

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, SEPTEMBER 19, 2011  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**CALL TO ORDER:** Mayor Duran called the meeting to order at 6:37 p.m.

**PLEDGE OF ALLEGIANCE:** Sofya Komskaya 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 6:03 p.m. He stated that there was no public comment. He stated that the closed session adjourned at 6:32 p.m. with no reportable action.

**APPROVAL OF AGENDA:**

Councilmember Land requested that Items 4A and 5B be moved to the Consent Calendar, as Items 2.P. and 2.Q. She also stated that a request was made to continue Item 6.A.

Mayor Duran stated that the West Hollywood Chamber of Commerce requested that Item 6.A. be continued.

Councilmember D'Amico requested that Item 6.A. be moved to before the Public Hearings.

Councilmember Heilman expressed concern over moving Item 6.A. before the Public Hearings, and requested that Item 6.A. not be moved before Item 3.D.

Carried by Consensus of the Council to move Item 6.A. to be heard after Item 3.D.

Mayor Duran noted his abstention from Item 5.B. as he is a Board Member of APLA.

**Motion by Councilmember Land, seconded by Councilmember Heilman to approve the September 19, 2011 agenda as amended. The agenda was unanimously approved.**

## **ADJOURNMENT MOTIONS:**

Councilmember Heilman requested the meeting be adjourned in memory of Luba Goikman, a receptionist at the Plummer Park Community Center. He also asked the meeting be adjourned in memory of Seon Huneshian, the grandfather of Planning Commission David Aghaei. He also requested that the meeting be adjourned in memory of Harvey Land, the father of Councilmember Abbe Land.

Mayor Pro Tempore Prang expressed his condolences to Councilmember Land. He requested the meeting be adjourned in memory of Delores Hope, wife of the late comedian Bob Hope.

Mayor Duran requested the meeting be adjourned in memory of the following soldiers who died in Iraq and Afghanistan since the last City Council meeting: Staff Sergeant Michael W. Hosey, 27, Sergeant Mycal L. Prince, 28, Corporal Michael J. Dutcher, 22, Sergeant Rodolfo Rodriguez Jr., 26, Sergeant 1st Class Danial R. Adams, 35, Staff Sergeant Keith F. Rudd, 36, Staff Sergeant Daniel A. Quintana, 30, Private 1st Class Brett E. Wood, 19, Sergeant Bret D. Isenhower, 26, Specialist Christopher D. Horton, 26, Private 1st Class Tony J. Potter Jr., 20, Petty Officer Brian K. Lundy, 25, Private 1st Class Douglas J. Jeffries Jr., 20, Specialist Koran P. Contreras, 21, and Commander James Kevin Crawford, 50.

## **PRESENTATIONS:**

Councilmember Land presented a commendation to Erin Kelley and Karla Sanchez from the Muscular Dystrophy Association, and Andy Doyle, of the International Association of Firefighters, Local 1014, for their collective efforts on the *Fill the Boot Campaign*. She also presented a commendation to outgoing Women's Advisory Board Member, Kris Slawosky and thanked her for her service.

City Council presented the following Public Safety Awards:

Mayor Duran presented Roger Aguirre with the Outstanding Contribution to Public Safety Award.

Councilmember Heilman presented the Los Angeles County Sheriff's Reserve Task Force with the Public Safety Volunteer of the Year Award.

Mayor Pro Tempore Prang presented Los Angeles County Sheriff's Deputy Randall Slate with the Deputy of the Year Award.

Councilmember D'Amico presented Firefighter Specialist Jason Vasquez and his German Shepherd partner, Maverick, with the Firefighter of the Year Award.

Councilmember Land presented a commendation to outgoing Public Safety Commissioners, Stacy Jones and Barry Greenfield, and thanked them for their commitment to the City.

## **PUBLIC COMMENTS**

STEVE MARTIN, WEST HOLLYWOOD, spoke regarding a celebration of the repeal of "Don't Ask Don't Tell" that will be happening on September 20, 2011.

MARCY NORTON, WEST HOLLYWOOD, spoke in support of Item 2.J. and thanked Council and staff for their support of the Friends of the Library Bookstore.

YOLA DORE, WEST HOLLYWOOD, spoke in support of Item 6.A.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of a shorter Agenda. She also spoke about the next City Council meeting being moved to the new Library. She also spoke in support of Ric Rickles and his dedication to the City.

STEPHANIE HARKER, WEST HOLLYWOOD, expressed concern regarding the Audubon Society losing their location at Plummer Park due to the Plummer Park Phase I renovations.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding the need for the current construction at Plummer Park. She also spoke in opposition to Item 6.A.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke regarding public safety issues near Plummer Park. She spoke regarding the recent break-in at the tennis shop, and various other burglaries in the areas nearby.

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

RIC RICKLES, LOS ANGELES, thanked Council for his reappointment to the Senior Advisory Board.

PAT DIXON, WEST HOLLYWOOD, spoke in support of Item 3.C.

BEAU TRUMBULL, WEST HOLLYWOOD, spoke regarding the Toy Drive in September at the Abbey. He also spoke regarding fundraising efforts to fight AIDS in Africa. He also spoke in support of Item 3.D.

KELLY ALEXANDER, WEST HOLLYWOOD, spoke regarding the economy and financial planning. She spoke regarding an upcoming financial planning event in the Los Angeles area.

JOHN SERAPHINE, WEST HOLLYWOOD, spoke in opposition to the Plummer Park Master Plan, specifically the complete closure of the park during construction.

## **COUNCILMEMBER COMMENTS:**

Councilmember Heilman spoke regarding Item 2.P. (4.A.) and spoke regarding an increase in crime around Plummer Park and asked staff to provide an update to the City Council. He also spoke regarding the October 1, 2011 opening of the new West Hollywood Library. He also spoke regarding the West Hollywood Book Fair; which will be held on October 2, 2011.

Councilmember Land spoke regarding public safety and how messages regarding public safety should be incorporated into other marketing messages used by the City and the Business Improvement Districts. She also spoke about a recent event held by the National Council of Jewish Women geared toward encouraging women to be more involved in politics. She also spoke about a recent NARAL Event in support of Pro-Choice. She also spoke regarding the recent ceremonies in honor of September 11<sup>th</sup> and expressed condolences to Brad Burlingame who lost his brother on September 11<sup>th</sup>. She also expressed thanks to all who offered condolences for the recent passing of her father.

Councilmember D'Amico spoke regarding Fashions Night Out, and the upcoming Cal Arts Speaker Series on street art. He also spoke regarding an event at Mickey's in honor of Dancing with the Stars' Chaz Bono.

Mayor Pro Tempore Prang wished Rita Norton a happy birthday. He also stated that those that parked in the parking structure can receive validation after the Council meeting. He also spoke regarding the repeal of "Don't Ask Don't Tell", and stated that there would be a gathering on September 20, 2011 at 6:00 p.m.

