

**CITY COUNCIL  
MINUTES  
MONDAY, OCTOBER 18, 2004  
WEST HOLLYWOOD PARK**

**CALL TO ORDER:** The meeting was called to order at 6:33 PM.

**PLEDGE OF ALLEGIANCE:** Anastasia Mann 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 two items were added to the agenda regarding initiating amicus participation in two cases: California Court of Appeal, Action v. City of Santa Monica, and a case regarding rent stabilization in the federal courts. He stated that the City Council authorized the filing of a letter to the supreme court regarding the case against the City of Santa Monica. He stated that the Closed Session adjourned at 6:20 PM.

**APPROVAL OF AGENDA:**

Councilmember Prang requested that Item 2.O. be moved to Excluded Consent.

Staff requested that Item 2.J. be TABLED.

Staff requested that Item 2.L. be TABLED.

requested that the meeting be adjourned in the memory of Esther Horney, the mother of Michaeljohn Horne.

**ACTION: Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land to approve the October 18, 2004 agenda as amended and carried unanimously.**

**PRESENTATIONS:**

Mayor Duran presented a proclamation to members of the West Hollywood Convention and Visitors Bureau Board of Directors.

Councilmember Heilman presented a proclamation to Agassi Topchian for his work on the Russian Advisory Board.

Councilmember Guarriello presented a commendation proclaiming October 28, 2004 as "National Immigrants Day."

Mayor Duran presented a commendation to the West Hollywood Association of Scientists & Engineers.

**1. PUBLIC COMMENT:**

ED GARREN, WEST HOLLYWOOD, spoke in opposition to the City's ordinance in Item 2.E. regarding tenant relocation fees and requested a moratorium on development.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in support of the City's historical survey and spoke regarding the importance of courtyard housing.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding a variety of election issues, such as stem-cell research and the Presidential election.

WILLIAM NEESH, WEST HOLLYWOOD, spoke in opposition to the eviction of tenants due to Ellis Act and spoke in support of a moratorium on the demolition and development of older apartments in West Hollywood.

CLEVE JONES, WEST HOLLYWOOD, thanked the City Council for their support of L.A. Shanti.

SHAWN BOONE, WEST HOLLYWOOD, spoke in opposition to further development and tenant evictions.

MARIE MANGINI, WEST HOLLYWOOD, spoke in support of the historical survey and spoke in support of the Historic Preservation Commission's recommendation on Items 3.A. and 3.B. She spoke in support of increasing tenant relocation fees.

BRUCE STEWART, WEST HOLLYWOOD, spoke regarding a community rally that he is organizing to encourage citizens to vote on November 2<sup>nd</sup>.

LIZA AMTMANIS, LOS ANGELES, spoke in support of an immediate moratorium on the development of older rental properties in the City.

SAMUEL BERNSTEIN, WEST HOLLYWOOD, spoke in support of Item 2.K., Norwich Drive traffic calming action.

EDWARD WESTRICK, RIALTO, representing Veterans' Care, spoke in support of the City Council endorsing the National Veterans for Equal Rights that will take place in West Hollywood.

## **COUNCILMEMBER COMMENTS:**

Mayor Pro Tempore Land announced an election forum that will be taking place regarding ballot measures and voting information. She announced that the proposed disco tent for Halloween at the Vons parking lot will not occur. She spoke in support of the traffic calming actions on Norwich Drive. She requested that any temporary CityLine signage incorporate the City's 20<sup>th</sup> year anniversary logo.

Councilmember Heilman requested that the Council deputies and City staff follow-up with the Mr. Stewart who spoke regarding an election rally. He spoke regarding historic preservation designation and how it does not always benefit tenants. He requested that the City Attorney look into the Government Code section that was addressed during public comment.

Councilmember Guarriello spoke regarding the City's Annual Congress of Commissions and Advisory Boards and regarding the City's work on tenant relocation fees. He also announced a Veteran's Day event on November 11<sup>th</sup> to honor veterans.

Mayor Duran announced an upcoming forum on crystal methamphetamine and the link to HIV/AIDS.

