

**CITY COUNCIL  
MINUTES  
MONDAY, MAY 2, 2005  
WEST HOLLYWOOD PARK AUDITORIUM**

**CALL TO ORDER:** The meeting was called to order at 7:05 P.M.

**PLEDGE OF ALLEGIANCE:** William Neish led the pledge.

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

ABSENT: None.

ALSO PRESENT: City Manager Paul Arevalo, City Attorney Michael Jenkins, Assistant City Clerk Gwen Peirce and Administrative Specialist IV Corey Schaffer.

**REPORT OF CLOSED SESSION AGENDA:**

City Attorney Jenkins stated that the Closed Session convened at 6:00 PM. He stated that two items of threatened litigation were added to the agenda; one item of Pending Litigation, CVMA v. City of West Hollywood; and one item of Negotiation of Real Property, pertaining to Poinsettia Park. There were 2 public speakers. There was no reportable action and the Closed Session meeting was adjourned at 6:50pm.

**APPROVAL OF AGENDA:**

Councilmember Guarriello requested that Item 4.A. be moved to the Consent Calendar as Item 2.O.

Councilmember Duran requested that the meeting be adjourned in memory of Justin Dardis and Richard Hunt. He requested that Item 2.I. be moved to Excluded Consent.

Councilmember Prang requested that the meeting be adjourned in memory of Sam Ross.

Mayor Pro Tempore Heilman requested that the meeting be adjourned in memory of Donn Morey. He also noted his abstention on Item 2.G.

**Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Heilman to approve the May 2, 2005 agenda as amended and carried unanimously.**

**PRESENTATIONS:**

Councilmember Guarriello presented a proclamation to Andy Harland for "Military Appreciation Day."

Mayor Pro Tempore Heilman presented a proclamation to Senior Advisory Board Members for "Senior Month."

Councilmember Prang presented a proclamation to James Humphrey from Architectural Digest for "West Hollywood Architecture Day."

Mayor Land presented a proclamation to Ric Rickles for "Cover the Uninsured Week."

Councilmember Duran presented a proclamation to Yola Dore for "Mental Health Month."

Mayor Land presented a proclamation to John Chase and the West Hollywood Sheriff's Department for "Public Service Recognition Week."

**1. PUBLIC COMMENT:**

J.W. MOORE, IV, WEST HOLLYWOOD, spoke in support of Items 2.O. (4.A.), 2.F., and 2.N. He addressed concerns about commercial vehicles parked in residential areas.

ED BUCK, WEST HOLLYWOOD, spoke in opposition to Item 2.I.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in opposition to Item 2.J. and spoke regarding the Historic Resource Survey.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the increase in rents for West Hollywood Community Housing units and other various concerns in the City.

RITA NORTON, WEST HOLLYWOOD, spoke on behalf of the Senior Advisory Board and thanked Ric Rickles for his dedication and hard work.

RIC RICKLES, WEST HOLLYWOOD, spoke regarding the upcoming Public Safety Awards and in opposition to Governor Schwarzenegger's funding cuts for caretakers.

RODNEY SCOTT, WEST HOLLYWOOD, spoke regarding the Christopher Street West festival and parade. He announced that CSW is naming the City of West Hollywood as the 2005 Community Grand Marshall.

ANN SEMONCO, WEST HOLLYWOOD, spoke regarding a Disabilities Advisory Board resolution to participate in the Christopher Street West festival and parade.

ED GARREN, WEST HOLLYWOOD, spoke regarding drug dealers in Plummer Park.

ALLEGRA ALLISON, WEST HOLLYWOOD, spoke in opposition to the proposed project at 1343 N. Laurel Avenue.

WILLIAM NEISH, WEST HOLLYWOOD, spoke regarding Carlton Manor and thanked City Council, the City Manager, and City staff for their assistance in obtaining information.

LIZA AMTMANIS, LOS ANGELES, spoke in opposition to the proposed project at 1343 N. Laurel Avenue.

MARK HEINEMANN, WEST HOLLYWOOD, spoke regarding condominium conversions and Ellis Act evictions.

MATTHEW GOLDSMITH, LOS ANGELES, expressed concern about a lack of communication between the Planning Commission, Historic Preservation Commission, City Council and Planning staff.

ANGEE BECKETT, WEST HOLLYWOOD, spoke regarding community tree plantings and spoke in support of Item 5.B.

