

**CITY COUNCIL
MINUTES
MONDAY, JUNE 7, 2004
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER: The meeting was called to order at 6:40 PM.

PLEDGE OF ALLEGIANCE: James Kazakos 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 there was one public comment. He stated that the Closed Session adjourned at 6:25 PM with the following reportable actions: in the case Bell Cab v. West Hollywood, the City Council approved a conditional settlement agreement; in the case Mallcraft v. West Hollywood, the City Council approved the engagement of outside counsel; regarding the item of Initiation of Litigation, the City Council approved a friend of the court for Santa Monica in the case of Action Park Assn v. City of Santa Monica; and regarding the Litigation which has been filed by those who are opposing the disposition and development agreement regarding 1343 N. Laurel Avenue, the City Council approved that the City Attorney defend against this action.

APPROVAL OF AGENDA:

Councilmember Guarriello requested that 2.Z. be moved to Excluded Consent.

City Clerk West requested that an Urgency Item be added to the Agenda as Item 2.II. titled, "A RESOLUTION SUPPORTING THE LOCAL GOVERNMENT BUDGET PACKAGE AS NEGOTIATED WITH THE LEAVE OUR COMMUNITY ASSETS LOCAL (L.O.C.A.L.) COALITION AND CALIFORNIA GOVERNOR SCHWARZENEGGER."

Councilmember Prang requested that meeting be adjourned in the memory of Edith Patricia Veale.

ACTION: Motion by Councilmember Prang and seconded by Mayor Pro Tempore Land to approve the June 7, 2004 agenda as amended and carried unanimously.

PRESENTATIONS:

Councilmember Guarriello presented a commendation to the West Hollywood Life Collaborative proclaiming June as HIV Prevention Month.

Councilmember Heilman presented a proclamation proclaiming June as Lesbian, Gay, Bisexual and Transgender Pride Month and a proclamation recognizing Christopher Street West weekend.

Mayor Pro Tempore Land presented a commendation to Harrison Kline-Aguado for his award of Employee of the Year for Jewish Vocational Services.

Mayor Pro Tempore Land and Mayor Duran presented a check to CAST, the Coalition to Abolish Slavery and Trafficking for their work.

1. PUBLIC COMMENT:

TOM DEMILLE, WEST HOLLYWOOD, requested a moment of silence for the passing of Ronald Reagan. He spoke regarding the closing of Dublin's and the garbage being caused by local nightclubs.

ROSLYN KRAUSE, WEST HOLLYWOOD, spoke regarding the lack of parks in West Hollywood and spoke in opposition to the proposed project at 1343 N. Laurel Avenue.

STAN LOTH RIDGE, WEST HOLLYWOOD, spoke in opposition to the proposed project at 1343 N. Laurel Avenue.

JAMES KAZAKOS, WEST HOLLYWOOD, spoke in support of the pet grooming ordinance.

LIZA ANTMANIS, LOS ANGELES, spoke regarding the lack of parks in Los Angeles and spoke in opposition to the proposed project at 1343 N. Laurel Avenue.

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

IVY BOTTINI, WEST HOLLYWOOD, spoke in support of Item 2.CC. and Item 2.DD., a resolution supporting a boycott of the Coors Brewing Co. and a resolution calling on Frontiers to refuse Coors advertising. She also spoke in support of Item 2.EE., the co-sponsorship of the Tom of Finland Erotic Art Weekend.

ED GARREN, WEST HOLLYWOOD, spoke in support of raising the relocation fees for tenants whose buildings are bought and demolished.

JIMMY PALMIERI, WEST HOLLYWOOD, spoke in support of Item 2.BB., the letter to the rapper, 50 Cent.

NICOLE CURRAN, WEST HOLLYWOOD, introduced herself as Assemblymember Paul Koretz's newest field deputy.

NARGES NIEDZWIECKI, RANCHO SANTA MARGARITA, spoke in support of the Femme Film Festival.

ED BUCK, WEST HOLLYWOOD, spoke regarding trash haulers and City contractors who violate the City's noise ordinance. He spoke regarding lack of funding for Code Enforcement and no after-hours Code Enforcement officers on duty.

