESTIVAL [P. AREVALO, M. LOUIE, A. CAMPBELL, M. CHE]:**

*SUBJECT: The City Council will consider co-sponsoring “ONE Night: EZTV, SISGRAPH and Digital Art in WeHo” a public art installation and performance festival on Sunday, April 12, 2014 and the use of the El Tovar lot for the event.*

**ACTIONS:** 1) Co-sponsor “ONE Night: EZTV, SISGRAPH and Digital Art in WeHo,” a public art installation and performance festival on Saturday, April 12, 2014; 2) Authorize use of the El Tovar lot and the closure of El Tovar Place for the event from 7 a.m. on April 12, 2014 to 1 a.m. on April 13, 2014; 3) Authorize an additional hour of validated parking for event participants at the 5-story West Hollywood Park garage, for a total of 3 hours; 4) Authorize the use of the City of West Hollywood logo on materials associated with the event; 5) Allow the sale and consumption of alcohol on the El Tovar lot on April 12, 2014 during the event; and 6) Waive Special Event Permit fees for the event in the total amount of \$800.  
**Approved as part of the Consent Calendar.**

**2.R. CO-SPONSORSHIP OF WEST HOLLYWOOD LIBRARY AUTHOR TALK [P. AREVALO, M. LOUIE, A. CAMPBELL, M. CHE]:**

*SUBJECT: The City Council will consider authorizing the use of the West Hollywood Library Public Meeting Room (Council Chambers) for an author reading sponsored by the County of Los Angeles Public Library, West Hollywood branch.*

**ACTION:** Approve the use of the West Hollywood Library Public Meeting Room (Council Chambers) for the reading by author Sam Harris and waive associated fees. **Approved as part of the Consent Calendar.**

**2.S. CO-SPONSORSHIP OF THE 2014 WEST HOLLYWOOD DOG SHOW [J. DURAN, I. OWENS]:**

*SUBJECT: The City Council will consider co-sponsoring the West Hollywood Dog Show scheduled for Saturday April 12, 2014 at West Hollywood Park.*

**ACTIONS:** 1) Approve co-sponsorship of the West Hollywood Dog Show event, authorizing the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve in-kind support in the form of fee waivers for the event totaling a not-to-exceed amount of \$1,000; 3) Authorize the Recreation Services Division to work with the event producers to discuss logistics and mitigations, organize and publicize the event; 4) Authorize the Public Information Office to utilize all appropriate communications tools to promote the event, including, but not limited to the City's website, and social media tools; and 5) Authorize the City Manager to sign and execute any necessary documents or forms relating to this event. **Approved as part of the Consent Calendar.**



**2.T. (4.A.) AMEND AGREEMENT FOR SERVICES WITH LILLEY PLANNING GROUP [S. DE WOLFE, J. KEHO, D. DE GRAZIA, M. ANTOL, B.ROME]:**

*SUBJECT: The City Council will consider authorizing an amendment to a previously authorized agreement with Lilley Planning Group to provide planning services on an "as needed" basis.*

**ACTIONS:** 1) Approve an Amendment to the Agreement for Services for an additional not-to-exceed amount of eighty thousand dollars (\$80,000) with Lilley Planning Group for temporary planning services, as needed; 2) Authorize the Director of Finance and Technology Services to allocate \$80,000.00 from unallocated General Fund Reserves to account number 100-3-07-71-531005 (Contract Services); and 3) Authorize the City Manager to approve and execute all necessary documents. **Approved as part of the Consent Calendar.**

**2.U. (4.B.) CONTRACT TO ADMINISTER THE PROGRAM OF WORK FOR THE NEWLY FORMED WEST HOLLYWOOD TOURISM IMPROVEMENT DISTRICT [P. AREVALO, M. LOUIE, L. BIERY]:**

*SUBJECT: The City Council will consider approving an Agreement for Services with the West Hollywood Marketing Corporation (dba Visit West Hollywood) to administer the program of work for the newly formed West Hollywood Tourism Improvement District per the Property and Business Improvement District Law of 1994.*