### **COUNCILMEMBER COMMENTS:**

Councilmember Duran spoke regarding the decrease in federal HOPLWA (Housing Opportunities for People Living with AIDS) funds and the options that are being explored by the City's Human Services Department to locate alternative funding. He also spoke regarding upcoming potential changes to the Ellis Act.

Councilmember Guarriello directed the City Manager to look into Ed Garren's public comment regarding the drug dealer situation in Plummer Park.

In response to a Public Comment, Councilmember Prang clarified that the City does require all City Contractors to meet the City's Living Wage Ordinance. He also spoke regarding animal shelters and identified that the Carson shelter provides services the City of West Hollywood. He also spoke regarding the upcoming Victory in Europe Day Celebration. He spoke regarding a City of Los Angeles Task Force that has been created to discuss the Los Angeles Unified School District. He directed the City Manager to continue monitoring medical marijuana dispensaries in the City.

Mayor Pro Tempore Heilman also expressed concern about the need to investigate the drug problems at Plummer Park. He clarified, in response to Public Comment, that Item 2.N. does not impact the ability of Neighborhood Watch groups to accept donations for National Night Out.

Mayor Land spoke regarding Healthy West Hollywood and gave information about high blood pressure as part of a continuing program to provide health tips at each Council Meeting. She also spoke regarding the dedication of the Orange Grove parking lot.

### **CITY MANAGER'S REPORT:**

City Manager Arevalo provided a report on Item 4.A, the Holly Hills Storm Drain project. He clarified that the bulk of work on this project will happen during the summer of 2005, which will give City Engineering staff time to keep the community and Council informed about details of the project and any road closures.

City Manager Arevalo spoke regarding an upcoming park security meeting to address safety issues and drug dealing concerns and stated that he will report back with results from that meeting.

Captain Dave Long provided a report regarding recent robberies in the City and addressed Ed Garren's public comment regarding drug dealing in Plummer Park and the response time from the Sheriff's Department. He informed the public that if they have concerns regarding response time, they should contact him directly.

City Manager Arevalo spoke regarding a formal policy to regulate medical marijuana dispensaries. He informed Council that he is working with Public Safety staff to conduct public meetings to address concerns regarding the dispensaries prior to a formal policy being brought before the City Council. He stated that a semi-annual public safety report will be brought to Council in June.

**FISCAL IMPACT ON CONSENT CALENDAR:**

Assistant City Clerk Peirce stated that the fiscal impact on the Consent Calendar is \$1,148,000 in expenditures and \$292,760 in potential revenue.

**2. CONSENT CALENDAR:**

**ACTION:** Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H., J.,K.,L.,M.,N.,O.(4.A.) **Motion by Councilmember Prang, seconded by Councilmember Guarriello and unanimously approved with Mayor Land voting NO and Mayor Pro Tempore ABSTAINING on Item 2.G.**

**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 April 4, 2005; April 13, 2005; and April 18, 2005. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NOS. 530 & 531, RESOLUTION NO. 05-3210:**

**ACTION:** Approve Demand Register Nos. 530 & 531 and adopt Resolution No. 05-3210, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NOS. 530 & 531." **Approved as part of the Consent Calendar.**