DAN BERKOWITZ, WEST HOLLYWOOD, spoke in support of Item 2.EE., the co-sponsorship of the Tom of Finland Erotic Art Weekend.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello requested that the City Lobbyist, Helyne Meshar, provide periodic reports on her activities. He spoke regarding the 60th Anniversary of D-Day that was commemorated on June 6th. He spoke regarding the Memorial Day commemoration. He also spoke regarding the success of Senior Day. He announced the resignation of his Human Services Commissioner, William Griffin.

Councilmember Heilman stated that Allyne Winderman is currently researching raising tenant relocation fees. He reported on the National League of Cities' Human Development Meeting on the No Child Left Behind Legislation and stated that the Committee will be meeting in West Hollywood. He spoke regarding the Children's Roundtable meeting that occurred last week.

Councilmember Prang welcomed Nicole Curran, who recently moved here from Orange County to work with Assemblymember Paul Koretz. He announced the City's Walk Against Hate which will be occurring this Friday. He expressed concern over the City's contractors who are violating the City's noise ordinance.

Mayor Pro Tempore Land announced a vacancy as her appointee on the Rent Stabilization Commission. She commended the Avenues of Arts and Design on the successful Design Walk that occurred over the previous weekend. She spoke regarding one of the actresses who participated in the City's "Vagina Monologues" who performed at the Tony Awards. She spoke regarding the need for the City to continue to look into affordable housing issues. She spoke in support of the Femme Film Festival.

Mayor Duran announced the pet adoption public service announcements that will be airing. He also spoke regarding the proposed projects at the Ramona and at 1343 N. Laurel and that the Historic Preservation Commissions and other Commissions will be discussing these items prior to Council. He requested that staff coordinate with the organizers of the Tom of Finland Erotic Art Festival and the Femme Film Festival, which will be occurring the same weekend. He requested that the City Manager look into

bringing Buddy Bear out of storage and placing it at one of the elementary schools and possibly requesting a member of the German Embassy to speak about tolerance. He requested that staff bring back an item to Council to discuss scheduling a Study Session with the Arts and Cultural Affairs Commission. He requested that the City Manager bring back a report on the coordination of the BIDS for a coordinated marketing approach. He spoke regarding issues that have been raised about the Sheriff's Department. He spoke regarding his abstention on Item 2.DD.

CITY MANAGER'S REPORT: None.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact for the Consent Calendar is \$2,119,004 in expenditures and \$460,320 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.,L.,M.,N.,O.,P.,Q.,R.,S.,T.,U.,V.,W.,X.,Y.,AA.,BB.,CC.,DD.,EE.,FF.,GG.,H H.,II. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and carried with Councilmember Prang voting NO on Item 2.H. and Mayor Duran ABSTAINING from Item 2.DD.**

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 May 17, 2004. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 509, RESOLUTION NO. 04-3065:

ACTION: Approve Demand Register No. 509 and adopt Resolution No. 04-3065, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 509." **Approved as part of the Consent Calendar.**

2.D. TREASURER'S REPORTS FOR APRIL 2004:

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

2.E. CLAIMS ADMINISTRATION:

ACTION: Deny the claim of Santa-Fair Pharmacy and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 04-682 (2ND READING), A PROPOSED ORDINANCE AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO ALLOW

MEMBERS OF THE EAST SIDE REDEVELOPMENT PROJECT ADVISORY COMMITTEE TO SERVE ON OTHER CITY COMMISSIONS AND BOARDS:

ACTION: Waive further reading and adopt Ordinance No. 04-682, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING MEMBERSHIP ON CITY APPOINTED BODIES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

2.H. ZONING TEXT AMENDMENT 2004-01:

ACTION: Re-Introduce for first reading Ordinance No. 04-683, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING ORDINANCE TEXT AMENDMENT 2004-01 CONCERNING NOTICE FOR PUBLIC HEARINGS, APPEALS, AND OPEN HOUSE REAL ESTATE SIGNS." **Approved as part of the Consent Calendar. Councilmember Prang voted NO.**

2.I. AGREEMENT FOR JANITORIAL SERVICES:

ACTION: 1) Approve a three-year Agreement with Diversified Maintenance Services, Inc. for providing base janitorial services including day porter services and recycling services in the amount of \$369,386.64 for fiscal year 2004/2005, \$379,230.08 for fiscal year 2005/2006 and \$390,800.76 for fiscal year 2006/2007; 2) Approve Diversified Maintenance Services, Inc. to provide other related janitorial services and urgency/emergency janitorial services at those unit costs established in the Agreement as said services are required and funding is available; and 3) Authorize the City Manager to execute the Agreement. **Approved as part of the Consent Calendar.**

