

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, FEBRUARY 1, 2010
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Land called the meeting to order at 6:45 P.M.

PLEDGE OF ALLEGIANCE: Wendy Goldman led the pledge.

ROLL CALL:

PRESENT: Councilmember Duran, Councilmember Horvath,
Councilmember Prang, Mayor Pro Tempore Heilman, and
Mayor Land.

ABSENT: None.

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

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins reported that the closed session was called to order at 6:00 P.M. He stated that there were no public speakers. He stated that one (1) Item was added to the agenda, an Item of Pending Litigation regarding LAUSD v. County of Los Angeles involving the method by which the County calculates redevelopment pass-throughs to the school district. He stated that the closed session adjourned at 6:35 P.M with no reportable action taken.

APPROVAL OF AGENDA:

Councilmember Duran requested that Item 6.A. be moved to the Consent Calendar. He requested that Item 2.K. be TABLED.

Staff requested that Item 2.F. be TABLED.

Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Horvath to approve the February 1, 2010 agenda as amended, and unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Prang requested that the meeting be adjourned in memory of Adeline Brecke, the grandmother of Amy Anderson, the Director of Membership and Events at the West Hollywood Chamber of Commerce.

Mayor Pro Tempore Heilman and Councilmember Duran requested that the meeting be adjourned in memory of Zelda Rubenstein, an actress and long times HIV/AIDS activist.

Councilmember Duran requested that the meeting be adjourned in memory of Howard Zinn, author of "A People's History of the United States."

Mayor Land requested that the meeting be adjourned in memory of Earl Lewis Bubar, the father of Arts and Cultural Affairs Commissioner Beverly Denenberg.

Councilmember Duran requested that the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Scott G. Barnett and Gifford E. Hurt.

PRESENTATIONS:

Councilmember Horvath and Mayor Land presented a proclamation to Marjorie Gilberg and Eric Anderson from Break the Cycle in recognition of National Teen Dating Violence Awareness and Prevention Month.

Mayor Land presented a proclamation to Deon Standlee of the American Heart Association in recognition of National Wear Red Day and American Heart Month.

1. PUBLIC COMMENT:

ALLAN DRUSYS, CITY OF YUCAIPA, spoke in support of Item 2.O. (6.A.)

WAYNE PACELLE, PRESIDENT AND CEO OF THE UNITED STATES HUMANE SOCIETY, spoke in support of Item 2.O. (6.A.)

DAWN ARMSTRONG, SOUTH LAKE TAHOE, spoke in support of Item 2.O. (6.A.)

CHRIS DEROSE, WEST HOLLYWOOD, spoke in support of Item 2.O. (6.A.)

TIM RAZA, WEST HOLLYWOOD, spoke in support of more regulation of pet adoption agencies.

CINDY VALDES, CULVER CITY, spoke in support of Item 2.O. (6.A.)

NORMA SANDLER, WEST HOLLYWOOD, spoke in support of Item 2.O. (6.A.)

CAROLE DAVIS, LOS ANGELES, spoke in support of Item 2.O. (6.A.)

RIC RICKLES, WEST HOLLYWOOD, spoke in support of Item 2.M.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of Items 2.E. and 2.N.

RIC KOTOWICZ, WEST HOLLYWOOD, spoke in opposition to a proposed ban of smoking on outdoor patios at restaurants and bars in the City.

DAN BERKOWITZ, WEST HOLLYWOOD, spoke regarding an upcoming event in the City called "Where Generations Meet" to discuss issues facing the LGBT community.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke regarding the issue of parking meters being red-bagged and used by businesses in the City and the parking of tour buses on City streets. He spoke in opposition to Item 4.A. and spoke regarding rent control issues in the City.

JESSICA WILLIAMS, WEST HOLLYWOOD, spoke in support of organizing a march in opposition to California State Proposition 8 denying same-sex marriage.

RICK WATTS, WEST HOLLYWOOD, spoke regarding proposed cuts in disability services by the State of California and the City of Los Angeles. He spoke regarding the possible closure of a State facility for people with severe disabilities. He spoke regarding the recently approved crosswalk policy in the City.

JOEL RING, WEST HOLLYWOOD, spoke in opposition to Item 4.A.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of a proposed ban of smoking on outdoor patios at restaurants and bars in the City. She spoke regarding development issues in the City.

