

**CITY COUNCIL
MINUTES
TUESDAY, FEBRUARY 22, 2005
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER: The meeting was called to order at 6:55 P.M.

PLEDGE OF ALLEGIANCE: Vicky Geist led the pledge.

ROLL CALL: PRESENT: Councilmember Guarriello, Heilman, Prang, Mayor Pro Tempore Land and Mayor Duran.

ABSENT: None.

ALSO PRESENT: City Manager Paul Arevalo, City Attorney Michael Jenkins, City Clerk Tom West and Assistant City Clerk Gwen Peirce.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that the Closed Session convened at 6:00 PM. He stated that one item was added to the agenda: City of Los Angeles and City of West Hollywood v. various gun manufacturers. He stated that the Closed Session adjourned at 6:40 PM with no reportable action taken.

APPROVAL OF AGENDA:

Mayor Pro Tempore Land requested that the meeting be adjourned in the memory of Marjorie Braude and Hunter S. Thompson.

Councilmember Prang requested that the meeting be adjourned in the memory of Ina Bliss, Maurice Kurpies, Nadine Kerner, Robin Labitsky and Eleanor Prang.

Councilmember Heilman requested that the meeting be adjourned in the memory of Lillian Mackler.

Motion by Councilmember Prang, seconded by Councilmember Guarriello to approve the February 22, 2005 agenda as amended and carried unanimously.

PRESENTATIONS:

Councilmember Prang presented a proclamation to members of the Los Angeles County Sheriff's Department and the Los Angeles Police Department in celebration of "Law Enforcement Diversity Week."

Mayor Duran presented a proclamation to The Abbey for their designation as the Best Gay Bar and Best Bar in Los Angeles in the AOL Food Guide.

1. PUBLIC COMMENT:

RUTH CISLOWSKI, WEST HOLLYWOOD, spoke in support of Items 2.K. and 2.Q. and thanked the Council for their support.

HOWARD JACOBS, WEST HOLLYWOOD, spoke in support of Item 2.Q., the opposition to HIV Names reporting.

NICOLE CURRAN, WEST HOLLYWOOD, spoke regarding events during March in honor of Women's History Month.

MARCY NORTON, WEST HOLLYWOOD, spoke in support of Item 2.N., installation of banners in honor of Women's History Month.

LYNDIA LOWY, WEST HOLLYWOOD, spoke in support of Item 2.P., opposing the proposed personal medical savings account.

TERRY LEFTGOFF, WEST HOLLYWOOD, spoke in support of Item 2.Q., opposing HIV Names reporting.

RON BUCKMIRE, WEST HOLLYWOOD, spoke in support of Item 2.Q., opposing HIV Names reporting.

YOLA DORE, WEST HOLLYWOOD, spoke in support of Item 2.P., opposing a proposed personal medical savings account, as well as potential changes to Social Security.

MICHELLE HART, LOS ANGELES, spoke in opposition to the proposed Sunset Millennium project.

LOVEDY BRYDEN, WEST HOLLYWOOD, spoke regarding negativity that she has recently witnessed in the City.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding his campaign for City Council.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in opposition to the demolition and redevelopment of older buildings in the City. She spoke in support of a historic survey of buildings and spoke in opposition to the proposed Sunset Millennium.

GEORGE CREDLE, WEST HOLLYWOOD, spoke regarding the lack of citizens' participation in the City's government processes.

STAN LOTHTRIDGE, WEST HOLLYWOOD, spoke in opposition to proposed development at the property at 1343 N. Laurel Avenue and in opposition to increased development.

RITA NORTON, WEST HOLLYWOOD, spoke regarding the negativity being displayed by supporters of certain City Council candidates.

ED GARREN, WEST HOLLYWOOD, spoke in opposition to demolition and redevelopment of older buildings in the City.

BARBARA HAMAKER, WEST HOLLYWOOD, spoke in support of Mayor Duran and his work on the Council and in the community.

GORDON DUVALL, WEST HOLLYWOOD, spoke in support of Mayor Duran and his work on the Council.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello announced that the Los Angeles County Animal Control will be making annual inspections of animal licenses within the City of West Hollywood.