2.J. AMENDMENT TO AGREEMENT FOR PARKING METER COLLECTION SERVICES WITH THE CITY OF BEVERLY HILLS:

ACTION: 1) Approve an amendment to the agreement for parking meter coin collection services with the City of Beverly Hills in an amount not to exceed \$102,500 for the 2004-05 budget year; \$106,500 for the 2005-06 budget year; 2) Approve an extension of the agreement term from July 1, 2004 to June 30, 2006; and 3) Authorize the City Manager to sign the amendment. **Approved as part of the Consent Calendar.**

2.K. REQUEST FOR AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR VALET PARKING SERVICES:

ACTION: Authorize staff to issue an RFP for valet parking services. **Approved as part of the Consent Calendar.**

2.L. JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) PROGRAM:

ACTION: 1) Accept the appropriation from the State of California, Board of Corrections Juvenile Accountability Block Grant (JABG) in the amount of \$6,879; 2) Authorize the release of said funds to the Los Angeles County District Attorney's Office for use in prosecuting juvenile crimes of a serious nature that occur in and around West Hollywood; and 3) Authorize the City Manager to sign the "Waiver of Direct Subgrant Award from Unit of Local Government" which will authorize the State of California, Board of Corrections, to transfer award funds allocated under this grant to the Los Angeles County District Attorney's Office. **Approved as part of the Consent Calendar.**

2.M. PARKING RATES FOR PROPERTY LOCATED AT 8752 EL TOVAR PLACE:

ACTION: 1) Adopt Resolution No 04-3066, "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 8752 EL TOVAR PLACE;" 2) Approve an Addendum to the existing contract with Ampco System Parking to add the two surface parking lots located 7718 Santa Monica Boulevard and 8752 El Tovar Place for an amount not to exceed \$40,000 per year increasing the existing contract from \$270,000 per year to \$310,000 per year; and 3) Authorize the City Manager to sign the contract addendum. **Approved as part of the Consent Calendar.**

2.N. AGREEMENT WITH CARL WALKER, INC. TO PROVIDE SUPPLY DEMAND ANALYSIS FOR POTENTIAL PARKING PROJECTS ON AN AS NEEDED BASIS:

ACTION: 1) Approve a two (2) year contract with Carl Walker, Inc. with an amount not to exceed \$40,000 for supply/demand analysis for properties the City is considering for parking with work assigned to the company on an as needed basis; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.O. COMMUTER CENTER SERVICES AGREEMENT EXTENSION WITH THE CHAMBER OF COMMERCE:

ACTION: Authorize the City Manager to execute Amendment #3 for a two year Agreement with the Chamber of Commerce for MTA general public fare media sales in an amount not to exceed \$28,950 for the two-year period. **Approved as part of the Consent Calendar.**

2.P. APPROVAL OF AN MOU AGREEMENT WITH LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY (LACMTA) RELATED TO PROPOSITION A FUNDS AND THE CITYLINE TRANSIT SERVICES PROGRAM:

ACTION: 1) Authorize the City Manager to execute an MOU agreement with the Los Angeles County Metropolitan Transit Authority (LACMTA) for a Proposition A Incentive Grant for the NTD reporting; and 2) Authorize the Director of Finance to increase budgeted revenues in the Prop A Fund, Account No. 218-0000-5011 by \$34,895. **Approved as part of the Consent Calendar.**

2.Q. RENEWAL OF CONTRACT WITH HM&A, LOBBYIST:

ACTION: Approve an agreement in an amount not to exceed \$97,980 with HM&A for legislative lobbyist services; and authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

2.R. USE OF SOCIAL SERVICES CONTRACT SAVINGS:

ACTION: 1) Approve an agreement with Jewish Family Service for \$11,236 and approve an agreement with Aid for AIDS for \$11,236 for urgent needs of constituents and authorize the City Manager to sign; and 2) Allocate \$1,000 to the Social Services Division budget for purchase of food vouchers, bus tokens, and taxi coupons for emergency needs of constituents. **Approved as part of the Consent Calendar.**