**2.D. TREASURER'S REPORT FOR MARCH 2005:**

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

**2.E. CLAIMS ADMINISTRATION:**

**ACTION:** Deny the claim of Robert W. Greene and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

- 2.F. ORDINANCE NO. 05-706 (2<sup>ND</sup> READING), A PROPOSED ORDINANCE IMPLEMENTING DISTRICT 9 PREFERENTIAL PARKING REGULATIONS ON ROMAINE STREET, BETWEEN HARPER AND LA JOLLA AVENUES:**  
**ACTION:** Waive further reading and adopt Ordinance No. 05-706, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.240 c. OF THE WEST HOLLYWOOD MUNICIPAL CODE AMENDING THE LIST OF STREETS REGULATED IN PREFERENTIAL PARKING DISTRICT 9 BY ADDING ROMAINE STREET, BETWEEN HARPER AND LA JOLLA AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**
- 2.G. ORDINANCE NO. 05-708 (2<sup>ND</sup> READING), A PROPOSED ORDINANCE AMENDING AND RESTATING THE DEVELOPMENT AGREEMENT FOR THE SUNSET MILLENNIUM TO DEVELOP TWO HOTELS WITH GROUND FLOOR RETAIL AND RESTAURANT SPACE ON SUNSET SPECIFIC PLAN SITE 4-C AND TWO RESIDENTIAL TOWERS WITH GROUND FLOOR RETAIL AND RESTAURANT SPACE AT SUNSET SPECIFIC PLAN SITE 4-D:**  
**ACTION:** Waive further reading and adopt Ordinance No. 05-708, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT 003-004 AND ZONING MAP AMENDMENT 004-001, CREATING A DEVELOPMENT AGREEMENT OVERLAY DISTRICT ON PARCELS 4-C, 4-D AND 5-C OF THE SUNSET SPECIFIC PLAN." **Approved as part of the Consent Calendar with Mayor Land voting No and Mayor Pro Tempore Heilman Abstaining.**
- 2.H. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**  
**ACTION:** Receive and file. **Approved as part of the Consent Calendar.**
- 2.I. ANIMAL CONTROL SERVICES:**  
**ACTION:** Moved to Excluded Consent.
- 2.J. AMENDMENT TO AGREEMENT FOR GROUNDS MAINTENANCE SERVICES:**  
**ACTION:** 1) Approve the Ninth Amendment to Agreement for Grounds Maintenance Services with TruGreen LandCare, Inc., extending the term of the Agreement for Grounds Maintenance Services to June 30, 2007, at a monthly rate of \$33,042.56; and 2) Authorize the City Manager to sign the Ninth Amendment to Agreement. **Approved as part of the Consent Calendar.**
- 2.K. AMENDMENT TO AGREEMENT FOR GRAFFITI REMOVAL SERVICES:**

**ACTION:** 1) Approve the Fifth Amendment to Agreement with Urban Graffiti Enterprise, Inc. which extends the term of the original Contract Agreement to June 30, 2006; and 2) Authorize the City Manager to sign the Fifth Amendment to Agreement dated May 2, 2005. **Approved as part of the Consent Calendar.**

**2.L. APPROVAL OF FINAL PARCEL MAP NO. 25387 FOR THE CONDOMINIUM PROJECT LOCATED AT 702 – 704 HUNTLEY DRIVE:**

**ACTION:** 1) Make findings for the Final Parcel Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 55474.6 of the Subdivision Map Act, b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3, Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code, c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Parcel Map No. 25387; and 3) Instruct the City Clerk to endorse on the face of the map of Final Parcel Map No. 25387 the certificate, which embodies the approval of said map and acceptance of dedications shown thereon. **Approved as part of the Consent Calendar.**

**2.M. DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 2005-2006 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2005-06 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982, CHAPTER 6.4 OF PART 1 OF DIVISION 2 OF TITLE 5 OF THE CALIFORNIA GOVERNMENT CODE:**

**ACTION:** Adopt Resolution No. 05-3211, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 2005-2006 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2005-2006 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982, CHAPTER 6.4 OF PART 1 OF DIVISION 2 OF TITLE 5 OF THE CALIFORNIA GOVERNMENT CODE." **Approved as part of the Consent Calendar.**

**2.N. DONATIONS TO NEIGHBORHOOD WATCH GROUPS:**

**ACTION:** 1) Direct the Finance Director to establish an account to allow for the tracking of atypical donations to Neighborhood Watch groups to enhance their events or neighborhood projects; and 2) Direct staff to assist Neighborhood Watch groups to evaluate donations and expenditures. **Approved as part of the Consent Calendar.**

**2.O. (4.A.) A RESOLUTION APPROVING THE COUNTY OF LOS ANGELES' HOLLY HILLS STORM DRAIN UNIT 8B PHASE II:**

**ACTION:** Adopt Resolution No. 05-3212, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE COUNTY OF LOS ANGELES' HOLLY HILLS STORM DRAIN UNIT 8B PHASE II, AND AUTHORIZING THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS TO PROCEED WITH CONSTRUCTION OF THE PROJECT." **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**

**3.A. REVIEW OF THE CITY SEWER SERVICE CHARGE FOR FISCAL YEAR 2005-06:**

Mayor Land stated that the item was noticed as required by law.

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated May 2, 2005.

Mayor Land opened the public hearing and no speakers came forward.

Mayor Land closed the public hearing.