**ACTIONS:** 1) Approve Agreement for Services (Attachment A) between the City of West Hollywood and the West Hollywood Marketing Corporation (dba Visit West Hollywood); and, authorize the City Manager or his designee to sign the Agreement and take additional action as needed to implement the Agreement; and 2) Authorize the Director of Finance & Technology Services to increase the budgeted amounts by \$900,000 for both expenditure account 803-1-01-10-533052 and revenue account 803-403002 in FY 13-14, to account for the additional projected Tourism Improvement District revenue. **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**

**3.A. APPEAL OF THE PLANNING COMMISSION'S DECISION TO AMEND THE PLACEMENT OF AN EXISTING WEST-FACING TALL WALL AT 8730 SUNSET BOULEVARD [S. DE WOLFE, D. DE GRAZIA, A. CASTILLO]:**

*SUBJECT: This item was continued from the October 21, 2013 City Council meeting. The City Council will hold a public hearing to consider an appeal by Manatt, Phelps & Phillips, LLP on behalf of West Hollywood Properties, LLC and Regency Outdoor Advertising, Inc. regarding the Planning Commission's approval of a request to amend a conditional use permit to modify the placement of an existing 10,858-square-foot tall wall located on the building's west façade.*

The Item was noticed as required by law.

Mayor Land recused herself due to the proximity of her residence to the project.

Antonio Castillo, Associate Planner, provided background information as outlined in the staff report dated December 2, 2013.

Councilmember Duran disclosed that he has had communications with the Applicant and visited the site.

Councilmember Heilman disclosed that he received communication from the Applicant and Appellant and visited the site.

Councilmember Prang disclosed that he has had communications with the Applicant and Appellant and visited the site.

Mayor Pro Tempore D'Amico disclosed that he has had communications with the Applicant and Appellant and visited the site.

Mayor Pro Tempore D'Amico opened the public hearing and the following speakers came forward:

STEVE AFRIAT AND ELISA PASTER, REPRESENTING THE APPLICANT, spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

VICTOR DE LA CRUZ, REPRESENTING THE APPELLANT, spoke in support of the appeal and in opposition to the amendments to the conditional use permit.

GENEVIEVE MORRILL, REPRESENTING THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

SIRI MU, WEST HOLLYWOOD, spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

VICTOR OMELCZENKO, WEST HOLLYWOOD, expressed concerns regarding the Item and the parties involved on both sides of the issue.

TODD STEADMAN, REPRESENTING THE SUNSET STRIP BUSINESS ASSOCIATION, spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

ADAM BASS, WEST HOLLYWOOD, spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

REUBEN DUARTE, WEST HOLLYWOOD, spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

DONNA SAUR, WEST HOLLYWOOD, spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

CHRIS BOWEN, WEST HOLLYWOOD, spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

LARRY BLOCK, WEST HOLLYWOOD, expressed concerns regarding the Item and spoke regarding the possibility of the City receiving funds for this particular tall wall.

ED BUCK, WEST HOLLYWOOD, spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

ELISA PASTER, REPRESENTING THE APPLICANT, provided rebuttal.

VICTOR DE LA CRUZ, REPRESENTING THE APPELLANT, provided rebuttal.

Councilmember Duran requested clarification from the attorneys for the Applicant regarding the legal definition of whether the tall wall is part of the structure. The attorneys for the Applicant provided clarification that they interpret the wall to be part of the structure.

Councilmember Duran requested clarification from the attorneys for the Appellant regarding whether they would withdraw their opposition to the changes to the tall wall if the Applicant brought forward an application with an associated development agreement. The attorneys for the Appellant stated that they would withdraw their opposition if the Applicant was required to go through a development agreement process.

Mayor Pro Tempore D'Amico requested clarification from Staff on what parts of the building would be allowed to be used for signage. Staff provided clarification on what areas of the building would be allowed for tall wall signage.