Mayor Pro Tempore Land announced that the City won the Best of the Best award by the California Park & Recreation Society for the City's Book Fair. She requested that the City Manager provide a storm update. She spoke regarding the Sunset Millennium project and requested that staff ensure that a further fault study is being done as directed by the Planning Commission. She announced an upcoming presentation of the "Vagina Monologues."

Mayor Duran thanked Being Alive for their support of the opposition to HIV Names Reporting and spoke regarding the importance of the issue. He spoke regarding an upcoming forum on the connection between crystal meth and HIV. He requested that the City Manager provide an update on the events for the Academy Awards.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding several parties in West Hollywood for the Academy Awards on Sunday night. He spoke regarding an upcoming meeting with the City's geologist regarding the further seismic study for the Sunset Millennium. He introduced Kristin Cook, Acting Public Safety Manager, who provided an update on the damage from the recent storms.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact for the consent calendar is \$2,007,238 in expenditures and \$3,968,000 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve as amended. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and unanimously approved.**

2.A. POSTING OF AGENDA:

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of February 7, 2005. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 526, RESOLUTION NO. 05-3179:

ACTION: Approve Demand Register No. 526 and adopt Resolution No. 05-3179, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 526.” **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Francesco Abbado and Silver Spoon Restaurant and refer to the City’s claims adjuster. **Approved as part of the Consent Calendar.**

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

2.F. RESIGNATIONS OF SARAH DODGE FROM THE WOMEN’S ADVISORY BOARD AND KARIN QUIMBY FROM THE LESBIAN & GAY ADVISORY BOARD:

ACTION: Accept with regret the resignations of Sarah Dodge from the Women’s Advisory Board and Karin Quimby from the Lesbian & Gay Advisory Board. **Approved as part of the Consent Calendar.**

2.G. AWARD OF A CONSTRUCTION CONTRACT FOR SUNSET BLVD SEWER REHABILITATION, CIP 0405:

ACTION: 1) Accept the bid dated February 7, 2005, submitted by Sancon Technologies, Inc.; 2) Authorize the City Manager to enter into a contract with Sancon Technologies, Inc, in the amount of \$739,251.00 for the construction of CIP 0405, Sunset Boulevard Sewer Rehabilitation Project; 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) Authorize the Director of Finance to appropriate \$250,000 from the Sewer Fund Balance and increase the budgeted expenditures for Sewer District Maintenance (615-8040-9708) by \$250,000. **Approved as part of the Consent Calendar.**

2.H. AGREEMENT FOR SERVICES WITH CIVIC SOLUTIONS, INC. FOR PROFESSIONAL PLANNING SERVICES FOR PLANNING DIVISION:

ACTION: 1) Approve the Agreement for Professional Planning Services with Civic Solutions, Inc. in an amount not-to-exceed one hundred fifty thousand dollars (\$150,000) for planning services in the Planning Division as needed not-to- exceed three years of service; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.I. AUTHORIZATION TO USE FUNDS FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT LOCAL HOUSING TRUST FUND PROGRAM FOR THE HAVENHURST INDEPENDENT LIVING APARTMENTS PROJECT:

ACTION: 1) Authorize use of up to \$1 million of State Grant Funds from the Local Housing Trust Fund Program (LHTFP) funds for the Havenhurst Independent Living Apartments as a substitute for local developer-generated AHTF funds; 2) Authorize the director of Finance & Technology Services to adjust budgeted revenues and expenditures in the Miscellaneous Grant Fund and the Affordable Housing Trust Fund in Fiscal Years 2004-05 and 2005-06 to facilitate use of the Grant Funds for this purpose and free AHTF proceeds for future projects; 3) Reconfirm the loan of \$1,818,666 to the Havenhurst Limited Partnership, as previously approved by Council. This re-authorizes the same loan amount, but acknowledges different sources. There is no increase in funding; and 4) Authorize the City Manager to amend agreements to ensure continued compliance with grant requirements. **Approved as part of the Consent Calendar.**

2.J. UPDATE OF THE 2004-2005 OPERATING BUDGET, CAPITAL WORKPLAN, AND VISION 2020:

ACTION: 1) Receive and file the attached report on the Primary Strategic Goals; 2) Authorize the Director of Finance and Technology to increase budgeted General Fund revenues by \$1,360,000, Park Development Fund revenues by \$230,000; Public Beautification and Art revenues by \$78,000; and Affordable Housing Trust Fund revenues by \$1,300,000; and 3) Authorize the Director of Finance to use the General Fund revenue increase of \$1.3 million to offset \$1.9 million in previous Council appropriations, and the Affordable Housing revenue increase of \$1.3 million to offset \$475,000 in previous Council appropriations. **Approved as part of the Consent Calendar.**

