

**CITY OF WEST HOLLYWOOD  
MINUTES  
TUESDAY, SEPTEMBER 6, 2011  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**CALL TO ORDER:** Mayor Duran called the meeting to order at 6:41 p.m.

**PLEDGE OF ALLEGIANCE:** Rob Bergstein led the Pledge of Allegiance.

**ROLL CALL:**

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

**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 6:02 p.m. He reported that there was one Item added to the agenda under Threatened Litigation regarding a letter the City received from the Altman Law Group. City Attorney Jenkins stated that the closed session adjourned at 6:35 p.m. with no reportable action.

**APPROVAL OF AGENDA:**

Mayor Duran stated that Item 3A will be continued indefinitely.

**Motion by Councilmember Land, seconded by Councilmember Heilman to approve the September 6, 2011 agenda as amended. The agenda was approved, noting Councilmember D'Amico's NO vote on Items 2I and 2P.**

**ADJOURNMENT MOTIONS:**

Councilmember Heilman requested the meeting be adjourned in memory of Maxine Slater, the mother of City employee Brendan Rome's partner Bud Slater. He asked that the meeting be adjourned in memory of Jerry Leiber, father of resident Jed Leiber. He requested that the meeting be adjourned in memory of former employee Moonyeen Gatanela.

Councilmember Land requested the meeting be adjourned in memory of Millie Rosenstein, mother of Paul Rosenstein.

Mayor Pro Tempore Prang requested the meeting be adjourned in memory of Marco Roy, founder of the Music Box Theater. He requested that the meeting be adjourned in memory of Charles Warde, father of Douglas Warde. He requested that the meeting be adjourned in memory of Mary Ellen Lewis, mother of City consultant Mike Lewis and he

requested that the meeting be adjourned in memory of Ezat Delijani, founder of the Iranian American Jewish Federation.

Mayor Duran requested that the meeting be adjourned in memory of Betsey Schaffer, sister-in-law of City Clerk Corey Schaffer. He also requested that the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Specialist Christopher J. Scott, 21, Specialist Dennis James Jr., 21, Private 1st Class Alberto L. Obod, Jr., 26, Specialist Douglas J. Green, 23, Specialist Michael C. Roberts, 23, Private 1st Class Jesse W. Dietrich, 20, Sergeant Colby Lee Richmond, 28, Sergeant Devin James Daniels, 22, Private 1st Class Brandon S. Mullins, 21, Sergeant Andrew R. Tobin, 24, 1st Lieutenant Timothy J. Steele, 25, Lance Corporal Travis M. Nelson, 19, Private 1st Class Douglas L. Cordo, 20, Specialist Joshua M. Seals, 21, Specialist Dennis G. Jensen, 21, 1st Lieutenant Damon T. Leehan, 30, Specialist Joseph A. VanDreumel, 32, Sergeant Matthew A. Harmon, 29, 2nd Lieutenant Joe L. Cunningham, 27, and Master Sergeant Charles L. Price III, 40.

### **PRESENTATIONS:**

Mayor Duran presented a proclamation to Meredith Sach, Boardmember of the West Hollywood Recovery Center, in recognition of Alcohol & Drug Addiction Recovery Month.

Mayor Pro Tempore Prang presented a proclamation to L.A. County Fire Department Battalion Chief Kevin Klar and L.A. County Sheriffs Captain Kelly Fraser in recognition of the national moment of remembrance of the 10<sup>th</sup> Anniversary of September 11<sup>th</sup>, and in honor of all First Responders.

Mayor Duran also stated that the Pop Luck Club will be holding an event on September 11, 2011 at the West Hollywood Park in honor of several residents who lost their lives on September 11<sup>th</sup>.

Mayor Duran also announced that September is Emergency Preparedness Month.

### **1. PUBLIC COMMENT:**

MARYANN SZYSKOWSKI, WEST HOLLYWOOD, spoke regarding Item 3.C. and how it will affect the project at the Faith Plating site.

DAVID KRUSKALL, WEST HOLLYWOOD, spoke regarding the JVS WHEST Program; which provides employment in the City and spoke about their move to the new Library. He also stated that there would be a Job Fair at Plummer Park on September 27, 2011.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding the current parking requirement for three-bedroom apartments.

ROB BERGSTEIN, WEST HOLLYWOOD, spoke regarding Item 3.C. and how it will affect the project at the Faith Plating site.

PAUL MANCHESTER, WEST HOLLYWOOD, spoke regarding the Yellow Pages being placed on the doorsteps of residents and how they are not being used as a resource anymore.

TREVOR ORR, WEST HOLLYWOOD, spoke in opposition to the Plummer Park Master Plan.

JULIA GOLDBERG, WEST HOLLYWOOD, spoke in opposition to the Plummer Park Master Plan.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke in opposition to the Plummer Park Master Plan.

JIM KAZAKOS, WEST HOLLYWOOD, spoke in opposition to an Item brought to Council to designate an area of West Hollywood as "Boys Town."

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in opposition to the Plummer Park Master Plan.

A. LEE WALKUP, WEST HOLLYWOOD, spoke regarding the end of "Don't Ask Don't Tell."

SVEN TOORVALD, WEST HOLLYWOOD, spoke regarding contracting Legal Counsel for Planning issues.

