

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, MAY 7, 2012
WEST HOLLYWOOD PARK PUBLIC MEETING ROOM - COUNCIL CHAMBERS
625 N. SAN VICENTE BOULEVARD**

6:30 P.M. – REGULAR MEETING

CALL TO ORDER: Mayor Prang called the meeting to order at 6:39 p.m.

PLEDGE OF ALLEGIANCE: Vince Wong led the Pledge of Allegiance.

ROLL CALL:

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

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 6:00 p.m. He stated that there was no public comment. He reported that no additional items were added to the agenda. He stated that the closed session adjourned at 6:35 p.m. with no reportable action.

APPROVAL OF AGENDA:

Mayor Pro Tempore Land requested that Item 6.B. and Item 6.C. be moved to the Consent Calendar as Item 2.S. and Item 2.T. respectively.

Councilmember Heilman requested that Item 5.B. be moved to the Consent Calendar as Item 2.U., with additional direction to staff to continue outreach and to include within the EIR any and all properties that are brought to the City’s attention up until the date that the EIR process commences.

Councilmember Heilman asked that Item 2.J. be tabled.

Councilmember D’Amico asked that Item 2.F. be moved to Excluded Consent.

Councilmember Duran requested Item 5.A. be moved to the Consent Calendar. Councilmember Heilman stated that he had a few questions relating to the Item and requested that it remain as a New Business Item.

Motion by Councilmember Duran, seconded by Mayor Pro Tempore Land to approve the May 7, 2012 agenda as amended. The agenda was unanimously approved.

ADJOURNMENT MOTIONS:

Councilmember Heilman requested that the meeting be adjourned in memory of longtime supporter of LGBT rights, Major General Charles "Bud" W. Starr. He also requested that the meeting be adjourned in memory of Dick Clark.

Mayor Pro Tempore Land requested that the meeting be adjourned in memory of LGBT and Women's Right's activist Bettie Naylor. She asked that the meeting be adjourned in memory of Otho Jones Berry, father of City employee Shirley Berry. She asked that the meeting be adjourned in memory of Jean Worrell, grandmother of West Hollywood resident Bernard Roake. She asked that the meeting be adjourned in memory of E. Richard "Rick" Brown, a leader in healthcare reform.

Mayor Prang requested that the meeting be adjourned in memory of actress and West Hollywood resident, Lurline Pearl. He asked that the meeting be adjourned in memory of Fairfax High School teacher Fernando Don Lucas. He asked that the meeting be adjourned in memory of Troy Elam, head of security for Fairfax High School. He asked that the meeting be adjourned in memory of teens Jack Reese and Kenneth Weishuhn, who took their own lives after being bullied by peers. He asked that the meeting be adjourned in memory of the following soldiers who died in Afghanistan since the last City Council meeting: Captain Bruce K. Clark, 43, Sergeant Nicholas M. Dickhut, 23, Master Sergeant Scott E. Pruitt, 38, Private 1st Class Christian R. Sannicolas, 20, Specialist Jason K. Edens, 22, Lieutenant Christopher E. Mosko, 28, Staff Sergeant Dick A. Lee, Jr., 29, Staff Sergeant Brandon F. Eggleston, 31, U.S. Marine, Rank Unreported, Craig Mathias, 25, Specialist Benjamin H. Neal, 21, Specialist Moises J. Gonzalez, 29, Specialist Manuel J. Vasquez, 22, Staff Sergeant Joseph H. Fankhauser, 30, 1st Lieutenant Jonathan P. Walsh, 28, Private 1st Class Michael J. Metcalf, 22, Chief Warrant Officer 2 Nicholas S. Johnson, 27, Sergeant Dean R. Shaffer, 23, Chief Warrant Officer Don C. Viray, 25, Sergeant Chris J. Workman, 33, Captain Michael C. Braden, 31, Corporal Aaron M. Faust, 22, and Staff Sergeant David P. Nowaczyk, 32.

PRESENTATIONS:

Mayor Pro Tempore Land presented a plaque to outgoing Disability Advisory Board Member Debra Chodash.

Councilmember D'Amico presented a proclamation to the Historic Preservation Commission and Staff Liaison Francisco Contreras in recognition of Historic Preservation Month.

Councilmember Heilman presented a proclamation to Mikel and Mario Maglieri & Family in recognition of the 40th Anniversary of the Rainbow Bar & Grill.

Mayor Prang presented a proclamation to Senior Advisory Board members in recognition of Senior Month. He also presented a commendation to Los Angeles Sheriff's Deputy Lt. Cheryl Newman-Tarwater, and the West Hollywood Sheriff's Station.

El Cid de Ramus, Special Assistant with the Los Angeles County Assessor's Office, spoke regarding outreach the Assessor's Office has been providing to Cities regarding various programs that may assist residents with their property taxes.

1. PUBLIC COMMENT:

GRACIELA IPARRAGUIRRE, WEST HOLLYWOOD, spoke in opposition to Item 2.J.

NICKI CARLSEN, LOS ANGELES, spoke in opposition to 2.F.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke regarding Item 2.H. He spoke regarding the possibility of creating a uniform timing for traffic lights in conjunction with pedestrian crosswalk timers.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding several street lights that are out in the City, potholes in the City, and billboard space on Sunset. He also spoke in opposition to Item 3.B.

RUTH WILLIAMS, WEST HOLLYWOOD, spoke in opposition to dissolving the East Side Project Advisory Committee.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke regarding a recent Los Angeles Times article and in support of Councilmember Duran.

BRAD KEISTLER, WEST HOLLYWOOD, spoke regarding Item 2.J. He spoke in support of additional bike racks, but expressed concerns over the proposed design.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in opposition to a recent Los Angeles Times article. He spoke regarding the upcoming state assembly elections. He spoke in support of Items 2.J., 2.K., and 2.L. He also spoke regarding an upcoming Item concerning the El Mirador property, which was recently heard by the Planning Commission.

YOLA DORE, WEST HOLLYWOOD, spoke in opposition to dissolving the East Side Project Advisory Committee. She also spoke regarding Item 5.C.

DAVID EICHMAN, LOS ANGELES, spoke regarding a recent seminar he attended regarding pedestrian friendly communities. He also spoke regarding a public hearing scheduled for May 9, 2012 at 7:00 p.m. at Beverly Hills City Hall to discuss proposed bicycle routes in Beverly Hills.

GREGORY ELLWOOD, WEST HOLLYWOOD, spoke regarding the accessibility of the basketball court in West Hollywood Park and spoke in support of having the courts opened sooner.

A. LEE WALKUP, WEST HOLLYWOOD, spoke regarding re-districting and various City residents, including Mayor Prang, who will be representing the Democratic Party at the upcoming convention.

LAURA BOCCALETTI, WEST HOLLYWOOD, spoke regarding the removal of trees and grass in West Hollywood Park and the proposed changes to Plummer Park. She also spoke in opposition to the process surrounding the Plummer Park Master Plan.

COUNCILMEMBER COMMENTS AND MEETING ATTENDANCE REPORTS:

Councilmember Duran spoke regarding his upcoming participation in the AIDS Lifecycle and noted that he would be absent from the June 4, 2012 City Council Meeting due to his participation.

Councilmember D'Amico spoke regarding public comment surrounding Item 2.H. and spoke regarding the possibility of uniform timing of the crosswalk signals in conjunction with traffic light signals throughout the City. He also spoke regarding the upcoming Gay Men's Discussion group meeting on May 10, 2012 and the Lesbian Discussion Group meeting scheduled for May 9, 2012 at 7:00. He also spoke regarding a recent "Coffee with the Councilmember" meeting he held on the East Side. He spoke regarding filling the current opening for an Urban Designer with the City. He also spoke regarding the potential major donor for the Library and asked the City Manager for further clarification.