Mayor Duran spoke regarding the upcoming visit from the President of the United States on September 26, 2011, and spoke regarding various traffic issues that will result. He also stated that this would be the last meeting held in the West Hollywood Park Auditorium.

## **CITY MANAGER'S REPORT: None**

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

City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$153,317.00 in expenditures and \$31,612.00 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. **Motion by Councilmember Land, seconded by Councilmember Heilman, and unanimously approved noting Mayor Duran's abstention on Item 2.Q. (5.B.)**

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

*SUBJECT: The agenda for the meeting of Monday, September 19, 2011 was posted at City Hall, Plummer Park and the Sheriff's Station on Thursday, September 15, 2011.*

**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 prior Council meetings.*

**ACTION:** Approve the minutes of September 6, 2011. **Approved as part of the consent calendar.**

**2.C. DEMAND REGISTER NO. 682, RESOLUTION NO. 11-4218:**

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

**ACTION:** Approve Demand Register No. 682 and adopt Resolution No. 11-4218, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 682". **Approved as part of the consent calendar.**

**2.D. APPROVAL OF AN ELECTION FOR THE CITY OF WEST HOLLYWOOD TO SERVE AS A SUCCESSOR AGENCY TO THE WEST HOLLYWOOD REDEVELOPMENT AGENCY UNDER PART 1.85 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE [P. AREVALO, A. GANDHY]:**

*SUBJECT: This agenda item is to address a potential outcome of the California Supreme Court's upcoming decision in the litigation challenging AB X1 26 and AB X1 27. It is possible that the Court will strike down AB X1 27 but uphold AB X1 26. In such case, each redevelopment agency will be dissolved even if the city adopted an ordinance to participate in the Alternative Voluntary Redevelopment Program established by Part 1.9 of AB X1 27. In addition, a successor agency will be designated for each dissolved redevelopment agency and charged with administering the wind-down of the dissolved redevelopment agency.*

**ACTIONS:** 1) Adopt Resolution No. 11-4219 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD MAKING AN ELECTION IN CONNECTION WITH SERVING AS A SUCCESSOR AGENCY UNDER PART 1.85 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH"; 2) Authorize the City Clerk to file a certified copy of Resolution No. 11-4219 with the County Auditor-Controller; and 3) Authorize the City Manager to take any additional actions to implement this item. **Approved as part of the consent calendar.**

**2.E. TRANSFER AGREEMENT BETWEEN THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION AND THE CITY OF WEST HOLLYWOOD PURSUANT TO HEALTH AND SAFETY CODE SECTION 34194.2 AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH [P. AREVALO, A. GANDHY]:**

*SUBJECT: The City Council (City) will consider approving a Transfer Agreement between the City and the Community Development Commission (Commission). This Agreement will enable the Commission to transfer a portion of its tax increment to the City in an amount not to exceed the remittance required under the "Voluntary Alternative Redevelopment Program".*

**ACTIONS:** 1) Adopt Resolution No. 11-4220, "A RESOLUTION OF CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A TRANSFER AGREEMENT PURSUANT TO HEALTH AND SAFETY CODE SECTION 34194.2 AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH"; and 2) Authorize the City Manager to take any additional actions to implement this item. **Approved as part of the consent calendar.**

**2.F. CITY POLICY AND PROCEDURE FOR THE USE OF UNOBLIGATED CITY RESERVES [J. PRANG, M. HAIBACH, J. DURAN, H. MOLINA]:**

*SUBJECT: The City Council will consider directing staff to develop policy and procedures aimed at Council initiatives for the use of unobligated City reserves.*

**ACTION:** Direct staff to develop a policy and procedures for evaluating council initiatives that are not budgeted and required the allocation of unobligated reserves. **Approved as part of the consent calendar.**

**2.G. AMENDMENT TO THE PARKING DIVISION'S FY 11/12 FEE SCHEDULE TO REFLECT NEGOTIATED FLAT FEE FOR SPECIAL COLLECTIONS FOR PROCESSING DELINQUENT PARKING CITATIONS [O. DELGADO, J. ROCCO, D. NORTE]:**

*SUBJECT: The City Council will consider amending the FY 11/12 fee schedule for the Parking Division.*

**ACTION:** Adopt Resolution No. 11-4221, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE MASTER FEE RESOLUTION (RESOLUTION NO. 11-4191) BY ESTABLISHING ADMINISTRATIVE PARKING FEES FOR PROCESSING DELINQUENT ACCOUNT COLLECTIONS." **Approved as part of the consent calendar.**

**2.H. RENEWAL OF CONTRACT WITH HELYNE MESHAR & ASSOCIATES (HM&A), LOBBYIST [P. AREVALO, V. LOVE, T. BROWN]:**

*SUBJECT: The City Council will consider approval of a revised Contract with the City's legislative lobbyist, Helyne Meshar & Associates (HM&A).*

**ACTIONS:** 1) Approve a three-year Agreement with Helyne Meshar & Associates (HM&A) for legislative lobbyist services through June 30, 2014 in an amount of \$116,317 from July 2011 through June 30, 2012 and an annual increase of an amount equal to one hundred percent (100%) of the net change in January to January Consumer Price Index (CPI) – All Urban Consumers - Los Angeles-Riverside-Orange County for July 1, 2012 and July 1, 2013; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the consent calendar.**

**2.I. APPROVAL OF MOU AGREEMENT WITH LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY (LACMTA) RELATED TO PROPOSITION A INCENTIVE FUNDS AND THE CITYLINE SHUTTLE SERVICE [S. BAXTER, D. DENNIS, P. GOODMAN]:**

*SUBJECT: The City Council will consider the approval of a two year agreement with the Los Angeles County Metropolitan Transit Authority (LACMTA) which will reimburse Proposition A incentive funds for reporting statistics to the National Transit Database (NTD) for the Cityline Shuttle Service.*

**ACTIONS:** 1) Authorize the City Manager to execute MOU.PAIWEHO11 with the Los Angeles County Metropolitan Transit Authority (LACMTA) for Proposition A incentive funds for the reporting of statistical data to the National Transit Database; and 2) Authorize the Director of Finance to accept up to twenty-five percent (25%) reimbursement of Prop A net operating costs for Cityline to be re-deposited to the Prop A expense account. **Approved as part of the consent calendar.**

**2.J. LEASE AGREEMENT WITH FRIENDS OF THE WEST HOLLYWOOD LIBRARY [P. AREVALO, J. ENGLISH, J. HUFFER, S. BAXTER]:**

*SUBJECT: The City Council will consider entering into a Lease Agreement with the Friends of the West Hollywood Library for operation of the bookstore space located at the new West Hollywood Library.*

