

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, NOVEMBER 7, 2011
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:30 P.M. – REGULAR MEETING

CALL TO ORDER: Mayor Duran called the meeting to order at 6:36 p.m. Mayor Duran announced that there was additional seating in the upstairs Community Meeting Room.

PLEDGE OF ALLEGIANCE: Jeanne Dobrin 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.

APPROVAL OF AGENDA:

Councilmember Land requested that Item 5.A. be moved to the Consent Calendar, as Item 2.T. Councilmember Heilman requested Staff to determine if the September 17, 2012 City Council Meeting conflicts with a Jewish Holiday.

Councilmember Land requested that the City Manager advise Council on the outcome of the litigation involving redevelopment in relation to the Eastside PAC appointments in Item 5.B. City Manager Arevalo stated that there will most likely not be any type of resolution to this issue before the end of the year. City Council tabled the Eastside PAC Appointments to a future meeting.

Motion by Mayor Pro Tempore Prang, seconded by Councilmember Land to approve the November 7, 2011 agenda as amended. The agenda was unanimously approved.

ADJOURNMENT MOTIONS:

Mayor Pro Tempore Prang requested the meeting be adjourned in memory of hate crime victim, Stuart Walker. He also requested that the meeting be adjourned in memory of Bill Senigram, a volunteer with the Sheriff's Department.

Councilmember Land requested that the meeting be adjourned in memory of Bill Senigram, a volunteer with the Sheriff's Department. She requested the meeting be adjourned in memory of Blanch Samuels, mother of Sandy Samuels, the Executive Director of Bet Tzedek Legal Services. She requested that the meeting be adjourned in memory of Dorothy Rodham, mother of Secretary of State Hillary Rodham Clinton.

Councilmember Heilman requested the meeting be adjourned in memory of Barbara Babbins, mother of Donna Feinstein. He requested that the meeting be adjourned in memory of Collin Worland, great-nephew of city employee Chris Worland. He requested that the meeting be adjourned in memory of Tony Nassimi, owner of Turner's Liquor.

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: Sergeant David G. Robinson, 28, Captain Shawn P. T. Charles, 40, Private 1st Class Steven F. Shapiro, 29, Specialist Christopher D. Gailey, 26, Private 1st Class Sarina N. Butcher, 19, Staff Sergeant Ari R. Cullers, 28, Lieutenant Colonel David E. Cabrera, 41, Staff Sergeant Christopher R. Newman, 26, Sergeant James M. Darrough, 38, Sergeant Carlo F. Eugenio, 29, Staff Sergeant Stephen J. Dunning, 31, Sergeant John A. Lyons, 26, Lance Corporal Jason N. Barfield, 22, Sergeant Edward S. Grace, 39, Lance Corporal Jordan S. Bastean, 19, Private 1st Class Christopher A. Horns, 20, Sergeant 1st Class Kristoffer B. Domeij, 29, 1st Lieutenant Ashley I. White, 24, Sergeant Paul A. Rivera, 26, Staff Sergeant Jorge M. Oliveira, 33, Chief Petty Officer Raymond J. Border, 31, and Staff Sergeant James R. Leep Jr., 44.

PRESENTATIONS:

Mayor Pro Tempore Prang presented a commendation to outgoing Lesbian and Gay Advisory Board Member, Angela Brinskele.

Councilmember Heilman presented a commendation to outgoing Transgender Advisory Board Member, Desiree Sol.

Councilmember Land presented a proclamation in recognition of Nurse Practitioner Week in West Hollywood.

Mayor Duran presented a proclamation to Dr. Mark Katz and Chris Freeman of ONE Institute, in recognition of World AIDS Day. There will be a breakfast in the New Library Community Meeting Room on December 1, 2011.

1. PUBLIC COMMENT:

JEANNE DOBRIN, WEST HOLLYWOOD, commended the City's Social Services Department.

JASON PALMER, WEST HOLLYWOOD, spoke regarding public safety in West Hollywood. He spoke regarding comments that were posted on the "Keep Weho Safe" Facebook page, regarding alleged negative interactions with the Sheriff's Department.

BEN COLEMAN, WEST HOLLYWOOD, spoke regarding public safety issues and crime statistics in West Hollywood.

STEVEN WALKER, LOS ANGELES, stated that he was robbed in the City and spoke regarding his interaction with the Sheriff's Department.

MADELEINE RACKLEY, WEST HOLLYWOOD, spoke in support of the Plummer Park Master Plan.

SHARON SPENCER, WEST HOLLYWOOD, spoke regarding interaction with Staff concerning an issue she had with her landlord here in the City.

MISHA BELLA, LOS ANGELES, spoke in opposition to the Plummer Park Master Plan.

PETER KERR, WEST HOLLYWOOD, spoke in opposition to the Plummer Park Master Plan, specifically the parking.

LUCAS JOHN, WEST HOLLYWOOD, spoke regarding public safety in the City.

SUZANNE DIETRICH, WEST HOLLYWOOD, spoke in support of the Plummer Park Master Plan.

SHEILA LIGHTFOOT, WEST HOLLYWOOD, spoke in support of Item 2.L.

COUNCILMEMBER COMMENTS:

Councilmember D'Amico spoke regarding the recent CalArts West Lecture Series and the upcoming lecture to be held on November 18, 2011 at 7:00 p.m., which will focus on the book "The Art of Cruelty." He spoke regarding the success of the recent Go-Go Dancer Appreciation Day in the City. Councilmember D'Amico asked the Planning Department to provide Council with a report on projects outside of West Hollywood that are within a mile of the City's border. He spoke regarding the success of the recent Halloween event and asked if the City could look into a partnership with the Marketing and Visitor's Bureau to extend the one-day event into a full weekend of events.