Councilmember D'Amico spoke regarding Item 2.M. and asked that Staff return in July with a report from CSW on the event. He also requested that the City Manager investigate possibilities to increase parking opportunities for the Dyke March event, including the possibility of parking permit waivers. The Council approved by consensus to add the suggested direction to the Item.

Councilmember Heilman spoke regarding an upcoming speaker series event at the NCJW entitled "The War on Women," which will be held on May 16. He spoke regarding programming for Senior Month including a tour of the West Hollywood Library and the Senior Health Fair scheduled for May 16, 2012. He thanked everyone for their participation in the recent Teen Shout Out event.

Mayor Pro Tempore Land spoke regarding public comment surrounding the consistency in the timing of traffic light signals in conjunction with pedestrian signals throughout the City, and requested that the City investigate the issue. She requested that the City Manager work with staff to look into opening the basketball courts in West Hollywood Park sooner. She spoke regarding Item 2.L. and reminded drivers to exercise more caution when driving vehicles. She spoke regarding the exhibit at the Skirball Center entitled "Women Hold Up Half the Sky." She spoke regarding various events scheduled

for May 22, 2012, including "Army of Women" hosted by Dr. Susan Love, and the Harvey Milk Day event. She congratulated City Park staff for recently winning several awards. She also spoke regarding LAUSD re-districting and stated that all the schools located in West Hollywood are now in the same District. She thanked advocates at the state level who located funding to continue to support the California Commission on the Status of Women. She wished Fred Vanacore a happy birthday.

Mayor Prang spoke regarding public comment surrounding the consistency in the timing of traffic light signals in conjunction with pedestrian signals throughout the City, and requested that the City investigate the issue. He also spoke in support of Staff looking into opening the basketball courts in West Hollywood Park sooner. He also reported that the LAUSD re-districting process was concluded and that all the schools served by West Hollywood are now within the same district, and thanked Lindsey Horvath for her hard work on the re-districting commission. He also spoke regarding an upcoming event on May 12, 2012 celebrating the 67th Anniversary of the Victory in Europe. He spoke regarding inquiries he received about the City Yard Sale and stated that the next event will be held in July, 2012. He spoke regarding the upcoming Document Shredding and E-Waste Event to be held in the City Hall parking lot. He also spoke regarding upcoming construction on San Vicente Blvd. beginning May 14, 2012. He stated that the street will be paved between Santa Monica and Melrose and will take approximately two weeks.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding the traffic signal and pedestrian signal countdown issue, and stated that the Item before Council is primarily to address pedestrian safety issues. He stated that the City will further investigate the issue. He spoke regarding the Urban Designer position, and stated that the position is fully funded and will be opening soon. He spoke regarding the major donor for the Library, and stated that the Library Fundraising Board is finalizing an agreement with a major donor and that an Item will be brought back for City Council approval. He spoke regarding public comment surrounding the opening of the basketball courts and stating he will work with Staff on this issue. He spoke regarding the first meeting of the Oversight Board to the Successor Agency to the Community Development Commission, which will be held on Thursday, May 10, 2012, where various funding sources will be discussed. He also spoke regarding a recent trip to Sacramento for Legislative Days and spoke regarding the City's meetings with state legislators.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Schaffer stated that the fiscal impact on the Consent Calendar is \$497,963 in expenditures and \$-117,778 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar,
2.A.,B.,C.,D.,E.,G.,H.,I.,K.,L.,M.,N.,O.,P.,Q.,R.,S.(6.B.),T.(6.C.),U.(5.B.) **Motion**

by Councilmember Duran, seconded by Mayor Pro Tempore Land and unanimously approved, noting Mayor Prang's NO vote on Item 2.U. (5.B.)

2.A. POSTING OF AGENDA:

SUBJECT: The agenda for the meeting of Monday, May 7, 2012 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 3, 2012.

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 April 16, 2012. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 697, RESOLUTION NO. 12-4291:

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

ACTION: Approve Demand Register No. 697 and adopt Resolution No. 12-4291, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 697". **Approved as part of the Consent Calendar.**

2.D. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

SUBJECT: The City Council will receive a report from the Public Safety Commission on actions taken at its recent meetings.

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

2.E. TREASURER'S REPORTS FOR OCTOBER AND NOVEMBER, 2011 [D. WILSON, G. SCHUCHARD, N. CORONADO]:

SUBJECT: The City Council will receive the Treasurer's Report for the months ended October and November 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. CONSTRUCTION OF A COMMERCIAL DEVELOPMENT AT 8801 SUNSET BOULEVARD [A, MCINTOSH, J. KEHO, A. GALLO]:

SUBJECT: At its meeting of April 2, 2012, the City Council considered the applicant's request for a 47,504 sq. ft. commercial development containing retail, gym/spa and office space at 8801 Sunset Boulevard that integrated a new billboard and large screen video sign into the building facades. After discussing the proposal's associated traffic impacts to the neighborhood, massing, and the signage on the commercial building fronting Horn, the Council directed staff to return to the City Council with a resolution to deny the project.

ACTION: This Item was moved to Excluded Consent.

2.G. APPROVAL OF EASEMENTS AND RIGHT OF WAY FOR PUBLIC STREET AND SIDEWALK PURPOSES AT 8900 BEVERLY BOULEVARD [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will consider accepting easements and right of way for street and sidewalk purposes on the southeast corner of Beverly Blvd/La Peer Drive and the southwest corner of Beverly Blvd/Swall Drive.

ACTIONS: 1) Adopt Resolution No. 12-4293, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ACCEPTING THE GRANT OF EASEMENTS AND RIGHT OF WAY FOR PUBLIC STREET AND SIDEWALK PURPOSES AT 8900 BEVERLY BOULEVARD IN THE CITY OF WEST HOLLYWOOD"; and 2) Direct the City Clerk to submit a certified copy of Resolution No 12-4293 as well as the Easements in Attachment A for recordation by the office of the Recorder of the County of Los Angeles. **Approved as part of the Consent Calendar.**

2.H. AWARD OF CONSTRUCTION CONTRACT FOR CIP 1205, TRAFFIC SIGNAL UPGRADES FOR PEDESTRIANS [O. DELGADO, S. PERLSTEIN]:

SUBJECT: The City Council will consider awarding a construction contract for the Traffic Signal Upgrades for Pedestrians Project, CIP 1205.

ACTIONS: 1) Accept the Bid dated April 18, 2012, submitted by Republic Intelligent Transportation Services Inc., dba Republic ITS; 2) Authorize the City Manager to enter into a contract with Republic Intelligent Transportation Services Inc., dba Republic ITS. in the amount of \$192,174.00 for the construction of CIP 1205, Traffic Signal Upgrades for Pedestrians; 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 15% of the contract amount; and 4) Approve Resolution 12-4294, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DESIGN AND PLANS FOR THE CONSTRUCTION OF TRAFFIC SIGNAL UPGRADES FOR PEDESTRIANS, CIP 1025, PURSUANT TO GOVERNMENT CODE SECTION 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT. " **Approved as part of the Consent Calendar.**

2.I. AGREEMENT WITH JOANNE SHANNAHOFF DESIGN TO PROVIDE DESIGN SERVICES FOR THE 2010-2012 BUDGET AND CAFR DOCUMENTS [D. WILSON, L. BELSANTI]:

SUBJECT: The City Council will consider approving an Agreement with Joanne Shannahoff Design to provide graphic design services for the 2010-2012 Budget and CAFR documents.