**ACTIONS:** 1) Approve the Lease Agreement between the City and the Friends of the West Hollywood Library for operation of the West Hollywood Library's bookstore space; and 2) Authorize the City Manager to sign the attached Lease Agreement with the Friends of the West Hollywood Library. **Approved as part of the consent calendar.**

**2.K. NOTICE OF COMPLETION FOR CIP 1104 SEWER REPAIR AND REHABILITATION EAST SIDE [O. DELGADO, S. PERLSTEIN]:**

*SUBJECT: The City Council will consider approving the Notice of Completion for CIP 1104 Sewer Repair and Rehabilitation – East Side by Southwest Pipeline and Trenchless Corporation.*

**ACTION:** Accept the work and authorize the following: a) Filing a Notice of Completion by the City Engineer; b) Final payment to the contractor at the end of the 35 day lien period; c) Release of the Performance Bond on the date of recordation of the Notice of Completion; and d) Release of the Payment Bond 35 days after the date of recordation of the Notice of

Completion, pending no receipt of Stop Notices. **Approved as part of the consent calendar.**

**2.L. RESOLUTION TO SET THE DATE OF A PUBLIC HEARING TO ESTABLISH AN UNDERGROUND UTILITY DISTRICT [O. DELGADO, S. PERLSTEIN, D. UYENO]:**

*SUBJECT: The City Council will consider scheduling a public hearing for October 17, 2011, to determine whether public necessity, health, safety, or welfare requires the formation of an underground utility district along Robertson Boulevard between Santa Monica Boulevard and Melrose Avenue, and along Melrose Avenue between San Vicente Boulevard to Doheny Drive.*

**ACTIONS:** Adopt Resolution No. 11-4222, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SETTING THE DATE OF A PUBLIC HEARING TO DETERMINE WHETHER PUBLIC NECESSITY, HEALTH, SAFETY, OR WELFARE REQUIRES THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT ALONG ROBERTSON BOULEVARD BETWEEN SANTA MONICA BOULEVARD AND MELROSE AVENUE AND MELROSE AVENUE BETWEEN SAN VICENTE BOULEVARD AND DOHENY DRIVE." **Approved as part of the consent calendar.**

**2.M. 2011 NATIONAL ARTS AND HUMANITIES MONTH (OCTOBER) [P. AREVALO, J. HUFFER, A. CAMPBELL]:**

*SUBJECT: City Council will receive a report from staff regarding potential City activities for National Arts and Humanities Month in October.*

**ACTION:** 1) Authorize City staff to coordinate arts and cultural activities taking place in West Hollywood or in the immediate West Hollywood adjacent area as National Arts and Humanities Month events; and 2) 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. **Approved as part of the consent calendar.**

**2.N. MOCA AND VANITY FAIR RECEPTION TO CELEBRATE "WEST HOLLYWOOD LIBRARY MURALS" PROJECT AT WEST HOLLYWOOD PARK [P. AREVALO, J. HUFFER, A. CAMPBELL]:**

*SUBJECT: The City Council will consider approving the use of the West Hollywood Park and Library Complex on Wednesday, October 12, 2011 for a reception sponsored by MOCA and Vanity Fair to celebrate the West Hollywood Library Murals.*

**ACTIONS:** 1) Approve use of the West Hollywood Park and Library complex for the event; 2) Authorize staff to work with MOCA and Vanity Fair to stage the event at the Library; 3) Allow alcohol (beer, wine, champagne) to be served as part of the event; 4) Allow temporary lane closures around library garage; and 5) Authorize the City Manager to



approve final event concept. **Approved as part of the consent calendar.**

**2.O. CO-SPONSORSHIP OF LOCAL LEADERSHIP CONFERENCE WITH THE NATIONAL COUNCIL OF JEWISH WOMEN/LOS ANGELES [A. LAND, C. PLANCK, A. JORGENSEN]:**

*SUBJECT: The City Council will consider co-sponsoring a local leadership and education conference with the Los Angeles chapter of the National Council of Jewish Women.*

**ACTIONS:** 1) Approve the City of West Hollywood's co-sponsorship of the conference and allow the use of the City's name and logo on printed materials associated with the event; and 2) Direct staff to assist with the promotion of the event. **Approved as part of the consent calendar.**

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

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

**ACTIONS:** 1) Approve the following public safety priorities including: a) Continue to work with local businesses, residents, and neighboring jurisdictions to promote neighborhood livability and mitigate impacts from nighttime establishments; b) Continue to collaborate with the Residential and Commercial Code Compliance Divisions to address various nuisance issues, including dogs off leash, inappropriate disposal of dog waste, scavenging, and noise; c) Monitor and adjust traffic enforcement deployment as needed to address speeding vehicles, driving while using cell phones and "distracted movement", bicycles on sidewalks, and other traffic violations; d) Continue to aggressively address criminal transient issues, and assist Social Services with overall homelessness issues; e) Continue to provide attentive customer service; and f) Continue to educate the community through Neighborhood Watch and the Public Safety Commission's "Live, Work, Play, Be Safe" campaign on key public safety issues; and 2) Give additional direction to staff as necessary. **Approved as part of the consent calendar.**

**2.Q. (5.B.) AIDS WALK 2011 CO-SPONSORED EVENT [S. BAXTER, O. WALKER, C. SMITH]:**

*SUBJECT: The City Council will consider co-sponsorship of AIDS Walk 2011.*

**ACTONS:** Authorize co-sponsorship of AIDS Walk 2011 which includes: 1) Approve date, Sunday, October 16, 2011 and location, West Hollywood Park and surrounding streets; 2) Approve the lifting of permit parking from 7:00 am to 2:00 pm on October 16, 2011 in Districts 1 and 2; 3) Approve event street closures as described in the report; 4) Authorize the Director of Finance and Technology to allocate funds from undesignated General Fund reserves in the amounts of \$30,280 to account 100-3-05-51-535010

and \$6,720 to account 100-2-04-04-535010 for stage construction and additional public safety; and 5) Approve a waiver of special event permit fees and other City-related fees including Special Event Permit fee waiver of \$2,400; Street Closure fee waiver of \$350; and Building and Safety inspection fees of \$200. **Approved as part of the consent calendar, noting Mayor Duran's abstention.**

**THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: AT 7:32 P.M.**

The Community Development Commission approved the minutes from the August 15, 2011 meeting; Amended the Enforceable Obligation Payment Schedule; Adopted a Resolution approving a preliminary draft of an initial recognized obligation payment schedule pursuant to Part 1.8 of Division 24 of the California Health and Safety Code; and adopted a Resolution authorizing the execution and delivery of a Transfer Agreement pursuant to Health and Safety Code Section 34194.2. The actions are more fully described in the West Hollywood Community Development Commission minutes.