JOHN D'AMICO, WEST HOLLYWOOD, spoke regarding the racial demographics of the City of West Hollywood and neighboring communities.

TRIP WILMOT, WEST HOLLYWOOD, spoke in opposition to a proposed ban of smoking on outdoor patios at restaurants and bars in the City. He spoke in support of Item 3.D. and in support of Item 2.O. (6.A.)

CORKY STOLLER, LOS ANGELES, spoke regarding development and traffic issues in the City.

COUNCILMEMBER COMMENTS:

Mayor Land requested the City Manager to provide a report on public comment surrounding the issue of parking meters being red-bagged and used by businesses in the City and the parking of tour buses on City streets. She requested the City Manager to provide a report on traffic mitigation efforts during the Sunset Beautification Project.

Councilmember Horvath spoke regarding the ongoing computer classes for seniors at Plummer Park. She congratulated and thanked West Hollywood firefighters and sheriff's officers who have participated in the relief efforts in Haiti. She thanked staff for organizing the recent Homeless Connect Day program in the City. She spoke regarding a possible advertisement during the upcoming Super-Bowl with an anti-choice message, and encouraged residents to sign a petition opposing the airing of the advertisement.

Councilmember Duran spoke regarding a recent trip to Washington D.C. to lobby for additional educational funds for the Plummer Park Preschool program; to meet with officials in the Office of National AIDS Policy, who are working with the government and people of Malawi; and to meet with the Department of Justice to try to recover funds from the federal closure of a former West Hollywood medical marijuana dispensary.

Councilmember Prang requested the City Manager to report on traffic issues during the ongoing Sunset Beautification Project. He congratulated Councilmember Duran for his recent appearance on CNN regarding the Sunset Beautification Project in the City and the federal stimulus funds being provided. He spoke regarding the recent Odessa celebration in the City. He spoke regarding the recent grand opening of Healthy Spot, a new West Hollywood business. He spoke regarding public comment surrounding proposed cuts in disability services by the City of Los Angeles. He thanked everyone who came out to speak regarding Item 2.O. (6.A.)

Mayor Pro Tempore Heilman spoke regarding a recent meeting of the Westside Council of Governments regarding transportation issues, including the issue of altering the proposed Red Line to the Sea to run through West Hollywood.

Mayor Land thanked City staff for organizing the recent General Plan Community Workshop in the City, and thanked everyone who participated. She thanked staff for organizing the recent Homeless Connect Day program in the City. She spoke regarding the recent Jewish Family Services Family Anti-Violence Project in the City. She spoke regarding a possible advertisement during the upcoming Super-Bowl with an anti-choice message, and encouraged residents to sign a petition opposing the airing of the advertisement.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding public comment surrounding the parking of tour buses in the City and provided clarification of the benefits to the economy. He spoke regarding traffic mitigation efforts during the Sunset Strip Beautification Project, and requested City staff member Donn Uyeno to provide further clarification.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$882,107.00 in expenditures and \$744,000.00 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,N.,O. **Motion by Councilmember Duran, seconded by Councilmember Prang and unanimously approved with Items 2.F. and 2.K. being TABLED.**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, February 1, 2010 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, January 28, 2010.

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

2.B. DEMAND REGISTER NO. 643, RESOLUTION NO. 10-3932:

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

ACTION: Approve Demand Register No. 643 and adopt Resolution No. 10-3932, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 643." **Approved as part of the Consent Calendar.**

2.C. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

The City Council will receive reports from the Public Facilities Commission, Public Safety Commission and Transportation Commission on actions taken at their recent meetings.

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

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

The City Council will accept the resignation of Public Facilities Commissioner Robert Kalonian, effective January 31, 2010.

ACTION: Accept with regret the resignation of Robert Kalonian from the Public Facilities Commission. **Approved as part of the Consent Calendar.**

2.E. CENSUS 2010 UPDATE [C. SCHROEDER, V. LOVE]:

The City Council will receive an update on the City's Census 2010 activities.