Councilmember Land thanked Staff and the Sheriff's Department for a successful Halloween event. She spoke regarding Transgender Remembrance Day and stated that there will be a March on November 20, 2011 at 2:00 p.m. that will end at the Matthew Shephard Memorial. She spoke regarding public comments surrounding public safety in West Hollywood, and the need for all crimes to be reported to the Sheriff's Department. She spoke regarding the possibility of forming a Business Improvement District on Santa Monica Blvd. She spoke regarding the 40th Anniversary of the Lesbian and Gay Community Center and the 40th Anniversary of the restaurant

Mirabelle. She also stated that the Bicycle Task Force will be submitting their recommendations to various boards and commissions and will then be bringing the recommendations to Council. She spoke regarding an upcoming event on December 7, 2011 in the Library's Community Meeting Room entitled "Moving Beyond the Automobile." She also stated that she will not be present at the November 21, 2011 City Council meeting, due to a work conflict.

Councilmember Heilman stated that Councilmember Land will be absent because she will be attending a fund raising event for the Saban Free Clinic and thanked the Clinic for the work they do. Councilmember Heilman asked Staff to follow-up with the constituent who spoke during public comment regarding issues with her landlord. He spoke regarding public safety issues in the City and the need to report all incidents to the Sheriff's Department.

Mayor Pro Tempore Prang spoke regarding a book that is about the history of West Hollywood entitled *Senor Plummer*. He spoke regarding the renovations to Plummer Park and the number of meetings that were held, and the outreach to constituents regarding the planning process for this project. He stated that despite the City's efforts to include everyone in the process; there is a growing concern among constituents and he spoke in support of investigating the possibility of modifications to the project that might help mitigate those concerns.

Mayor Duran spoke regarding the successful Halloween event, with over 400,000 people in attendance, and a minimum number of arrests. He spoke regarding Veteran's Day and stated that there will be a ceremony on Friday, November 11, 2011 at 11:00 a.m. at the Veteran's Memorial. He spoke regarding the recent Annual Congress of Boards and Commissions held on November 5, 2011, with over 100 board members and commissioners in attendance.

Sheriff's Captain Frasier spoke regarding public safety issues in the City. She reported that the crime numbers are down. She further spoke regarding the need for continued partnership between the Sheriff's and the citizens and asked that everyone report any crimes that occur in the City. She reported that there will be increased bike and foot patrols as well as a Reserve Task Force to handle public safety issues in the City. She expressed concern over comments regarding negative interactions with the Officers and stated that she will address this issue. She also invited everyone to participate in the "Walk Against Hate" which will be held on Friday at 7:00 p.m. on Santa Monica and San Vicente Blvd. She reported that the Sheriff's Department has spoken with the victim of the incident mentioned during public comment and stated that she would continue to investigate this issue.

Councilmember Land asked that the Sheriff's create a hand-out to be given out during the event on Friday to inform residents of how to report crimes. Captain Fraiser stated that they will be handing out pamphlets.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding Mayor Pro Tempore Prang's comments regarding Plummer Park. He stated that meetings have been held with the residents, and the City will be re-examining the plans as they relate to mitigation issues, parking, and other impacts to the Park and neighboring residents.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$233,954 in expenditures and \$8,200 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(5A). **Motion by Councilmember Land, seconded by Mayor Pro Tempore Prang, and unanimously approved noting Councilmember D'Amico's NO Vote on Item 2.M.**

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the regular meeting of Monday, November 7, 2011 was posted on Thursday, November 3, 2011 at City Hall, Plummer Park, the West Hollywood Sheriff's Station and the West Hollywood Library.

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 October 17, 2011. **Approved as part of the consent calendar.**

2.C. DEMAND REGISTER NO. 685, RESOLUTION NO. 11-4240:

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

ACTION: Approve Demand Register No. 685 and adopt Resolution No. 11-4240, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 685." **Approved as part of the consent calendar.**

2.D. CLAIMS ADMINISTRATION:

SUBJECT: The City Council is asked to deny Claims filed against the City, as a routine administrative step in claims processing.

ACTION: Deny the claim of Jeffrey Calhoun and refer to the City's claims adjuster for action. **Approved as part of the consent calendar.**

- 2.E. TREASURER'S REPORT FOR JULY 2011 [A. GANDHY, G. SCHUCHARD]:**
SUBJECT: The City Council will receive the Treasurer's Report for the month ended July 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.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**
SUBJECT: The City Council will receive reports from the Disabilities Advisory Board, Public Facilities Commission, Public Safety Commission, Senior Advisory Board, Transgender Advisory Board, Transportation Commission, and the Women's Advisory Board, on actions taken at their recent meetings.
ACTION: Receive and file. **Approved as part of the consent calendar.**
- 2.G. END OF CALIFORNIA'S LEGISLATIVE YEAR REPORT AND UPDATE ON FEDERAL LEGISLATION OF INTEREST TO THE CITY [P. AREVALO, H. MOLINA]:**
SUBJECT: The City Council will receive an update report on bills in which the City Council or the City Manager communicated on behalf of the City with public officials in the California Legislature and U.S. Congress in 2010/2011.
ACTION: Receive and File. **Approved as part of the consent calendar.**
- 2.H. AMENDMENT TO CONCESSION AGREEMENT WITH COAST PARKING, INC. FOR VALET PARKING SERVICES [O. DELGADO, J. ROCCO, D. NORTE]:**
SUBJECT: The City Council will consider an amendment to the concession agreement with Coast Parking, Inc. for valet parking services.
ACTIONS: 1) Extend the term of the concession agreement by one (1) year, through June 30, 2012 with an option to extend the agreement by one (1) additional year; 2) Amend the scope of services to remove West Hollywood Park and add the El Tovar lot with a monthly rent paid to the City of \$1,000 for use on Friday and Saturday nights only from 6 p.m. to closing; 3) Incorporate clean up language in the scope of services to reflect that maximum valet rates are in accordance with the amount listed in the Department of Public Works Schedule of Fees and Charges rather than a specific amount; and 4) Authorize the City Manager to sign the amendment. **Approved as part of the consent calendar.**
- 2.I. ARTS AND CULTURAL AFFAIRS COMMISSION 2012 ARTS GRANT PROGRAM ANNUAL AWARDS [P. AREVALO, J. HUFFER, A. CAMPBELL]:**
SUBJECT: The Council will consider the Arts and Cultural Affairs Commission recommendations to award annual Arts Grant Program grants to 15 arts organizations in accordance with guidelines previously adopted by City Council.