TODD STEADMAN, EXECUTIVE DIRECTOR OF THE SUNSET STRIP BID, spoke regarding the recent Sunset Strip Music Festival and thanked City Council for their support.

BOE TRUMBULL, WEST HOLLYWOOD, spoke regarding the Sheriff's Youth Activities League, and expressed concern over the future location of this group once the old library is closed. He also spoke about ensuring that new operators at the library hire city residents.

DAVID EICHMAN, LOS ANGELES, spoke regarding the recent memorial for Kathy Page.

BRIAN RUBENSTEIN, WEST HOLLYWOOD, spoke in opposition to the Plummer Park Master Plan.

STEVE PARGAMANIK, WEST HOLLYWOOD, spoke regarding a recent community meeting regarding the Plummer Park Master Plan. He spoke in support of closing the park in phases during the renovations.

**COUNCILMEMBER COMMENTS:**

Councilmember Heilman spoke regarding a public comment surrounding the Yellow Pages and asked the City Manager to explore the possibility of bringing forth an Item to require phone book distribution companies to distribute only upon request, as some other cities have adopted.

Councilmember Land thanked the Sunset BID and everyone who helped organize the recent Sunset Strip Music Festival. She also spoke regarding the upcoming "Fashions Night Out" event. She also spoke regarding the start of a new school year, and reported on the high API scores of the Laurel School and the West Hollywood Elementary. Councilmember Land also spoke regarding the recent complaints about the Chamberlain Hotel, and stated that there will be a community meeting with the Hotel to address ongoing issues. She also spoke about the public comments regarding the Plummer Park Master Plan, and spoke in support of providing more outreach to the community to help address their concerns.

Councilmember D'Amico thanked everyone who helped organize the Sunset Strip Music Festival. He also wished John Altschul and Jeanne Dobrin a happy birthday. He also spoke about the public comments regarding the Plummer Park Master Plan, and spoke in support of providing more outreach to the community to help address their concerns. He also spoke regarding traffic in the City, providing clarification that only 25% of City traffic is "pass through" traffic, and spoke about the City potentially proceeding with implementing traffic calming measures included in existing development agreements for projects that have not yet been built. He also congratulated Arts & Cultural Affairs Commissioner Yellena Zhelezov, who recently received a National Arts Fellowship.

Mayor Pro Tempore Prang wished John Altschul and Jeanne Dobrin a happy birthday. He spoke regarding a recent L.A. County Board of Supervisors re-districting hearing that he attended. He also spoke regarding traffic on Fountain Avenue and asked staff to look into a pedestrian safety enhancement program to force vehicles to slow down in this area. He also spoke regarding recycling events and asked staff to inquire as to whether there could be a more permanent place for recycling of hazardous items, electrical items, and document shredding. He also spoke regarding leaf blowers and leash laws in the City and spoke in support of continued enforcement of both. He also spoke about the public comments regarding the Plummer Park Master Plan, and spoke in support of providing more outreach to the community to help address their concerns. He also spoke regarding a recent mailer concerning billboards that was sent to West Hollywood residents, and which contained his picture.

Mayor Duran spoke in support of Chaz Bono for being the first transgender individual on "Dancing With The Stars." He also spoke regarding the new Library and thanked Councilmembers Land and Heilman, and the Library Board of Directors, for their efforts on this project. He also spoke regarding his attendance of the upcoming Westside Mayor's Urban Forum, and the current healthy economic state of West Hollywood. He also recognized the West Hollywood Swingers Softball Team for their recent silver medal win in Chicago. He also spoke regarding upcoming auditions for the Gay Men's Chorus. He spoke regarding emails received requesting a West Hollywood Trolley that would offer rides to those who are attending restaurants and clubs in the City. He also

spoke about the meetings surrounding the Plummer Park Master Plan, and asked that those who have already participated in previous meetings continue to be included in any future meetings that are scheduled. He also spoke regarding Item 5.B. and Go-Go dancers being a part of the upcoming Halloween events.

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

City Manager Arevalo stated that staff is compiling a history of the Plummer Park Master Plan project, and will develop a plan to include additional public input and mitigate neighbors' concerns. He stated that staff will cancel the September 26, 2011 City Council meeting for Technology Training, due to a conflict with the Presidential fundraising event scheduled for the same date; and that the training session will be incorporated into the regularly scheduled Council meeting of October 3, 2011. He stated that Staff will report back on the various issues raised during Councilmember Comments.

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

City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$4,635,410 in expenditures and \$20,000 in potential revenue.

