

**CITY COUNCIL
MINUTES
TUESDAY, JANUARY 20, 2004
WEST HOLLYWOOD PARK**

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

PLEDGE OF ALLEGIANCE: Mayor Prang led the pledge.

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

ABSENT: NONE.

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

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that Closed Session convened at 6:00 PM. He stated that the Closed Session adjourned at 6:35 PM with no reportable action taken.

APPROVAL OF AGENDA:

Councilmember Guarriello requested that Item 4.B. and 6.A. be moved to the Consent Calendar.

Staff requested that Item 5.A. be moved to the Consent Calendar.

Councilmember Guarriello requested that Item 2.K. and 2.L. be moved to Excluded Consent.

Councilmember Land noted her ABSTENTION on Item 2.I. in relation to the Los Angeles Free Clinic.

Councilmember Heilman requested that the meeting be adjourned in the memory of Ernest Baruch, husband of West Hollywood Orchestra Board member.

Mayor Prang requested that the meeting be adjourned in the memory Mimi Robbins, local grassroots activist; Connie Faure, local grassroots activist; John Meehan, the husband of Paula Kent Meehan; and Robert "Buddy" Soto, brother of Tom Soto and State Senator Nell Soto.

ACTION: Motion by Councilmember Guarriello and seconded by Mayor Pro Tempore Duran and unanimously carried to approve the January 20, 2004 agenda as amended.

PRESENTATIONS:

Councilmember Guarriello presented a commendation to Douglas Ogden, owner of Village Cleaners for his successful business.

Councilmember Land presented the Lifetime Rainbow Key Award to Commander Lynda Castro.

Mayor Pro Tempore Duran presented a commendation to the organization Marriage Equality California proclaiming Marriage Equality Month.

Councilmember Land presented a commendation to Ruth Williams and Heidi Schroeder in support of the Anniversary of Roe v. Wade and Women's National March.

Mayor Prang presented the Rainbow Key Award to lesbian activist, Jean O'Leary.

Mayor Prang presented an award to Marco Flores, who was the winner of the "Voices of Hope," Martin Luther King, Jr. Day Poetry Contest.

1. PUBLIC COMMENT:

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding a variety of national issues.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the Rainbow Key Award for Commander Lynda Castro. She also spoke regarding the importance of donating blood. She also commended the organizers of the Martin Luther King, Jr. Day festivities.

JACK MERRILL, WEST HOLLYWOOD, spoke in opposition to the affordable housing project at 1343 N. Laurel Avenue.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding Federal funds that were granted Jewish Family Services for a Naturally Occurring Retirement Community (NORC).

NEIL EVANS, SHERMAN OAKS, representing LA Checker Coop, spoke in support of Council reconsidering the 35 taxicab permits that were taken away from Checker Cab.

VIVIAN SEGAL and XAVIER MARTIN, from JEWISH VOCATIONAL SERVICES, who spoke regarding the Target Recruitment at Plummer Park.

SUSAN ALEXMAN, representing JEWISH FAMILY SERVICE, spoke regarding the recently rewarded Federal Naturally Occurring Retirement Community (NORC) grant for the Living in a Friendly Environment (LIFE) Program for Senior Citizens.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke in support of a project recently approved by the Planning Commission and the importance of mixed use projects and continued sustainable development.

Councilmember Land directed the City Manager to review the L. A. County Public Safety Homeland Security Sales Tax Initiative and return to Council with a recommendation.

Councilmember Heilman spoke regarding the need on Santa Monica Boulevard and Sunset Boulevard for increased taxi stands, specifically the areas in front of Mickey's and Rage and in front of Mondrian. He requested that staff study the possibilities of locations of taxi stands and to bring back the recommendations to the Transportation Commission and City Council.

Mayor Pro Tempore Duran spoke regarding the need for the City and the public to have a discussion on the balance of building affordable housing, replenishing the housing stock and the desire to maintain historic buildings.

Mayor Prang spoke regarding an upcoming seminar on January 31st, regarding Home Ownership; and the upcoming Domestic Partnership Property Tax seminar being hosted by John Chiang.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding the Academy Awards events that are outlined in Item 2.N. (previously 5.A.). He provided an update on the State budget that was recently presented, which will cause local property tax money to be shifted to the State. He also spoke regarding a proposed bond that the Governor is supporting. He also provided information regarding the 1343 Laurel Avenue project.