ACTIONS: 1) Approve recommendations of the Arts and Cultural Affairs Commission to award 2012 annual Arts Grant Program grants and technical assistance totaling \$65,441 as outlined in Exhibit A; and 2) Approve the use of the West Hollywood Library Public Meeting Room (Council Chambers) for specific performances and presentations by grantees in fulfillment of their Art Grant projects as indicated in Exhibit A. **Approved as part of the consent calendar.**

2.J. RE-PROGRAMMING SAVINGS FOR SOCIAL SERVICES PROGRAM INCREASES [S. BAXTER, D. DENNIS]:

SUBJECT: The City Council will consider staff and Human Services Commission recommendations for increases to social services programs to meet growing demand in the community for food and nutrition services and to provide services for the Russian immigrant community, using savings returned to the City from previous year's contracts and un-allocated funds.

ACTIONS: 1) Approve a contract amendment for \$32,152 with Jewish Family Service, SOVA Community Food and Resource Program, for an additional 1,560 visits to the pantry, and authorize the City Manager to sign the amendment; and 2) Approve a contract amendment for \$39,310 with Jewish Family Service, home-delivered meals program, for an additional 6,595 home-delivered meals for Seniors and people living with disabilities, and authorize the City Manager to sign the amendment; and 3) Approve a contract amendment for \$30,000 with Jewish Family Service, Comprehensive Services Center for a part-time social worker to provide concrete services, advocacy, case management and counseling for West Hollywood community members who accessed services at the Russian Community Center, and authorize the City Manager to sign the amendment; and 4) Authorize the Director of Finance to allocate \$35,000 from undesignated reserves in the general fund and increase the budgeted expenditures by \$35,000 in account number 100-3-05-53-536023. These funds were returned to the City in FY 10 by agencies whose contracts were not completely expended. **Approved as part of the consent calendar.**

2.K. REQUEST FOR PROPOSAL FOR SUBSTANCE ABUSE TREATMENT SERVICES [S. BAXTER, D. GIUGNI]:

SUBJECT: The City Council will consider a recommendation to release a Request for Proposal to current social services providers for provision of substance abuse treatment services using funds previously allocated to Rainbow Bridge Community Services, which terminated its contract with the City effective 12/31/10 and is no longer in existence.

ACTION: Release a Request for Proposal to current contract service providers for the provision of substance abuse treatment services for members of the West Hollywood community expending \$60,051 in funds previously allocated to Rainbow Bridge Community Services. **Approved as part of the consent calendar.**

2.L. CHANGES TO THE RENT STABILIZATION ORDINANCE IN RESPONSE TO THE ADOPTION OF SENATE BILL (SB) 332 PADILLA [J. DURAN, H. MOLINA, J. D'AMICO, M. REX]:

SUBJECT: The item asks the City Council to consider directing the City Attorney to draft language amending the Rent Stabilization Ordinance (RSO) to clarify that the newly adopted law (SB 332) does not grant landlords the ability to evict existing tenants in West Hollywood who smoke in their units.

ACTIONS: 1) Direct the City Attorney to draft language aimed at making some changes to the RSO so that it clearly states that landlords cannot use the newly enacted law, SB 332 (Padilla), for the purpose of changing the terms of tenancy; and 2) City Attorney to come back to City Council with draft language on December 5, 2011 session. **Approved as part of the consent calendar.**

2.M. RESCINDING RESOLUTION NO. 10-3995, REGARDING ARIZONA'S ANTI-IMMIGRATION LAW [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will consider adopting a resolution to rescind City Council Resolution 10-3995, denouncing Arizona's anti-immigration law and suspending official City travel to the State of Arizona.

ACTION: 1) Adopt Resolution No. 11-4241, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD RESCINDING RESOLUTION NO. 10-3995." **Approved as part of the consent calendar, noting Councilmember D'Amico's NO Vote.**

2.N. USE OF CITY FACILITIES BY THE WEST HOLLYWOOD LIBRARY FUND BOARD [P. AREVALO, J. HUFFER]:

SUBJECT: The City Council will consider approving the use of the West Hollywood Park and Library Complex on Thursday, November 17, 2011 for a special event sponsored by the West Hollywood Library Fund Board celebrating the book launch of A Perfect Haze: The Illustrated History of the Monterey International Pop Festival and announcement of Library Capital Campaign contribution.