ACTION: 1) Kick-Off the "Be Counted" Campaign in March, culminating on April 1, 2010 as Census day; and 2) Approve proposed outreach plan, to be done in conjunction with PIO/CATV. **Approved as part of the Consent Calendar.**

2.F. PARKING RATES FOR PROPERTY LOCATED AT 8459 SUNSET BOULEVARD [O. DELGADO, J. ROCCO, R. MARQUEZ]:

The City Council will consider adopting a resolution authorizing the installation of self-parking devices, establishing the hours of operation and public parking rates for the City operated surface lot parking located at 8459 Sunset Boulevard.

ACTION: This Item was TABLED.

2.G. HYBRID VEHICLE PURCHASE [S. BAXTER, O. DELGADO, S. CAMPBELL]:

The City Council will consider authorizing the purchase of one hybrid vehicle.

ACTION: Authorize the Finance Department to issue a Purchase Order to Lasher/Coalinga Motors of Coalinga, California in an amount of \$37,366.79 for the purchase of one 2010 Chevrolet Silverado 1500 hybrid pick-up truck; and 2) Authorize the Finance Department to issue a Purchase Order, for an administrative fee equal to 1.98% (\$739.86) of the total vehicle purchase amount, to the State of California, Department of General Services. **Approved as part of the Consent Calendar.**

2.H. PURCHASE OF TWO AUTOVU VEHICLE LICENSE RECOGNITION UNITS [O. DELGADO, J. ROCCO, R. MARQUEZ]:

The City Council will consider approving the purchase of two (2) AutoVu vehicle license plate recognition (LPR) units.

ACTION: 1) Authorize the purchase of two (2) AutoVu vehicle license recognition units for the City of West Hollywood for an amount not to exceed \$94,000; and 2) Authorize the Director of Finance to allocate \$94,000 from the undesignated reserves in the Parking Improvement Fund and to increase budgeted expenditures in account 213-4-08-82-707007 (Mobile License Reading System) by \$94,000. **Approved as part of the Consent Calendar.**

2.I. FEDERAL APPROPRIATIONS REQUEST FOR PLUMMER PARK CAPITAL IMPROVEMENT PROJECT [J. ENGLISH, L. BELSANTI]:

The City Council will consider authorizing the submittal of an application for Federal Appropriations Funding for Fiscal Year 2011 for the Plummer Park Capital Improvement Project.

ACTION: 1) Authorize staff to submit application for Federal Appropriations Funding in the amount of \$750,000 for Fiscal Year 2011; 2) Appoint City Manager, or his/her designee, as agent to conduct all negotiations, execute and submit all documents, applications and agreements necessary for completion of the appropriations-funded project; and 3) If the appropriation funds are awarded, authorize the Director of Finance to adjust the budget in fiscal year 2011 to reflect the actual appropriations award of \$750,000 for a total of \$750,000 in increased budgeted expenditures and revenues. **Approved as part of the Consent Calendar.**

2.J. AUTHORIZATION TO APPLY FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT [S. BAXTER, S. CAMPBELL, H. COLLINS]:

The City Council will consider authorizing staff to submit an application to the State of California for funding available through the Statewide Park Development and Community Revitalization Program (Proposition 84) Grant for the Plummer Park Improvement Project.

ACTION: 1) Adopt Resolution No 10-3934, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS"; 2) Authorize the Finance and Technology Services Department to increase budgeted grant revenues and expenditures by an equal amount upon award of the grant; and 3) Authorize the City Manager to sign all required documents pertaining to this grant opportunity.
Approved as part of the Consent Calendar.

2.K. CONDEMNING THE ACTIONS OF THE GOVERNMENT OF MALAWI AND ITS JUDICIARY FOR SUPPORTING CRIMINALIZATION OF HOMOSEXUALITY AND FOR PROSECUTING LGBT PEOPLE [J. DURAN, H. MOLINA]:

The City Council will consider adopting a resolution condemning the actions of the government of Malawi and its judiciary against an LGBT couple.

ACTION: This Item was TABLED.

2.L. CITY OF WEST HOLLYWOOD PARTNERSHIP WITH BREAK THE CYCLE [L. HORVATH, I. PINE, A. LAND, C. PLANCK]:

The City Council will consider partnering with Break the Cycle on their 2010 LGBTQ initiative.

ACTION: 1) Declare February, 2010, "National Teen Dating Violence Awareness Month" to spotlight the violence that oftentimes accompanies teen relationships; and 2) Direct Social Services and Special Event staff to identify possible complementary opportunities for the City of West Hollywood to work with Break the Cycle on its LGBTQ initiative.
Approved as part of the Consent Calendar.