2.S. APPROVAL OF A CONTRACT TO HIRE AN ENGINEERING CONSULTANT TO PREPARE PLANS AND SPECIFICATIONS FOR ROADWAY REHABILITATION PROJECTS:

ACTION: Approve an agreement with Norris-Repke in a not to exceed amount of \$72,960 to provide professional engineering services to prepare plans and specifications for roadway rehabilitation projects. **Approved as part of the Consent Calendar.**

2.T. LEVY OF ANNUAL ASSESSMENT FOR SANTA MONICA BOULEVARD MAINTENANCE DISTRICT:

ACTION: 1) Adopt Resolution Number 04-3067, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2004-2005 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE;" 2) Adopt Resolution Number 04-3068, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ENGINEER FOR THE 2004-2005 FISCAL YEAR IN CONNECTION WITH

THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT;" 3) Adopt Resolution Number 04-3069, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2004-2005 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO;" and 4) Direct staff to notice a public hearing to be held on June 21, 2004 to hear protests or objections to the levy of the assessment for the 2004-2005 fiscal years. **Approved as part of the Consent Calendar.**

2.U. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT:

ACTION: 1) Adopt Resolution No. 04-3070, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2004-2005 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT;" 2) Adopt Resolution No. 04-3071, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2004-2005 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT;" and 3) Adopt Resolution No. 04-3072, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2004-2005 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO." **Approved as part of the Consent Calendar.**

2.V. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING & BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE):

ACTION: 1) Adopt Resolution No. 04-3073, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2004-2005 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA;" 2) Adopt Resolution No. 04-3074, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF

THE ADVISORY BOARD FOR FISCAL YEAR 2004-2005 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA;" and 3) Adopt Resolution No. 04-3075, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY A CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2004-2005 AND SETTING A TIME AND PLACE OF A HEARING TO CONSIDER SUCH A CHARGE." **Approved as part of the Consent Calendar.**

2.W. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT:

ACTION: 1) Adopt Resolution No. 04-3076, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2004-2005 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT;" 2) Adopt Resolution No. 04-3077, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2004-2005 IN CONNECTION WITH THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT;" and 3) Adopt Resolution No. 04-3078, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2004-2005 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO." **Approved as part of the Consent Calendar.**

2.X. AGREEMENT FOR SERVICES WITH WEST HOLLYWOOD CHAMBER OF COMMERCE FOR FISCAL YEAR 2004-2005:

ACTION: 1) Approve an agreement with the West Hollywood Chamber of Commerce in the amount not to exceed \$35,800 to provide a range of business development programs and sponsorships; and 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.Y. DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 2004-2005 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2003-04 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. 04-3079, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 2004-2005 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2004-2005 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.Z. QUARTERLY REPORT OF THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION AND UPDATE ON PALM VIEW/HARPER COMMUNITY NEEDS ASSESSMENT:

ACTION: Moved to Excluded Consent.

2.AA. REPORT ON WEST HOLLYWOOD PUBLIC ACCESS TELEVISION:

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

2.BB. SENDING A LETTER TO 50 CENT REGARDING HIS COMMENTS IN THE APRIL 2004 ISSUE OF PLAYBOY:

ACTION: 1) Direct that a letter be sent to 50 Cent (Curtis Jackson) regarding his comments about gay men and lesbians in the April 2004 issue of Playboy; and 2) Direct that copies of the letter be provided to 50 Cent's manager, publicist, and record company, and to Playboy, Rolling Stone, MTV, GLAAD, The Advocate, Frontiers Newsmagazine, FAB, gay.com, 365gay.com, Sean Combs, and the NAACP. **Approved as part of the Consent Calendar.**

2.CC. BOYCOTT OF COORS BREWING COMPANY:

ACTION: 1) Adopt Resolution No. 04-3080, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A MUNICIPAL BOYCOTT OF THE PRODUCTS OF COORS BREWING COMPANY;" and 2) Direct that copies of the resolution be provided to Coors Brewing Company and the media. **Approved as part of the Consent Calendar.**

2.DD. RESOLUTION CALLING ON FRONTIERS NEWSMAGAZINE AND OTHER PUBLICATIONS TO REFUSE MISLEADING ADVERTISEMENTS SUCH AS THE COORS BREWING CO. ADVERTISEMENT WHICH RAN ON MAY 6, 2004:

ACTION: 1) Adopt Resolution No. 04-3081, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING ON FRONTIERS NEWSMAGAZINE AND OTHER PUBLICATIONS TO

REFUSE MISLEADING ADVERTISEMENTS, SUCH AS THE COORS BREWING COMPANY ADVERTISEMENT WHICH RAN ON MAY 6, 2004; and 2) Direct that copies of the resolution be provided to Frontiers and to other appropriate publications. **Approved as part of the Consent Calendar. Mayor Duran noted his ABSTENTION.**

2.EE. CO-SPONSORSHIP OF 10TH ANNUAL TOM OF FINLAND FOUNDATION EROTIC ART WEEKEND, OCT. 8 -10, 2004:

ACTION: Approve city co-sponsorship for 10th Annual Tom of Finland Foundation Erotic Art Weekend, to be held October 8 -10, 2004, in Plummer Park. **Approved as part of the Consent Calendar.**

2.FF. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF A RENEWAL OF SANCTIONS AGAINST BURMA IMPOSED BY THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003:

ACTION: 1) Adopt Resolution No. 04-3082, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF A RENEWAL OF SANCTIONS AGAINST BURMA IMPOSED BY THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003;" 2) Send copies of Resolution No. 04-3082 to legislative sponsors of the Burmese Freedom and Democracy Act of 2003, Senators Dianne Feinstein (D-CA) and Mitch McConnell (R-KY); and 3) Send copies of Resolution No. 04-3082 to U.S. Senators: John McCain (R-AZ), Patrick Leahy (D-VT), Sam Brownback(R-KS), Tom Daschle, (D-SD), Elizabeth Dole (R-NC), Barbara Mikulski (D-MD), Conrad Burns (R-MT), Hillary Clinton(D-NY), George Allen (R-VA), John Edwards (D-NC), Don Nickles (R-OK), Jon Corzone (D-NJ), Joseph Biden (D-DE) , Russ Feingold (D-WI) and Rick Santorum (R-PA). **Approved as part of the Consent Calendar.**

2.GG. FEMME FILM FESTIVAL:

ACTION: 1) Approve the City co-sponsorship of the October 7th – 10th, 2004 Femme Film Festival; and 2) Direct Public Information staff to work with Femme Film Festival in promoting the event. **Approved as part of the Consent Calendar.**

2.HH. A RESOLUTION IN SUPPORT OF ASSEMBLY JOINT RESOLUTION (AJR) 85, WHICH WILL PUT CALIFORNIA ON RECORD OPPOSING A CONSTITUTIONAL AMENDMENT AGAINST SAME-SEX COUPLES WISHING TO MARRY:

ACTION: 1) Adopt Resolution No. 04-3083, "A RESOLUTION IN SUPPORT OF ASSEMBLY JOINT RESOLUTION (AJR) 85, WHICH WILL PUT CALIFORNIA ON RECORD OPPOSING A CONSTITUTIONAL AMENDMENT AGAINST SAME-SEX COUPLES WISHING TO MARRY;" and 2) Send copies of the approved resolution to the California State

Assembly, Governor Arnold Schwarzenegger, and U.S. House and Senate Majority and Minority leaders. **Approved as part of the Consent Calendar.**

2.II. A RESOLUTION SUPPORTING THE LOCAL GOVERNMENT BUDGET PACKAGE AS NEGOTIATED WITH THE LEAVE OUR COMMUNITY ASSETS LOCAL (L.O.C.A.L.) COALITION AND CALIFORNIA GOVERNOR SCHWARZENEGGER:

ACTION: 1) Determine that the need to take action on this matter came to the attention of the City after the posting of the agenda and immediate consideration of this matter is necessary as the state legislature is currently considering the state's 2004-2005 budget; and 2) Adopt Resolution No. 04-3084, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE LOCAL GOVERNMENT BUDGET PACKAGE AS NEGOTIATED WITH THE LEAVE OUR COMMUNITY ASSETS LOCAL (L.O.C.A.L.) COALITION AND CALIFORNIA GOVERNOR SCHWARZENEGGER." **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. PROPOSED FEE RESOLUTION FOR FY 2004-2005:

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

David Hatcher, Revenue Manager, provided background information as outlined in the staff report dated June 7, 2004.