**ACTION:** 1) Make a finding that there is no majority protest by property owners within the assessment area; and 2) Approve Resolution No. 05-3213, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SEWER SERVICES FOR FISCAL YEAR 2005-06 PURSUANT TO TITLE 15, CHAPTER 12 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE." **Motion by Councilmember Guarriello, seconded by Councilmember Duran and unanimously approved.**

**3.B. REVIEW OF THE CITY SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE FEE FOR FISCAL YEAR 2005-06:**

Mayor Land stated that the item was noticed as required by law.

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated May 2, 2005.

Mayor Land opened the public hearing and no speakers came forward.

Mayor Land closed the public hearing.

**ACTION:** 1) Make a finding that there is no majority protest by property owners within the assessment area; and 2) Approve Resolution No. 05-3214, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE LEVYING OF AN ANNUAL ASSESSMENT FOR SOLID WASTE AND RECYCLING SERVICES FOR FISCAL YEAR 2005-06 PURSUANT TO TITLE 15, CHAPTER 48 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE." **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

**3.C. APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A REQUEST TO DEMOLISH TWO SINGLE-FAMILY HOMES AND CONSTRUCT AN ELEVEN-UNIT CONDOMINIUM USING THE COURTYARD DESIGN STANDARDS AND INCENTIVES WITH A VARIANCE FOR FRONT YARD SETBACK LOCATED AT 612-616 NORTH CROFT AVENUE:**

Mayor Land stated that the item was noticed as required by law.

John Keho, Planning Manager, provided background information as outlined in the staff report dated May 2, 2005.

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

GENE SMITH, WEST HOLLYWOOD, spoke on behalf of the applicant. He provided background information regarding the appeal.

SHARON SKOK, WEST HOLLYWOOD, spoke in opposition to Item 3.C. and in support of the condominium project.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in support of Item 3.C. and in opposition to the condominium project.

MINDY BRADISH, BURBANK, spoke in opposition to Item 3.C. and in support of the condominium project.

SHELAH LEHRER-GRAIWER, WEST HOLLYWOOD, read a letter in opposition to Item 3.C. and in support of the condominium project.

ED GARREN, WEST HOLLYWOOD, spoke in support of Item 3.C. and in opposition to the condominium project.



SALLY ROISMAN, WEST HOLLYWOOD, spoke in support of Item 3.C. and in opposition to the condominium project.

JOSEPH CLAPSADDLE, WEST HOLLYWOOD, spoke in opposition to Item 3.C. and in support of the condominium project.

LIZA AMTMANIS, WEST HOLLYWOOD, spoke in support of Item 3.C. and in opposition to the condominium project.

STEVE ROISMAN, WEST HOLLYWOOD, spoke in support of Item 3.C. and in opposition to the condominium project.

EVELYN GRAY, WEST HOLLYWOOD, spoke in support of Item 3.C. and in opposition to the condominium project.

DAVID HOLBERT, WEST HOLLYWOOD, spoke in support of Item 3.C. and in opposition to the condominium project.

MATTHEW GOLDSMITH, WEST HOLLYWOOD, spoke in support of Item 3.C. and in opposition to the condominium project.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of Item 3.C. and in opposition to the condominium project.

GENE SMITH, WEST HOLLYWOOD, gave a rebuttal on behalf of the applicant.

Mayor Land closed the public hearing.

Councilmember Duran spoke about the need to provide more housing opportunities in the City. He spoke in support of the project's compatibility with the surrounding area and mentioned that the project fits within the zoning ordinance.

Councilmember Guarriello spoke about the success of the developer's previous projects and in support of the current proposed condominium development.

Councilmember Prang spoke in support of the project design, but expressed concern over its incompatibility with the surrounding neighborhood and scale for the proposed project.

Mayor Pro Tempore Heilman spoke regarding the need to continue to look for more housing opportunities and stated that the proposed project is in compliance with the zoning ordinance. He expressed concern for the impact on neighboring residents, but emphasized that they are also zoned as R4.

Mayor Land spoke in support of the condominium project, and stated that is in compliance with the zoning ordinance. She also spoke regarding the need to explore different options for additional landscape and/or buffer as the Planning Division works with the developer and measures that would ensure that construction would not negatively impact traffic.