ACTIONS: 1) Approve use of the City Council Chambers and Auto Court for the event scheduled from 6:30 pm – 9:30 pm on November 17, 2011; 2) Authorize staff to work with the West Hollywood Library Fund Board, event producers and the County Library to stage the event at the Library; 3) Allow the service of alcoholic beverages as part of the event on City-owned property; 4) Waive all City-related fees for the event including but not limited to special event fees, facility use fees and parking fees for

event attendees; and 5) Authorize the City Manager to approve final event concept. **Approved as part of the consent calendar.**

2.O. TOY BOX HOLIDAY CHARITY FUNDRAISER SPONSORSHIP [J. PRANG, M. HAIBACH, A. LAND, C. PLANCK]:

SUBJECT: The City Council will consider co-sponsorship of the 16th Annual Toy Box Party, hosted by Frontiers IN LA, Micky's, Eleven Nightclub, Revolver and Trunks. Toys will be distributed for free to families affected by HIV/AIDS. This is the 16th annual community centered grass roots event and the fifth in a row held in the heart of West Hollywood, on Sunday, December 11, 2011.

ACTIONS: 1) Authorize co-sponsorship of the Toy Box Party, which includes: a) Authorize the use and closure of Larrabee Street between Santa Monica Boulevard and Cynthia Street between 12 p.m. – 9 p.m. Sunday, December 11th as outlined in Exhibit A for the 2011 Toy Box Party; and b) Authorize the waiver of all applicable City of West Hollywood Special Event Permit and Encroachment Fees, and additionally direct City Recreation Services Staff to coordinate street closure, event set up and tear down with event organizers. **Approved as part of the consent calendar.**

2.P. ROCKSTAR MUSIC EDUCATION EVENT CO-SPONSORSHIP [J. PRANG, M. HAIBACH, A. LAND, C. PLANCK]:

SUBJECT: The City Council will consider co-sponsorship of the Winter Rockfest 2012 by RockSTAR, an elementary school music education program, on February 4, 2012 in the City of West Hollywood at The Roxy, The Whisky, and The Key Club. RockSTAR will bring together over 150 elementary school student bands (including several elementary schools from West Hollywood), involving over 150 families, many of whom are low-income, to perform at one of the West Hollywood's legendary rock 'n roll venues.

ACTIONS: 1) Authorize co-sponsorship of the RockSTAR's Winter Rockfest 2012, which includes authorization to use the City logo in all promotional materials as a co-sponsor; as well as authorizing the City's PIO to assist in the promotion of the event. **Approved as part of the consent calendar.**

2.Q. SUPPORT OF TRANSGENDER DAY OF REMEMBRANCE [K. COOK, B. SMITH, D. ESCOBEDO]:

SUBJECT: The City Council will consider supporting the Transgender Day of Remembrance to be held on November 20, 2011; co-sponsored by the West Hollywood Transgender Advisory Board.

ACTIONS: 1) Direct staff to work with the West Hollywood Transgender Advisory Board to support the Day of Remembrance ceremony to be held on November 20, 2011; 2) Approve a rolling street closure on Santa Monica Boulevard between Martel Avenue and Crescent Heights Boulevard on Sunday, November 20, 2011 from approximately 2:30 PM to

3:30 PM to accommodate a march in honor of Day of Remembrance; 3) Approve a street closure on Crescent Heights Boulevard between Santa Monica Boulevard and Norton Avenue on Sunday, November 20, 2011 from 1 PM to 5 PM to accommodate a ceremony in honor of Day of Remembrance; and 4) Waive special event permit fees of \$800.
Approved as part of the consent calendar.

2.R. PROCLAIM DECEMBER 1, 2011 AS “WORLD AIDS DAY” AND APPROVE CITY PARTICIPATION IN RELATED EVENTS AND SPONSORSHIP OF “THEY WERE AMONG US” [J. DURAN, H. MOLINA, D. GIUGNI]:

SUBJECT: The City Council will consider adopting a resolution proclaiming December 1, 2011 as World AIDS Day and approve City participation in related events and sponsorship of “They Were Among Us”, a commemorative event of the ONE Archives.

ACTIONS: 1) Adopt Resolution 11-4242, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING DECEMBER 1, 2011 AS WORLD AIDS DAY.”; and 2) Direct staff to work with HIV/AIDS organizations and providers to assist in organizing the annual recognition program including an educational component and approve sponsorship of “They Were Among Us”, reflection on 30 years of the AIDS epidemic. **Approved as part of the consent calendar.**

2.S. ARTS AND CULTURAL PROGRAMMING AT THE NEW WEST HOLLYWOOD LIBRARY [P. AREVALO, J. HUFFER, A. CAMPBELL]:

SUBJECT: The City Council will consider authorizing the use of the West Hollywood Library Public Meeting Room (Council Chambers) for arts and culture performances.

ACTION: 1) Approve the use of the West Hollywood Library Public Meeting Room (Council Chambers) for arts and culture performances and presentations as recommended by the Arts and Cultural Affairs Commission. **Approved as part of the consent calendar.**

2.T. (5.A.) DISCUSSION OF CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2012 AND SCHEDULING DATES FOR ELECTION AND INSTALLATION OF NEW MAYOR AND MAYOR PRO TEMPORE FOR 2012 [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will consider approving the City Council Regular Meeting Schedule for Calendar Year 2012, canceling or rescheduling several meetings throughout the year that conflict with holidays, and scheduling the dates for the election and installation of the new Mayor and Mayor Pro Tempore in 2012.

ACTIONS: 1) Cancel the meeting of January 2, 2012; 2) Reschedule the meeting of January 16, 2012 to January 17, 2012; 3) Reschedule the meeting of February 20, 2012 to February 21, 2012; 4) Reschedule the meeting of September 3, 2012 to September 4, 2012; 5) Schedule the election of the new Mayor and Mayor Pro Tempore for March 19, 2012; 6)

Schedule the installation of the new Mayor and Mayor Pro Tempore for April 16, 2012; and 7) Approve the City Council Regular Meeting Schedule for Calendar Year 2012. **Approved as part of the consent calendar.**

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSION'S APPROVAL TO CONSTRUCT A PARKING STRUCTURE AND ISSUE A CONDITIONAL USE PERMIT TO AN EXISTING NON-CONFORMING RELIGIOUS FACILITY LOCATED AT 1317 CRESCENT HEIGHTS BOULEVARD. [A. MCINTOSH, J. KEHO, A. GALLO]:

SUBJECT: The City Council will hold a public hearing to consider an appeal filed by Jerry Ptashkin, neighboring residential property owner, and Abdy Khorramian, project applicant, regarding the Planning Commission's decision to approve the construction of a 101-space parking structure to replace the existing on-site 51-space surface parking lot and issue a conditional use permit to an existing non-conforming use located at 1317 Crescent Heights Boulevard.

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 November 7, 2011.

Councilmember Heilman disclosed that he met with the appellant, the applicant and he visited the site.

Councilmember Land disclosed that she spoke with the neighbors, the applicant and she visited the site on two occasions.

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

Mayor Pro Tempore Prang disclosed that he met with the representatives for the appellant, the applicant and he visited the site.

Mayor Duran disclosed that he spoke with a representative for the applicant, the neighbors, and he visited the site.

Adrian Gallo spoke regarding several revisions to the proposed Resolution for this Item.

Councilmember D'Amico requested clarification regarding the proposed hours of operation.

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

MICHAEL LEWIS, REPRESENTING THE APPLICANT, spoke in support of the project.

Councilmember Land requested clarification on the hours of operation requested by the applicant.

Councilmember D'Amico requested clarification regarding the next steps in the design review process if the project is approved.

TIM RILEY AND MIKE MERRIGAN, REPRESENTING THE APPELLANT, spoke in support of the neighbors' appeal and in opposition to the project.

DANIEL TORRES, WEST HOLLYWOOD, spoke in opposition to the project.

DAVID TROPPER, LOS ANGELES, spoke in opposition to the project.

MARLA MILLER, WEST HOLLYWOOD, spoke in opposition to the project.

ANN THORNE, WEST HOLLYWOOD, spoke in opposition to the project.

BOLEN HIGH, WEST HOLLYWOOD, spoke in opposition to the project.

HILLARY RIPPS, WEST HOLLYWOOD, spoke in opposition to the project.

JORDAN ANCEL, WEST HOLLYWOOD, spoke in opposition to the project.

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

PETER C. HALL, WEST HOLLYWOOD, spoke in opposition to the project.

KAREN DEMILLE KENNEDY, WEST HOLLYWOOD, spoke in opposition to the project.

BRITTNEY VERNA, WEST HOLLYWOOD, spoke in opposition to the project.

PASCAL GOUPIL, WEST HOLLYWOOD, spoke in opposition to the project.

YONG SONG, WEST HOLLYWOOD, spoke in opposition to the project.

DAVID KALE, WEST HOLLYWOOD, spoke in opposition to the project.

SHERI LIN, WEST HOLLYWOOD, spoke in opposition to the project.

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

KELLEY HARRON, WEST HOLLYWOOD, spoke in opposition to the project.

GRAFTON TANQUARY, WEST HOLLYWOOD, spoke in opposition to the project.

EDWARD GOLDSMITH, WEST HOLLYWOOD, spoke in opposition to the project.

EBON ALABASTUR, WEST HOLLYWOOD, spoke in opposition to the project.

ANISSA KOH, WEST HOLLYWOOD, spoke in opposition to the project.

PATRICIA GERTALDI, WEST HOLLYWOOD, spoke in opposition to the project.

TONY KAYDEN, WEST HOLLYWOOD, spoke in opposition to the project.

JUSTIN ROSS, WEST HOLLYWOOD, spoke in opposition to the project.

MARK HOWELL, WEST HOLLYWOOD, spoke in opposition to the project.

STELLA DEBIBI, LOS ANGELES, spoke in support of the project.

SHAHLA JAVDAN, BEVERLY HILLS, spoke in support of the project.

MIKE NAZARIAN, LOS ANGELES, spoke in support of the project.

KAMRAN BROUKHIM, BEVERLY HILLS, spoke in support of the project.

STEVE PARGAMANIK, WEST HOLLYWOOD, spoke in support of the project.

DIANE SCHOOLSKY, WEST HOLLYWOOD, spoke in opposition to the project.

Mayor Duran read the following names of those who submitted Citizen Position Slips in opposition to the project, but did not wish to speak:

EBON ALABASTUR, WEST HOLLYWOOD; DANIEL TORRES, WEST HOLLYWOOD; TONY KAYDEN, WEST HOLLYWOOD; DIANE SCHOOLSKY, WEST HOLLYWOOD; KELLEY HARRON, WEST HOLLYWOOD; SCOTT MCLLYRY, WEST HOLLYWOOD; JENNIFER NAHUM BROWN, WEST HOLLYWOOD; CHARLES FIORINA, WEST HOLLYWOOD; JANET STREDICKE, WEST HOLLYWOOD; GARY DEPEW, WEST HOLLYWOOD; BENJAMIN CHAMG, WEST HOLLYWOOD; SARIT FREIBERG, WEST HOLLYWOOD; ALEX HINTON, WEST HOLLYWOOD; MOSHE FRIEBERG, WEST HOLLYWOOD; MIRIAM GOLDSMITH, WEST HOLLYWOOD; CATHY BLAIVAS, WEST HOLLYWOOD; STEVE FORD, WEST HOLLYWOOD; LINDA WANG, WEST HOLLYWOOD; ZHIXIANG ZHANG, WEST HOLLYWOOD; and MIJIA ZHANG, WEST HOLLYWOOD.

TIM RILEY, REPRESENTING THE APPELLANT, provided a rebuttal.

MICHAEL LEWIS, REPRESENTING THE APPLICANT, provided a rebuttal.

Councilmember Land requested clarification on the current hours of operation. Adrian Gallo stated that currently they are operating under the following voluntary hours: 8:00 a.m. – 12:30 a.m. Monday-Friday, and 8:00 a.m. – 1:30 a.m. Saturday – Sunday.

Councilmember D'Amico requested clarification regarding security requirements in the proposed resolution and requested clarification of the final approval of the lighting and roof top parking design. Adrian Gallo stated that these items will be approved during Plan Check.

Mayor Duran closed the public hearing.

Councilmember Heilman thanked everyone who provided public comment. He spoke regarding comments made surrounding who is being served by the facility, and stated that the City does not have the ability to dictate who a religious organization serves. He spoke regarding the public comment surrounding the facility being non-compliant with current codes and stated that due to the age of some of the buildings in the City, many are labeled as non-compliant. He spoke regarding allegations of monies received by Council from the IAJC and stated that the only funds he has received are a campaign contribution within the legally acceptable limit. He spoke regarding the potential for additional parking to help mitigate traffic problems. He spoke regarding the difficulties of finding a balance between the IAJC and the neighboring residents. He spoke regarding concerns with the choice of consultants hired in the past by the IAJC. He spoke in support of a parking structure to help mitigate concerns, but expressed concerns regarding the proposed parking structure, particularly

concerns regarding the five foot set-back and the open deck roof top located in close proximity to the neighboring residents.

Councilmember Land thanked everyone who came out to speak. She spoke regarding the ongoing frustrations on both sides. She expressed concerns regarding the parking structure's set-back and roof top access. She expressed concern over the proposed hours of operation, and stated that the hours need to be looked at as part of the balance between the IAJC and the neighboring residents.

Mayor Pro Tempore Prang thanked everyone who came out to speak. He spoke regarding the challenges facing this location. He stated that although some of the concerns have been eased by the new voluntary hours of operation, there are still issues that need to be resolved. He stated that although a parking structure will help mitigate some of the traffic and noise concerns, he expressed concerns regarding the proposed structure.

Councilmember D'Amico spoke in support of coming to a resolution on the issue as quickly as possible. He expressed concerns regarding the proposed design of the parking structure, particularly the five foot set-back and the open deck rooftop parking. He spoke regarding the possibility of asking Staff to propose a structure that would provide more light and sound mitigation. He spoke in support of moving forward with direction to redesign the parking structure and allow the City to issue a Conditional Use Permit to regulate the hours of operation.

Mayor Duran thanked everyone who came out to speak. He spoke regarding the public comment surrounding the City of West Hollywood being a place of non-discrimination and where all are welcome. He spoke regarding adverse traffic and noise impacts that accompany religious facilities because of the large gatherings of people. He spoke regarding the lack of ability for the City to regulate the activities of places of worship. He stated that what the City can do is address the issues of the hours of operation, parking, traffic, noise and lights. Mayor Duran spoke in support of a parking structure, but one that has more enclosure and helps to mitigate the noise and light issues. He spoke in support of more reasonable hours during the week, with more flexible hours on Friday and Saturday nights.

Councilmember Land and Mayor Pro Tempore Prang spoke in support of the issue being brought to a resolution as soon as possible.

Mayor Duran spoke regarding the fact that the City is not able to assist with the cost of the structure, so the proposals from Council should not be so cost prohibitive as to prevent the project from being completed.

Councilmember Heilman spoke in support of granting the appeal of the neighbors and directing the applicant to return with a redesigned parking structure that addresses both the set-back and the enclosure of the roof top parking deck. He spoke in support of modifying the hours of operation during Monday-Thursday.

Councilmember D'Amico expressed concerns regarding a fully enclosed parking structure and the possibility of creating fan and exhaust noise. He spoke in support of exploring different lighting and sound mitigation techniques.

Mayor Pro Tempore Prang asked for clarification regarding the options for modifying the set-back. Anne McIntosh, Director of Community Development, stated that there is room for additional set-back by reducing the width of the driveway or by increasing the upper-level set-back.

Mayor Duran asked the Applicant if they would agree to modifications proposed by City Council. Mr. Lewis stated that the Applicant is open to working with Staff on some modifications but had some concerns regarding set-backs. Mayor Duran stated that Council would like the Item to come back to them for final approval in 30-days. Ann McIntosh stated that this would be possible if the Applicant can submit something to the City within two weeks.

Councilmember Heilman expressed concerns regarding the mention of minor modifications and reminded the applicant of the need to address the concerns of the Council in the proposed redesign.

Councilmember Land stated that the Council has made their direction to the applicant clear and spoke in support of the need to continue the hearing again if the applicant is not able to make the necessary changes.

ACTIONS: Re-open the public hearing and continue the Item to the December 5, 2011 City Council Meeting; with additional direction to notice all public speakers who were in attendance. **Motion by Mayor Pro Tempore Prang, seconded by Councilmember Land and unanimously approved**

4. UNFINISHED BUSINESS: None

5. NEW BUSINESS:

5.A. (2.T.) DISCUSSION OF CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2012 AND SCHEDULING DATES FOR ELECTION

AND INSTALLATION OF NEW MAYOR AND MAYOR PRO TEMPORE FOR 2012 [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will consider approving the City Council Regular Meeting Schedule for Calendar Year 2012, canceling or rescheduling several meetings throughout the year that conflict with holidays, and scheduling the dates for the election and installation of the new Mayor and Mayor Pro Tempore in 2012. Approved as part of the consent calendar as Item 2.T.

5.B. 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.

City Clerk Schaffer provided background information as outlined in the staff report dated November 7, 2011.

ACTION:

Mayor Pro Tempore Prang made the following direct appointment to the City Commissions/Boards: *Public Facilities Commission: Robert Burke.*

Mayor Duran made the following direct appointment to City Commissions/Boards: *Lesbian and Gay Advisory Board: Andrew Oldershaw.*

The City Council made the following at-large appointments to the *Russian Advisory Board: Raisa Aguf, Nonna Danilkevich, Luybov Levitan, and Diana Volman.*

The City Council tabled the at-large appointments to the Project Advisory Committee.

EXCLUDED CONSENT CALENDAR: None

PUBLIC COMMENT:

LINDSEY HORVATH, WEST HOLLYWOOD, spoke regarding the recent Love Your Body Day Event. She applauded the various Awards won by the City and how it was advertised through social media. She spoke regarding the Plummer Park Master Plan.

LYNDIA LOWY, WEST HOLLYWOOD, spoke regarding the Plummer Park Master Plan and thanked City Council for their appointments to the Russian Advisory Board.

GREGORY WOODSELL, WEST HOLLYWOOD, spoke in support of the Plummer Park Master Plan.

ANDREW MILLER, WEST HOLLYWOOD, spoke in opposition to the proposed parking for Plummer Park.

6. LEGISLATIVE:

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

SUBJECT: The City Council will either adopt on second reading an ordinance introduced on September 19, 2011 that would prohibit the sale of fur apparel products within the City of West Hollywood or alternately introduce on first reading a modified ordinance based on their comments at that meeting as prepared by the City Attorney.

Mayor Duran reported that Councilmember D'Amico and Mayor Pro Tempore Prang were established as a Sub-Committee to outreach to the business community regarding the proposed ordinance.

Mayor Pro Tempore Prang reported that he and Councilmember D'Amico met with members of the community, representatives from the Chamber of Commerce, Marketing and Visitor's Bureau, The Avenues, and City Staff. He stated that the sub-committee worked with the City Attorney regarding the verbiage for the Ordinance, and that the proposed recommendation is to ban all apparel as defined by the Federal Government, which would include shoes.

Councilmember D'Amico provided clarification regarding the discussion surrounding the definition of apparel and the labeling requirements for fur products.

Councilmember Heilman stated that the current recommended Ordinance seems to have been expanded from the previous proposed Ordinance. Mayor Pro Tempore Prang stated that this was based on a conversation with the City Attorney to ensure that the City created a defensible Ordinance.

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

HAYDEN HAMILTON, WEST HOLLYWOOD, spoke in support of the Item.

TONY MELIA, WEST HOLLYWOOD, spoke in opposition to the Item.

BILL DYER, VENICE, spoke in support of the Item.

PRABHAT GAUTAM, LOS ANGELES, spoke in support of the Item.

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

BRAD BURLINGAME, CEO OF THE MARKETING AND VISITORS BUREAU, spoke in opposition to the Item.

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

RYAN FARBER, ON BEHALF OF THE AVENUES, spoke in opposition to the Item.

JUNE AVERSENG, LOS ANGELES, spoke in support of the Item.

LAUREN SHLAU, LOS ANGELES, spoke regarding a study she and her Company conducted in the City regarding this Item.

ELLEN LAVINTHAL, BEVERLY HILLS, spoke in support of the Item.

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

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

DANNY ROMAN, WEST HOLLYWOOD, spoke in support of the Item.

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

MICHAEL LEE, WEST HOLLYWOOD, spoke in opposition to the Item.

DANIEL WACHTENHEIM, WEST HOLLYWOOD, spoke in opposition to the Item.

NICOLE SMITH, LOS ANGELES, spoke in opposition to the Item.

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

MICHELE LANDEROS, LOS ANGELES, spoke in opposition to the Item.

REBECCA GOLDSMITH, LOS ANGELES, spoke in opposition to the Item.

DAVID KLEIN, LOS ANGELES, spoke in opposition to 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.

BOB LINDEN, NORTHRIDGE, spoke in support of the Item.

RENE AVERSENG, LOS ANGELES, spoke in support of the Item.

SCOTT SAMSON, WEST HOLLYWOOD, spoke in support of the Item.

FAWN, LOS ANGELES, spoke in support of the Item.

STEVEN JAY BERNHEIM, BEVERLY HILLS, spoke in support of the Item.

DOUGLAS FINE, WEST HOLLYWOOD, spoke in opposition to the Item.

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

ELIZABETH JOHANSEN, LOS ANGELES, spoke in support of the Item.

Mayor Duran read the following names of those who submitted Citizen Position Slips in opposition to the Item, but did not wish to speak: BEN COLEMAN, WEST HOLLYWOOD.

Mayor Duran read the following names of those who submitted Citizen Position Slips in support of the Item, but did not wish to speak:

LORI KEGLER, SAN PEDRO; SUSANNAH KEGLER, SAN PEDRO; JOHN KEGLER, SAN PEDRO; KATHLEEN MANGRICH, POMONA; KEVIN SUSCAVAGE, NORTH HOLLYWOOD; NANCY HOUANG, WEST HOLLYWOOD; TARA FERRIS, S. PASADENA; JANA KOHL, BEVERLY HILLS; TOM PORTER, WEST HOLLYWOOD; JEANNE DOBRIN, WEST HOLLYWOOD; LAURIE PALADINO, WEST HOLLYWOOD; TIM WEBBER, CULVER CITY; JAMES JENSVOLD, LOS ANGELES; MIRIAM GOLDMAN, WEST HOLLYWOOD; ASHLEY ZARATE, DOWNEY; CINDY BEAL, WEST HOLLYWOOD; MIKE MARS, WEST HOLLYWOOD; VALERIE GARCIA, WEST HOLLYWOOD; BARABARA ROBERTSON, LOS ANGELES; CATHY BLAIVAS, WEST HOLLYWOOD; JENNIFER CONRAD, SANTA MONICA; LESLIE ARAUJO-GUEVARE, LOS ANGELES; DAVID CARLAT; NORMAL SANDLER, WEST HOLLYWOOD; ZACH BASS, LOS ANGELES; ELIZABETH JOHANSEN, LOS ANGELES; KELLY DESILET, LOS ANGELES; INGER EPELAND, WEST HOLLYWOOD, BENJAMIN HUH, LOS ANGELES; MARIADELA PEREZ-ALBELA, LONG BEACH; DIANA MERA, LONG BEACH; LENKA FILL, LONG BEACH; WILLOW EVANS, SANTA MONICA; SHARON SPENCER, WEST HOLLYWOOD; YVETTE BUSOT, WEST HOLLYWOOD; BRYAN MONELL, BEVERLY HILLS; SARA COZOLINA, WESTCHESTER; ANGELA FLURRY, WEST HOLLYWOOD; SAMANTHA DIEHL, WEST HOLLYWOOD, CHRISTI METROPOLE, LOS ANGELES;

ECIZ ABETHTRAN, WEST HOLLYWOOD; DEBORAH CORDAY, WEST HOLLYWOOD; JENNY TROXEL, LOS ANGELES; RITA BERHENCOURT, WEST HOLLYWOOD; LYNN RUSSELL, WEST HOLLYWOOD; and BRITNEY Z. NORTHER, WEST HOLLYWOOD.

Councilmember Land thanked everyone who came out to speak on the Item. She spoke regarding her previous vote on this Item, and stated that she is against fur, but stated that this Item has caused a divide in the City. She spoke regarding the need for discussion about whether the proposed ordinance is the best solution to end the sale of fur in the City. She spoke regarding the businesses who don't want to sell fur, and the need to create something that is not just symbolic but that would truly end the sale of fur on a larger scale. She spoke regarding reaching out to the other west side cities to create a dialogue regarding this issue.

Councilmember Heilman thanked everyone who provided public comment. He spoke regarding the challenge of becoming a fur free City over the objections from the business community; which might not accomplish the goal of ending animal cruelty because businesses might simply sale fur online or at other locations outside the City. He spoke regarding getting businesses and others involved in adopting a "fur-free pledge" as a possible alternative. He spoke regarding the difficulty of making distinctions between the sale of fur apparel and fur furniture, and the distinction between selling fur and selling other animal products. He spoke regarding the possibility of passing the Ordinance but waiting to enforce it until other cities pass a similar ordinance, as the City did with the smoking ordinance. He spoke regarding the possibility of creating a City-sponsored program that works with the businesses to voluntarily become fur-free.

Councilmember D'Amico provided clarification regarding the exclusions for fur products in the proposed ordinance. He provided additional statistics regarding the percentages of revenue for businesses from fur sales, and stated that there is a small portion of the business community who expressed their concerns. He spoke regarding the proposed extension of the implementation of the Ordinance to September 2013.

Mayor Duran spoke regarding the proposed Ordinance and the difficulty of finding compromise between the people on both sides of the issue. He spoke in support of adopting the Ordinance, but also spoke in support of gathering more data to fully understand the impact on businesses located in West Hollywood, and the cost of potential litigation. He spoke in support of adopting the Ordinance, with direction given to City Manager to hire a consultant to conduct a study to determine impacts on the business community associated with the Ordinance. He also expressed concerns regarding including accessories in the proposed Ordinance.

Mayor Pro Tempore Prang spoke regarding the fact that the City Council has been in the forefront in adopting ground breaking legislation, particularly in regards to animal rights legislation.

Councilmember Land expressed concerns regarding adopting the ordinance without obtaining more data regarding impacts on the business community and having more discussion regarding the issue.

Mayor Duran spoke regarding the implementation date being in 2013, which would allow time to gather information, and for those that are in support, to encourage Los Angeles to consider adopting a similar ordinance.

Councilmember Heilman spoke regarding the message that will be sent to the business community if the Ordinance is passed tonight. He also spoke regarding removing the inclusion of accessories.

Councilmember Land stated although she believes in the concept of the Item, she is abstaining because she is not in support of the process.

ACTION: 1) Re-introduce on First Reading an amended 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." (Amended to include an exemption for used clothing sold by private parties, non-profits and resale shops including pawn shops; an effective date of September 21, 2013; and an exemption for the sale of fur by non-profit organizations); and 2) give additional direction to the City Manager to hire a consultant to gather information regarding the impacts of the ordinance and return to the City Council within six months.

Motion by Mayor Duran, seconded by Councilmember D'Amico and approved, noting the NO Vote of Councilmember Heilman and the Abstention of Councilmember Land.

ADJOURNMENT: The City Council adjourned at 12:40 a.m. in memory of Stuart Walker, Bill Senigram, Blanch Samuels, Dorothy Rodham, Collin Worland, Barbara Babbitt, Tony Nassimi, and all the soldiers who died in Iraq and Afghanistan since the last City Council meeting. The City Council adjourned to their next regular meeting, which will be on Monday, November 21, 2011 at 6:30 P.M. in the West Hollywood Park Public Meeting Room - Council Chambers, 625 N. San Vicente Boulevard.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 21st day of November, 2011 by the following vote:

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

JOHN J. DURAN, MAYOR

ATTEST:

COREY SCHAFFER, CITY CLERK