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

TOM DEMILLE, spoke in support of raising certain fees, specifically development fees.

Mayor Duran closed the public hearing.

ACTION: Adopt Resolution No. 04-3085, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING FEES AND CHARGES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF WEST HOLLYWOOD AND REPEALING RESOLUTION NO. 03-2925 AND ITS AMENDMENT RESOLUTIONS NO. 03-2949 AND NO. 03-2971." **Motion by Councilmember Guarriello, seconded by Councilmember Prang and unanimously carried.**

3.B. ASSESSMENT OF DELINQUENT SOLID WASTE FEES OWED TO CONSOLIDATED DISPOSAL SERVICE ONTO THE PROPERTY TAX BILL OF NINE DELINQUENT ACCOUNT HOLDERS:

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

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated June 7, 2004.

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

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the City and the residents of West Hollywood cleaning up trash.

Mayor Duran closed the public hearing.

ACTION: 1) Open the public hearing and accept testimony; and 2) Direct the Director of Finance to submit the required information to the County Tax Assessor for the purpose of assessing the delinquent solid waste amount, plus a \$120.00 per parcel administrative fee, onto the property tax bills of the delinquent account holders. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land and unanimously carried.**

3.C. REVIEW OF THE CITY SEWER SERVICE CHARGE FOR FISCAL YEAR 2004-05:

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

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated June 7, 2004.

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

Mayor Duran 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. 04-3086, "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 2004-05 PURSUANT TO TITLE 15, CHAPTER 12 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE." **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and unanimously carried.**

3.D. REVIEW OF THE CITY SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE FEE FOR FISCAL YEAR 2004-05:

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

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated June 7, 2004.

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

Mayor Duran 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. 04-3087, "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 2004-05 PURSUANT TO TITLE 15, CHAPTER 48 OF THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE." **Motion by Councilmember Prang, seconded by Councilmember Guarriello and unanimously carried.**

3.E. DETERMINATION OF CONSISTENCY OF A REPLACEMENT BILLBOARD AT A PUBLIC PARKING LOT AT 7718 SANTA MONICA BOULEVARD:

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

C.J. Amstrup, Senior Planner, provided background information as outlined in the staff report dated June 7, 2004.

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

BEAU PALLEY, APPELLANT, spoke in opposition to staff's recommendation and stated that the Planning Commission's decision is unfounded due to its inconsistency with the General Plan.

TOM DEMILLE, WEST HOLLYWOOD, spoke in opposition to staff's recommendation.

Mayor Duran closed the public hearing.

Councilmember Heilman spoke regarding the need for these replacement billboards to fund the parking lot.

ACTION: Adopt Resolution No. 04-3088, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD UPHOLDING THE PLANNING COMMISSION'S FINDING OF GENERAL PLAN CONSISTENCY AND DETERMINING THAT A REPLACEMENT BILLBOARD LOCATED ON A CITY-OWNED PUBLIC, SURFACE PARKING LOT AT 7718 SANTA MONICA BOULEVARD IS CONSISTENT WITH THE GENERAL PLAN." **Motion by Councilmember Prang, seconded by Councilmember Heilman and unanimously carried.**

3.F. DETERMINATION OF CONSISTENCY OF A NEW BILLBOARD AT A PUBLIC PARKING LOT AT 8755-8775 SUNSET BOULEVARD:

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

C.J. Amstrup, Senior Planner, provided background information as outlined in the staff report dated June 7, 2004.

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

BEAU PALLEY, APPELLANT, spoke regarding the fact that he was not notified of the public hearing.

TOM DEMILLE, WEST HOLLYWOOD, spoke in opposition to staff's recommendation.

Mayor Duran closed the public hearing.

Mayor Pro Tempore Land stated that she does not support billboards, but understands the necessity for these replacement billboards.