2.M. SUPPORT OF SB 836 (OROPEZA), RESTORING EARLY CANCER DETECTION PROGRAM [A. LAND, C. PLANCK, L. HORVATH, I. PINE, C. LU]:

The City Council will consider adopting a resolution in support of SB 836, (Oropeza) Restoring Early Cancer Detection Program.

ACTION: 1) Adopt Resolution No. 10-3936 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 836 (OROPEZA), RESTORING EARLY CANCER DETECTION PROGRAM"; and 2) Direct Staff to send copies of the signed resolution to State Senators Jenny Oropeza and Fran Pavley and Assemblymember Mike Feuer. **Approved as part of the Consent Calendar.**

2.N. PROMOTION OF THE TAX CREDIT OUTREACH CAMPAIGN [A. LAND, C. PLANCK, E. BARRETT]:

The City Council will consider promoting the Tax Credit Outreach Campaign.

ACTION: 1) Approve the Tax Credit Outreach Campaign and allow the use of the City's name and logo on outreach materials; and 2) Direct the

Public Information Office to utilize City resources to promote the awareness and use of the Earned Income Tax Credit. **Approved as part of the Consent Calendar.**

2.O. (6.A.) PROPOSED ORDINANCE PROHIBITING THE SALE OF DOGS AND CATS IN COMPANION ANIMAL STORES [J. PRANG, M. HAIBACH]:

The City Council will consider adopting an ordinance that would restrict or prohibit the sale or transfer of dogs and cats by a retailer.

ACTION: Introduce for first reading Ordinance No. 10-836, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADDING NEW CHAPTER 9.50 to TITLE 9 OF THE MUNICIPAL CODE REGARDING THE RETAIL SALE OF DOGS AND CATS"; and 2) Council to provide, at first reading, appropriate amortization or grandfathering period for existing companion animal stores, in which to comply and therefore recoup any existing expenses. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. APPROVAL OF FISCAL YEAR 2010-2011 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM PLANNING SUMMARY AND BUDGET [A. WINDERMAN, R. BURNLEY]:

The City Council will solicit comments on the City of West Hollywood's proposed CDBG planning summary and budget for fiscal year 2010-2011. Following the public hearing, the City Council will consider approving the proposed resolution, project plan and budget.

City Clerk West stated that the Item was noticed as required by law.

Mayor Land opened the public hearing and no speakers came forward.

Mayor Land closed the public hearing.

ACTION: 1) Approve the 2010-2011 CDBG program budget, and instruct staff to submit the CDBG Program Planning Summary for approval to the Los Angeles County Community Development Commission (CDC); 2) Authorize staff to adjust the 2010-2011 program budget as necessary to take into account the final CDBG allocation from the U.S. Department of Housing and Urban Development (HUD) and any amounts remaining unspent at the close of the current fiscal year; and 3) Adopt Resolution No. 10-3937, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, APPROVING THE PROGRAM PLANNING SUMMARY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2010-2011." **Motion by Councilmember Duran, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

3.B. AMENDMENT TO PREFERENTIAL PARKING DISTRICT 5 REGULATIONS TO MAKE INTERIM DAYTIME PARKING REGULATIONS PERMANENT ON THE EAST SIDE OF LARRABEE STREET BETWEEN NELLAS AND HARRATT STREETS [O. DELGADO, J. ROCCO, D. NORTE]:

The City Council will consider an ordinance to make the two (2) hour time limit on Larrabee Street, between Nellas and Harratt Street permanent.

City Clerk West stated that the Item was noticed as required by law.

Jackie Rocco, Parking Services Manager, provided background information as outlined in the staff report dated February 1, 2010.

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

NICK SHAFFER, WEST HOLLYWOOD, spoke in support of the Item.

RUTH MURPHY, WEST HOLLYWOOD, spoke in opposition to the Item.

Mayor Land closed the public hearing.