**THE COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE WEST HOLLYWOOD CITY COUNCIL: 7:34 P.M.**

**3. PUBLIC HEARINGS:**

**3.A. DEMOLITION OF 14 UNITS TO CONSTRUCT A FOUR-STORY, 14-UNIT CONDOMINIUM BUILDING AT 1264 HARPER AVENUE [A. MCINTOSH, J. KEHO, J. ALKIRE]:**

*SUBJECT: This proposal is a request to demolish a 14-unit apartment building to construct a four-story, 14-unit condominium building for the property located at 1264 Harper Avenue.*

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

Mayor Pro Tempore Prang recused himself from the Hearing and left the auditorium, as his residence is within a 500' radius of the project.

Jennifer Alkire, Associate Planner, provided background information as outlined in the staff report dated September 19, 2011.

Councilmember Heilman disclosed that he visited the site.

Councilmember Land disclosed that she visited the site.

Councilmember D'Amico disclosed that he had driven by the site.

Mayor Duran disclosed that he visited the site.

Mayor Duran stated that there were no speakers on this Item and closed the public hearing.

Councilmember Heilman spoke in support of the Item and asked that the design be revised in the front.

Councilmember Land spoke in support of the Item and asked that construction mitigation rules are followed.

Councilmember D'Amico spoke in support of the Item.

**ACTIONS:** Staff recommends that the City Council hold a public hearing, consider all pertinent testimony, and conditionally approve the proposed project subject to the conditions in the following draft ordinance and resolutions: 1) Introduce on First Reading Ordinance No. 11-876, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, APPROVING A DEVELOPMENT AGREEMENT AND ZONE MAP AMENDMENT, CREATING A DEVELOPMENT AGREEMENT OVERLAY DISTRICT ON THE PROPERTY LOCATED AT 1264 N. HARPER AVENUE, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A); 2) Resolution No. 11-4223, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A DEMOLITION PERMIT, DEVELOPMENT PERMIT AND ADOPTING A NEGATIVE DECLARATION, FOR THE DEMOLITION OF 14 DWELLING UNITS AND THE CONSTRUCTION OF A FOUR-STORY, 14-UNIT CONDOMINIUM BUILDING, LOCATED AT 1264 N. HARPER AVENUE, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT B); and 3) Resolution No. 11-4224, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 68822), FOR A 14-UNIT CONDOMINIUM PROJECT FOR THE PROPERTY LOCATED AT 1264 N. HARPER AVENUE, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT C). **Motion by Councilmember Land, Seconded by Councilmember D'Amico and unanimously approved with the additional direction to the design team to revise the frontage, and noting the abstention of Mayor Pro Tempore Prang.**

**3.B. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF AN EIGHT-UNIT CONDOMINIUM PROJECT LOCATED AT 7914 NORTON AVENUE [A. MCINTOSH, J. KEHO, L. YELTON]:**

*SUBJECT: The City Council will hold a public hearing to consider an appeal by Lynn Russell, regarding the Planning Commission's approval of a project to demolish a one-story, 10-unit apartment building to construct a four-story, eight-unit condominium building for the property located at 7914 West Norton Avenue.*

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

John Keho, Planning Manager, introduced Todd Gish as the new contract Urban Designer

Laurie Yelton, Associate Planner, and Todd Gish, contract Urban Designer, provided background information as outlined in the staff report dated September 19, 2011.

Councilmember Land disclosed that she visited the site when it was initially brought before the Council.

Councilmember Heilman disclosed that he visited the site when it was initially brought before the Council.

Councilmember D'Amico disclosed that he visited the site.

Mayor Pro Tempore Prang disclosed that he visited the site when it was initially brought before the Council

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

LYNN RUSSELL, THE APPELLANT, spoke in support of the Item

IRA HANDLEMAN, WOODLAND HILLS, spoke in support of the Item.

SAVASH KHAJEZADEH, SAN DIEGO, thanked City Council and spoke in support of the Item

STEVEN DAVIS, WEST HOLLYWOOD, spoke in support of the Item.

CASSANDRA SILVER, WEST HOLLYWOOD, spoke in support of the Item.

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

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in support of the Item.

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

Mayor Duran closed the public hearing.

Councilmember Land spoke in support of the Item and thanked everyone for working together on the project design.

Mayor Pro Tempore Prang spoke in support of the Item and thanked the developers and the members of the Community for working together.

**ACTIONS:** Staff recommends that the City Council hold a public hearing, consider all pertinent testimony, deny the appeal, and conditionally approve the project by adopting the following: 1) Resolution No. 11-4225, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, PARTIALLY APPROVING THE APPEAL OF LYNN RUSSELL AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2009-016 AND DEVELOPMENT PERMIT 2009-012 TO PERMIT THE CONSTRUCTION OF A THREE-STORY, EIGHT-UNIT CONDOMINIUM BUILDING LOCATED AT 7914 NORTON AVENUE, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A); and 2) Resolution No. 11-4226, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, PARTIALLY APPROVING THE APPEAL OF LYNN RUSSELL AND CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2009-006 (MAJOR LAND DIVISION 71423) FOR THE PROPERTY LOCATED AT 7914 NORTON AVENUE, WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT B). **Motion by Mayor Pro Tempore Prang, Seconded by Councilmember Heilman and unanimously approved.**

**3.C. APPEAL OF THE PLANNING COMMISSION'S DECISION NOT TO REVIEW A DETERMINATION BY THE COMMUNITY DEVELOPMENT DIRECTOR [A. MCINTOSH, J. KEHO, A. CASTILLO]:**

*SUBJECT: The City Council will hold a public hearing to consider an appeal filed by Ed Buck, regarding the Planning Commission's decision not to review the Community Development Director's approval of a new restaurant (Laurel Hardware Restaurant) located at 7984 Santa Monica Boulevard, West Hollywood, California.*

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

Antonio Castillo, Associate Planner, provided background information as outlined in the staff report dated September 19, 2011.

Councilmember Heilman disclosed that he visited the site.

Councilmember Land disclosed that she visited the site and spoke to the Developers.

Councilmember D'Amico disclosed that he visited the site and spoke to the parties involved.

Mayor Pro Tempore Prang disclosed that he visited the site and spoke to the parties involved.

Mayor Duran disclosed that he visited the site and met with the Applicant.

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

ED BUCK ,WEST HOLLYWOOD, spoke in support of the Appeal.

PAUL WEINBERG, REPRESENTING THE APPLICANT, spoke in opposition to the Appeal.

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

ANTHONY CARRO, LOS ANGELES, spoke in opposition to the Appeal.

ALASTAIR MARSHALL-ANDREW, WEST HOLLYWOOD, spoke in support of the Appeal.

KATHY LUBINSKY, WEST HOLLYWOOD, spoke in support of the Appeal, specifically to address issues surrounding parking.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the appeal process.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the appeal process.

LAURIE HUNTER, WEST HOLLYWOOD, spoke in support of the Appeal, specifically to address issues surrounding parking.

LINDA KAUFMAN, LOS ANGELES, spoke in support of the Appeal, specifically to address issues surrounding trash, parking, and another bar in the area.

STEPHANIE DAVIES, WEST HOLLYWOOD, spoke in support of the Appeal, specifically to address issues surrounding parking and traffic.

ERIK DAVIES, WEST HOLLYWOOD, spoke in support of the Appeal.

BARRY AZADMARD, WEST HOLLYWOOD, spoke in support of the Appeal, specifically to address issues surrounding parking.

JOHN LARSEN, WEST HOLLYWOOD, spoke in support of the Appeal.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding her request for review by the Planning Commission.

MARK CHAVEZ, WEST HOLLYWOOD, spoke in support of the Appeal.

NORMAN CHRANOFF, WEST HOLLYWOOD, spoke in support of the Appeal.

ED BUCK, THE APPELLANT, provided rebuttal.

PAUL WEINBERG, ON BEHALF OF THE APPLICANT provided rebuttal.

Mayor Duran closed the public hearing.

Councilmember Heilman requested clarification regarding the exact matter being appealed. He also spoke regarding the fact that parking was addressed during the initial hearing, and spoke regarding the timing of the appeal period and that an extension was granted.

Mayor Pro Tempore Prang requested clarification regarding what would happen if the Appeal was granted.

Councilmember D'Amico spoke regarding the Staff Report and requested clarification on what City Council is being asked to approve.

City Attorney Jenkins provided clarification on the appeal process, and the options before the Council regarding this appeal.

Councilmember Land stated that she believes the Planning Commission followed the correct process during their decision to decide to review the project, and she spoke in support of denying the Appeal.

Mayor Duran spoke regarding the need to support businesses in the City. He spoke in support of the process followed by the Planning Commission and the Community Development Director, and spoke in support of the appeal.

City Attorney Jenkins provided background on the issue and the deadlines provided to the public to file an appeal.

Councilmember Heilman spoke regarding the public comments surrounding parking and asked that Staff work with the residents to address these concerns.

**ACTION:** Staff recommends that the City Council hold the public hearing, consider all pertinent testimony, and deny the appeal by adopting the following: Resolution No. 11-4227, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING AN APPEAL FILED BY ED BUCK AND AFFIRMING THE PLANNING COMMISSION'S DECISION NOT TO REVIEW A DETERMINATION RENDERED BY THE COMMUNITY DEVELOPMENT DIRECTOR."

(ATTACHMENT A). **Motion by Councilmember Land, Seconded by Councilmember Heilman and approved with Councilmember D'Amico voting NO.**

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

*SUBJECT: The Council will consider a 51,251 sq. ft. commercial development containing retail, gym/spa and office space at 8801 Sunset Boulevard. The project also integrates a new billboard and large screen video sign into the building facades and includes a development agreement and zoning map amendment.*

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

Adrian Gallo, Associate Planner, provided background information as outlined in the staff report dated September 19, 2011.

Councilmember Heilman disclosed that he visited the site and spoke with the applicant and the neighbors.

Councilmember Land disclosed that she visited the site and spoke with the applicant and the neighbors.

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

Mayor Pro Tempore Prang disclosed that he visited the site and spoke with the applicant and the neighbors.

Mayor Duran disclosed that he visited the site and spoke with the applicant, neighbors and the several attorneys involved in the project.

Mayor Pro Tempore Prang requested clarification regarding staff recommendation during the Planning Commission hearings as well as staff recommendation to the City Council.

Councilmember Land requested further clarification on the decision process for the staff recommendation to the City Council.

Councilmember Heilman requested clarification on the staff recommendation of the inclusion of an entrance on Horn Avenue as part of the approval of the project.

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

SOL BARKET AND MICHAEL DARNER, REPRESENTING THE APPLICANT, spoke in support of the Item.



JEROME CLEARY, WEST HOLLYWOOD, spoke in opposition to the Item.

DOMENIC PRIORE, LOS ANGELES, spoke in opposition to the Item.

DAVID WHEELER, WEST HOLLYWOOD, spoke in opposition to the Item.

JAY HERRATTI, LOS ANGELES, spoke in opposition to the Item, specifically due to parking and the proposed billboard.

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

JEFF HABER, LOS ANGELES, spoke in opposition to the Item.

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

ELAINE MORRISON, WEST HOLLYWOOD, spoke in opposition to the Item.

GENEVIEVE MORRILL, PRESIDENT AND CEO OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the Item.

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

SALLY CARROCINO, WEST HOLLYWOOD, spoke in opposition to the Item.

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

WILL COKER, LOS ANGELES, spoke in opposition to the Item.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in opposition to the Item.

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

STEVEN AFRIAT, LOS ANGELES, spoke in opposition to the Item.

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

HAILEY MARCUS, WEST HOLLYWOOD, spoke in support of the Item.

PETER LEEB, WEST HOLLYWOOD, spoke in support of the Item.

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

JOHN KOLBECK, WEST HOLLYWOOD, spoke in opposition to the Item.

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

WALTER BAGOT, WEST HOLLYWOOD, spoke in opposition to the Item.

CHRIS PANAGAKIS, WEST HOLLYWOOD, spoke in opposition to the Item.

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

PRISCILLE LONDON, WEST HOLLYWOOD, spoke in opposition to the Item.

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

SARA RISHER, WEST HOLLYWOOD, spoke in opposition to the Item.

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

ELMOR GARALITOS, WEST HOLLYWOOD, spoke in opposition to the Item.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in opposition to the Item.

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

VICTORIA JOYCE, WEST HOLLYWOOD, spoke in support of the Item.

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

LAURA MARIE, WEST HOLLYWOOD, spoke in opposition to the Item.

NICKY SHANE, WEST HOLLYWOOD, spoke in opposition to the Item.

SIBYL ZADEN, WEST HOLLYWOOD, spoke in opposition to the Item.

ARLENE WEINSTOCK, WEST HOLLYWOOD, spoke in opposition to the Item.

DAVID WEISSFELD, WEST HOLLYWOOD, spoke in support of the Item.

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

BRUCE SILBERMAN, LOS ANGELES, spoke in support of the Item.

WILLIAM MCNEELEY, WEST HOLLYWOOD, spoke in support of the Item.

ERIC COOK, WEST HOLLYWOOD, spoke in support of the Item.

JASON SOMERVILLE, WEST HOLLYWOOD, spoke in support of the Item.

JEFFREY ATWOOD, WEST HOLLYWOOD, spoke in support of the Item.

MICHELLE BLACK, SANTA MONICA, spoke in opposition to the Item.

AMMAR KUBBA, WEST HOLLYWOOD, spoke in opposition to the Item.

SERGIO ADRIAN VERA, WEST HOLLYWOOD, spoke in support of the Item.

OMAR HUSSAIN, WEST HOLLYWOOD, spoke in support of the Item.

DAVID CARR, WEST HOLLYWOOD, spoke in support of the Item.

ANNA FEINER, WEST HOLLYWOOD, spoke in support of the Item.

SHAUNA AMINZADEH, WEST HOLLYWOOD, spoke in support of the Item.

NICKI CARLSEN AND MICHAEL DARNER, REPRESENTING THE APPLICANT, provided rebuttal.

Councilmember Heilman requested clarification from staff regarding parking in the proposed project, as well as clarification regarding signage.

Bob Cheung, Senior Transportation Planner, and Adrian Gallo, Associate Planner, provided clarification on how the parking requirements were calculated. They also provided clarification regarding the tandem and valet parking in the proposed project.

Councilmember Land requested further clarification regarding the shared parking and how various uses that have not been decided, may raise

parking issues. She also requested clarification regarding the inclusion of both a gym and a spa and how these uses relate to parking requirements.

John Keho, Planning Manager, provided clarification that parking ratios were calculated based on uses and that the spa and gym each have a separate entrance and therefore the uses were calculated separately.

Mayor Duran requested clarification as it relates to parking. He spoke about the various classes and offerings at gyms and asked if the parking requirements differ when gyms have different uses, such as spas, classes, tanning salons, etc. Mayor Duran spoke regarding the ingress and egress of the project, and spoke in support of a left-turn ingress off of Horn Avenue. He requested clarification on the brightness of the proposed signage as it relates to the other signs on Sunset and how the video will be displayed on the billboard. He requested clarification from the Applicant regarding the amount of signage associated with the proposed project and whether the project would be commercially viable with reduced signage. He requested clarification from the Applicant regarding the possibility of moving the park associated with the project to the rooftop.

SOL BARKET, REPRESENTING THE APPLICANT, stated that the billboard faces West, and is something that they would like to keep as part of the architecture. He also stated that moving the park to the rooftop could potentially be considered.

Councilmember Land requested clarification on the conditional use permit for the gym.

John Keho, Planning Manager, provided clarification on the issuance of a conditional use permit.

Mayor Pro Tempore Prang requested clarification on the billboard and the proposed covenant agreement as it relates to moving images associated with the signage in the proposed project.

Councilmember D'Amico expressed concerns regarding the architectural design of the project. He spoke in support of creating an urban plaza in the front of the project, instead of the proposed park at the rear of the project. He also spoke regarding the building not being in line with the Frank Gehry building next to it. He spoke in support of simplifying the parking in association with the project. He spoke in support of the gym in association with the proposed project.

Councilmember Land thanked the public for coming out to speak on this Item. She spoke in support of the David Barton Gym, but not necessarily at this location. She spoke in opposition to the Item because there does not seem to be enough parking and she spoke in opposition to the

signage on Horn Ave. She spoke regarding the need for a project at this site; however she stated that this may be too much for this particular parcel.

Councilmember Heilman thanked the public for their comments and the applicant for their hard work on the project. He also thanked Staff for their efforts. He spoke in support of the architectural design of the project, but expressed concerns regarding the Horn Avenue side of the project. He spoke in support of an entrance on Horn in order to mitigate traffic on that street. He spoke in support of the park in the back of the property. He expressed concern over the heavy reliance on tandem parking, the lifts, and the shared parking. He spoke in support of a development agreement to provide funds to the City in association with signage with a proposed project. He expressed concerns regarding signage that extends onto Horn Avenue and its impacts on residents. He spoke in support of addressing parking concerns with a reduction in intensity of use at the site. He spoke in opposition to the currently proposed project, and in support of addressing the long-term needs for usage at the site.

Mayor Pro Tempore Prang stated that he shared some of the same concerns mentioned by other Councilmembers. He expressed concerns regarding signage on Horn Avenue. He also expressed concerns regarding the proposed parking for the project, particularly the heavy focus on tandem and shared parking. He spoke regarding previous issues in the area when Tower Records was there and stated that he could not support this project as presented.

Mayor Duran spoke regarding possible redesigns for this project. He stated that he likes the design; however parking and traffic issues need to be resolved. He spoke in support of either adding another floor of parking, or decreasing the intensity of the uses in order to solve some of the parking challenges. He spoke in support of the David Barton gym.

Councilmember D'Amico proposed a sub-committee of the Council be created to help the Developer and the area residents resolve some of these issues.

Councilmember Land suggested that the Item be sent back to Planning Commission with clear directives from Council.

The Council discussed the possibility of returning the project to the Planning Commission, but agreed to have the Item brought back to Council instead of going back to the Planning Commission.

Councilmember Land spoke regarding the need to be mindful of Brown Act issues if a subcommittee is formed.

Councilmember Heilman provided clarification of the issues to be addressed by the subcommittee, which include: the location of the park in the project; parking issues and the access to the site on Sunset and/or Horn; and signage issues associated with the project and impacts on the neighboring residents and businesses.

**ACTIONS:** Continue the hearing to a date uncertain; and form a subcommittee consisting of Councilmember D'Amico and Councilmember Heilman to work with the Applicant, and solicit input from the community, to address design revisions for the project. **Motion by Councilmember Land, seconded by Councilmember D'Amico and unanimously approved.**

**6. LEGISLATIVE: THIS ITEM WAS HEARD OUT OF ORDER**

**6.A. PROPOSED ORDINANCE PROHIBITING THE SALE OF FUR APPAREL PRODUCTS WITHIN THE CITY [P. AREVALO, J. HUFFER, M. LOUIE]:**

*SUBJECT: The City Council will introduce on first reading an ordinance that would prohibit the sale of fur apparel products within the City of West Hollywood.*

KEITH KAPLAN, WEST HOLLYWOOD, spoke in opposition to the Item.

CHRIS DEROSE, WEST HOLLYWOOD, spoke in support of the Item.

JUDIE MANCUSO, LAGUNA BEACH, spoke in support of the Item.

MELLISSA SCHWARTZ, WEST LOS ANGELES, spoke in support of the Item.

PRABHAT GANTAM, WEST LOS ANGELES, spoke in support of the Item.

GENEVIEVE MORRILL, PRESIDENT AND CEO OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in opposition to the Item.

LINDSAY LEBBY, LOS ANGELES, spoke in opposition to the Item.

AUDREY KIM, LOS ANGELES, spoke in opposition to the Item.

DARREN GOLD, PRESIDENT OF THE AVENUES, spoke in opposition to the Item.

RYAN FARBER, EXECUTIVE DIRECTOR OF THE AVENUES, spoke in opposition to the Item.

MARY CUMMINS, LOS ANGELES, spoke in support of the Item.

AARON LEIDER, LOS ANGELES, spoke in support of the Item.

ESTHER BAUM, WEST HOLLYWOOD, spoke in opposition to the Item.

JIM JENSVOLD, LOS ANGELES, spoke in support of the Item.

MATT ROSSELL, LOS ANGELES, spoke in support of the Item.

ED BUCK, WEST HOLLYWOOD, spoke in support of the Item.

NORMA SANDLER, WEST HOLLYWOOD, spoke in support of the Item.

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

SHANNON KEITH, LOS ANGELES, spoke in support of the Item.

KATIE CLEARY, WEST HOLLYWOOD, spoke in support of the Item.

STEVEN J. BERNHEIM, LOS ANGELES, spoke in support of the Item.

FAWN, WEST HOLLYWOOD, spoke in support of the Item.

ALYSON RICHARDS, LOS ANGELES, spoke in support of the Item

MELISSA CARBONE, LOS ANGELES, spoke in support of the Item.

RABBI JONATHAN KLEIN, LOS ANGELES, spoke in support of the Item.

JILL RYTHER, LOS ANGELES, spoke in support of the Item.

ANGELA FLURRY, WEST HOLLYWOOD, spoke in support of the Item.

JEFFREY LEHMAN, WEST HOLLYWOOD, spoke in opposition to the Item.

BAMBI BYRENS, BEVERLY HILLS, spoke in support of the Item.

STEVEN ERLSTEN, WEST HOLLYWOOD, spoke in support of the Item.

JOAN HENEHAN, PAST PRESIDENT OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in opposition to the Item.

CINDY FONTEBOA, GLENDALE, spoke in support of the Item.

MARINA RAMOS, LOS ANGELES, spoke in support of the Item.

CHARLES HAMILTON, BEVERLY HILLS, spoke in support of the Item.

MEIR LEVY, WEST HOLLYWOOD, spoke in support of the Item.

MAYOR DURAN read the following 40 names of West Hollywood residents who submitted slips in support of the Item, but who did not wish to speak: ANGIE ADAMSON, BILL REYNOLDS, SHERRY MONSEF, BEN DECKER, CATHY BLAIVAS, JULIA GOLDBERG, ALISON TAYLOR, BEV POMERANTZ, NICKY SHANE, DENISE FLACHBART, LAURIE PALADINO, DON RANDALL, JOHN SCHWAB, LIBRA MAX, SCOTT SAMSIN, AMMAR KUBBA, DEYIN-JAMES BUCAANAN, DERIC DEL REAL, JUDSON GREENE, FABIAN RODRIGUEZ, STEPHANIE DAVIES, ERIK DAVIES, NORMA KEMPER, JANA L. ROBERTS, LAURIE HUNTER, ALFRED SECUNDA, JOHN LARSEN, VICTOR OMELCZENKO, M. LEVY, MATTHEW DECOSTER, MICHAELA DE ANGEUS, MARNE CARMEAN, HBREN CARMEAN, DAVID HIRSCH, MICK MARS, YOLA DORE, SCOTT IRMIS, SUSAN SMITH, and JASON BOWES.

The following is a list of residents of other cities who submitted slips in support of the Item, but who did not wish to speak: DR. JANA KOHL, BEVERLY HILLS, GARY SMITH, SHERMAN OAKS, DANIT ZIVAN, LOS ANGELES, JACKIE HORRICK, HEATHER LOUNSBURY, ELIZABETH JOHANSON, LOS ANGELES, STEVE ERLSTEN, PASADENA, NIKKI BENOIT, PASADENA, BRITTANY STATON, PASADENA, ANDREW STORN, STUDIO CITY, JOANNA KNIPE, LOS ANGELES, CHRISTI METROPOLE, LOS ANGELES, PATRICE FRAZIER, LOS ANGELES, NANCY ALVARDO, NORTHRIDGE, LIZETT ALVARADO, INGLEWOOD, JILL RYTHER, SANTA MONICA, ANN COCCAGNIA, LONG BEACH, KARINA ALVARADO, INGLEWOOD, BOB LINDEN, NORTHRIDGE, CHRISTY SCHILLING, GLENDALE, RENEE NANUM, LOS ANGELES, KATYA LIDSKY FRIEDMAN, SILVER LAKE, MARIO FRLIX, LOS ANGELES, CRAIG EISENBERG, SANTA MONICA, SAMANTHA DIEHL, LOS ANGELES, ALYSON RICHARDS, LOS ANGELES, MELISSA CARBONE, LOS ANGELES, WILL COKER, HANSEN HILLS, CARA WOLDS, LOS ANGELES, VALENTIN AGHAKANIAN, GLENDALE, JOHN LEVINE, SANTA MONICA, JANA KOHL, BEVERLY HILLS, MATTHEW STRUGO, LOS ANGELES, NEEL PAREKH, LOS ANGELES, REVA SMILKSTEIN, MALIBU, MELISSA MAROFF, SHERMAN OAKS, ALYSSA BOYLE, BURBANK, JULIA RILEY, LOS ANGELES, SHELLY PETLANSKY WATKINS, VENTURA, DANIELLE THOMPSON, LOS ANGELES, JENNIFER CONRAD, SANTA MONICA, TIM WEBBER, CULVER CITY, SALLY CARROCINO, ALEXANDRA PAUL, PACIFIC PALISADES, CIDDY FONTEBOA, GLENDALE, KERRI KASEM, SHERMAN OAKS, JACKY DE MAVILAMD, LOS ANGELES, ANNIE



WINNER, BEVERLY HILLS, MICHAEL TUMINO, ELLE CHOI, LOS ANGELES, BENJAMIN HUH, LOS ANGELES, LISA RISTORVEEL, SANTA MONICA, ADEL HUH, LOS ANGELES, BRYAN MONELL, BEVERLY HILLS, LENKA FILL, LONG BEACH, PATTY SHENKA, LOS ANGELES, BAMBI BYRENS, BEVERLY HILLS, DIANA LANNES, LOS ANGELES, GLORIA CHRISTAL, LOS ANGELES, TERESA COOPER, LOS ANGELES, JULIE EDWARDS, CULVER CITY, CAMI TUROVSKY, LOS ANGELES, CAROLINA APARICIO, LOS ANGELES, GINA PALENCAR, LOS ANGELES, LISBET BROOK, LOS ANGELES, MARINA RAMOS, WEST HILLS, INGER EPELAND, LOS ANGELES, GENE BLALOCK, SANDRA SHAPIRO, LOS ANGELES, PEDRO SOTO, LOS ANGELES, RUBEN RANGE, LOS ANGELES, NANCY WORSHAM, LOS ANGELES, CHERRY BLIGH, HOLLYWOOD, AMY VELOZ, VAN NUYS, BILL DYER, VENICE, JULIA ORR, GLENDALE, and SHERI SOSHNIK, HOLLYWOOD.