ACTION: Adopt Resolution No. 04-3089, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD UPHOLDING THE PLANNING COMMISSION'S FINDING OF GENERAL PLAN CONSISTENCY AND DETERMINING THAT A NEW BILLBOARD LOCATED ON A CITY-OWNED PUBLIC, SURFACE PARKING LOT AT 8755-8775 SUNSET BOULEVARD IS CONSISTENT WITH THE GENERAL PLAN." **Motion by Councilmember Heilman, seconded by Councilmember Prang and unanimously carried.**

4. UNFINISHED BUSINESS:

4.A. ADOPTION OF THE 2004-2005 OPERATING BUDGET AND CAPITAL WORK PLAN AND APPROVAL OF THE 2005-2006 PROPOSED BUDGET AND WORKPLAN:

Anil Gandhi, Director of Finance, provided background information as outlined in the staff report dated June 7, 2004.

Mayor Pro Tempore Land requested that staff return in 6 months to review the impact of the State's budget on the City's budget. She requested that the City look into other fees that can be applied towards owners who are attempting to renovate buildings and then remove affordable housing units from the market. She spoke regarding the importance of including an economic development plan in the planning process. She spoke in support of increased programs for children and families. She spoke in support of the additional code enforcement officer.

Councilmember Heilman spoke regarding the Housing Trust Fund and regarding the importance of looking into additional sources in the future to replenish these funds. He spoke in support of recreational and physical education programs in school programs and regarding the City coordinating with the local schools to hire a part-time position for the schools. He spoke regarding a gap in transportation services and regarding the importance of looking into a mass transit system for the entire Westside.

Councilmember Prang spoke in support of the volunteers that the Sheriff's Station has organized and requested that they expand their roles. He spoke regarding the importance of public safety, quality of life issues and in support of increased motorcycle officers being deployed. He spoke in support of a dedicated Eastside Deputies team and an increased use of speed humps citywide. He spoke in support of continuing to acquire and build parking structures and lots. He spoke in support of long term planning of the economic development of Santa Monica Blvd. in "Boy's Town." He also spoke regarding the importance of the library and investigating alternative methods of funding the building project. He requested that staff investigate the possibility of the City contributing to the Russian Veteran's memorial at Plummer Park.

Mayor Duran spoke in support of increasing funds for fine arts.

ACTION: 1) Adopt Resolution Number 04-3090, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE BUDGET FOR FISCAL YEAR 2004-05" as specified in the Statement of Changes to Fund Balance (Attachment A), or as amended by the City Council; 2) Adopt the division work plans presented in the Budget; and 3) Direct staff to prepare a resolution to be considered in May 2005 for adoption of the 2005-06 Budget. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and unanimously carried.**

4.B. DISCUSSION OF CITY COUNCIL MEETING SCHEDULE CHANGE FOR JULY, AUGUST AND SEPTEMBER 2004:

City Clerk West provided background information as outlined in the staff report dated June 7, 2004.

Mayor Pro Tempore Land spoke regarding a conflict with the December 6, 2004 City Council meeting.

ACTION: 1) Cancel August 2, 2004 City Council Meeting; 2) Cancel the December 6, 2004 City Council Meeting with the condition that staff will review the possible need of the December 6th meeting in October. Carried by consensus of the Council.

4.C. WOMEN'S ADVISORY BOARD APPOINTMENT:

City Clerk West provided background information as outlined in the staff report dated June 7, 2004.

ACTION: The City Council appointed Madeleine Rackley to the Women's Advisory Board. Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and unanimously carried.

THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 8:40 PM

The West Hollywood Community Development Commission adopted the 2004-05 Budget and Capital Workplan as detailed in the budget for the City of West Hollywood. The actions are more fully described in the West Hollywood Community Development Commission minutes.

THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE CITY COUNCIL: 8:41 PM

5. NEW BUSINESS:

5.A. REQUEST FOR AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR BILLBOARD ADVERTISING ON CITY OWNED PROPERTIES:

Oscar Delgado, Parking Manager, provided background information as outlined in the staff report dated June 7, 2004.

TOM DEMILLE, spoke in opposition to staff's recommendation.

Councilmember Guarriello spoke regarding the importance of ensuring the integrity of the process.

Mayor Pro Tempore Land also spoke regarding the importance of maintaining the integrity of the decision-making process. She spoke regarding the billboard companies speaking to Council offices regarding the tall wall ordinance and not regarding the RFP.

Councilmember Heilman stated that the revenue generated by these billboards will fund the parking lots. He spoke regarding creative signs.