#### **2. CONSENT CALENDAR:**

**ACTION:** Approve the Consent Calendar, 2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M., N.,O.,P.,Q.,R.,S.,T. **Motion by Councilmember Land, seconded by Councilmember Heilman, and unanimously approved noting Councilmember D'Amico's NO vote on Items 2I and 2P.**

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

*The agenda for the meeting of Tuesday, September 6, 2011 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, September 1, 2011.*

**ACTION:** Receive and file. **Approved as part of the consent calendar.**

##### **2.B. APPROVAL OF MINUTES:**

*The City Council is requested to approve the minutes of prior Council meetings.*

**ACTION:** Approve the minutes of August 15, 2011. **Approved as part of the consent calendar.**

##### **2.C. DEMAND REGISTER NO. 681, RESOLUTION NO. 11-4212:**

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

**ACTION:** Approve Demand Register No. 681 and adopt Resolution No. 11-4212, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF

DEMANDS ON DEMAND REGISTER NO. 681” **Approved as part of the consent calendar.**

**2.D. CLAIMS ADMINISTRATION:**

*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 Kamran Vala and refer to the City’s claims adjuster. **Approved as part of the consent calendar.**

**2.E. ORDINANCE NO. 11-875 (2<sup>ND</sup> READING), REGARDING COMPLIANCE WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE [C. SCHAFFER]:**

*The City Council will waive further reading and adopt Ordinance No. 11-875, a proposed ordinance determining the City will comply with the Voluntary Alternative Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code and taking certain actions in connection therewith.*

**ACTIONS:** Waive further reading and adopt Ordinance No. 11-875, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH.” **Approved as part of the consent calendar.**

**2.F. TREASURER’S REPORT FOR MAY 2011 [A. GANDHY, G. SCHUCHARD]:**

*The City Council will receive the Treasurer’s Report for the month ended May 2011 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.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

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

**ACTION:** Receive and file. **Approved as part of the consent calendar.**

**2.H. AMENDMENT TO LEASE AND OPERATING AGREEMENT BETWEEN CITY OF WEST HOLLYWOOD AND LOS ANGELES COUNTY FOR OPERATION OF THE NEW WEST HOLLYWOOD LIBRARY [P. AREVALO, J. ENGLISH, J. HUFFER, S. BAXTER]:**

*The City Council will review and consider approval of an amendment to the “Lease and Operating Agreement (City of West Hollywood/County of Los Angeles)” Lease No 74409 dated March 18, 2003, as filed with the*

*Los Angeles County Recorder regarding certain provisions of the operations of the new West Hollywood Library.*

**ACTION:** 1) Approve Amendment to Lease and Operating Agreement between City and County of Los Angeles for library services. 2) Approve the schedule and budget for remainder of FY 2011/2012; 3) Authorize the Finance Director to direct the County Librarian to use monies in the City of West Hollywood's set aside funds for those expenditures that may exceed the revenues of the County Property Tax Assessment and City of West Hollywood Special Assessment for Library Services; and 4) Authorize the City Manager to sign and execute the amended Agreement and approve any minor modifications. **Approved as part of the consent calendar.**

**2.I. 25TH ANNIVERSARY CAPITAL PROJECT: AUTHORIZATION TO ISSUE CHANGE ORDER TO W.E. O'NEIL CONSTRUCTION COMPANY FOR ADDITIONAL SCOPE OF SERVICES RELATED TO THE NORTH PARK EXPANSION PHASE OF WEST HOLLYWOOD PARK MASTER PLAN IMPLEMENTATION PROJECT [P. AREVALO, J. ENGLISH, J. HUFFER, S. BAXTER]:**

*The City Council will consider approving a Change Order Amendment to the Construction Agreement (Contract #4810) between the City and W.E. O'Neil Construction Company to demolish and construct the facilities and improvements as outlined in project plans in accordance with the adopted West Hollywood Park Master Plan and previous action by the West Hollywood City Council.*

**ACTIONS:** 1) Approve W.E. O'Neil Construction Company as the Contractor for this next phase of construction for West Hollywood Park; 2) Accept the Change Order bid by W.E. O'Neil Construction Co. dated August 16, 2011, in the amount of \$3,510,812 for the scope of work as outlined in Johnson Favaro's North Park Expansion Plans dated July 8 (modified August 29, 2011); 3) Authorize the City Manager and his/her designee to sign and execute the Change Order documents with W.E. O'Neil Construction Co. for \$3,510,812 and all other required documents for the Project; and 4) Authorize the Director of Human Services, or his/her designee, to negotiate and execute change orders to the Amendment with W.E. O'Neil Construction Co. for related, additional, but unforeseen work, which may develop during the project; the total value of which shall not exceed approximately 15% of the Amendment amount \$532,642. **Approved as part of the consent calendar with Councilmember D'Amico voting NO.**

**2.J. FUNDING IMPLEMENTATION FOR NATIONAL ORGANIZATION ON DISABILITY AWARD OF \$20,000 FOR THE WEST HOLLYWOOD LIBRARY [S. BAXTER, C. RHEA]:**

*City Council will receive recommendations from the Disabilities Advisory Board regarding expenditure of a \$20,000 award from the National Organization on Disability for the West Hollywood Library.*

**ACTION:** Approve recommendations of the Disabilities Advisory Board regarding expenditure of the \$20,000 National Organization on Disability Award and authorize purchase of the items listed in Attachment 1. **Approved as part of the consent calendar.**

**2.K. SOCIAL SERVICES CONTRACT RENEWAL FOR JEWISH VOCATIONAL SERVICES AND LOCATING THE WEST HOLLYWOOD EMPLOYMENT SERVICES AND TRAINING PROGRAM AT THE WEST HOLLYWOOD LIBRARY'S CAREER DEVELOPMENT CENTER [S. BAXTER, D. DENNIS]:**