**ACTION: Grant the appeal and permits with additional direction to require additional landscaping/buffer and measures to ensure the construction does not impede traffic. Motion by Councilmember Duran, seconded by Councilmember Guarriello and approved on a roll call vote with Councilmember Prang voting No.**

CITY COUNCIL RECESSED AT 9:25 P.M. AND RECONVENED AT 9:35 P.M.

**3.D. APPEAL OF THE HISTORIC PRESERVATION COMMISSION'S RECOMMENDATION TO DESIGNATE THE PROPERTY LOCATED AT 1236-46 HARPER AVENUE (THE RAMONA) AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD:**

Mayor Land stated that the item was noticed as required by law.

Terry Blount, Associate Planner, provided background information as outlined in the staff report dated May 2, 2005.

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

FRED SCHAFFER, SANTA MONICA, spoke on behalf of the appellant. He spoke about a proposed future development and spoke in support of the resolution designating the Ramona as a local cultural resource.

MARK LEHMAN, spoke on behalf of the appellant. He spoke in support of the resolution to investigate the creation of a new thematic grouping, with an exception regarding the East Facing Façade.

JESSE SLANSKY, WEST HOLLYWOOD, spoke in support of Item 3.D., designating the Ramona as a local cultural resource.

RICHARD JOHNSON, WEST HOLLYWOOD, spoke as the applicant for the local cultural resource designation. He spoke in support of Item 3.D. and gave background information regarding the application.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in support of a local cultural designation, but in opposition to the language of Item 3.D.

MINDY BRADISH, BURBANK, spoke in support of Item 3.D., the designation of the Ramona as a local cultural resource.

ED GARREN, WEST HOLLYWOOD, spoke in support of a local cultural designation, but in opposition to the language of Item 3.D.

TRAVIS WYNN, WEST HOLLYWOOD, spoke in support of a local cultural designation, but in opposition to the language of Item 3.D.

WILLIAM NEISH, WEST HOLLYWOOD, spoke in support of a local cultural resource designation.

LIZA AMTMANIS, LOS ANGELES, spoke in support of a local cultural resource designation and preserving the Ramona.

GENE SMITH, WEST HOLLYWOOD, spoke in support of Item 3.D., and the investigation of the creation of a new thematic grouping.

JANELLE HENSLEY, WEST HOLLYWOOD, spoke in support of a local cultural resource and preserving the Ramona's integrity.

MATTHEW GOLDSMITH, WEST HOLLYWOOD, spoke in support of a local cultural designation, but in opposition to the language of Item 3.D.

ROY OLDENKAMP, WEST HOLLYWOOD, spoke in support of a local cultural designation, but in opposition to the language of Item 3.D.

RIC ABRAMSON, WEST HOLLYWOOD, spoke in support of Item 3.D., the designation of the Ramona as a local cultural resource.

LINDA F. KAUFMAN, WEST HOLLYWOOD, spoke in support of preserving the Ramona.

MARK LEHMAN provided a rebuttal on behalf of the appellant.

RICHARD JOHNSON provided a rebuttal on behalf of the applicant.

Mayor Land closed the public hearing.

Councilmember Duran spoke regarding the need for the Historic Preservation Commission to find specific defining features that will be defensible in court as criteria for a local cultural resource designation. He outlined specific features at the Ramona that meet these criteria and spoke in support of both resolutions in Item 3.D.

Councilmember Guarriello spoke in support of Councilmember Duran's comments and in support of Item 3.D.

Councilmember Prang spoke in support of the additions to the proposed resolutions and the fact that they provide specific identifiable features for a cultural resource designation. He spoke in support of both resolutions in Item 3.D.

Mayor Pro Tempore Heilman spoke in support of the designation because the residents and the developers are both in agreement. He directed that the language of the resolution be clarified in Section 8, letter b to protect the volume, not necessarily the sides of the rear building.

Mayor Land spoke in support of Item 3.D. and thanked the residents for all their work in helping to bring this item forward.