Councilmember Heilman requested clarification from Staff on whether a tall wall sign is allowed to have separate planes on a building. Staff

provided clarification of the City's code as it relates to tall walls on separate planes of a building.

Mayor Pro Tempore D'Amico closed the public hearing.

Councilmember Duran thanked everyone who came out to speak regarding the Item. He spoke regarding his support of tall walls and signage on the Sunset Strip. He expressed concerns regarding the definition of the term structure as it related to this tall wall.

Councilmember Heilman spoke regarding the tall wall existing at the site for many years and provided clarification regarding the requests from the Applicant. He spoke in opposition to the appeal and in support of the amendments to the conditional use permit.

Councilmember Prang spoke regarding the lack of impact on the residents or neighboring buildings associated with the amendments to the CUP. He spoke regarding what approvals are before the Council. He expressed concerns regarding the definition of the term structure as it relates to this tall wall.

City Attorney Jenkins provided clarification on the definition of the term structure as it relates to tall wall signage and the thinking behind the adoption of the definition of structure in the code when it was first adopted. He spoke regarding the Council's options of either considering the inclusion of the additional signage at the top of the tall wall to be part of the structure because it has been considered integrated into the structure over time, or whether to determine it is not part of the structure.

Councilmember Prang requested clarification from the City Attorney about whether there would be consequences for other structures in the City if the Council chose to allow the amendments to the CUP for this structure.

City Attorney Jenkins provided clarification that there could be a precedent set by approval of the amendments to the CUP for this structure.

Mayor Pro Tempore D'Amico expressed concerns regarding the approval of the amendments to the CUP for this project, and expressed concerns regarding covering the whole side of the building. He also expressed concerns regarding there being no financial benefit to the City in relation to this project.

Councilmember Prang expressed concerns regarding the CUP amendment process as the appropriate method for bringing this type of approval forward. He spoke in support of either using a development agreement or a creative sign permit for this type of approval. He spoke in

support of allowing signage to the top of the roof line, which would include part of the building identification sign (pony sign), but not the portion that extends beyond the roof line.

**Motion by Councilmember Heilman to deny the appeal and uphold the Planning Commission decision as outlined in the first recommendation in the staff report. Motion failed for lack of a second.**

Mayor Pro Tempore D'Amico spoke regarding the possibility of tabling the Item. He requested clarification from Staff regarding the maximum square footage allowed for this tall wall. Staff provided clarification that there is no maximum square footage for a tall wall.

**Motion by Councilmember Duran to continue the Item and direct staff to explore the possibility of requiring a development agreement associated with the Item. Motion failed for lack of a second.**

Staff provided clarification of the requirements of approving a development agreement and the requirement of Planning Commission review.

Councilmember Duran spoke regarding the possibility of approving the CUP amendments with a condition requiring the project to return for the approval of a development agreement.

**Motion by Mayor Pro Tempore D'Amico to reduce the square footage of the tall wall sign to 10,500 square feet, and to deny the appeal and uphold the Planning Commission decision (with the reduced square footage) as outlined in the first recommendation in the staff report. Motion was withdrawn.**

Councilmember Heilman spoke regarding the possibility of removing the building identification sign (pony sign) and approving the tall wall to the top of the roof line.

Mayor Pro Tempore D'Amico reopened the public hearing to ask the Applicant if they would be willing to consider removing the building identification sign if the tall wall is approved.

Council requested clarification from the attorneys representing the Applicant whether they would be willing to consider removing the building identification sign if the tall wall is approved. The attorney representing the Applicant stated that the Applicant would be willing to consider removing the building identification sign if they would be allowed to apply for a creative sign permit at a future date.

Mayor Pro Tempore D'Amico closed the public hearing.