*The City Council will consider renewing the Social Service Contract with Jewish Vocational Services for the second year of the three-year funding process from October 1, 2011 to September 30, 2012 with a 2% cost of living increase and locating the West Hollywood Employment Services and Training Program at the West Hollywood Library's Career Development Center.*

**ACTIONS:** 1) Approve the 2011-12 Social Services contract renewal with Jewish Vocational Services for \$163,656, which includes a 2% cost of living increase, for job placement and development, business outreach, job skills programs, and employment listings for West Hollywood businesses from October 1, 2011 to September 30, 2012; 2) Locate the West Hollywood Employment Services and Training Program operated by Jewish Vocational Services at the West Hollywood Library's Career Development Center; and 3) Authorize the City Manager to sign the attached Social Services Grant Amendment. **Approved as part of the consent calendar.**

**2.L. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1201, CONCRETE REPAIR PROGRAM [O. DELGADO, S. PERLSTEIN]:**

*The City Council will consider awarding a construction contract for the Concrete Repair Program, CIP 1201.*

**ACTIONS:** 1) Accept the bid dated August 23, 2011, submitted by CJ Concrete Construction, Inc.; 2) Authorize the City Manager to enter into a contract with CJ Concrete Construction, Inc. in the amount of \$237,300.00 for the construction of CIP 1201, Concrete Repair Program; and 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 15% of the contract amount. **Approved as part of the consent calendar.**

**2.M. AGREEMENT FOR SERVICES WITH VCA CODE GROUP [A. MCINTOSH, S. BAILEY, B. ROME]:**

*The City Council will consider approving an Agreement for Services with VCA Code Group to provide ongoing Plan Check services.*

**ACTIONS:** 1) Approve a three-year Contract Agreement with VCA Code Group; for professional Plan Check services in the Building and Safety Division for temporary staffing vacancies and/or temporary staffing as needed for special projects or high volume case load in the amount not to



exceed \$180,000.00 (one hundred eighty thousand dollars and no/cents); and 2) Authorize the City Manager to sign the agreement. **Approved as part of the consent calendar.**

**2.N. STREETScape IMPROVEMENTS AT CEDARS SINAI MEDICAL CENTER CAMPUS [S. BAXTER, S. CAMPBELL, H. COLLINS. S. PERLSTEIN, A. MCINTOSH, M. ANTOL]:**

*This item informs Council of a change in the approved recommended street tree species and associated landscape improvements along Beverly Boulevard, San Vicente Boulevard, and George Burns Drive adjacent to the Cedars Sinai Medical Center campus.*

**ACTION:** 1) Authorize the City Engineer to approve a revocable Encroachment Permit and Covenant for the proposed project; 2) Direct the City Clerk to send necessary documents to the County for recordation; and 3) Approve the requested Urban Design Streetscape Master Plan modifications in the Cedars Sinai Medical Center public right of way. **Approved as part of the consent calendar.**

**2.O. HALLOWEEN CARNAVAL EVENT STREET CLOSURES [S. BAXTER, O. WALKER, C. SMITH]:**

*The City Council will consider approving street closures associated with the City's 2011 Annual Halloween Carnaval.*

**ACTION:** 1) Approve street closures associated with the City's 2011 Annual Halloween Carnaval as outlined in the staff report; and 2) Waive permit parking citywide from 5 pm on Monday, October 31, 2011 through 6 am on Tuesday, November 1, 2011. **Approved as part of the consent calendar.**

**2.P. RESOLUTION CALLING FOR THE CONVERSION OF ALL DEATH SENTENCES IN CALIFORNIA TO LIFE WITHOUT THE POSSIBILITY OF PAROLE [J. PRANG, M. HAIBACH, J. HEILMAN, F. SOLOMON]:**

*The City Council will consider a resolution calling for the conversion of all death sentences in California to life without the possibility of parole.*

**ACTIONS:** 1) Adopt Resolution No. 11-4213, "A RESOLUTION CALLING FOR THE CONVERSION OF ALL DEATH SENTENCES IN CALIFORNIA TO LIFE WITHOUT THE POSSIBILITY OF PAROLE"; and 2) Direct staff to send copies of signed resolutions to Governor Jerry Brown Attorney General Kamala Harris, the State Assembly Judiciary Committee on Judiciary, the State Senate Judiciary Committee, and the State Supreme Court. **Approved as part of the consent calendar with Councilmember D'Amico voting NO.**

**2.Q. SUPPORT S 598 (FEINSTEIN) AND H.R. 1116 (NADLER) – THE RESPECT OF MARRIAGE ACT OF 2011) [J. DURAN, H. MOLINA, J. D'AMICO, M. REX]:**

*The City Council will consider adopting a resolution supporting S 598 and H.R 1116 related to the repeal of the Defense of Marriage Act (DOMA).*