**ACTION:** Approve the request and adopt the following: 1) Resolution No. 05-3215, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD GRANTING THE APPEAL OF GTO HARPER, LLC AND DESIGNATING THE PROPERTY LOCATED AT 1236-46 HARPER AVENUE (THE RAMONA) AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD;" **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Guarriello and unanimously approved with the clarification to the language in Section 8, letter b to protect the volume, not necessarily the sides of the rear building; and 2) Direct to staff to investigate the creation of a new thematic grouping, tentatively known as the Garden Court Thematic Grouping (to include, but not be limited to, the property located at 1236-46 Harper Avenue) as part of the Historic Resources Survey Update. Carried by consensus of the Council.**

**4. UNFINISHED BUSINESS:**

**4.A. A RESOLUTION APPROVING THE COUNTY OF LOS ANGELES' HOLLY HILLS STORM DRAIN UNIT 8B PHASE II:**

**ACTION:** Moved to the Consent Calendar as Item 2.O.

ITEM 4.B. WAS HEARD OUT OF ORDER OF THE AGENDA.

**4.B. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE CHANGE FOR JUNE, JULY, AUGUST, SEPTEMBER AND OCTOBER 2005:**

Assistant City Clerk Peirce provided background information as outlined in the staff report dated May 2, 2005.

**ACTION:** ~~1) Discuss canceling or rescheduling the meeting of June 20, 2005;~~ 2) **Cancel the meeting of July 5, 2005** due to the Independence Day holiday (Tentative); 3) **Cancel the meeting of August 1, 2005** (Tentative); and 4) Return with an Item to discuss rescheduling the cancelled October 3, 2005 meeting. **Carried by consensus of the Council.**

**5. NEW BUSINESS:**

**5.A. CREATION OF A COMMUNITY TASK FORCE FOR STUDY AND RECOMMENDATIONS REGARDING CHRISTOPHER STREET WEST:**

Mayor Pro Tempore Heilman, provided background information as outlined in the staff report dated May 2, 2005.

RODNEY SCOTT, WEST HOLLYWOOD, spoke in support of Item 5.A.

RICHARD KALEH, WEST HOLLYWOOD, spoke in support of Item 5.A.

NORMAN CHERNER, WEST HOLLYWOOD, spoke in support of Item 5.A.

**ACTION:** 1) Direct Human Services and Economic Development staff to work jointly with the President of Christopher Street West to create a task force drawing on members of our Arts and Cultural Affairs Commission, Lesbian and Gay Advisory Board, Chamber of Commerce, Convention and Visitors Bureau, the Avenues of Arts and Design Business Improvement District, Santa Monica Boulevard West business representatives, experts in major event planning and City staff. The task force will review the current event and report back to the City Council and the CSW Board with recommendations for the CSW event; and 2) Report back to Council and CSW with specific recommendations within 180 days.

**Motion by Councilmember Guarriello, seconded by Councilmember Prang and unanimously approved with revisions to include representatives of the disabled community and/or the Disability Advisory Board; to request that the task force investigate disabled access to the event; and to request that the task force report their findings to other appropriate Commissions and Advisory Boards.**

**5.B. PROPOSED ORDINANCE AMENDING SECTION 3.04.090 AND VARIOUS SECTIONS RELATED TO THE PENALTY FOR VIOLATING SECTION 11.36.010 OF THE WEST HOLLYWOOD MUNICIPAL CODE AND RESOLUTION RESCINDING RESOLUTION NO. 01-2561 AND ESTABLISHING A \$25,000 REWARD FOR EVIDENCE LEADING TO THE ARREST AND CONVICTION OF PERSONS WHO ILLEGALLY TRIM, REMOVE OR INJURE STREET TREES:**

Mayor Pro Tempore Heilman raised the question of whether the reward was approved by a Council resolution on a case by case basis or if it was a blanket reward for all incidents.

City Attorney Jenkins clarified that the Ordinance enables the City to offer a reward of \$25,000 for any crime, the Resolution proposes a \$25,000

reward for incidents with further clarification by the City Manager to develop criteria for offering the award. City Manager Arevalo stated that he will bring a set of guidelines back to Council at the next meeting.

Councilmember Duran expressed concern about the amount of \$25,000.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of Item 5.B.