2.K. RESOLUTION PROCLAIMING THE CITY OF WEST HOLLYWOOD'S PARTICIPATION IN NONPRESCRIPTION NEEDLE SALES AND THE LOS ANGELES COUNTY DISEASE PREVENTION PILOT PROJECT:

ACTION: 1) Adopt Resolution 05-3180, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING ITS SUPPORT OF PARTICIPATION IN NONPRESCRIPTION NEEDLE SALES AND APPROVING CITY PARTICIPATION IN THE DISEASE PREVENTION DEMONSTRATION PROJECT;" 2) Recommend that staff communicate with local pharmacies the City of West Hollywood's authorization of their participation in the Disease Prevention Demonstration Project; and 3) Recommend that City staff assist participating pharmacies in registering with the Los Angeles County Department of Health's Disease Prevention Demonstration Project. **Approved as part of the Consent Calendar.**

- 2.L. RESOLUTION URGING THE RETENTION AND FULL FUNDING OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR FY 2006:**
ACTION: 1) Adopt Resolution No. 05-3181, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ENCOURAGING THE RETENTION AND FULL FUNDING OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR "FY 2006"; and 2) Send the Resolution to President George W. Bush, U.S. Senator Barbara Boxer, U.S. Senator Diane Feinstein, U.S. Representative Henry Waxman, and other congressional representatives. **Approved as part of the Consent Calendar.**
- 2.M. WOMEN'S HISTORY MONTH, MARCH 2005:**
ACTION: Approve programming for Women's History Month, March 2005 and direct the appropriate City staff to work with the Women's Advisory Board to assist with the production and promotion of Women's History Month. **Approved as part of the Consent Calendar.**
- 2.N. INSTALLATION OF WOMEN'S HISTORY MONTH BANNERS ALONG SANTA MONICA BOULEVARD:**
ACTION: Direct staff to approve the installation of 32 pole banners on the north and south sides of Santa Monica Boulevard between La Cienega and Kings Road from March 1, 2005 – March 31, 2005. **Approved as part of the Consent Calendar.**
- 2.O. RESOLUTION IN OPPOSITION TO THE STATE BOARD OF EQUALIZATION'S PROPOSED CHANGES TO TAX EXEMPTIONS FOR AFFORDABLE HOUSING PROJECTS:**
ACTION: 1) Adopt Resolution No. 05-3182, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE STATE BOARD OF EQUALIZATION'S PROPOSED CHANGES TO TAX EXEMPTIONS FOR AFFORDABLE HOUSING PROJECTS"; and 2) Send the Resolution to the State Board of Equalization. **Approved as part of the Consent Calendar.**
- 2.P. A RESOLUTION OPPOSING PRESIDENT BUSH'S PLAN TO REPLACE EMPLOYER-PROVIDED HEALTH INSURANCE WITH HIGH-DEDUCTIBLE "CATASTROPHIC" INSURANCE COUPLED WITH PERSONAL HEALTH SAVINGS ACCOUNTS:**
ACTION: 1) Adopt Resolution 05-3183, "A RESOLUTION OPPOSING PRESIDENT BUSH'S PLAN TO REPLACE EMPLOYER-PROVIDED HEALTH INSURANCE WITH HIGH-DEDUCTIBLE "CATASTROPHIC" INSURANCE COUPLED WITH PERSONAL HEALTH SAVINGS ACCOUNTS"; 2) Send copies of resolution to President George W. Bush, U.S. Senators Dianne Feinstein and Barbara Boxer, U.S. House Representative Henry Waxman, California State Senator Sheila J. Kuehl

and California State Assemblymember Paul Koretz; 3) Commit city resources to advocate, at both the federal and state level, for adoption of health insurance coverage for all Californians through a single insurance plan, a preferred method of health care rather than the President's proposed Health Savings Account; and 4) Advocate for the rejection, at the federal and state level, of any proposals that would institute Personal Health Savings Accounts and accompanying Catastrophic Insurance. **Approved as part of the Consent Calendar.**