**ACTIONS:** 1) ADOPT RESOLUTION 11-4214 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S 598 (FEINSTEIN) THE RESPECT OF MARRIAGE ACT OF 2011 AND H.R. 1116 (NADLER)”; and 2) Direct staff to send copies of the adopted resolution to Congressmen Jerrold Nadler and Henry Waxman, and US Senators Barbara Boxer and Dianne Feinstein. **Approved as part of the consent calendar.**

**2.R. A RESOLUTION IN SUPPORT OF H.R. 2639: GLOBAL DEMOCRACY AND PROMOTION ACT OF 2011 [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON, C. LOPEZ]:**

*The City Council will consider adopting a resolution in support of H.R. 2639: Global Democracy and Promotion Act of 2011 (Rep. Lowey, D-New York).*

**ACTIONS:** 1) Adopt Resolution No. 11-4215, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF H.R. 2639: GLOBAL DEMOCRACY AND PROMOTION ACT OF 2011”; and 2) Direct staff to send copies of the signed resolution to U.S. Representatives Nita Lowey, Henry Waxman and U.S. Senators Dianne Feinstein and Barbara Boxer. **Approved as part of the consent calendar.**

**2.S. OPPOSITION TO INITIATIVE MEASURES 1496 AND 1497 PROHIBITING ABORTIONS FOR FEMALES UNDER 18 WITHOUT PARENTAL NOTIFICATION [J. HEILMAN, F. SOLOMON, A. LAND, C. PLANCK, V. EDWARDS, C. LOPEZ]:**

*The City Council will consider opposing two proposed California Constitutional Amendment initiatives that have been cleared by the Secretary of State for signature gathering: 1) initiative #1496.(11-0015) prohibiting abortions for females under 18 without parental notification and 2) initiative #1497.(11-0016) prohibiting abortions for females under 18 without parental notification and 48-hour waiting period. Each initiative requires collection of 807,615 signature of registered voters by January 9, 2012 in order to qualify as a ballot initiative. If proponents collect the qualifying number of signatures by the circulation deadline, the initiatives will be before the voters at the June 2012 general election.*

**ACTION:** 1) Adopt Resolution No. 11-4216, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION OF INITIATIVE #1496 (11-0015) PROHIBITING ABORTIONS FOR FEMALES UNDER 18 WITHOUT PARENTAL NOTIFICATION”; AND 2) Adopt Resolution No. 11-4217, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION OF INITIATIVE #1497.(11-0016) PROHIBITING ABORTIONS FOR FEMALES UNDER 18 WITHOUT PARENTAL NOTIFICATION AND WAITING PERIOD.” **Approved as part of the consent calendar.**

**2.T. CO-SPONSORSHIP OF LOCAL LEADERSHIP EVENT WITH NARAL PRO-CHOICE AMERICA [A. LAND, C. PLANCK, A. JORGENSEN]:**

*The City Council will consider co-sponsoring a local leadership and education event with NARAL Pro-Choice America.*

**ACTIONS:** 1) Approve the City of West Hollywood's co-sponsorship of the event including its listing as a partner organization and the use of the City's name and logo on printed materials advertising the event; and 2) Direct staff to assist with the promotion of the event. **Approved as part of the consent calendar.**

**3. PUBLIC HEARINGS:**

**3.A. REQUEST TO REPLACE AN EXISTING V-SHAPED BILLBOARD WITH A TWO-SIDED BILLBOARD AND RAISE APPROXIMATELY 14 FEET IN OVERALL HEIGHT LOCATED AT 8535 SUNSET BOULEVARD [A. MCINTOSH, J. KEHO, A. GALLO]:**

*The City Council continued the public hearing to Tuesday, September 6, 2011, regarding a request to replace a two-sided 16 ft. x 25 ft. billboard atop a single-pole structure with a two-sided 14 ft. x 48 ft. billboard and raise the height by fourteen feet for a maximum height of 68 ft. The proposed project is located at 8535 Sunset Boulevard.*

**ACTION: This Item was continued to a date uncertain.**

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

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

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

Laurie Yelton, Associate Planner, provided background information as outlined in the staff report dated September 6, 2011.

JAY VANOS, REPRESENTING THE APPLICANT, spoke in support of the Item.

Councilmember Land disclosed that she visited the site.

Councilmember Heilman disclosed that he visited the site.

Councilmember D'Amico disclosed that he visited the site and spoke with residents.

Mayor Pro Tempore Prang disclosed that he visited the site.

Mayor Duran disclosed that he visited the site.

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

ESTHER BAUM, WEST HOLLYWOOD, spoke in opposition to the Item; specifically the parking requirements and the length of the proposed development agreement.

LINDA RUIZ, WEST HOLLYWOOD, spoke in opposition to the Item.

WENDELYN NICHOLS-JULIEN, LOS ANGELES, spoke in opposition to the Item.

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

VIRGINIA GILICK, WEST HOLLYWOOD, spoke in opposition to the Item.

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

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

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

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke in opposition to the Item.

ANNA OMMANNEY, WEST HOLLYWOOD, spoke in opposition to the Item.

SCOTT SELSOR, WEST HOLLYWOOD, spoke in opposition to the Item.

THOMAS MAGAZENO, WEST HOLLYWOOD, spoke in opposition to the Item.