**Motion by Councilmember Heilman to direct Staff to return with a final resolution to grant the appeal in part, with a modification to the Conditional Use Permit to allow the tall wall to be raised to roof line of the building; to allow the Applicant to remove the building identification sign if they choose to do so, but to restrict the tall wall from being raised above the roof line; to allow the Applicant to return with a separate application for signage on the building identification sign; and to allow the Applicant to cover the telecommunications equipment affixed to the wall with signage. Motion seconded by Councilmember Prang. Motion failed with Councilmember Duran and Mayor Pro Tempore D'Amico voting No and Mayor Land being Recused.**

**ACTIONS:** Reopen the public hearing and continue the Item to the meeting of January 21, 2014. **Motion by Councilmember Duran, seconded by Mayor Pro Tempore D'Amico, and approved with Councilmember Heilman voting No and Mayor Land being Recused.**

**3.B. 2013-2021 HOUSING ELEMENT UPDATE [E. SAVAGE, P. NOONAN, S. DEWOLFE, M. ANTOL, B. SIEGL]:**

*SUBJECT: The City Council will hold a public hearing to consider adoption of the proposed West Hollywood 2013-2021 Housing Element.*

The Item was noticed as required by law.

Bianca Siegl, Senior Planner, provided background information as outlined in the staff report dated December 2, 2013.

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

VICTOR OMELCZENKO, WEST HOLLYWOOD, thanked Staff for putting the Item together. He spoke regarding affordable housing units in the City.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding affordable housing issues in the City.

Mayor Land closed the public hearing.

**ACTION:** Staff recommends that the City Council adopt the following: Staff recommends that the City Council adopt the following: Resolution No. 13-4516, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING GENERAL PLAN AMENDMENT 013-001, AN UPDATE OF THE HOUSING ELEMENT OF THE CITY OF WEST HOLLYWOOD GENERAL PLAN. (ATTACHMENT A) **Motion by**

**Councilmember Prang, seconded by Councilmember D'Amico, and unanimously approved.**

**4. UNFINISHED BUSINESS:**

**4.A. AMEND AGREEMENT FOR SERVICES WITH LILLEY PLANNING GROUP [S. DE WOLFE, J. KEHO, D. DE GRAZIA, M. ANTOL, B.ROME]:**

*SUBJECT: The City Council will consider authorizing an amendment to a previously authorized agreement with Lilley Planning Group to provide planning services on an "as needed" basis.*

**ACTIONS: This Item was moved to the Consent Calendar as Item 2.T.**

**4.B. CONTRACT TO ADMINISTER THE PROGRAM OF WORK FOR THE NEWLY FORMED WEST HOLLYWOOD TOURISM IMPROVEMENT DISTRICT [P. AREVALO, M. LOUIE, L. BIERY]:**

*SUBJECT: The City Council will consider approving an Agreement for Services with the West Hollywood Marketing Corporation (dba Visit West Hollywood) to administer the program of work for the newly formed West Hollywood Tourism Improvement District per the Property and Business Improvement District Law of 1994.*

**ACTIONS: This Item was moved to the Consent Calendar as Item 2.U.**

**5. NEW BUSINESS:**

**5.A. ASSESSMENT OF PROPERTY CONDITIONS, INTERIM 2-YEAR BUILDING USE AND REFURBISHMENT PLAN FOR GREAT HALL/LONG HALL AND DEVELOPMENT OF STAKEHOLDER PLAN TO EXPLORE FUTURE OPTIONS FOR PLUMMER PARK [J. D'AMICO, M. REX]:**

*SUBJECT: The City Council will consider the assessment of existing building and facility conditions at Plummer Park, implement a 2-year interim utilization plan for Great Hall / Long Hall and the development and implementation of a stakeholder plan regarding future plans for the entirety of Plummer Park.*

Mayor Pro Tempore D'Amico provided background information as outlined in the staff report dated December 2, 2013.

Councilmember Duran requested clarification of whether there is currently a hole in the roof of one of the buildings, or whether there is a cracked skylight. Staff provided clarification that there is a cracked skylight and that Staff is currently working to repair the damage.

COLE ETTMAN, WEST HOLLYWOOD, spoke in support of the Item.

MARCO COLANTONIO, WEST HOLLYWOOD, spoke in support of the Item.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in support of the Item.

VIRGINIA GILLICK, WEST HOLLYWOOD, spoke in support of the Item.

LUCAS JOHN JUNKIN, WEST HOLLYWOOD, spoke in support of the Item.

JEN DUNBAR, WEST HOLLYWOOD, spoke in support of the Item.

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

RUDOLF MARTIN, WEST HOLLYWOOD, spoke in support of the Item.

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

ADAM BASS, WEST HOLLYWOOD, spoke regarding the Item.

DAVE MONKS, WEST HOLLYWOOD, spoke in support of the Item.

ANSON SNYDER, WEST HOLLYWOOD, spoke in support of the Item.

TONY ARN, WEST HOLLYWOOD, spoke in support of the Item.

The following people did not wish to speak but wished to express their support for the Item: SUSANA MILLER, MICHAEL ZANNELLA, RICHARD BLONS, JORGE RATCOVICH, CARMEN RATCOVICH, PAT DIXON, LARRY BLOCK, ROY OLDENKAMP, TIFFANY NITSCHKE, LAUREN MEISTER, CATHERINE PARKS, ED BUCK, CHARLES FISHER, VICTOR OMELCZENKO, AND TREY KING.

Councilmember Prang spoke in support of the need to maintain the Great Hall and Long Hall buildings as long as they are in the City's hands. He spoke in support of using the meeting rooms for community rooms. He spoke in opposition to the programming of the rooms as opposed to making the rooms available for booking by community groups. He spoke in support of a public dialogue regarding future improvements to the park. He spoke in support of recommendations 2, 5, 6, and 7 in the staff report.

Councilmember Duran expressed concerns regarding claims that the Great Hall and Long Hall buildings have suffered from years of neglect. He spoke regarding his attendance at meetings at the buildings and spoke regarding the LGBT history at the park. He spoke regarding other WPA



structures in Los Angeles County and expressed concerns regarding Great Hall and Long Hall being the best examples of WPA buildings. He spoke regarding the need for additional green space at the park. He spoke regarding the community process for the Master Plan for Plummer Park. He spoke in opposition to the Item. He spoke in support of exploring the removal of Great Hall and Long Hall to increase green space.

Councilmember Heilman spoke regarding the need for additional green space. He spoke regarding the need to address the preschool building at the park. He spoke regarding the emphasis on renovating Fiesta Hall as part of the Master Plan, and spoke in support of addressing this as a way to create community and arts spaces. He spoke in support of moving forward with the great lawn at the park that was part of the Master Plan. He expressed concerns regarding opening up Great Hall and Long Hall for studio space. He spoke in support of moving forward with aspects of the Master Plan that was previously approved.

Mayor Land spoke regarding the previous Master Plan for Plummer Park. She spoke regarding the need for additional open space at the park. She spoke in opposition to investing funds into Great Hall and Long Hall, but spoke in support of ensuring that the buildings are safe and not in disrepair. She spoke in support of looking at changes to the previous Master Plan, particularly regarding parking. She spoke in support of renovations for Fiesta Hall.

Mayor Pro Tempore D'Amico spoke regarding the need for repairs for Great Hall and Long Hall in the immediate future.

Councilmember Duran proposed a motion to direct the City Manager to return with an implementation plan and the necessary actions to move forward with the creation of a great lawn, which would include the removal of Great Hall and Long Hall; move forward with a strategy to renovate as previously approved, the interior Fiesta Hall; and move forward with the construction of the previously approved preschool facility at Plummer Park.

Councilmember Prang expressed concerns regarding some of the elements of the previous Master Plan. He spoke regarding the need to engage in a community process. He spoke in support of taking more time to engage the community and explore funding options for the park.

Councilmember Heilman spoke regarding the need to seek additional funding sources for moving forward with the great lawn, Fiesta Hall renovations, and construction of a preschool. He spoke in support of the inclusion of exploring the renovations of the exterior of Fiesta Hall as part of Councilmember Duran's proposed motion.

Mayor Pro Tempore D'Amico expressed concerns with the timeline for directing the City Manager to return with an implementation plan for the great lawn, Fiesta Hall renovations, and construction of a preschool. He spoke in support of approving immediate upgrades to Long Hall and Great Hall.

City Manager Arevalo provided clarification that Staff would have to return to Council with a plan to hire a contractor for the possible removal of Great Hall and Long Hall, and to revisit the original landscaping plans and come back to Council with a budget for implementation of the great lawn as part of the first phase. He provided clarification that renovations of Fiesta Hall and construction of a preschool are significantly more expensive projects and stated that the fiscal impact for those items would come back at a later date.

Councilmember Heilman spoke regarding the possibility of including the hiring of a contractor as part Councilmember Duran's proposed motion.

City Manager Arevalo provided clarification that the City would prefer to have a formal bid process for hiring a contractor and Staff will return to Council with a proposed contract.

Mayor Land spoke regarding the removal of Great Hall and Long Hall and spoke in support of their removal to create more open space in the park. She spoke in support of a formal bid for hiring a contractor, and spoke regarding the need to look at budgeting and the final landscape proposal. She spoke in support of adding a stakeholder engagement plan as part of Councilmember Duran's proposed motion.

**ACTIONS:** Direct the City Manager to return to the City Council with an implementation plan and the necessary actions to: a) move forward with the creation of a great lawn at Plummer Park, which would include removal of Great Hall and Long Hall; b) move forward with strategy to renovate as previously approved, the interior of Fiesta Hall and explore options to redesign the exterior shell; c) move forward with the construction of the previously approved preschool facility at Plummer Park; d) hire a contractor for the project and return with budget and funding information as well as approval of plans for each phase of the project (excluding the subterranean parking component); and e) create a stakeholder plan to provide for further community engagement during the process. **Motion by Councilmember Duran, seconded by Councilmember Heilman, and approved with Councilmember Prang and Mayor Pro Tempore D'Amico voting No.**

**EXCLUDED CONSENT CALENDAR: None.**

**6. LEGISLATIVE: None.**

**PUBLIC COMMENT:**

STEPHANIE HARKER, WEST HOLLYWOOD, spoke regarding Item 5.A.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke regarding Item 5.A.

JEN DUNBAR, WEST HOLLYWOOD, spoke regarding Item 5.A.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding Item 5.A.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding Item 5.A.

LARRY BLOCK, WEST HOLLYWOOD, spoke regarding Item 5.A.

TIFFANY NITSCHKE, TOLUCA LAKE, spoke regarding Item 5.A.

**COUNCILMEMBER COMMENTS:**

City Attorney Jenkins provided clarification of the motion by the City Council in Item 5.A., and clarified that the only action taken was to direct the City Manager to bring back proposed plans, as outlined in the motion, regarding Plummer Park, which was germane to the subject matter of the Item. He also spoke regarding the Environmental Impact Report that was previously prepared for Plummer Park and provided clarification that the possible demolition of Great Hall and Long Hall was included in that EIR.

Mayor Land provided clarification of the decision made by the City Council for Item 5.A. and the further steps in the process.

Councilmember Heilman spoke regarding a report received by the Council on law enforcement in Los Angeles County concerning the Transgender Community, and requested the City Manager and Staff to investigate the issues.

Councilmember Prang provided clarification regarding Item 5.A. and spoke in support of additional public engagement.

**ADJOURNMENT:** The City Council adjourned at 10:51 p.m. in memory of Bob Tomasino, Randy Keegan, Goldie Kahn, and all the soldiers who died in Afghanistan since the last City Council meeting. The City Council will adjourn to their next regular meeting, which will be on Monday, December 16, 2013 at 6:30 P.M. at West Hollywood Park Public Meeting Room - Council Chambers.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 16<sup>th</sup> day of December, 2013 by the following vote:

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

---

ABBE LAND, MAYOR

ATTEST:

---

COREY SCHAFFER, CITY CLERK