ACTIONS: 1) Approve an Agreement with Joanne Shannahoff Design for an amount not to exceed \$7,000; and 2) Authorize the City Manager to

sign all necessary documents related to this agreement. **Approved as part of the Consent Calendar.**

2.J. AMEND BICYCLE RACK DESIGN STANDARDS IN THE CITYWIDE STREET FURNITURE PROGRAM [A. MCINTOSH, M. ANTOL, B. CHEUNG, R. DUARTE]:

SUBJECT: The City Council will consider approval to include the Inverted-U bicycle rack (square-tubed design) as the preferred bicycle rack design as part of the adopted Citywide Street Furniture Program.

ACTION: This Item was tabled.

2.K. INSTALLATION OF BICYCLE PARKING IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY [A. MCINTOSH, M. ANTOL, M. BARNEY]:

SUBJECT: The City Council will consider reaffirming their decision to install bicycle racks in the public right-of-way to implement Bicycle Task Force recommendations.

ACTION: Reaffirm decision to install the bicycle racks in the public right-of-way to provide bicycle parking. Approved as part of the Consent Calendar.

2.L. WATCH-THE-ROAD BICYCLE-PEDESTRIAN SAFETY CAMPAIGN [A. MCINTOSH, M. ANTOL, M. BARNEY]:

SUBJECT: The City Council will consider approval of the City's participation in the Watch-the-Road campaign by installing 100 pole panels/street light banner safety messages along Santa Monica Boulevard.

ACTION: Approve item to fabricate, install and store Watch-the-Road safety campaign pole panels. Approved as part of the Consent Calendar.

2.M. CHRISTOPHER STREET WEST'S 42nd ANNUAL LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PRIDE CELEBRATION AND PARADE IN WEST HOLLYWOOD [S. BAXTER, O. WALKER, C. SMITH]:

SUBJECT: The City Council will consider requests from Christopher Street West for the 2012 Lesbian, Gay, Bisexual and Transgender Pride Celebration Events scheduled for Friday, June 8, Saturday, June 9, and Sunday, June 10, 2012.

ACTIONS: 1) Authorize the City Manager to enter into an agreement/contract permitting the 2012 Lesbian, Gay, Bisexual, and Transgender Pride Celebration in West Hollywood as outlined in Exhibit A; 2) Approve the use of West Hollywood Park and City property with fee waivers in the amount of \$114,635.00 as described in Exhibit B, for the 2012 Lesbian, Gay, Bisexual, and Transgender Pride event; 3) Approve Purple Party/Dyke March hours of 5:00 pm to 12:00 am Friday, June 8, 2012 and Festival hours of 12:00 pm to 12:00 am for Saturday, June 9, 2012 and 11:00 am to 11:00 pm for Sunday, June 10, 2012; 4) Approve

the Dyke March to take place along Santa Monica Boulevard in eastbound lanes to West Knoll Drive and return in westbound lanes to San Vicente Boulevard on Friday, June 8, 2012 from 7:30 pm to 9:30 pm with a rolling closure to begin at approximately 8:00 pm; 5) Approve the use of Santa Monica Boulevard for the PRIDE Parade on Sunday, June 10, 2012 from 11:00 am to 5:00 pm; 6) Direct staff to return to Council at a meeting following Christopher Street West's Board of Directors' retreat scheduled for August 2012 to continue discussions regarding future CSW Events; 7) with additional direction to staff to return in July with a report from CSW on the event, and direction for the City Manager to investigate possibilities to increase parking opportunities for the Dyke March event, including the possibility of parking permit waivers. **Approved as part of the Consent Calendar.**

2.N. CO-SPONSORSHIP OF THE ARTS SUMMIT FOR THE LOS ANGELES COUNTY ARTS INTERNSHIP PROGRAM [P. AREVALO, J. HUFFER, A. CAMPBELL]:

SUBJECT: The City Council will consider co-sponsoring the Arts Summit for the Los Angeles County Arts Internship Program on Wednesday, June 27, 2012 and the use of the West Hollywood Park Public Meeting Room – Council Chambers for presentations during the day.

ACTIONS: 1) Co-sponsor the Los Angeles County Arts Internship Program Arts Summit on Wednesday, June 27, 2012; 2) Authorize the use of the City of West Hollywood logo on materials associated with the Arts Summit; 3) Approve the use and waive rental fees for the West Hollywood Park Public Meeting Room – Council Chambers, the Community Meeting Room, the Children's Theatre and the West Hollywood Room for Summit meetings and workshops on June 27, 2012; and 4) Waive parking fees for participants in the Arts Summit at the City's five-story parking structure. **Approved as part of the Consent Calendar.**

2.O. SPONSORSHIP OF THE ALLIANCE OF LOS ANGELES PLAYWRIGHTS' GAY AND LESBIAN PLAY READING FESTIVAL [S. BAXTER, J. BOOK]:

SUBJECT: The City Council will consider allocating funds from Lesbian and Gay Programs in support of the Alliance of Los Angeles Playwrights' 2012 Gay and Lesbian Play Reading Festival.

ACTION: Allocate \$1,000 from Lesbian and Gay Programs in support of the Alliance of Los Angeles Playwrights' 2012 Gay and Lesbian Play Reading Festival. **Approved as part of the Consent Calendar.**

2.P. 2012 RAINBOW KEY AWARDS [S. BAXTER, J. BOOK]:

SUBJECT: The Lesbian and Gay Advisory Board proposes to hold a Rainbow Key reception and award ceremony on Saturday, June 16, 2012, and recommends that the City Council honor those listed below with Rainbow Key Awards at that event.

ACTIONS: 1) Approve Rainbow Key Awards for Ben Patrick Johnson, David Cooley, Roots of Equality, Karina Samala, Diane Abbitt, Jeannette Bronson, Nadia Sutton, Carolyn Weathers and Brenda Weathers, to be presented at a Rainbow Key reception to be held on June 16, 2012; 2) Authorize expenditures not to exceed \$3,500 for the 2012 Rainbow Key event; and 3) Waive parking fees at the five-story Parking Structure for the evening of June 16, 2012, for persons attending the Rainbow Key event. At \$9 per car (maximum parking fee) for an estimated 50 cars, the value of the waiver is approximately \$450. **Approved as part of the Consent Calendar.**

2.Q. A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE CONTINUANCE OF ADULT EDUCATION PROGRAMS IN THE LOS ANGELES UNIFIED SCHOOL DISTRICT [J. PRANG, M. HAIBACH, A. LAND, C. PLANCK]:

SUBJECT: The City Council will consider adopting a resolution in support of the continuance of adult education programs in the Los Angeles Unified School District (LAUSD), and urges them to avoid further budget cuts to these vital programs.

ACTIONS: 1) Adopt Resolution No. 12-4295, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE CONTINUANCE OF ADULT EDUCATION PROGRAMS IN THE LOS ANGELES UNIFIED SCHOOL DISTRICT"; and 2) Direct staff to send copies of signed resolution to Honorable Monica Garcia, Board President, Los Angeles Unified School District, with copies to John Deasy, Superintendent, and all other LAUSD board members including Tamar Galatzan, Bennet Kayser, Nury Martinez, Marguerite Poindexter LaMotte, Richard Viadovic and Steve Zimmer. **Approved as part of the Consent Calendar.**

2.R. SPONSORSHIP OF A COLLEGE FAIR [A. LAND, C. PLANCK, J. HEILMAN, F. SOLOMON]:

SUBJECT: The City Council will consider supporting a college fair for local high school students and adults.