CHARLES RUIZ, WEST HOLLYWOOD, spoke in opposition to the Item.

WILLIAM PETERSEN, WEST HOLLYWOOD, spoke in opposition to the Item.

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

MINNA KIM, WEST HOLLYWOOD, spoke in opposition to the Item.

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

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

STEVE BAVA, WEST HOLLYWOOD, spoke in opposition to the Item.

JEFF HINER, WEST HOLLYWOOD, spoke in opposition to the Item.

ANNIE PEATROSS, WEST HOLLYWOOD, spoke in opposition to the Item.

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

KIM CULMONE, WEST HOLLYWOOD, spoke in opposition to the Item.

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

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

TOM FUCHS, WEST HOLLYWOOD, spoke in opposition to the Item; specifically the plan for parking.

Mayor Duran also stated that the following individuals submitted a public speaker's request, in opposition to the Item, but did not wish to speak: Larry Gust, Pat Dixon, Julia Goldberg, Trevor Orr, Stephanie Harker, Michael Gold, Ed Buck, Ako Jefferson, David Yocum.

JAY VANOS, REPRESENTING THE APPLICANT, gave a brief rebuttal to the public comments.

Mayor Duran closed the public hearing.

Councilmember D'Amico spoke in opposition to the design, specifically the size. He spoke regarding his previous tenure as a Planning Commissioner and the review process of projects similar to this by the Planning Commission and Historic Preservation Commission, prior to the adoption of the Interim Zoning Ordinance. He spoke in support of a design that is more compatible with the neighborhood and with the property located next door which is designated as a historic cultural resource.

Councilmember Heilman thanked those that came to speak during public comment. He requested clarification from Staff regarding the number of proposed parking spaces in the new project, and the number of parking spaces in the current structure. He spoke regarding the number of existing buildings in the City with inadequate parking. He spoke about

public comment regarding a possible prescriptive easement for light and air and spoke regarding the fact that it is not legally allowed. He stated that he is in opposition to the currently proposed Item, due to the design. He also expressed concern regarding the tandem parking and spoke in support of lowering the height of the project. He suggested that the developer choose a more appropriate design to be compatible with the neighborhood. He spoke regarding public comments surrounding revenue generated from development and stated that Council does not look to residential development as a revenue generator. He further stated that property owners have the right to develop and stated that Council does not have the power to stop an owner from going out of the rental business.

Councilmember Land thanked those that came to speak during public comment. She spoke regarding property rights and stated that although residents have the right to say what they want developed in their community, Council must uphold State law. She spoke in opposition to the Item, because it does not meet the needs of the neighborhood and spoke in support of the developer returning with a new design that is more compatible with the neighborhood.

Mayor Pro Tempore Prang thanked those that came to speak during public comment. He spoke in opposition to the Item and stated that the building is too big and the architecture does not fit in with the neighborhood. He spoke in support of a design that is more compatible with the property located next door which is designated as a historic cultural resource. He spoke regarding a recent project on Norton Avenue that was rejected by Council and is now being redesigned to be more compatible with the surrounding neighborhood.

Mayor Duran spoke regarding state law that does not allow the City to prevent landlords from removing their properties from the rental market. He spoke regarding the City's ongoing commitment to rent control. He spoke in support of a design that is more compatible with the property located next door which is designated as a historic cultural resource. He spoke in support of public comment regarding the need to preserve the history of Hollywood in the City's neighborhoods.

**ACTION:** Continue to a date uncertain, with direction to the developer to work with the Design Review Committee on a new design for the project and to return to the City Council. **Motion by Councilmember Heilman, Seconded by Councilmember Land and unanimously approved.**

**3.C ADOPTION OF THE COMPREHENSIVE GENERAL PLAN UPDATE AND CLIMATE ACTION PLAN, AND CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT [A. MCINTOSH, J. KEHO, M. ANTOL, B. SIEGL]:**

*The City Council will consider changes to the Draft Land Use and Urban Form Chapter regarding mixed-use development incentives, and adopt the West Hollywood General Plan 2035, Climate Action Plan, and certify Final Environmental Impact Report and adopt a Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations.*

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

Bianca Siegl, Senior Planner, provided background information as outlined in the staff report dated September 6, 2011.

Councilmember D'Amico requested clarification regarding the proposed limits in Policy LU-2.13 of the revised General Plan.

Councilmember Heilman requested clarification regarding the suggestions brought forward during public comment regarding development at the Faith Plating site and the possibility of changing the land use designation from CC1 to CA.

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

STEVE MARTIN, WEST HOLLYWOOD, spoke in support of changing the land use designation for the Faith Plating site and spoke in support of requiring all affordable housing units for development projects to be located on site.

JON NORWOOD, WEST HOLLYWOOD, spoke in opposition to mixed-use on the East Side of the City.

JEFF SEYMOUR, WESTLAKE VILLAGE, spoke regarding the proposed project at Faith Plating and in support of changing the land use designation for this site.

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

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

JUDSON GREEN, WEST HOLLYWOOD, spoke regarding mixed-use and the need to develop responsibly.