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

City Manager Arevalo introduced Todd Stedman, who is the new Executive Director of the Sunset Strip Business Association.

City Manager Arevalo thanked the participants and organizers of the Annual Congress of Commissions and Advisory Boards. He also thanked staff who assisted in the success of the AIDS Walk.

City Attorney Jenkins spoke regarding the City's history of advancing the cause of rent control and affordable housing. He stated that staff will be bringing back an item regarding the expansion of relocation benefits.

## **FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk West stated that the fiscal impact on the consent calendar is \$1,173,987 in expenditures and \$55,000 in potential revenue.

## **2. CONSENT CALENDAR:**

**ACTION:** Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H., I.,J.K.,M.,N.,P.,Q.,R. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and carried unanimously.**

### **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 October 4, 2004. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NO. 518, RESOLUTION NO. 04-3143:**

**ACTION:** Approve Demand Register No. 518 and adopt Resolution No. 04-3143, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 518." **Approved as part of the Consent Calendar.**

**2.D. CLAIMS ADMINISTRATION:**

**ACTION:** Deny the claims of Jason Dotson and Andrei Anson and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

**2.E. ORDINANCE NO. 04-691 (2ND READING), A PROPOSED ORDINANCE AMENDING THE RENT STABILIZATION ORDINANCE REGARDING TENANT RELOCATION FEES:**

**ACTION:** Waive further reading and adopt Ordinance No. 04-691, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD INCREASING THE TENANT RELOCATION FEES AND AMENDING THE RENT STABILIZATION PROVISIONS OF THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

**2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

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

**2.G. REQUEST TO CONSOLIDATE THE PRIMARY NOMINATING ELECTION OF THE CITY OF LOS ANGELES WITH THE CITY'S GENERAL MUNICIPAL ELECTION TO BE HELD ON MARCH 8, 2005:**

**ACTION:** 1) Adopt Resolution No. 04-3144, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONSENTING TO AN ELECTION CONSOLIDATION WITH THE CITY OF LOS ANGELES, INCLUDING DISTRICT 4 OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT AND THE LOS ANGELES COMMUNITY COLLEGE DISTRICT AND ORDERING THAT THE THREE (3) SEATS ON THE BOARD OF TRUSTEES OF THE LOS ANGELES COMMUNITY COLLEGE DISTRICT AND ONE (1) SEAT OF DISTRICT 4 OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT APPEAR ON THE BALLOT OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2005"; 2) Direct the City Clerk to take any and all steps necessary to hold the consolidated election; and 3) Authorize the Director of Finance and Information Technology to increase budgeted expenditures in Election Account No. 100-2060-8551 by \$15,000 and increase budgeted revenues in the General Fund by \$40,000 for miscellaneous revenues. **Approved as part of the Consent Calendar.**

**2.H. GRANT APPLICATION AND EXPENDITURE PLAN FOR URBAN RUN-OFF/POLLUTION PREVENTION GRANT:**

**ACTION:** 1) Authorize staff to apply for and accept, if applicable, a Santa Monica Bay Restoration Commission grant for \$15,000. (This grant requires a 25% or \$2,250 match from City funds.); 2) Authorize the City Manager, or his designee to execute in the name of the City of West Hollywood all grant documents necessary to secure grant funds and implement the approved grant project; and 3) Authorize the Director of Finance to increase 2004-05 budgeted revenues by \$15,000 and expenditures by \$17,250 in the Grant Fund; transfer \$2,250 from the General Fund to the Grant Fund for the city match. **Approved as part of the Consent Calendar.**

**2.I. AGREEMENT FOR SERVICES WITH MDA JOHNSON FAVARO TO PROVIDE SCHEMATIC DESIGN AND DESIGN DEVELOPMENT SERVICES FOR THE WEST HOLLYWOOD LIBRARY:**

**ACTION:** 1) Approve an agreement with MDA Johnson Favaro in an amount not-to-exceed \$1,059,600 for Schematic Design and Design Development services for the West Hollywood Library; and 2) Review and receive updated West Hollywood Library Budget reflecting build-out of the 5,300 square feet of unfinished space on the ground floor (San Vicente Blvd. level) as a multi-purpose City meeting facility. **Approved as part of the Consent Calendar.**

**2.J. APPROPRIATION OF FUNDS FOR CITYLINE SIGNAGE:**

**ACTION:** This Item was Tabled.

**2.K. NORWICH DRIVE TEST TRAFFIC CALMING ACTION:**

**ACTION:** Approve the Transportation Commission's recommendation to implement a six-month test of a two-way/one-way road section, choker, bulb-out, and diverter on Norwich Drive. **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:** This Item was Tabled.