Councilmember D'Amico spoke regarding the proposed Ban and stated that the item is not about what to wear, or name calling, it is about the impacts we have on the world. He stated that this is an opportunity for the City to lead in a very specific and thoughtful way. He spoke regarding the City's history relating to animals and asked for Council's support of the item.

Councilmember Land spoke regarding the direction given by Council to explore the creation of this ordinance. She spoke in support of the City's past efforts to take stands against animal cruelty. She spoke in support of trying to find ways to both take a stand for animal rights, but also to do outreach to the business community and address impacts on businesses. She requested clarification from Councilmember D'Amico regarding what outreach was done to the business community.

Councilmember D'Amico provided clarification on outreach efforts to the business community and the difficulties in gaining participation from the West Hollywood Chamber of Commerce or the Avenues in the process of developing the ordinance. He reported on visits with the Chamber of Commerce to various store owners on Melrose to gain information on how much fur was actually being sold in West Hollywood. He spoke regarding the possibility of having the Ban phased-in.

Mayor Pro Tempore Prang reported regarding his meetings with the West Hollywood Chamber and referenced the outreach efforts to the business community that were outlined in the staff report. He spoke in support of moving forward with the Item as presented.

Councilmember Heilman expressed concerns regarding the ordinance as presented as well as some of the Public Comments regarding how far the Ban would go. He spoke in support of the goals of raising awareness and

educating residents and businesses to discourage the sale of fur. He spoke in support of providing more outreach to the business community to address their concerns. He expressed concerns regarding the effective date of the ordinance, and the need to discuss a reasonable time period for the implementation of the ordinance. He spoke regarding the need to address businesses who sell vintage clothing. He spoke regarding public comments regarding other issues that involve animals that are killed for other reasons, that are not being addressed, such as for food and leather. He stated that he could support the Item, if these issues were discussed further.

Councilmember Land requested clarification regarding apparel and if it included shoes. She spoke in support of more engagement with the business community regarding the ordinance.

Mayor Duran thanked everyone who came out to speak regarding the Item. He spoke regarding his ongoing support of the business community. He stated that he would support the Item, as presented, but would recommend discussion regarding an implementation date, vintage clothing sellers, and fines and penalties associated with the ordinance. He spoke in support of only including apparel at this time.

Mayor Pro Tempore Prang spoke regarding the seasonal buying patterns of the businesses in the City and stated that the implementation date should reflect those patterns.

Councilmember Land requested clarification from the City Attorney regarding whether silent auction items that contained fur would be prohibited under the ordinance. City Attorney Jenkins provided clarification that they would be included.

City Attorney Jenkins provided clarification regarding the penalties included in the proposed ordinance. He also suggested that council consider expanding the ordinance to also include a ban on the purchase of fur in the City.

Councilmember D'Amico suggested June 30, 2012 as a proposed date of implementation.

City Manager Arevalo stated that he and Councilmember D'Amico will set up a meeting with the Chamber of Commerce to discuss the ordinance.

**ACTION:** Introduce on first reading Ordinance No. 11-877, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADDING CHAPTER 9.51 TO THE WEST HOLLYWOOD MUNICIPAL CODE TO PROHIBIT THE SALE OF FUR APPAREL PRODUCTS WITHIN THE CITY"; with an amendment to the ordinance to include an implementation

date of June 30, 2012; and with additional direction to the City Attorney to explore the possibility of providing an exemption for vintage clothing stores that sell fur apparel. **Motion by Councilmember D'Amico, Seconded by Mayor Pro Tempore Prang and unanimously approved.**

## **PUBLIC HEARINGS CONTINUED**

### **3.E. 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]:**

*SUBJECT: The City Council will consider changes to the General Plan Land Use Designations Map, 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 a brief background on the Staff Report dated September 19, 2011; specifically regarding a response sent to a letter received from the Altman Group.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke regarding the change of the land use designation for the Faith Plating site.

Councilmember Heilman thanked the Staff, consultants, and the residents for their hard work, specifically Senior Planner Bianca Siegl. He spoke regarding comments on environmental issues and stated that these issues will be addressed as we move forward with the implementation of the Plan.

Councilmember D'Amico thanked Staff as well for their hard work.

**ACTIONS:** Staff recommends that the City Council close the public hearing, and adopt the following: 1) Resolution No. 11-4228, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING GENERAL PLAN AMENDMENT 2010-003, A COMPREHENSIVE UPDATE OF THE CITY OF WEST HOLLYWOOD GENERAL PLAN AMENDING THE GENERAL PLAN IN ITS ENTIRETY BY REPLACING IT WITH A NEW GENERAL PLAN. (Attachment A); 2) Resolution No. 11-4229, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE CLIMATE ACTION PLAN, AN IMPLEMENTATION ACTION OF THE WEST HOLLYWOOD GENERAL PLAN. (Attachment B); and 3) Resolution No. 11-4230, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING THE FINAL ENVIRONMENTAL IMPACT

REPORT ("EIR"), ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE WEST HOLLYWOOD GENERAL PLAN AND CLIMATE ACTION PLAN, WEST HOLLYWOOD, CALIFORNIA. (Attachment C) **Motion by Councilmember Land. Seconded by Councilmember Heilman and approved with Mayor Pro Tempore Prang voting NO.**

**4. UNFINISHED BUSINESS:**

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

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

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

**5. NEW BUSINESS:**

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

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

**ACTIONS:**

The City Council made the following at-large appointments to City Advisory Boards: *Transgender Advisory Board: Erica De La Cruz; Women's Advisory Board: Carla Browning, Wendy Goldman, MaryAnn Szyskowski, and Amy Walia-Fazio*

Mayor Pro Tempore requested that the appointments to the East Side Project Advisory Committee be tabled and requested Staff to bring back the attendance record for the members as well.

**5.B. AIDS WALK 2011 CO-SPONSORED EVENT [S. BAXTER, O. WALKER, C. SMITH]:**

*SUBJECT: The City Council will consider co-sponsorship of AIDS Walk 2011.*

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

**EXCLUDED CONSENT CALENDAR: None.**

**PUBLIC COMMENT: None.**

**ITEM 6.A. WAS HEARD OUT OF ORDER, IMMEDIATELY FOLLOWING ITEM 3.D.**

**COUNCILMEMBER COMMENTS:**

Councilmember D'Amico spoke regarding the proposed plans for the Casden Site and requested the City Manager to report back to Council.

**ADJOURNMENT:** The City Council adjourned at 1:32 a.m. in memory of Harvey Land, Luba Goikman, Seon Huneshian, Delores Hope, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting. It adjourned to their next regular meeting, which will be on Monday, October 3, 2011 at 6:30 P.M. in Council Chambers at West Hollywood Library, 625 N. San Vicente Boulevard.