2.Q. REAFFIRMATION OF CURRENT CITY POLICY ON HIV NAMES-BASED REPORTING:

ACTION: 1) Continue to oppose HIV names-based reporting; and 2) Direct the City lobbyist to contact State legislators so that they become aware that the City of West Hollywood continues to oppose HIV names-based reporting. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. REQUEST TO AMEND THE ZONING ORDINANCE REGARDING THE USE OF THE MIXED-USE BONUS AREA AND TO CONSTRUCT A 42,814 SQUARE-FOOT MIXED-USE PROJECT WITH 16 DWELLING UNITS, A 20-ROOM HOTEL AND A 3,997 SQUARE-FOOT RESTAURANT:

Councilmember Heilman RECUSED himself and left the room due to the close proximity of his residence to the proposed project site.

Mayor Duran stated that the public hearing was noticed as required by law.

John Keho, Senior Planner, provided background information as outlined in the staff report dated February 22, 2005.

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

MATT FISHER, APPLICANT, introduced the design team on the project.

DAVE CAIN, APPLICANT, architect on the project, provided background information. He spoke regarding challenges to the project, specifically the extensive slope. He spoke regarding the attempts to separate the neighboring residences from the commercial aspects of the project. He spoke regarding aesthetic and parking/access aspects of the project.

TOM LOCKETT, APPLICANT, landscape architect, provided background information on the landscaping of the proposed project.

TOM DEMILLE, WEST HOLLYWOOD, expressed concern over potential traffic and other impacts on the neighboring area, specifically on Holloway. He spoke regarding the possibility of including affordable housing units in the project.

MINDY BRADISH, Executive Director of West Hollywood Chamber of Commerce, spoke in support of the proposed project.

JOYCE HEFTEL, WEST HOLLYWOOD, spoke in opposition to the proposed project due to traffic impacts and other cumulative impacts with other projects in the area, specifically the Sunset Millennium.

LAURIE GORMAN, WEST HOLLYWOOD, spoke in support of the proposed project because the developer has addressed the neighbors' concerns.

G.G. VERONE, WEST HOLLYWOOD, spoke in opposition to the proposed project due to traffic impacts and the potential that the restaurant might become a bar in the future. She also spoke in support of looking into where the other businesses in the area will park their delivery trucks.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in opposition to the proposed project due to traffic impacts and other cumulative impacts with other projects in the area, specifically the Sunset Millennium.

ED GARREN, WEST HOLLYWOOD, spoke in opposition to the proposed project due to traffic impacts and other cumulative impacts with other projects in the area, specifically the Sunset Millennium.

JEAN MATHISON, WEST HOLLYWOOD, spoke in opposition to the proposed project due to traffic impacts.

NORMAN CHERNER, WEST HOLLYWOOD, expressed concern over the potential of difficulties for individuals with mobility issues.

NORMAN CHRAMOFF, WEST HOLLYWOOD, spoke in support of the potential project due to the fact that the current building on the property is a safety hazard.

MATT FISHER, APPLICANT, spoke regarding how the applicants came up with the project and addressed concerns raised by public speakers, such as traffic impacts, parking issues, public safety issues, the possibility of a bar being built in the place of the restaurant, and meeting ADA requirements.

Mayor Duran closed the public hearing.

Mayor Pro Tempore Land expressed concerns over the potential impacts of the loading zone. She spoke in support of including language that would ensure the employer would pay for employee parking and incentives.

Mayor Duran expressed concern over traffic impacts in the surrounding neighborhood.

Councilmember Prang expressed concern over the potential impacts of the restaurant, specifically the employee parking. He spoke in support of mandating on-site employee parking. He spoke in support of revising the hours of operation to close at 12:00 A.M. on Friday and Sunday.

Councilmember Guarriello spoke in support of the proposed project and looking at further mixed-use projects.

Mayor Pro Tempore Land spoke in support of the proposed project, but expressed concern over the hours and coordination of the loading area. She spoke in support of the City making sure that this project is not being built at the same time as other large projects in the area. She spoke in support of ensuring that the plants are drought-tolerant plants. She spoke in support of the developer working with the City and the condominium owners and restaurant management on a project for recycling. She spoke in support of ensuring that employees are not parking on local streets.