**2.M. NOTICE OF COMPLETION FOR CIP 0407, LA PEER DRIVE PARKING LOT IMPROVEMENT PROJECT:**

**ACTION:** 1) Accept the work and authorize the following: a) Filing a Notice of Completion by the City Engineer, b) Final payment to the contractor at the end of the 35 day lien period, c) Release of the Performance Bond on the date of recordation of the Notice of Completion, and d) Release of the Payment Bond 35 days after the date of recordation of the Notice Of Completion, pending no receipt of Stop Notices. **Approved as part of the Consent Calendar.**

**2.N. A RESOLUTION SETTING THE DATE AND LOCATION FOR A PUBLIC HEARING REGARDING THE PROPOSED VACATION OF A PORTION OF NEMO STREET:**

**ACTION:** 1) Adopt Resolution No. 04-3145, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO VACATE A PORTION OF NEMO STREET AT 9037 NEMO STREET IN THE CITY OF WEST HOLLYWOOD AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON." **Approved as part of the Consent Calendar.**

**2.O. APPROVE INSTALLATION, LEASE AND PARKING RATES FOR SURFACE PARKING LOT LOCATED AT 1114 N. ORANGE GROVE AVENUE:**

**ACTION:** Moved to Excluded Consent.

**2.P. CONSIDERATION OF A RESOLUTION TO ENDORSE AND SUPPORT THE "CITY HALL APLA MARATHON" TEAM:**

**ACTION:** 1) Adopt Resolution No. 04-3147, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO ENDORSE AND SUPPORT THE "CITY HALL APLA MARATHON" TEAM", and 2) Send copies of the Resolution to the participating City staff. **Approved as part of the Consent Calendar.**

**2.Q. RUSSIAN CULTURAL FESTIVAL:**

**ACTION:** 1) Authorize the Director of Finance and Technology to appropriate \$15,000 from undesignated reserves in the General Fund, to the Recreation Division special events account for distribution; 2) Authorize the Director of Finance and Technology to increase the revenue and expenditure budget as needed to properly record sponsorships and donations; 3) Authorize the use of Plummer Park and its facilities at no cost; 4) Approve a beer and wine garden to be operated by and for the benefit of a non profit; and 5) Waive permitted parking on Vista and Fuller Streets from 7pm to Midnight on May 15, 2005. **Approved as part of the Consent Calendar.**

**2.R. APPROVAL OF JOB SPECIFICATION FOR LEGAL SERVICES ANALYST (WEHOME):**

**ACTION:** Adopt the job description for the WEHOME position of Legal Services Analyst in the Public Information and Legal Services Department. **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**

**ITEMS 3.A. AND 3.B. WERE HEARD CONCURRENTLY.**

**COUNCILMEMBER HEILMAN RECUSED HIMSELF FROM ITEMS 3.A. AND 3.B. AND LEFT THE ROOM.**

**3.A. APPEAL OF HISTORIC PRESERVATION COMMISSION'S DENIAL OF A REQUEST TO CONVERT A 14-UNIT APARTMENT BUILDING INTO A BED AND BREAKFAST INN LOCATED AT 1216-24 LA CIENEGA BOULEVARD:**

John Keho, Senior Planner and Terry Blount, Associate Planner provided background information as outlined in the staff report dated October 18, 2004.

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

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

RICHARD AFRIAT, REPRESENTING APPELLANT AND APPLICANT, spoke in opposition to staff's recommendation.

CIPRIAN LOGIUDICE , WEST HOLLYWOOD, spoke in support of the denial of the appeal.

WENDY KRUEGER, WEST HOLLYWOOD, spoke in support of the denial of the appeal.

DONNA BATES, WEST HOLLYWOOD, spoke in support of the denial of the appeal.

RICHARD AFRIAT, REPRESENTING APPELLANT AND APPLICANT, spoke in opposition to the denial of the appeal.

Mayor Duran closed the public hearing.

Mayor Pro Tempore Land spoke in support of the denial of the appeal. She supported Mr. Afriat's offer to speak with the tenants to ensure that the property is kept up.

Councilmember Guarriello requested that Mr. Afriat work with the tenants.

Councilmember Prang spoke regarding the appeal process and in support of the denial of the appeal.

Mayor Duran spoke regarding due process and in support of the denial of the appeal.

**ACTION:** 1) Open public hearing and receive testimony; and 2) Close public hearing and adopt Resolution No. 04-3148, "A RESOLUTION OF

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF RICHARD WEINTRAUB AND UPHOLDING THE HISTORIC PRESERVATION COMMISSION'S DENIAL OF A REQUEST FOR A REHABILITATION INCENTIVE (RI) 2003-02 TO PERMIT THE CONVERSION OF A 14-UNIT APARTMENT BUILDING INTO A BED AND BREAKFAST INN (B&B) AT 1216-24 LA CIENEGA BOULEVARD (THE LOTUS GARDENS), WEST HOLLYWOOD, CALIFORNIA." **Motion by Mayor Pro Tempore Land, seconded by Councilmember Prang and carried with Councilmember Heilman's RECUSAL.**

**3.B. APPEAL OF HISTORIC PRESERVATION COMMISSION'S DENIAL OF A REQUEST TO CONVERT AN 18-UNIT APARTMENT BUILDING INTO A BED AND BREAKFAST INN LOCATED AT 8491-99 FOUNTAIN AVENUE:**

**The public hearing was heard concurrently with Item 3.A.**

**ACTION:** 1) Open public hearing and receive testimony; and 2) Close public hearing and adopt Resolution No. 04-3149, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF RICHARD WEINTRAUB AND UPHOLDING THE HISTORIC PRESERVATION COMMISSION'S DENIAL OF A REQUEST FOR A REHABILITATION INCENTIVE (RI) 2003-03 TO PERMIT THE CONVERSION OF A 18-UNIT APARTMENT BUILDING INTO A BED AND BREAKFAST INN (B&B) AT 8491-99 FOUNTAIN AVENUE (EL PALACIO), WEST HOLLYWOOD, CALIFORNIA." **Motion by Mayor Pro Tempore Land, seconded by Councilmember Guarriello and carried with Councilmember Heilman's RECUSAL.**

**4. UNFINISHED BUSINESS:**

**4.A. GRANT TO THE LOS ANGELES SHANTI FOUNDATION FOR SOCIAL SERVICES PROVISION:**

David Giugni, Social Services Specialist, provided background information as outlined in the staff report dated October 18, 2004.

CHUCK HENRY, WEST HOLLYWOOD, member of the Human Services Commission spoke in support of the extension of the contract for a limited amount of time.

Councilmember Heilman expressed concern due to the organization's crisis. He spoke in support of the organization joining another organization.

Mayor Pro Tempore Land spoke in support of the Commission's recommendations. She expressed concern over the 85% goal for the organization.



Councilmember Prang expressed concern over continuing to spend money on the organization. He spoke in support of a three month extension with a critical review at the end of the period.

Mayor Duran spoke in support of the organization. He spoke regarding the function of the agency and the work that it does. He expressed concern over whether or not the agency can shift its mission and goals. He spoke in support of a three month extension. He spoke in support of lowering the goal for the organization to 80%.