ACTION: Introduce for first reading, Ordinance No. 10-837, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.200 OF THE WEST HOLLYWOOD MUNICIPAL CODE AMENDING PREFERENTIAL PARKING REGULATIONS ON THE EAST SIDE LARRABEE STREET BETWEEN NELLAS AND HARRATT STREETS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". **Motion by Councilmember Duran, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

3.C. REQUEST TO REMOVE A ROOF-MOUNTED SIGN AND REPLACE WITH A 14 FT. x 48 FT. BILLBOARD ATOP A POLE LOCATED AT 9015 SUNSET BOULEVARD [A. MCINTOSH, J. KEHO, A. GALLO]:

The City Council will consider a request to remove a roof-mounted sign and replace with a freestanding, double-sided 14 ft. wide x 48 ft. high billboard atop a pole. The top of the billboard structure will have a maximum height of 110 ft. The proposed project is located at 9015 Sunset Boulevard.

City Clerk West stated that the Item was noticed as required by law.

Adrian Gallo, Associate Planner, provided background information as outlined in the staff report dated February 1, 2010.

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

ANDY BILANZICH, THE APPLICANT, spoke in support of the Item.

NIC ADLER, WEST HOLLYWOOD, spoke in support of the Item.

SHARON SANDOW, EXECUTIVE DIRECTOR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of a 20 ft. x 60 ft. foot billboard at the location.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in support of a 20 ft. x 60 ft. foot billboard at the location.

JOAN HENEHAN, CHAIR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of a 20 ft. x 60 ft. foot billboard at the location.

TODD STEADMAN, EXECUTIVE DIRECTOR OF THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT, spoke in support of the Item.

VICTOR DE LA CRUZ, LOS ANGELES, spoke in support of TABLING the Item, and spoke in support of a uniform City-wide billboard and tall wall policy.

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

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of TABLING the Item, and spoke in support of a uniform City-wide billboard and tall wall policy.

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

ANDY BILANZICH, THE APPLICANT, provided rebuttal.

Mayor Land closed the public hearing.

Councilmember Duran spoke in support of the Item and spoke in support of a 20 ft. x 60 ft. foot billboard at the location. He spoke in support of the public benefit provided to the City by the proposed billboard.

Councilmember Horvath spoke in support of the Item at the current proposed billboard size, and spoke in support of the possibility of allowing a larger billboard size in the future with an approved creative sign application.

Councilmember Prang spoke in support of the Item at the current proposed billboard size, and spoke in support of the public benefit provided to the City by the proposed billboard.

Mayor Pro Tempore Heilman spoke in support of the Item at the current proposed billboard size, and spoke in support of the public benefit provided to the City by the proposed billboard. He expressed concerns regarding allowing a larger billboard size in the future with an approved creative sign application.

Mayor Land thanked everyone who came out to speak. She requested clarification of the provisions in the development agreement that address the billboard in the event of the closure of the current business at the location. She spoke in support of the Item at the current proposed billboard size.

ACTION: Staff recommends that the City Council hold the public hearing, consider all pertinent testimony, adopt the Negative Declaration, and conditionally approve the project by adopting the following: 1) Resolution No. 10-3938, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING BILLBOARD PERMIT 2009-004, TO REMOVE A ROOF-MOUNTED SIGN AND REPLACE WITH A DOUBLE-SIDED 14 FT. WIDE x 48 FT. HIGH BILLBOARD ATOP A POLE, LOCATED AT 9015 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A); 2) Introduce on first reading Ordinance No. 10-838, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING DEVELOPMENT AGREEMENT 2009-002, ASSOCIATED WITH A DOUBLE-SIDED 14 FT. WIDE x 48 FT. HIGH BILLBOARD ATOP A POLE, LOCATED AT 9015 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT B); and 3) Introduce on first reading Ordinance No. 10-839, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING ZONING MAP AMENDMENT 2009-009, IN CONJUNCTION WITH THE PROPOSED DEVELOPMENT AGREEMENT, FOR THE PROPERTY LOCATED AT 9015 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT C).; with an amendment to Section 3.6 (Occupancy Requirement) of Development Agreement 2009-002 to include the following language "...Owner shall not have the right to operate the Permitted Sign, *and shall be required to remove the Permitted Sign structure...*", **Motion by Councilmember Duran, seconded by Councilmember Prang and unanimously approved.**

3.D. A REQUEST TO CONSTRUCT A 268,805 SQUARE FOOT MIXED-USE HOTEL PROJECT INCLUDING AMENDMENTS TO THE GENERAL PLAN, SUNSET SPECIFIC PLAN, AND ZONING MAP TO PERMIT

INCREASED HEIGHT AND DENSITY IN A NEW EXPANDED TARGET SITE [A. MCINTOSH, J. KEHO, D. DEGRAZIA]:

The Council will consider a mixed use hotel project including amendments to the General Plan, Sunset Specific Plan and Zoning Map to permit increased height and density at 9040-9056 Sunset Boulevard.

City Clerk West stated that the Item was noticed as required by law.

Anne McIntosh, Deputy City Manager and Director of Community Development, and David De Grazia, Senior Planner, provided background information as outlined in the staff report dated February 1, 2010.

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

STEVE AFRIAT, REPRESENTING THE APPLICANT, spoke in support of the Item.

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

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in support of the Item.

DAVID KERSCH, LOS ANGELES, spoke in support of the Item.

CLAIRE O'CONNOR, LOS ANGELES, spoke in opposition to the Item.

JOAN HENEHAN, CHAIR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the Item.

ESTHER BAUM, WEST HOLLYWOOD, spoke in support of the Item.

RIC RICKLES, WEST HOLLYWOOD, spoke in support of the Item.

RACHEL TORRES, LOS ANGELES, spoke in opposition to the Item.

GENEVIEVE MORRILL, LOS ANGELES, spoke in support of the Item.

BRADLEY BASKIN, LOS ANGELES, spoke in support of the Item.

PAUL STEINBAUM, WEST HOLLYWOOD, spoke in opposition to the Item.

WILLIAM LUDDY, BURBANK, spoke in support of the Item.

ELYSE EISENBERG, WEST HOLLYWOOD, spoke in opposition to the Item.

NIC ADLER, LOS ANGELES, spoke in support of the Item.

ANDY MAUER, LOS ANGELES, expressed concerns regarding the size of the proposed project and potential traffic and noise impacts on the neighborhood.

TODD STEADMAN, EXECUTIVE DIRECTOR OF THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT, spoke in support of the Item.

JASON ROUNDY, LOS ANGELES, spoke in support of the Item.

NORMAN CHRAMOFF, WEST HOLLYWOOD, spoke in support of the Item.

PAUL MORGAN FREDRIX, WEST HOLLYWOOD, spoke in support of the Item.

KATE BARTOLO, WEST HOLLYWOOD, spoke in support of the Item.

DAVID RAPPEL, LOS ANGELES, spoke in support of the Item.

BRADLEY TORGAN, WEST HOLLYWOOD, spoke in support of the Item.

MICHELLE EISENBERG, WEST HOLLYWOOD, spoke in support of the Item.

ERIN ANDERSON, WEST HOLLYWOOD, spoke in support of the Item.

JAMES LITZ, WEST HOLLYWOOD, spoke in support of the Item.

ELENA GOLDENBERG, WEST HOLLYWOOD, spoke in support of the Item.

MARGOT SIEGEL, WEST HOLLYWOOD, spoke in support of the Item.

SETH KRUGLIAK, LOS ANGELES, spoke in opposition to the Item.

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding the possible unionization of the proposed hotel. He expressed concerns regarding the proposed development agreement, and expressed concerns regarding affordable housing issues related with the project.

JEANNE DOBRIN, WEST HOLLYWOOD, expressed concerns regarding the size of the proposed project and potential environmental impacts on the neighborhood.

VICTOR OMELCZENKO, WEST HOLLYWOOD, expressed concerns regarding the size of the proposed project and the encroaching of the commercial area in the project on the residential neighborhood.

STEVE AFRIAT, REPRESENTING THE APPLICANT, provided rebuttal.

Councilmember Duran requested clarification regarding the condominiums located on Harratt Street, the exclusion of any billboards or tall walls on the proposed site, and the location of the pool. He stated that he resides outside of the 500 ft. radius of the property.

Councilmember Horvath requested clarification regarding the requested zoning changes of the property in the proposed development.

Mayor Land requested clarification regarding outdoor space and pedestrian activity in the proposed project.

Mayor Pro Tempore Heilman expressed concerns regarding the preparation and delivery of the proposed development agreement to the City Council for review. He requested clarification regarding the proposed demolition of existing residential units in the proposed project.

Councilmember Prang requested clarification regarding the proposed demolition of an existing property on Harratt Street in the proposed project.

Mayor Pro Tempore Heilman spoke in support of approving development on the Sunset Strip which continues to bring revenue and add vibrancy to the City. He expressed concerns regarding the hotel design in the project. He expressed concerns regarding the impact on the residential neighborhood, particularly on Harratt Street. He expressed concerns regarding the pedestrian and outdoor space in the project. He spoke in support of a project at this location, but spoke in support of revising the proposed project to mitigate impacts on the neighborhood and to address design concerns.

Councilmember Prang spoke in support of the recent modifications to the proposed project, and in support of the developer's efforts to gain community support for the project. He spoke in support of the design. He spoke in support of the exclusion of billboards or tall walls in the project design. He expressed concerns regarding the proposed hotel units facing Harratt Street, and regarding the deviation from the Sunset Specific Plan.

Councilmember Duran spoke in support of the proposed hotel in the project. He spoke regarding the changes in zoning needs and economic changes since the adoption of the Sunset Specific Plan, and the need to consider these changes when adopting proposed projects in the City. He spoke in support of the proposed project at this location. He spoke in support of the creation of jobs and the additional tax revenues to the City in relation to the proposed project. He spoke in support of contacting Southern California Edison regarding the possible removal of above ground power lines during the construction of the project.

Councilmember Horvath spoke regarding the impacts on the neighborhood if the site were to be developed as office space. She spoke in support of encouraging employees at this site, and other locations on the Sunset Strip, to consider alternative forms of transportation to mitigate traffic impacts. She spoke in support of the design of the project, and spoke in support of the developer's efforts to work with other businesses in the area. She spoke in support of including conditions in the development agreement to ensure that elements of the project design, as well as the proposed architect, do not change. She expressed concerns regarding the designation of a commercial zone facing Harratt Street and the need to protect the residential neighborhood from commercial access.

Mayor Land spoke in support of a project at this location, and spoke in support of the hotel and residential units at this site. She spoke in support of including conditions in the development agreement to ensure that elements of the project design, as well as the proposed architect, do not change. She expressed concerns regarding the design of the pedestrian spaces in the project. She spoke in support of including a condition to review the impacts of the rooftop space on the neighborhood. She spoke in support of creating union employment associated with the project.

Mayor Pro Tempore Heilman spoke in support of requiring an articulation on the project design on the side of the building facing Doheny. He spoke in support of including conditions to the rooftop pool to mitigate impacts on the neighborhood. He spoke in support of requiring the developer to remove any hotel rooms facing Harratt Street in the design. He spoke in support of requiring the proposed zoning changes to the property to be limited specifically to this project.

Richard Weintraub, the Developer, provided clarification of the design elements of the project that face Harratt Street.

ACTION: Hold a public hearing, consider all pertinent testimony, and adopt: 1) Resolution No. 10-3939, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT REGARDING THE PROPOSED 148-ROOM MIXED USE HOTEL PROJECT WITH RETAIL,

RESTAURANT AND 20 CONDOMINIUM UNITS LOCATED AT 9040-9056 W. SUNSET BOULEVARD, 1018-1022 N. DOHENY DRIVE AND 9031-9041 HARRATT STREET, WEST HOLLYWOOD, CALIFORNIA.” (EXHIBIT A); 2) Continue the public hearing to the meeting of March 1, 2010; 3) Direct staff to return to City Council with the appropriate resolutions and ordinances regarding the proposed project with additional direction to staff to address the following aspects of the design: a) articulation of the design elements on the side of the project facing Doheny; b) alternatives to the design regarding pedestrian activity along Sunset Boulevard; c) possible noise reduction elements in relation to the roof top pool; d) the inclusion of conditions requiring the proposed zoning changes to be limited specifically to this project; e) transportation management issues; f) possible requirement of the unionization of employees at the location; g) reduce the impact or presence of the hotel units facing Harratt Street; and 4) limit public testimony at the meeting of March 1, 2010 to proposed changes to the project. **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Horvath and unanimously approved.**

4. UNFINISHED BUSINESS:

4.A. ESTABLISH CITY POLICY FOR OFF-SITE SIGNAGE WITH DEVELOPMENT AGREEMENTS [A. MCINTOSH, J. KEHO, N. GAPPER]:

This item proposes to establish City policy regarding when the City will enter into development agreement negotiations for off-site signage, including billboards and tall walls (supergraphics). Staff is requesting a determination from the City Council regarding the content of the policy.