ACTION: Authorize staff to issue an RFP for billboard advertising on two City properties. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and unanimously carried.**

5.B. RE-INSTALLATION OF FLAG POLES ON SANTA MONICA BOULEVARD:

Hernan Molina, Deputy to Mayor Duran, provided background information as outlined in the staff report dated June 7, 2004.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of increasing American flags, as well as placing a rainbow flag on Sunset Boulevard.

JIMMY PALMIERI, WEST HOLLYWOOD, spoke in support of the re-installation of the rainbow flags.

Councilmember Prang spoke regarding the importance of re-installing the gay pride flags on Santa Monica Boulevard.

Councilmember Heilman expressed concern that there has been no input from Santa Monica Reconstruction in the re-installation. He expressed concern that the flags have not been traditionally kept in good repair. He stated that if the rainbow flag is displayed, then the American flag and possibly the California flag should also be displayed at all times. He spoke in support of the flagpoles being installed on Santa Monica at Robertson and San Vicente. He requested that Sam Baxter and Public Facilities review this item and return to Council with their recommendation.

Mayor Duran spoke in support of four installations, including Robertson. He spoke regarding the costs associated with the installation. He spoke regarding the significance of the gay pride flags. He stated that the poles would allow better maintenance of the flags. He stated that having three flagpoles would allow for more flexibility for displaying various flags. He requested the consideration of four intersections of Santa Monica and La Cienega, Robertson, Hancock and San Vicente.

Councilmember Prang expressed concern over the potential cost of staff having to raise and lower the flag for maintenance. He spoke in support

of including individuals who planned the Santa Monica Reconstruction project.

ACTION: Bring back an item on the Consent Calendar to the June 21, 2004 Council meeting to approve the installation of four sets of three 30 feet poles with illumination at the intersections of La Cienega and Santa Monica, Westbourne/Westmount area and Santa Monica, Robertson and Santa Monica, and San Vicente and Santa Monica, include recommendations from Sam Baxter and Public Facilities Division, and include flying the American flag at all of the sets of flagpoles. Motion by Councilmember Guarriello, seconded by Mayor Duran and unanimously carried.

EXCLUDED CONSENT CALENDAR:

2.Z. QUARTERLY REPORT OF THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION AND UPDATE ON PALM VIEW/HARPER COMMUNITY NEEDS ASSESSMENT:

Jeffrey Skorneck, Housing Manager, provided background information as outlined in the staff report dated June 7, 2004.

DAVID NASH, WEST HOLLYWOOD, spoke regarding various concerns over the management of Palm View Apartments.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the management of Palm View Apartments.

Councilmember Guarriello expressed concern over the lack of on-site management.

ACTION: 1) Receive and file the Third Quarter Report of the West Hollywood Community Housing Corporation and the updated plan to implement recommendations contained in the Palm View/Harper Community Needs Assessment; and 2) Request that WHCHC submit a further update on implementation of recommendations contained in the Palm View/Harper Community Needs Assessment by October 2004. Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land, and carried with Councilmember Guarriello voting NO.

PUBLIC COMMENT:

JAMES FUHRMAN, WEST HOLLYWOOD, spoke regarding issues relating to the public comment period.

DAVID NASH, WEST HOLLYWOOD, spoke in support of extending the initial public comment period. He also spoke regarding the increase of people with Alzheimer's.

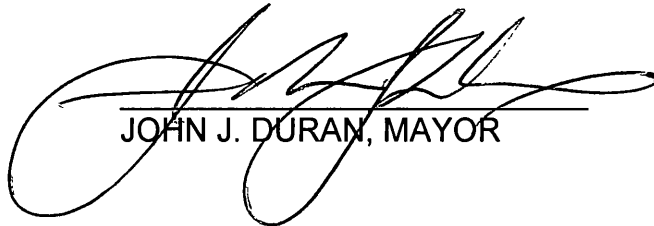
6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS:

Councilmember Prang spoke regarding the ample opportunities for public comment during City Council meetings.

ADJOURNMENT: The City Council adjourned at 9:30 PM in the memory of Edith Patricia Veale to their next regular meeting, which will be on Monday, June 21, 2004 at 6:30 PM at Plummer Park, 7377 Santa Monica Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 21st DAY OF JUNE, 2004.



JOHN J. DURAN, MAYOR

ATTEST:



THOMAS R. WEST, CITY CLERK