RICK WATTS, WEST HOLLYWOOD, spoke regarding housing needs for disabled persons in the City. He also spoke regarding lobbying the state to reconsider the Ellis Act and the Costa Hawkins Act.

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke regarding limiting bonuses for developers. She stated that she was in opposition to the Item and read the names of those that were in opposition as well.

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

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

Councilmember Land requested clarification on the mitigation measures and their timelines in the proposed Resolution. Bianca Siegl stated that changes to the timeframe of the mitigation measures to require them to be completed sooner would not impact the revised General Plan. Councilmember Land also requested clarification regarding the process to revise the Zoning Ordinance following the adoption of the revised General Plan.

Mayor Duran spoke regarding the number of meetings, interviews, and public hearings during the General Plan revision. He thanked Staff for their work on the General Plan revision and stated that the next step will be the actual implementation plan and the revision of the Zoning Ordinance.

Councilmember Heilman spoke in support of the Item and thanked the staff, community members, and consultants. He spoke regarding the projected growth stated in the General Plan and stated that although the Plan allows for development, not all development will happen. He spoke about the history of development in the City and the limited changes that have occurred on Santa Monica Blvd; and highlighted some of the projects that have been completed, including the Sierra Bonita Housing Project, the La Brea Gateway Project, City Hall, Gelsons, Pavillions, and the parking structure at Kings Road. He also stated that he was supportive of mixed-use. He stated that he believes the revised General Plan creates a balanced approach to development. He also spoke in support of changing the land-use designation of the Faith Plating site from CC1 to CA.

Mayor Pro Tempore Prang spoke regarding a proposed project by a non-profit agency that is in need of an additional incentive to move forward with an affordable housing project. Bianca Siegl provided clarification and stated that there is an existing incentive that could be expanded to commercial areas under the Plan to assist with this type of project where the developer is a non-profit agency and the proposed project creates more than 50% of dedicated affordable housing. Mayor Pro Tempore Prang spoke in support of the proposed change to the land-use designation to develop the Faith Plating site; however he expressed



concerns that the owners are trying to sell at market value at the same time they are asking for assistance from the City.

JEFF SEYMOUR, representing the developers for the Faith Plating site, stated that the developers intend to build something the community will be proud of; however, the only way that can happen is if they can clean up the property.

Councilmember Land spoke in support of Mayor Pro Tempore Prang's suggestion regarding incentives for affordable housing for non-profit agencies. She spoke in support of the Item and stated that the current Plan includes many protections of residential areas in the City. She spoke about the importance of quality of life and diversity in the City, and stated that this Plan can help to foster that. She spoke regarding Costa Hawkins and the Ellis Act and spoke regarding the Council's ongoing efforts to lobby state legislators. She spoke regarding the need to look for more ways to develop affordable housing in the City. She requested that the mitigation measure to implement a Parks Master Plan be changed to a short term mitigation Plan, as well as the mitigation measure regarding the LA Unified School District. She requested that the Findings of Fact for the Final Program EIR be amended to include incentives for creating Green Roofs.

Councilmember D'Amico spoke in support of the language staff crafted regarding the walking district in the Design and Arts area, and stated that that the area could eventually become a completely walkable part of the City. He spoke in support of the Item. He requested Council to consider changing the land use designation on the South Side of Crescent Heights and Santa Monica Boulevard to CC1 to reduce the height, and starting the designation of CC2 properties on Santa Monica Boulevard at Fairfax Avenue.

Councilmember Land spoke regarding the need to have the Faith Plating site cleaned up and stated that it would have a positive impact on the community, and spoke in support of the change of its land-use designation.

Mayor Duran closed the public testimony portion of the hearing.

**ACTION:** Close the public portion of the hearing and continue the remainder of the hearing to the meeting of September 19, 2011. **Motion by Councilmember Land, seconded by Councilmember Heilman and unanimously approved.**

#### 4. UNFINISHED BUSINESS:

**4.A. CREATION OF ORDINANCE BANNING SINGLE-USE PLASTIC CARRYOUT SHOPPING BAGS [A. MCINTOSH, M. ANTOL, B. SIEGL, A. MILLER]:**

*The City Council will consider an ordinance to ban single-use plastic carryout shopping bags from grocery stores and other retail establishments in West Hollywood.*

Bianca Siegl, Senior Planner, provided background information as outlined in the staff report dated September 6, 2011.

Staff asked Council to consider whether they want to implement a \$.10 charge for providing paper bags; which would be kept by the stores. There would be exemptions for those on fixed incomes.

Mayor Duran spoke in support of ensuring appropriate outreach to the business community.

Councilmember Land thanked Planning Staff for their hard work and spoke in support of allowing business owners the opportunity to provide input.