**ACTION:** Approve an agreement with the Los Angeles Shanti Foundation for \$18,294 for three months of HIV prevention education and emotional support services for people living with HIV and AIDS, renewable for eight months based on program performance, agency capacity and progress of the re-organization and authorize the City Manager to sign the agreement. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and carried with the revision that the agency program performance goal be 80% and staff return in February for review. Mayor Pro Tempore Land voted NO.**

**4.B. RUSSIAN ADVISORY BOARD APPOINTMENT:**

**ACTION:** Appoint Nonna Danilkevich as an at-large appointment to the Russian Advisory Board. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and unanimously carried.**

**4.C. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE CHANGE FOR DECEMBER 2004:**

City Clerk West provided background information as outlined in the staff report dated October 18, 2004.

Councilmember Guarriello expressed concern that the December 20<sup>th</sup> meeting would be at an inconvenient time.

Mayor Pro Tempore Land stated that she would not be able to attend December 6<sup>th</sup>.

Mayor Duran stated that he also has a conflict on December 6<sup>th</sup>.

**ACTION:** **Cancel the December 6, 2004 City Council meeting and review the possibility of canceling the December 20, 2004 meeting. Carried by consensus of the Council.**

**5. NEW BUSINESS:**

**5.A. AUTHORIZATION TO USE WEST HOLLYWOOD PARK TO PROVIDE ADDITIONAL PUBLIC PARKING ON FRIDAY AND SATURDAY NIGHTS:**

Oscar Delgado, Parking Manager, and Donald Korotsky Norte, Parking Operations Officer, provided background information as outlined in the staff report dated October 18, 2004.

Councilmember Prang spoke in support of utilizing signage to assist visitors to determine the difference between the valet entrance and self-park entrance. He also spoke in support of a two-week grace period.

Councilmember Heilman expressed concern that the parking had previously been free and now the City will be charging fees. He also spoke in support of attendants being present on both entrances.

HILARY SELVIN, WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the item and spoke in support of increased signage.

**ACTION:** 1) Approve the use of West Hollywood Park to augment nearby City properties used for public parking; 2) Authorize the City Manager to enter into an agreement with Quality Parking, for use of the parking lot at West Hollywood Park on Friday and Saturday nights; and 3) Direct the Parking Operations Division staff to work in unison with the Recreation Services Division to coordinate schedule when lot will not be available for public valet parking due to special events. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and carried unanimously.**

**EXCLUDED CONSENT CALENDAR:**

**2.O. APPROVE INSTALLATION, LEASE AND PARKING RATES FOR SURFACE PARKING LOT LOCATED AT 1114 N. ORANGE GROVE AVENUE:**

Councilmember Prang expressed concern over the size of compact spaces due to the sizes of today's vehicles.

Councilmember Heilman spoke in support of the City continually monitoring the lot.

**ACTION:** 1) Authorize the installation of a 45 space surface parking lot for the City leased property located at 1114 N. Orange Grove Avenue, including the demolition of the existing building; 2) Approve surface parking lot design; 3) Approve Lease with the property owners of 1114 N.

Orange Grove Avenue, Illoulian & Illulian Ownership; 4) Authorize the City Manager to sign the Lease; and 5) Adopt Resolution No 04-3146, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE INSTALLATION OF SELF-PARKING DEVICES AND ESTABLISHING THE HOURS OF OPERATION AND PARKING RATES FOR THE PARKING LOT LOCATED AT 1114 N. ORANGE GROVE AVENUE." **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and carried unanimously.**

**PUBLIC COMMENT:** None.

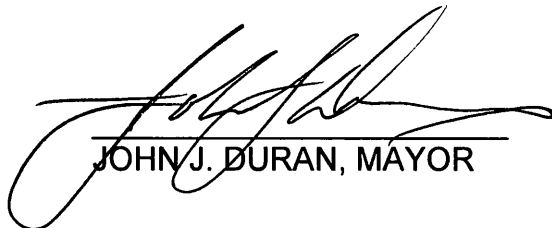
**6. LEGISLATIVE:** None

**COUNCILMEMBER COMMENTS:** None.

**ADJOURNMENT:** The City Council adjourned at 8:28 PM in memory of Esther Horney to their next regular meeting, which will be on Monday, November 1, 2004 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 1<sup>st</sup> DAY OF NOVEMBER 2004.

ATTEST:

  
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JOHN J. DURAN, MAYOR

  
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THOMAS R. WEST, CITY CLERK