ACTION: 1) Approve the sponsorship of the proposed college fair and use of City facilities and waive fees; and 2) Direct the Public Information Office to promote the event through regular City channels. **Approved as part of the Consent Calendar.**

2.S. (6.B.) AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PROVISIONS OF THE BUSINESS LICENSE CODE REGULATING VALETS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [O. DELGADO, J. AUBEL, D. MICK]:

SUBJECT: The West Hollywood City Council will consider an amendment to the Business License Ordinance pertaining to the operating conditions of all licensed valet operators.

ACTION: Staff recommends that the City Council introduce for first reading Ordinance No. 12-887, "AN ORDINANCE OF THE CITY OF

WEST HOLLYWOOD AMENDING CHAPTER 5.120.030 (OPERATING REQUIREMENTS) OF THE WEST HOLLYWOOD MUNICIPAL CODE PERTAINING TO THE REGULATION OF VALET OPERATORS.”
Approved as part of the Consent Calendar.

2.T. (6.C.) AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING MUNICIPAL CODE SECTION 1.32.060 TO PERMIT AWARD OF ATTORNEY’S FEES AND COSTS TO THE PREVAILING PARTY IN AN ACTION FOR NUISANCE ABATEMENT [M. JENKINS]:

SUBJECT: The City Council will consider amending West Hollywood Municipal Code (“WHMC”) Section 1.32.060 to permit award of attorney’s fees and costs to the prevailing party in an action for nuisance abatement.

ACTION: Staff recommends that the City Council introduce on first reading Ordinance No. 12-888, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING MUNICIPAL CODE SECTION 1.32.060 TO PERMIT AWARD OF ATTORNEY’S FEES AND COSTS TO THE PREVAILING PARTY IN AN ACTION FOR NUISANCE ABATEMENT.” **Approved as part of the Consent Calendar.**

2.U. (5.B.) SUNSET BOULEVARD BILLBOARD APPLICATIONS [A. MCINTOSH, J. KEHO, A. CASTILLO]:

SUBJECT: The City Council will consider the initiation of an amendment to the Sunset Specific Plan and the preparation of an environmental impact report for the current billboard applications along the Sunset Strip.

ACTIONS: 1) Authorize staff to engage a consultant to prepare an environmental impact report to include all current billboard applications on the Sunset Strip and require all billboard applicants that wish to remain in the process to pay an equal share of the environmental review cost. Those that do not participate will be scheduled for City Council action with a recommendation of denial; 2) Authorize staff to initiate an amendment to the Sunset Specific Plan to allow for development agreements for billboards; 3) Require the amendment to the Sunset Specific Plan to be included in the environmental impact report; 4) No new billboard applications will be processed until said process is concluded; and 5) provide additional direction to staff to continue outreach and to include within the EIR any and all properties that are brought to the City’s attention up until the date that the EIR process commences. **Approved as part of the Consent Calendar, noting Mayor Prang’s NO vote.**

THE CITY COUNCIL RECESSED AND RECONVENED AS THE SUCCESSOR AGENCY TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 8:10 P.M.

The Successor Agency to the West Hollywood Community Development Commission approved the minutes of the April 4, 2012 meeting and approved Resolutions to adopt the recognized obligation payment schedule and administrative budget for fiscal period

July 1 through December 31, 2012, and the administrative budget for the initial ROPS that lists all of the obligations of the former Community Development commission.

The actions are more fully described in the Minutes of the Successor Agency to the West Hollywood Community Development Commission.

THE SUCCESSOR AGENCY TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE WEST HOLLYWOOD HOUSING AUTHORITY: 8:12 P.M.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A FIVE-UNIT CONDOMINIUM PROJECT LOCATED AT 1019 SAN VICENTE BLVD. [A. MCINTOSH, J. KEHO, L. YELTON]:

SUBJECT: The City Council will hold a public hearing to consider an appeal by Brian Winters, regarding the Planning Commission's approval of a project to demolish four units and construct a four-story, five-unit condominium building with 11 semi-subterranean parking spaces for the property located at 1019 San Vicente Boulevard.

The Item was noticed as required by law.

Laurie Yelton, Associate Planner provided background information as outlined in the Staff Report dated May 7, 2012.

Councilmember Duran disclosed that he lives in close proximity to the site, but does not own property within a 500 foot radius.

Councilmember Heilman disclosed that he visited the site

Mayor Pro Tempore Land disclosed that she visited the site.

Councilmember D'Amico disclosed that he visited the site.

Mayor Prang disclosed that he visited the site.

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

MARK WINTERS, REPRESENTING THE APPELLANT, spoke in opposition to the project. He spoke regarding the possibility of the building being historic, the loss of parking, and the increase in traffic.

AMIT APEL, APPLICANT, spoke in support of the project. He spoke regarding the long process and all of the revisions that have been made to accommodate the City and the surrounding community.

LYNN RUSSELL, WEST HOLLYWOOD, spoke in support of the project.

GARY PIERSON, WEST HOLLYWOOD, spoke in opposition to the project; specifically due to the size of the project and impacts on surrounding buildings.

JOHN CONTE, WEST HOLLYWOOD, spoke in opposition to the project.

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

City Clerk Schaffer stated that the following person wanted to express their opposition to the Item but did not wish to speak: GAVIN MOUAT, WEST HOLLYWOOD.

AMIT APEL, APPLICANT, provided a brief rebuttal. He spoke regarding his experience with working in West Hollywood and stated that all the rules regarding construction will be followed.

GARY PIERSON, WEST HOLLYWOOD, spoke in opposition to the size of the project.

Councilmember Duran requested clarification regarding why the building is not designated as historic.

Planning Manager, John Keho, stated that the property was identified in 2008 as potentially historic, but that there are overriding considerations regarding providing affordable housing that outweigh the designation.

Mayor Prang closed the public hearing.

Councilmember Heilman spoke regarding the area being zoned for apartments and condominiums, and that the height requirement has always been the same. He spoke regarding the developer being responsive to the revisions that were suggested by City Council and the community. He spoke regarding the project adding one unit; which would not cause an increase in traffic. He spoke regarding the style of building and stated that the adjacent building will have some sunlight and spoke in support of approving the project.

Councilmember Duran spoke regarding there not being sufficient evidence to support the appeal, and stated that he was in support of the project.

Mayor Prang spoke in opposition to the Item due to the fact that the building was deemed as possible historic.

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. 12-4296, "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 ("MMRP"), AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, FOR THE PROPOSED DEMOLITION OF FOUR DWELLING UNITS, AND THE CONSTRUCTION OF A FOUR-STORY, FIVE-UNIT CONDOMINIUM BUILDING, LOCATED AT 1019 SAN VICENTE BLVD., WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT A); 2) Resolution No. 12-4297, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE APPEAL OF BRIAN WINTERS AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2005-015 AND DEVELOPMENT PERMIT 2005-023 TO PERMIT THE CONSTRUCTION OF A FOUR-STORY, FIVE-UNIT CONDOMINIUM BUILDING LOCATED AT 1019 SAN VICENTE BLVD., WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT B); and 3) Resolution No. 12-4298, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING TENTATIVE TRACT MAP 2005-007 (MAJOR LAND DIVISION 63221) FOR THE PROPERTY LOCATED AT 1019 SAN VICENTE BLVD., WEST HOLLYWOOD, CALIFORNIA." (ATTACHMENT C) **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and approved, noting the NO vote of Mayor Prang.**

3.B. APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE A REQUEST FOR A THREE-STORY, 20-UNIT PROJECT WITH 15,414 SQUARE FEET OF RETAIL SPACE LOCATED AT 8120 SANTA MONICA BLVD. [A. MCINTOSH, J. KEHO, N. GAPPER]:

SUBJECT: The City Council will hold a public hearing to consider an appeal by Rod Wingfield and Dennis Grant, regarding the Planning Commission's approval of a request to demolish an existing commercial structure and construct a three-story, 20-unit mixed-use project with 15,414 square feet of retail space. The subject site is located at 8120 Santa Monica Boulevard and 1051-1057 Crescent Heights Boulevard, West Hollywood, California.

The Item was noticed as required by law.

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

Mayor Pro Tempore Land disclosed that she visited the site and met with applicant and surrounding neighbors.

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

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

Mayor Prang disclosed that he met with applicant and appellant and visited the site.

Nathan Gapper, Associate Planner provided background information as outlined in the Staff Report dated May 7, 2012.

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

JOHN MURDOCK, REPRESENTING THE APPELLANT, spoke in opposition to the project; specifically concerns surrounding the design and size of the project. He also spoke regarding the Planning Commission Meeting, where various petitions were gathered and submitted in opposition to the project.

TODD ELLIOTT, REPRESENTING THE APPLICANT, spoke in support of the project and stated that issues brought by the appellant have been addressed in the Staff Report.

Councilmember Heilman requested clarification from Mr. Elliott regarding whether the applicant would be open to having the Sky Park more accessible to the public.

Mr. Elliott stated that the applicant would be open to discussing possibilities.

YOLA DORE, WEST HOLLYWOOD, spoke in support of the project.

ROY OLDENKAMP, WEST HOLLYWOOD, spoke in support of the project.

A. LEE WALKUP, WEST HOLLYWOOD, spoke in support of the project, but expressed concern over the fact that Equality California will have to find a new location.

STEVEN GREENE, WEST HOLLYWOOD, spoke in support of the project.

JIM KAZAKOS, WEST HOLLYWOOD, spoke in support of the project.

JASON LEVIN, WEST HOLLYWOOD, spoke in support of the project.

RICHARD MAGGIO, WEST HOLLYWOOD, spoke in support of the project.

GILBERT B. WEINGOURT, WEST HOLLYWOOD, spoke in opposition to the project.

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

BRAD TORGAN, WEST HOLLYWOOD, spoke in support of the project.

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

MICHELLE MANIRE, NORTHRIDGE, spoke in opposition to the project; specifically regarding concerns surrounding the proposed density on the Havenhurst side of the project.

MIKE DUONG, WEST HOLLYWOOD, spoke in opposition to the project.

GRACIELA IPARRAGUIRRE, WEST HOLLYWOOD, spoke in opposition to the project.

MARTIN KANAREK, WEST HOLLYWOOD, spoke in opposition to the project.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke in support of the project.

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

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

CRAIG CHARLES, WEST HOLLYWOOD, spoke in support of the project.

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

GEORGE A. MURPHY, WEST HOLLYWOOD, spoke in support of the project.

STEVEN KAY, LOS ANGELES, spoke in support of the project.

GENEVIEVE MORRILL, REPRESENTING THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the project.

NORMA KEMPER, WEST HOLLYWOOD, spoke in opposition to the project due to its size.

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

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

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

MICHELLE EAST, WEST HOLLYWOOD, spoke in opposition to the project.

SIENA EAST, WEST HOLLYWOOD, spoke in opposition to the project.

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

LOUIS EAFALLA, WEST HOLLYWOOD, spoke in opposition to the project.

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

City Clerk Schaffer stated that the following individuals wanted to express their opposition to the recommended Item but did not wish to speak: RANDY LIPNICK, WEST HOLLYWOOD; BRUCE MASON, WEST HOLLYWOOD; and ROBERT KILAORE, LOS ANGELES.

City Clerk Schaffer stated that the following individual wanted to express their support for the recommended Item but did not wish to speak: CATHY BLAIVAS, WEST HOLLYWOOD.

TODD ELLIOTT, REPRESENTING THE APPLICANT, provided a brief rebuttal. He spoke regarding the massing being in context with the neighborhood as there are one-story and three-story buildings in the neighborhood.

JOHN MURDOCK, REPRESENTING THE APPELLANT, provided a brief rebuttal.

Councilmember D'Amico requested clarification from the architect on the 20' entrance on Crescent Heights. He requested clarification as to whether delivery trucks could enter and exit the property on Crescent Heights. He also spoke regarding the massing on the southwest corner of the property and asked for clarification on the location of the Sky Park. He

requested clarification regarding the possibility of moving the residential units closer to Santa Monica Boulevard and moving the Sky Park closer to the residential neighbors.

The architect spoke regarding the challenge of having a truck perform a three-point turn to accommodate both entry and exit from Crescent Heights Boulevard. He spoke regarding the fact that the massing has not been changed on Havenhurst, but was reduced on the corner of Santa Monica and Crescent Heights for the Sky Park.

Councilmember Duran requested clarification on the hours of delivery for Walgreens. He also requested clarification on the original number of proposed housing units and how the parking is allocated between the residential units and retail in the newly proposed project.

John Keho, Planning Manager, stated that the hours of delivery would be between 8 a.m. – 5 p.m.; which are typical delivery times, and spoke about the building complying with the City's buffer requirements. He stated that there were originally 48 residential units proposed. He stated that there are 30 parking spaces proposed for the residential units and 56 parking spaces for commercial use in the current project design. He provided clarification that the developer will return for approval of a three-dimensional air space tract map; which does not exist in our current subdivision code, and stated that approval would be subject to Planning Commission and City Council approval. He stated that there is no requirement to adopt an overriding consideration for the project.

Mayor Pro Tempore Land requested clarification regarding the City's code as it relates to the six-foot wall in the project, or the suggested increase to a ten-foot wall.

John Keho, Planning Manager stated that the City's Zoning Ordinance allows for walls up to ten feet on property lines to assist with sound mitigation.

Mayor Prang closed the public hearing.

Mayor Pro Tempore Land thanked everyone for coming out and speaking. She expressed concerns about the public accessibility of the Sky Park, and the possible inclusion of the ten-foot wall. She spoke in support of a condition to mandate that the developer does not use diesel delivery trucks. She spoke regarding the City's efforts to create more pedestrian friendly sites and the possibility of the future inclusion of an outdoor restaurant or café at the site.

Anne McIntosh, Community Development Director, spoke regarding the possibility of including the site in the parking credits program to identify

potential additional spaces that could be used for businesses such as restaurants and cafes.

Mayor Pro Tempore Land spoke regarding the long process for the project and commended the developers and the neighbors for working together. She spoke in support of exploring future uses at the site that provide a neighborhood service. She spoke in support of the inclusion of housing at the site.

Councilmember Heilman spoke in favor of having a buffer wall for mitigation and in support of placing limitations on delivery times. He spoke in support of the possibility of future uses that are more neighborhood serving, such as a coffee shop or café. He spoke regarding public comment surrounding the tentative tract map and stated that the City routinely approves sub-divisions for condominium units and that it does not change any physical aspects of this project. He spoke regarding not being overly concerned regarding the delivery times of twice per week. He spoke regarding the buffer zone and spoke in support of increasing the buffer wall to ten feet. He spoke regarding the project not being significant to the traffic burden in the area. He spoke regarding the toxins on the site, and the fact that the developer will be remediating the site prior to development; and will have to follow all the remediation standards. He spoke in support of the project if the buffer wall could be increased, a condition could be included to mandate that the developer does not use diesel delivery trucks, and a condition could be included to make the Sky Park more accessible to the public.

Councilmember D'Amico spoke in support of the concept of the project, but expressed concerns regarding the proposed ingress and egress for delivery trucks. He spoke regarding ensuring that the delivery hours are enforced. He spoke regarding deliveries at the Trader Joe's site in the City, and issues associated with delivery trucks at that site. He spoke regarding the need for a project that improves the quality of life for the surrounding neighborhood. He spoke regarding the Sky Park and expressed concerns that the residents won't have access to it.

Councilmember Duran spoke regarding a three-story building being compatible with this site. He spoke in support of the proposed residential units and the parking allocation associated with the project. He spoke regarding the toxic elements that need to be cleaned up in association with the project, and spoke regarding the correspondence received from the Regional Water Control Board concurring with the Final EIR and stating that their soil remediation issues had been properly addressed. He spoke in support of the massing of the project and how having large scaled walls on Santa Monica Blvd. would have an adverse impact. He spoke in support of the housing in its proposed location and spoke regarding the possible noise buffer that will be provided to the neighboring

residents once the project is completed. He expressed concerns regarding delivery trucks exiting on Crescent Heights. He spoke in support of having the Sky Park open to the public. He spoke in support of looking for businesses in the future that better accommodate pedestrian traffic and are more neighborhood serving. He spoke in support of the ten-foot buffer if requested by residents to help mitigate noise issues. He spoke regarding Walgreens being the property owner, and how they have worked with the City and the residents to make the project more compatible with the neighborhood. He spoke in support of the project as presented.

Mayor Prang spoke regarding living in the area of this proposed project and his familiarity with the issues that the community has raised. He spoke regarding the need for development at the site. He spoke regarding the original project that was proposed by Walgreens for the site. He spoke regarding the owners being sensitive to the concerns of the neighborhood and how it has been dramatically reduced and redesigned and is providing affordable housing. He admonished the property owners for not maintain the property over the last few years. He spoke regarding having more discussion regarding the Sky Park, he spoke in support of the ten-foot wall as a buffer, as well as the conditions proposed for the trucks regarding diesel fuel. He spoke in support of considering the options of changing the ingress and egress of the delivery trucks. He spoke in support of the project.

Councilmember Heilman spoke regarding other successful projects in the neighborhood, including the Kings Road Parking Structure and City Hall, and stated that residents had the same concerns when those projects were proposed.

ACTIONS: Staff recommends that the Council hold a public hearing, consider all pertinent testimony, deny the appeal, and adopt the following two resolutions: 1) Draft Resolution No. 12-4299, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT ("EIR"), AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE SMB20 MIXED USE PROJECT LOCATED AT 8100-8120 SANTA MONICA BOULEVARD AND 1051-1057 CRESCENT HEIGHTS BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." (EXHIBIT A); and 2) Draft Resolution No. 12-4300, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF DEMOLITION PERMIT 2005-040, AND DEVELOPMENT PERMIT 2005-052 TO DEMOLISH ALL COMMERCIAL STRUCTURES AND ASSOCIATED SURFACE PARKING LOTS ON THE SUBJECT PARCELS FOR THE CONSTRUCTION OF A THREE-STORY MIXED USE PROJECT CONTAINING 20 RESIDENTIAL RENTAL UNITS AND

15,414 SQUARE FEET OF RETAIL SPACE FOR THE SMB20 MIXED USE PROJECT LOCATED AT 8100-8120 SANTA MONICA BOULEVARD AND 1051-1057 CRESCENT HEIGHTS BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.” (EXHIBIT B); with the addition of the following conditions: a) restrict the operation of delivery trucks to ensure they are not diesel; b) increase the size of the buffer wall from six-feet to ten-feet; c) require the developer to comply with all requirements regarding remediation of toxic materials at the site; d) require the developer to submit a plan to the Community Develop Director indicating how they will activate the street frontage and make the Sky Park available for public use during normal hours of operation.

Motion by Councilmember Heilman, seconded by Councilmember Duran and approved, noting the NO vote of Councilmember D’Amico.

4. UNFINISHED BUSINESS:

4.A. DISSOLUTION OF THE EAST SIDE REDEVELOPMENT PROJECT ADVISORY COMMITTEE [E. SAVAGE, R. BURNLEY]:

SUBJECT: The City Council will consider the dissolution of the East Side Redevelopment Project Advisory Committee.

Mayor Pro Tempore Land spoke in support of creating a group that the Council can receive input from regarding projects on the East Side of the City, despite the dissolution of the City’s redevelopment agency.

Mayor Prang spoke regarding creating an East Side Advisory Board that is structured in the same manner as other Advisory Board.

Councilmember D’Amico spoke regarding creating an East Side Land Use Advisory Board.

Councilmember Heilman spoke regarding creating an East Side Advisory Board to preserve the valuable input that has been given over the years.

ROB BERGSTEIN, WEST HOLLYWOOD, spoke regarding the work the East Side PAC has done over the years and asked the Council to remember that the East Side is a part of West Hollywood.

FRED VANACORE, WEST HOLLYWOOD, spoke regarding the East Side PAC being a great tool for the City and asked that the PAC can continue.

MARYANN SZYSKOWSKI, WEST HOLLYWOOD, spoke in support of creating an Advisory Board.

CHAD BLOUIN, WEST HOLLYWOOD, spoke in support of keeping the current PAC members together.

ROXANNE MCBRYDE, WEST HOLLYWOOD, spoke in support of creating an advisory board.

CARLOS FLOREZ, WEST HOLLYWOOD, spoke in support of creating an advisory board, but suggested that the number of members be reduced.

ACTIONS: 1) Dissolve the East Side Redevelopment Project Advisory Committee; and 2) Direct staff to come back with a recommendation to create an East Side group that will focus on land use and other projects, as well as a recommendation on the number of members. **Motion by Councilmember D'Amico, seconded by Councilmember Duran and unanimously approved.**

5. NEW BUSINESS:

5.A. WESTMOUNT DRIVE ENHANCED CROSSWALK TREATMENT [J. DURAN, H. MOLINA]:

SUBJECT: The City Council will consider directing staff to conduct a trial test of Rectangular Rapid Flashing Beacons (RRFB) at the Westmount Drive crosswalk on Santa Monica Boulevard.

Councilmember Duran provided background information as outlined in the Staff Report dated May 7, 2012.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke regarding the number of pedestrians crossing in the crosswalk and suggested a cross walk that would mitigate the crossing of pedestrians and limit the times they are allowed to cross.

City Clerk Schaffer stated that the following people wanted to express their support for the recommended Item but did not wish to speak: STEPHANIE J. HARKER, WEST HOLLYWOOD and CATHY BLAIVAS, WEST HOLLYWOOD.

Mayor Pro Tempore Land requested clarification on previous reports that flashing lights at crosswalks give pedestrians a false sense of safety.

Councilmember Duran spoke regarding that issue being brought up before, but spoke in support of implementing the proposed crosswalk as a pilot project to test effectiveness.

Councilmember Heilman spoke regarding previous direction given to perform a study on this issue. He expressed concern over there being a potential liability of residents feeling safe due to flashing lights and asked that Staff explore this option as well as other options for the crosswalk at this site.

Anne McIntosh, Community Development Director, spoke regarding the history of efforts made to explore crosswalks, particularly at this site. She spoke regarding the possibility of moving forward with the proposed pilot project and exploring other options throughout the City.

Councilmember D'Amico spoke in support of moving forward with the proposed pilot project. He spoke regarding efforts made by the City of Santa Monica to use flashing lights at crosswalks.

Mayor Prang spoke regarding exploring the option presented in public comment to limit the time periods that pedestrians are allowed to cross. He spoke regarding the proposed pilot program, and spoke in support of going forward with the program while also exploring other options for crosswalks, particularly at this site.

ACTIONS: 1) Direct staff to install Rectangular Rapid Flashing Beacons; 2) Staff to monitor and provide an update to Council six months following installation; 3) Direct staff to continue to explore other options for crosswalks in the City, particularly at this site. **Motion by Councilmember Duran, seconded by Councilmember D'Amico and unanimously approved.**

5.B. SUNSET BOULEVARD BILLBOARD APPLICATIONS [A. MCINTOSH, J. KEHO, A. CASTILLO]:

SUBJECT: The City Council will consider the initiation of an amendment to the Sunset Specific Plan and the preparation of an environmental impact report for the current billboard applications along the Sunset Strip.

ACTIONS: This Item was moved to the Consent Calendar.

5.C. OPENING A PORTION OF ROBERTSON BLVD TO FOOT TRAFFIC ON SATURDAY EVENINGS DURING THE SUMMER MONTHS [J. D'AMICO, M. REX, J. PRANG, M. HAIBACH]:

SUBJECT: The City Council will consider approving the opening of a portion of Robertson Blvd to foot traffic and use as a public gathering space on Saturday evenings during the months of June, July and August 2012.

Councilmember D'Amico provided background information as outlined in the Staff Report dated May 7, 2012.

NATE GOLLER, BEVERLY HILLS, spoke in opposition to the Item.

SANDY HUTCHENS, LOS ANGELES, spoke in opposition to the Item.

GRACIELA IPARRAGUIRRE, WEST HOLLYWOOD, spoke in opposition to the Item.

DAN GERSTNER, LA CANADA, spoke in opposition to the Item.

GENEVIEVE MORRILL, REPRESENTING THE WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the concept, but stated that the Chamber would like to hear from more of the area businesses. She also spoke regarding the project being managed by the Business Improvement District.

MARCOS SANCHES, LOS ANGELES, spoke in opposition to the Item.

HANY HADDAD, WEST HOLLYWOOD, spoke in support of the idea, but agreed with the Chamber regarding the possibility of the BID managing the program.

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

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

JOSH MORGERMAN, WEST HOLLYWOOD, spoke in support of the Item.

City Clerk Schaffer stated that the following people wanted to express their support for the recommended Item but did not wish to speak: STEPHANIE J. HARKER, WEST HOLLYWOOD; CATHY BLAIVAS, WEST HOLLYWOOD; ROY OLDENKAMP, WEST HOLLYWOOD; and ALLEGRA ALLISON, WEST HOLLYWOOD.

Councilmember D'Amico provided clarification that Christopher Street West would have access to the street closure for programming for the first two events as proposed. He spoke regarding the possibility of working with the Arts & Cultural Affairs Administrator to create programs for the space. He spoke regarding working with the valet parking business as well as Bossa Nova to help mitigate issues associated with the street closure.

Mayor Pro Tempore Land spoke regarding this Item being a new way of looking at urban planning and bringing communities together. She expressed concern regarding the area being busy already and suggested that other areas be looked at that may benefit from this type of program. She spoke in support of public comment regarding the Business Improvement District possibly being the lead on this program and spoke about various costs that would be related, included public safety and costs for portable restrooms. She suggested that the program be looked at for the East Side.

Councilmember Heilman spoke in support of the concept, but suggested revisions to the Item including the location. He spoke regarding an event

in Palm Springs where the streets are closed and a public gathering space is created; however he supported the public comments suggesting that the Business Improvement District manage the program. He suggested La Peer as a possible space, as well as the new park once it is opened. He also spoke in support of a different night of the week, where the draw would be more residents instead of visitors.

Councilmember Duran spoke in support of the idea and the location. He also spoke in support of utilizing West Hollywood Park and tying it to the Business Improvement District. He spoke regarding this Item being a way of drawing promoters back to West Hollywood. He spoke regarding the possibility of this Item enhancing the economics of the restaurants in the area by utilizing take-out. He spoke regarding the impacts regarding portable restrooms, public safety and the need to study these impacts more closely.

Mayor Prang spoke in support of the Item and acknowledged that there were some valid concerns brought forth during public comment. He spoke in support of additional discussion and dialogue regarding the Item.

Councilmember Heilman spoke regarding the possibility of outdoor dining being placed across the street in the portion of the Park that is right off of Robertson Boulevard.

Councilmember D'Amico spoke in support of approving this Item for this summer. He spoke regarding the possibility of using the park and logistical concerns with the space.

Mayor Pro Tempore Land spoke in support of continuing to explore this Item and expressed her support for the idea, but suggested that education and outreach be done while the BID is formed.

ACTIONS: 1) Direct the City Manager to return to Council in July with an evaluation of the alternatives discussed by Council and suggestions regarding possible implementation of any alternatives for Summer 2012.
Carried by Consensus of the Council.

5.D. USE OF CITY-OWNED PROPERTY AT 8775 SUNSET BOULEVARD (TOWER PARKING LOT) BY THE SUNSET STRIP BUSINESS ASSOCIATION FOR A WEEKLY NIGHTTIME FARMER'S MARKET [P. AREVALO, J. HUFFER, A. MCINTOSH, J. KEHO]:

SUBJECT: The City Council will consider approving an Occupancy License and various land use approvals and fee waivers associated with the Sunset Strip Business Association's use of city-owned property at 8775 Sunset Boulevard (Tower Parking Lot) for a nighttime farmer's market to be held on Thursdays throughout the year.

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

MICHAEL LEWIS, HACIENDA HEIGHTS, spoke in support of the Item.

Mayor Pro Tempore Land spoke in support of the Item, and spoke regarding the possibility of creating a similar event on La Peer once the BID is created.

Councilmember Heilman spoke in support of the Item, but expressed concern regarding the Evaluation Section of the Staff Report and suggested that Staff specify what Council will be looking at in the 120 day report to determine whether the program was successful. He also spoke about the loss of parking revenue due to the encroachment permits.

City Clerk Schaffer stated that the following people wanted to express their support for the recommended Item but did not wish to speak: VICTOR OMELCZENKO, WEST HOLLYWOOD; STEPHANIE J. HARKER, WEST HOLLYWOOD; CATHY BLAIVAS, WEST HOLLYWOOD; BARRY GREENFIELD, WEST HOLLYWOOD; RICHARD MAGGIO, WEST HOLLYWOOD; ALFREDO LA MONT; TONYA LOOKE, WEST HOLLYWOOD; and BRUCE SILBERMAN, LOS ANGELES.

ACTIONS: 1) Approve an Occupancy License between the City of West Hollywood and the Sunset Strip Business Association allowing the use of 8775 Sunset Boulevard for a nighttime farmer's market on every Thursday beginning in May 2012; 2) Allow the Sunset Strip Business Association to apply for any necessary City-issued planning or land use permits required for the farmer's market and waive all application fees; 3) Direct the Community Development Department to modify the Zoning Ordinance to accommodate alcoholic beverage sales for on-site consumption at farmer's markets; 4) Authorize Economic Development and Public Information and Human Services Departments to work with the Sunset Strip Business Association and the event producers to organize and publicize the event as applicable; 5) Approve a waiver of special event permit fees and any other City-related fees (building inspection, encroachment, planning, etc.) for the Sunset Strip Farmer's Market to be held every Thursday at 8775 Sunset Boulevard. Allow Special Event Staff to treat each month's market as a single special event; 6) Authorize the Director of Community Development to approve signage promoting the Sunset Strip Night Market located on public property along Sunset Boulevard upon approval of the event's Temporary Use and Special Event Permits and waive any associated sign permit fees; 7) Approve in kind support in the form of no charges to the SSBA for the use of City utilities (water, sewer, power) on the site during the scheduled weekly event; 8) Authorize the City Manager and/or Mayor to make any minor modifications and sign and execute the Occupancy License and any documents or

forms with the Sunset Strip Business Association that may be necessary for the successful implementation of this event; and 9) Direct staff and SSBA representatives to return to Council in 120 days for an update and evaluation of the Market's success to date. **Motion by Councilmember Duran, seconded by Mayor Pro Tempore Land and unanimously approved.**

5.E. APPOINTMENT OF CITY COUNCILMEMBERS AS DELEGATES AND ALTERNATES TO VARIOUS ORGANIZATIONS, COMMITTEES AND SUB-COMMITTEES [C. SCHAFFER, Y. QUARKER]:

SUBJECT: The City Council will consider appointments as delegates and alternates to various organizations, committees and sub-committees.