Nathan Gapper, Contract Planner, provided background information as outlined in the staff report dated February 1, 2010.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding CEQA, General Plan, and Sunset Specific Plan issues regarding billboards and tall walls in the City.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in support of a City-wide policy regarding signage.

LAYNE LAWSON, LOS ANGELES, expressed concerns regarding the proposed limitations of billboards and digital billboards.

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

KIMBERLY WINICK, WEST HOLLYWOOD, spoke in opposition to a billboard on Beverly Boulevard in the City.

VICTOR DE LA CRUZ, LOS ANGELES, spoke in opposition to the required billboard take-downs at three locations in the proposed policy.

ANDY BILANZICH, WEST HOLLYWOOD, spoke in support of the Item, but spoke in support of considering billboards and tall walls on a case-by-case basis.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the need to limit additional signage requirements to billboards and tall walls.

SETH MEYERS, WEST HOLLYWOOD, expressed concerns regarding additional billboards and tall walls in the City, particularly LED billboards.

ACTION: TABLE the Item to the meeting of March 1, 2010. **Carried by Consensus of the Council.**

Councilmember Prang excused himself from the meeting.

5. NEW BUSINESS:

5.A. PURCHASE OF VEHICLES FOR THE CITYLINE FIXED ROUTE SERVICE AND DECLARE THE 1997 CITYLINE VEHICLES AS SURPLUS PROPERTY [S. BAXTER, D. DENNIS, J. ROONEY]:

The City Council will consider purchasing five StarTrans Senator E-LO Ford vehicles to replace the existing CityLine vehicles that are owned by the City and placed into service in 2003, declare the 1997 (5) CityLine Vehicles as surplus equipment, and authorize the Department of Human Services to dispose of the surplus equipment.

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

Mayor Pro Tempore Heilman requested clarification from staff regarding the process of vendor selection.

ACTION: 1) Authorize the City Manager to execute an agreement with Creative Bus Sales in an amount not to exceed \$575,000 for acquisition of five 20 passenger low floor vehicles to be used on the CityLine fixed route service; 2) Authorize the Finance Director to allocate \$101,617 from the Prop A Reserves and increase budgeted expenditures in Vehicle Purchase Account 203-05-53-701003; and 3) Authorize MV Transportation to sell the five 1997 City Line vehicles when they are no longer needed as replacement vehicles, report the disposals to Finance Department and deposit any proceeds into the Prop A/C Fund. **Motion by Councilmember Duran, seconded by Councilmember Horvath and approved with Councilmember Prang being ABSENT.**

5.B. SCHEDULE 2010 ELECTION AND INSTALLATION DATES FOR MAYOR AND MAYOR PRO TEMPORE [T. WEST, C. SCHAFFER]:

The City Council will consider setting the dates for the election of the new Mayor and Mayor Pro Tempore and the Installation of the new Mayor and Mayor Pro Tempore for 2010.

ACTION: 1) Schedule the 2010 Election of the new Mayor and Mayor Pro Tempore for March 15, 2010; and 2) Schedule the 2010 Installation Activities for the Mayor and Mayor Pro Tempore for April 19, 2010.

Motion by Councilmember Duran, seconded by Councilmember Heilman and approved with Councilmember Prang being ABSENT.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

ELYSE EISENBERG, WEST HOLLYWOOD, spoke regarding the hotel room sizes in the proposed project in Item 3.D., and spoke regarding the inclusion of green space along Sunset Boulevard in the project.

6. LEGISLATIVE:

6.A. PROPOSED ORDINANCE PROHIBITING THE SALE OF DOGS AND CATS IN COMPANION ANIMAL STORES [J. PRANG, M. HAIBACH]:

The City Council will consider adopting an ordinance that would restrict or prohibit the sale or transfer of dogs and cats by a retailer.

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

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 11:54 P.M. in memory of Adeline Brecke, Zelda Rubenstein, Howard Zinn, Earl Lewis Bubar, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting. They adjourned to their next regular meeting, which will be on Tuesday, February 16, 2010 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.