ACTION: Approve the request and introduce for the first reading the following: 1) Ordinance No. 05-698, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ZONE TEXT AMENDMENT 2004-01 ALLOWING HOTEL USES WITHIN THE MIXED-USE BONUS AREA."; 2) Adopt Resolution No. 05-3184, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2004-08, DEVELOPMENT PERMIT 2004-07, CONDITIONAL USE PERMIT 2004-03 FOR HOTEL USE AND THE SALES, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AND VARIANCE 2004-03 FOR A 42,814 SQUARE FOOT MIXED-USE DEVELOPMENT WITH A 3,997 SQUARE-FOOT RESTAURANT SPACE, 20 HOTEL ROOMS, AND 16 CONDOMINIUM UNITS AT 8465 HOLLOWAY DRIVE, WEST HOLLYWOOD, CALIFORNIA."; and 3) Adopt Resolution No. 05-3185, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, GRANTING CONDITIONAL APPROVAL OF TENTATIVE TRACT MAP 61147 (TENTATIVE TRACT MAP 2004-05) FOR PROPERTY LOCATED AT 8465 HOLLOWAY DRIVE, WEST HOLLYWOOD, CALIFORNIA."

Motion by Mayor Pro Tempore Land, seconded by Councilmember Prang and unanimously carried to introduce for first reading, Ordinance No. 05-698.

Motion by Mayor Pro Tempore Land, seconded by Councilmember Guarriello and carried that the hours of alcohol sale and operation will be 6:00 AM – midnight, Sun. – Thurs., 6:00AM – 1:00 AM, Friday and Saturday. Councilmember Prang voted NO and Councilmember Heilman was RECUSED.

Motion by Mayor Pro Tempore Land, seconded by Councilmember Guarriello and approved to adopt Resolution No. 05-3184 to return to Council with the following revisions:

- **Providing employee parking at no cost to employee and providing enforcement of this through personnel policies;**
- **Participation in the City's Solid Waste Recycling Project;**
- **Include drought-tolerant plants in the landscaping;**
- **Sale of alcoholic beverages should be 6:00 AM – 8:30AM for room service or guests of hotel only.**

Councilmember Heilman was RECUSED.

Motion by Mayor Pro Tempore Land, seconded by Councilmember Prang to adopt Resolution No. 05-3185 and unanimously carried with Councilmember Heilman being RECUSED.

THE CITY COUNCIL RECESSED AT 9:20 PM AND RECONVENED AT 9:30 PM.

3.B. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF CONVERSION OF AN EXISTING 8-UNIT MULTI-FAMILY BUILDING TO CONDOMINIUM UNITS AT 1112 OLIVE DRIVE:

Mayor Duran stated that the public hearing was noticed as required by law.

Francie Stefan, Senior Planner, provided background information as outlined in the staff report dated February 22, 2005.

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

STEVEN AFRIAT, representing the APPLICANT, spoke regarding the issues that have arisen due to the County's approval of the tract map prior to the City's incorporation. He spoke in opposition to the in-lieu fees that the City has placed on the project.

BOB GREEN, WEST HOLLYWOOD, spoke in support of condominium ownership and converting the apartments into condominiums. He stated that either in-lieu fees or relocation fees should apply.

MARICELLA SHERWIN, WEST HOLLYWOOD, spoke in support of the conversion of the existing apartments.

STEVEN AFRIAT, representing the APPLICANT, spoke regarding the fees.

City Attorney Jenkins provided background information regarding the former litigation regarding the property.

Mayor Duran closed the public hearing.

ACTION: Adopt Resolution 05-3186, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF STEVEN AFRIAT, REPRESENTATIVE OF THE PROPERTY OWNER, AND UPHOLDING THE PLANNING COMMISSION'S ACTION APPROVING DEVELOPMENT PERMIT 2004-19 FOR CONVERSION OF AN EXISTING 8-UNIT RESIDENTIAL BUILDING TO CONDOMINIUMS LOCATED AT 1112 OLIVE DRIVE, WEST HOLLYWOOD, CALIFORNIA."
Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and unanimously approved.

4. UNFINISHED BUSINESS:

4.A. TAXICAB FRANCHISE ANNUAL PERFORMANCE REVIEW:

Toya Ann Brown, Transportation Specialist, and Terri Slimmer, Transportation Manager, provided background information as outlined in the staff report dated February 22, 2005.