**ACTION:** ~~1) Introduce on first reading Ordinance No. 05-\_\_\_\_\_, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 3.04.090 OF THE WEST HOLLYWOOD MUNICIPAL CODE AND VARIOUS SECTIONS RELATED TO THE PENALTY FOR VIOLATING SECTION 11.36.010 OF THE WEST HOLLYWOOD MUNICIPAL CODE"; 2) Adopt Resolution No. 05-\_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, RESCINDING RESOLUTION NO. 01-2561 AND ESTABLISHING A \$25,000 REWARD TO ANY PERSON WHO PROVIDES EVIDENCE THAT LEADS TO THE ARREST AND CONVICTION OF PERSONS WHO ILLEGALLY TRIM, REMOVE OR INJURE STREET TREES"; and 3) Authorize the City Manager to promulgate procedural rules and regulations governing receipt of the reward. Motion by Mayor Land, seconded by Mayor Pro Tempore Heilman to TABLE to the May 16, 2005 City Council meeting with the additional direction that a policy and criteria be outlined when the item returns to Council.~~

- 5.C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THE CONDITION OF THE PROPERTY LOCATED AT APN 4339-018-017 (COMMONLY DESCRIBED AS 901 LARRABEE STREET, WEST HOLLYWOOD, CALIFORNIA) TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF SUCH NUISANCE:

Helen Goss, Public Information Director and Eugene Alper, Residential Code Compliance Officer, provided clarification and updated information on the staff report dated May 2, 2005.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of Item 5.C.

**ACTION:** 1) Adopt Resolution No. 05-3216,"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THE CONDITION OF THE PROPERTY LOCATED AT 901 LARRABEE STREET IN WEST HOLLYWOOD TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF SUCH NUISANCE"; 2) Direct the City Clerk to file with the Office of County Recorder a declaration of substandard property declaring that the conditions constituting said nuisance must be abated; and 3) Direct the City Manager to abate the nuisance as prescribed in the resolution if the property owner fails to

comply with the abatement order within the required time. **Motion by Mayor Pro Tempore Heilman, seconded by Councilmember Prang with the revision to Section 3, finding f. of the resolution to state that there has been some indication that abatement has occurred but no proof that it is complete. Approved on a roll call vote with Councilmember Duran voting NO.**

**EXCLUDED CONSENT CALENDAR:**

**2.I. ANIMAL CONTROL SERVICES:**

Lloyd Long, Director of Human Services Department and Sam Baxter, Facilities and Landscape Manager, provided background information as outlined in the staff report dated May 2, 2005.

ED GARREN, WEST HOLLYWOOD, spoke in support of Item 2.I. and spoke regarding "Home Again" microchip for locating missing animals.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the need for a local animal shelter.

Councilmember Duran spoke regarding the various possibilities of contracting out animal control services.

Mayor Pro Tempore Heilman spoke in support of the item due to alternatives not being cost-effective.

Councilmember Prang spoke in support of the item due to a lack of service providers and the potentially high cost of alternatives.

**ACTION:** 1) Approve the Agreement with Los Angeles County Department of Animal Care and Control for providing animal control field services beginning July 1, 2005 through June 30, 2010; and 2) Authorize the Mayor to sign the Agreement dated July 1, 2005. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and approved with direction to staff to investigate teaming with another agency to provide alternate shelter options and to investigate the "Home Again" chip mentioned during Public Comment. Councilmember Duran voted NO.**

**PUBLIC COMMENT: None.**

**6. LEGISLATIVE:**

**6.A. AMENDMENT TO CHAPTER 5.108.120 OF CHAPTER 5.108 OF TITLE 5 OF THE WHMC REGARDING TAXICAB REGULATION:**

**ACTION:** Introduce for first reading Ordinance No. 05-709, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING TAXICAB REGULATION AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE" – Chapter 5.108 of Title 5 Section 1. Subsection (c) of Section 5.108.120 of the West Hollywood Municipal Code amending in its entirety to read as follows: "c. The Sheriff and any persons authorized by the city and having the duty to enforce this chapter are hereby designated as City Transportation Inspectors within the meaning of Government Code Section 53075.61, and are authorized under that section and any other applicable provision of State law to impound the taxicab of any person violating the provisions of Sections 5.108.040(a) and (h) and 5.108.110(a). The taxicab may be recovered upon payment of the fees prescribed therefore." **Motion by Councilmember Prang, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

**COUNCILMEMBER COMMENTS: None.**

**ADJOURNMENT:** The City Council adjourned in memory of Justin Dardis, Richard Hunt, Sam Ross, and Donn Morey at 11:35 P.M. to their next regular meeting, which will be on Monday, May 16, 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 16<sup>th</sup> DAY OF MAY, 2005.

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ABBE LAND, MAYOR

ATTEST:

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THOMAS R. WEST, CITY CLERK