**ACTIONS:** 1) Review and discuss options for a ban of single-use plastic carryout shopping bags; and 2) Direct staff and the City Attorney to return to City Council with appropriate environmental analysis and a draft ordinance banning the use of single-use plastic bags for Council consideration in January of 2012. **Motion by Councilmember Land, seconded by Mayor Pro Tempore Prang and unanimously approved.**

**5. NEW BUSINESS:**

**5.A. AVENUES PEDESTRIAN STREETScape MASTER PLAN REQUEST FOR PROPOSAL AND COMMUNITY STAKEHOLDER GROUP [A. MCINTOSH, M. ANTOL, C. CORRAO, O. DELGADO, S. PERLSTEIN]:**

*The City Council will hear a brief overview of the Avenues Pedestrian Streetscape project, including information regarding the Request for Proposal, budget, and formation of a stakeholder group.*

**ACTION:** Approve publication of Request for Proposal. **Motion by Mayor Pro Tempore Prang, seconded by Councilmember Heilman and unanimously approved.**

**5.B. CO-SPONSORSHIP OF GO-GO DANCER APPRECIATION DAY IN CONJUNCTION WITH LOCAL BUSINESSES [J. D'AMICO, M. REX, J. DURAN, H. MOLINA]:**

*The City Council will consider co-sponsoring Go-Go Dancer Appreciation Day in conjunction with local businesses around the City.*

Councilmember D'Amico provided background information as outlined in the staff report dated September 6, 2011

JOHN BRADY, LOS ANGELES, spoke in support of the Item.

Councilmember Heilman spoke in support of the Item and stated the City needs to work harder to promote gay nightlife in the City and that this event might be a good opportunity for the local nightclubs to partner together.

**ACTION:** 1) Approve co-sponsorship of Go-Go Dancer Appreciation Day to be held on October 29, 2011 on Larrabee Street in West Hollywood in collaboration with Eleven Nightclub, Micky's and other local businesses and authorize the use of the City name and logo on invitations, programs, and other collateral materials; 2) Approve in-kind support in the form of a waiver of special event permit fees, waiver of encroachment permit and meter fees and other City-related fees for Go-Go Dancer Appreciation Day; 3) Direct the Public Information Office to utilize all appropriate communication tools to promote the event including, but not limited to, the City's website and social media tools; 4) Authorize the Economic Development Department, the Public Safety Division, the Public Information Department and Recreation Services Division to work with the event producers to discuss logistics and mitigations, organize and publicize the event; 5) Authorize the closure of Larrabee Street between Santa Monica Blvd and the alley North of the Boulevard from 4:00 p.m. on October 29, 2011 until no later than 3:00 a.m. on October 30, 2011; 6) Authorize the Director of Finance to increase budgeted expenditures in account number 100-1-01-00-531001 by \$4,000.00 from unallocated reserves in the General Fund; and 7) Authorize the City Manager to sign and execute any documents or forms that may be necessary for the successful implementation of this event. **Motion by Mayor Pro Tempore Prang, seconded by Councilmember Heilman and unanimously approved.**

**5.C. COMMISSION, ADVISORY BOARD, AND PROJECT ADVISORY COMMITTEE APPOINTMENTS AND RE-APPOINTMENTS [C. SCHAFFER]:**

*The City Council will consider making direct and at-large appointments to City Commissions, Advisory Boards, and Committees.*

**ACTION:**

Councilmember Heilman made the following direct appointments to the City Commissions/Boards: *Women's Advisory Board: Betsy Johnson.*

Councilmember D'Amico made the following direct appointments to the City Commissions/Boards: *Lesbian and Gay Advisory Board: Lucas John Junkin; Russian Advisory Board: Valentina Matidzhi.*

Mayor Pro Tempore Prang made the following direct appointments to City Commissions/Boards: *Russian Advisory Board*: Efim Kutz; *Senior Advisory Board*: Rita Norton; *Transgender Advisory Board*: Karla Ferreira; *Women's Advisory Board*: Nadia Sutton.

Mayor Duran made the following direct appointments to City Commissions/Boards: *Business License Commission*: Misti Cooper.

Mayor Pro Tempore Prang requested that information regarding the openings on the Russian Advisory Board be placed in Russian newspapers.

The City Council made the following at-large appointments to City Advisory Boards: *Senior Advisory Board*: Sofiya Gelman, Ric Rickles, Muriel Schoichet, and A. Lee Walkup. *Transgender Advisory Board*: Drian Juarez, Edward Jaye Johnson, and Mariana Marroquin.

The City Council tabled the appointments to the East Side Project Advisory Committee.

**EXCLUDED CONSENT CALENDAR: NONE.**

**PUBLIC COMMENT:**

A. LEE WALKUP, WEST HOLLYWOOD, spoke regarding an upcoming photography event sponsored by Devin Ford in the City.

MICHAEL SIDLER, WEST HOLLYWOOD, spoke regarding personal health issues.

**6. LEGISLATIVE: None.**

**COUNCILMEMBER COMMENTS: None.**

**ADJOURNMENT:** The City Council adjourned at 11:11 p.m. in memory of Maxine Slater, Jeff Leiber, Moonyeen Gatanela, Millie Rosenstein, Marco Roy, Charles Ward, Mary Ellen Lewis, Ezat Delijani, Betsey Schaffer and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting. It adjourned to its next regular

meeting, which will be on Monday, September 19, 2011 at 6:30 p.m. at West Hollywood Park, 647 N. San Vicente Boulevard.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 19<sup>th</sup> day of September, 2011 by the following vote:

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

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JOHN J. DURAN, MAYOR

ATTEST:

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COREY SCHAFFER, CITY CLERK