ED GARREN, WEST HOLLYWOOD, spoke regarding communication issues with taxicab drivers.

YOLA DORE, WEST HOLLYWOOD, spoke regarding the taxicab companies overcharging customers, not providing good customer service and not accepting the taxicab coupons provided by City Hall.

KEN SPIKER, representing Checker Cab, United Independent and ITOA, spoke regarding problems with the taxicab companies working on Santa Monica and Sunset Boulevards. He spoke regarding the problem with bandit taxicabs.

Mayor Pro Tempore Land expressed concern over the business practices of all of the City's taxicab companies.

Councilmember Heilman spoke in support of placing all of the taxicabs on probation due to the poor service they are providing.

Councilmember Guarriello expressed concern over poor service provided by taxicab drivers, especially to senior citizens and people living with disabilities.

Councilmember Prang expressed concern over the poor service the taxicabs are providing. He spoke in support of allowing a rate that's comparable to the Los Angeles rates, but only if the service improves. Councilmember Prang spoke in support of the taxicab companies establishing goals for their drivers, such as picking up a certain percentage of individuals at markets, etc.

Mayor Duran spoke regarding a recent incident with a taxicab company. He expressed concern over the sampling of the "sting" operations and stated that if the numbers of calls were doubled, he would feel more comfortable analyzing the data. He spoke in support in raising the rates to be comparable to Los Angeles and spoke in support of monitoring their rates. He spoke in support of extending the probation of all companies to six months and increasing the sampling size.

Mayor Pro Tempore Land spoke in support of increasing the sampling, extending the probationary period and including any information about bandit taxicabs from existing licensed companies.

ACTION: 1) Lift the permit restrictions for UITA and ITOA and restore 2 cabs each; continue permit restrictions on Checker Cab for another six months; ask staff to continue the investigation and evaluation with an emphasis on the issues of overcharging, failure to respond to supermarkets, failure to respond to taxi coupons, impolite drivers and the possibility of having community training, and look at bandit cabs and any existing companies who have bandit cabs to be considered during the evaluation process; direct staff to bring back to Council the recommendation to place all of the taxicab companies on probation; 2) Authorize the Director of Finance to adjust the General Fund budgeted revenues and expenditures based upon final City Council actions. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land unanimously approved.**

4.B. VARIOUS ADVISORY BOARD APPOINTMENTS:

ACTION: TABLED.

5. NEW BUSINESS:

None.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

ED BUCK, WEST HOLLYWOOD, spoke regarding campaign contributions being received by candidates for City Council.

SUSAN MARKUM, WEST HOLLYWOOD, spoke in support of an independent geologist conduct a seismic test on the Sunset Millennium project. She expressed concern over public safety and traffic impacts with the proposed project.

JOYCE HEFTEL, WEST HOLLYWOOD, spoke in support of an independent geologist conduct a seismic test on the Sunset Millennium project. She expressed concern over the cumulative effect of impacts with this project and others in the surrounding area.

G.G. VERONE, WEST HOLLYWOOD, spoke in support of an independent geologist conduct a seismic test on the Sunset Millennium project. She spoke in support of also including a State geologist in the testing.

MICHAEL ARRIGO, WEST HOLLYWOOD, spoke regarding an incident with Checker Cab Company and stated his desire to be included in the community training.

6. LEGISLATIVE:

6.A. POSTING MAXIMUM RATES FOR VEHICLES TOWED FROM PRIVATE PROPERTY:

Don Norte, Parking Services Officer, provided background information as outlined in the staff report dated February 22, 2005.

ACTION: Introduce for first reading Ordinance No. 05-699, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE TRAFFIC CODE TO CLARIFY CALIFORNIA VEHICLE CODE SECTION 22658(i)(1) BY REQUIRING CHARGES FOR TOWING AND STORAGE TO BE POSTED ON PRIVATE PROPERTY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". **Motion by Mayor Pro Tempore Land, seconded by Councilmember Prang and unanimously approved.**

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 11:00 P.M. in the memory of Marjorie Braude, Hunter S. Thompson, Ina Bliss, Maurice Kurpies, Nadine Kerner, Robin Labitsky, Eleanor Prang and Lillian Mackler to their next regular meeting, which will be on Monday, March 7, 2005 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 7th
DAY OF MARCH, 2005.

JOHN J. DURAN, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK