

# Item No. 22 - C

## M O T I O N

Proponents of an initiative ordinance regarding the required use of condoms on adult film sets and related City permit requirements have gathered sufficient signatures to qualify their petition for presentation to the City Council. In response to the presentation of this certified initiative petition, the City Council has determined to adopt the initiative ordinance contained in the petition consistent with City Charter Section 452. The City Council's action saves the City from potentially having to expend over \$4 million to place the initiative ordinance on the ballot.

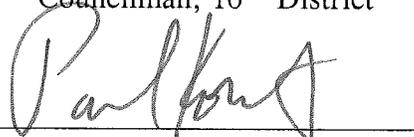
The legal validity of the initiative ordinance has been called into question and the City currently is in litigation over the validity of the initiative ordinance. The initiative ordinance provides that it may be amended in the future to further its purposes by ordinance passed by a majority vote of the City Council and approved by the Mayor. In light of these circumstances, a working group should be formed, which shall invite the participation of the California Division of Occupational Safety and Health and the California Occupational Safety and Health Standards Board, to study the ordinance and make recommendations regarding amendment of the ordinance necessary to further its purposes, as well as implementation matters.

I THEREFORE MOVE that the CAO be directed to convene a Working Group with the participation of the Personnel Department, the City Attorney, the Police Department, the California Division of Occupational Safety and Health and the California Occupational Safety and Health Standards Board, to study the ordinance to require condom usage in the adult film industry and make recommendations regarding amendment of the ordinance necessary to further its purposes, as well as implementation matters.

PRESENTED BY

  
HERB J. WESSON, Jr.  
Councilman, 10<sup>th</sup> District

SECONDED BY





January 10, 2012

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ORIGINAL