ACTION: The City Council appointed Delegates and Alternates to the following committees: A) Sanitation District No. 4 – Alternate Director; **Mayor Pro Tempore Land.** Adopt Resolution No. 12-4301, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ALTERNATE DIRECTOR TO THE BOARD OF DIRECTORS OF LOS ANGELES COUNTY SANITATION DISTRICT NO. 4". B) California Joint Powers Insurance Authority (CJPIA) – Director – **Councilmember Heilman**; Alternate – **David Wilson.** All other appointments were TABLED.

EXCLUDED CONSENT CALENDAR:

2.F. CONSTRUCTION OF A COMMERCIAL DEVELOPMENT AT 8801 SUNSET BOULEVARD [A, MCINTOSH, J. KEHO, A. GALLO]:

SUBJECT: At its meeting of April 2, 2012, the City Council considered the applicant's request for a 47,504 sq. ft. commercial development containing retail, gym/spa and office space at 8801 Sunset Boulevard that integrated a new billboard and large screen video sign into the building facades. After discussing the proposal's associated traffic impacts to the neighborhood, massing, and the signage on the commercial building fronting Horn, the Council directed staff to return to the City Council with a resolution to deny the project.

Councilmember D'Amico requested clarification from the applicant regarding what action they are requesting the Council to take regarding the Item.

NIKKI CARLSEN, REPRESENTING THE APPLICANT, requested that Council pull the Item and consider the revisions to the project design.

John Keho, Planning Manager, and Anne McIntosh, Community Development Director, provided clarification of the public hearing where the project as denied, and the staff decision to bring forward the resolution denying the project. Anne McIntosh spoke regarding the applicant going

back through the process with a revised design; and spoke regarding their ability to use the same EIR for the revised project.

Councilmember Heilman spoke in opposition to pulling the Item for consideration, but spoke in support of the applicant re-submitting a new design. He spoke regarding the fact that the applicant would not have to start over on the EIR. He spoke regarding the possibility of reducing or waiving some of the fees for the re-submitted design and the new application process. He also expressed concern over the public not being noticed regarding the continued discussion of the Item.

Ms. Carlsen stated that the project would most likely not move forward if the applicant was required to submit a new design and go through a new application process.

Councilmember D'Amico spoke regarding the design of the project, and expressed concerns regarding the loss of the project in the City.

Mayor Prang spoke regarding the revisions being proposed and stated that they appeared to address some of the issues raised by the community and Council. He spoke regarding the opportunity for the community and the applicant to be heard one final time.

Councilmember Heilman spoke in opposition to continuing the Item and spoke in support of denying the project.

Councilmember Duran requested clarification from the City Attorney on what the procedure would be to consider continuing the Item.

ACTIONS: 1) Continue the Item to allow the applicant to resubmit a revised design to be brought back to City Council in a newly scheduled public hearing, following a neighborhood meeting; and 2) allow the applicant 90 days to return with a revised design for consideration, and direct staff to return with resolution denying the project if the 90 day time limit is not met. **Motion by Councilmember Duran, seconded by Councilmember D'Amico and approved, noting the NO vote of Councilmember Heilman and Mayor Pro Tempore Land.**

6. LEGISLATIVE:

- 6.A. **AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUSINESS LICENSE ORDINANCE PERTAINING TO DANCE AND ENTERTAINMENT PROMOTERS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [O. DELGADO, J. AUBEL, D. MICK]:**
SUBJECT: The West Hollywood City Council will review and make recommendations on an amendment to the Business License Ordinance creating a new category of business license, Promoter Venue License,

and amending the existing codes that regulate the activities of dance and entertainment promoters.

Jeffrey Aubel, Code Compliance Manager and Dan Mick, Commercial Code Compliance Supervisor provided background information as outlined in the Staff Report dated May 7, 2012.

Mayor Pro Tempore Land requested clarification regarding the promoter venue license and the criteria the City will use to ensure compliance. She also requested clarification on why the City is still allowing promoter venue licenses.

Jeffrey Aubel, Code Compliance Manager, stated that the remedies are the same as any other license.

Dan Mick, spoke regarding giving the businesses options to require that the promoters for various events to carry the license and would allow the businesses and promoters to share responsibility.

ACTION: Staff recommends the City Council introduce for first reading Ordinance No. 12-889, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 5.08.010 (BUSINESSES REQUIRED TO BE LICENSED), CHAPTER 5.40 (DANCES AND DANCEHALLS), AND CHAPTER 5.44 (ENTERTAINMENT) AND ADDING CHAPTER 5.102 (PROMOTERS) TO TITLE V OF THE WEST HOLLYWOOD MUNICIPAL CODE PERTAINING TO REGULATION OF PROMOTERS." **Motion by Councilmember Duran, seconded by Councilmember D'Amico and unanimously approved.**

6.B. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PROVISIONS OF THE BUSINESS LICENSE CODE REGULATING VALETS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE [O. DELGADO, J. AUBEL, D. MICK]:

SUBJECT: The West Hollywood City Council will consider an amendment to the Business License Ordinance pertaining to the operating conditions of all licensed valet operators.

ACTION: This Item was moved to the Consent Calendar.

6.C. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING MUNICIPAL CODE SECTION 1.32.060 TO PERMIT AWARD OF ATTORNEY'S FEES AND COSTS TO THE PREVAILING PARTY IN AN ACTION FOR NUISANCE ABATEMENT [M. JENKINS]:

SUBJECT: The City Council will consider amending West Hollywood Municipal Code ("WHMC") Section 1.32.060 to permit award of attorney's fees and costs to the prevailing party in an action for nuisance abatement.

ACTION: This Item was moved to the Consent Calendar.

PUBLIC COMMENT:

STEPHANIE HARKER, WEST HOLLYWOOD, thanked Councilmember D'Amico for his "Coffee with the Councilmember" event. She also spoke regarding various focus group meetings for Plummer Park.

CATHY BLAIVAS, WEST HOLLYWOOD, spoke regarding the proposed changes to Plummer Park and the community outreach.

COUNCILMEMBER COMMENTS: NONE.

ADJOURNMENT: The City Council adjourned at 1:03 a.m. in memory of Major General Charles "Bud" W. Starr, Dick Clark, Bettie Naylor, Otho Jones Berry, Jean Worrell, E. Richard "Rick" Brown, Lurine Pearl, Fernando Don Lucas, Troy Elam, Jack Reese, Kenneth Weishuhn, and all the soldiers who died in Afghanistan since the last City Council meeting. The City Council adjourned to their next regular meeting, which will be on Monday, May 21, 2012 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 May, 2012 by the following vote:

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

JEFFREY PRANG, MAYOR

ATTEST:

COREY SCHAFFER, CITY CLERK