FISCAL IMPACT:

City Clerk West stated that the fiscal impact for the Consent Calendar is \$157,800 in expenditures and \$0 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G., H.,I.,J.,M.,N.,O. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously carried.**

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 January 5, 2004. **Approved as part of the Consent Calendar.**
- 2.C. DEMAND REGISTER NO. 500, RESOLUTION NO. 04-3007:**
ACTION: Approve Demand Register No. 500 and adopt Resolution No. 04-3007, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 500." **Approved as part of the Consent Calendar.**
- 2.D. TREASURER'S REPORTS FOR NOVEMBER 2003:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.E. CLAIMS ADMINISTRATION:**
ACTION: Deny the claims of Gail Heitman and Greg Reeves and refer to the City's claims adjuster. **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. COMMISSION AND ADVISORY BOARD ATTENDANCE REPORTS:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.H. ADDENDUM TO AGREEMENT WITH CBM CONSULTING, INC.:**
ACTION: 1) Approve the addendum with a not to exceed amount of \$150,000, extending the term of the contract to June 30, 2005; 2) Add an item #7 to the scope of services to assist the City with the preparation of final construction plans, billboard development, construction management, and general oversight during the construction phase of the parking projects; and 3) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**
- 2.I. YEAR-END REPORT ON SOCIAL SERVICES PROGRAMS:**
ACTION: 1) Recommend that the City Council terminate the contract with the Los Angeles Shanti Foundation/Wendy's Hope for 2003-04 for \$13,358; and 2) Receive and file the report. **Approved as part of the Consent Calendar with Councilmember Land noting her ABSTENTION in relation to the Los Angeles Free Clinic.**
- 2.J. LANDSCAPE IMPROVEMENTS ON SANTA MONICA BOULEVARD AT WESTBOURNE DRIVE:**
ACTION: Approve landscape improvements within the Santa Monica Boulevard public right-of-way at the north east intersection with Westbourne Drive as described in the staff report. **Approved as part of the Consent Calendar.**

2.K. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH KANE, BALLMER & BERKMAN:

ACTION: 1) Approve a professional services agreement with the law firm of Kane, Ballmer & Berkman for legal services; and 2) Authorize the City Manager to sign the agreement. **Moved to Excluded Consent.**

2.L. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE LAW OFFICES OF ERIC HONIG:

ACTION: 1) Approve a professional services agreement with the Law Offices of Eric Honig for legal services; and 2) Authorize the City Manager to sign the agreement. **Moved to Excluded Consent.**

2.M. (4.B.) FOUR MONTH REVIEW OF THE LA JOLLA/HAVENHURST PUBLIC PARKING LOT:

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

2.N. (5.A.) CO-SPONSORSHIP OF ANNUAL ACADEMY AWARDS VIEWING EVENTS:

ACTION: 1) Approve co-sponsorship of three high profile events; 2) Approve waiver of all associated fees and in-kind services; and 3) Authorize the Director of Finance and Technology to allocate funds from undesignated reserves in the amount of \$8,500 to Public Safety Division line item for security and traffic control services for the Elton John AIDS Foundation annual Academy Awards viewing event and an additional \$6,500 for the Celebration of Artistic Freedom event for Safety Division costs and \$5,000 for barricade services to the Recreation Division, Special Events line item in fiscal year 03-04 for a total of \$20,000. **Approved as part of the Consent Calendar.**

2.O. (6.A.) AMENDMENT TO THE TAXICAB REGULATION ORDINANCE CHAPTER 5.108 AND ADOPTION OF RESOLUTION NO. 04-3008 ADOPTING TAXICAB CODE OF CONDUCT:

ACTION: 1) Introduce the first reading Ordinance No. 04-675, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING TAXICAB REGULATION AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE"; and 2) Adopt Resolution No. 04-3008, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE CODE OF CONDUCT (COC) THAT ESTABLISHES RULES AND REGULATIONS FOR THE IMPLEMENTATION AND ENFORCEMENT OF TAXICAB SERVICE IN WEST HOLLYWOOD" **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. APPROVAL OF FISCAL YEAR 2004-2005 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM PLANNING SUMMARY:

City Clerk West announced that this item was noticed as required by law.

David Wilson, Development Specialist III, provided background information as outlined in the staff report dated January 20, 2004.

Mayor Prang opened the public hearing and no speakers came forward. Mayor Prang closed the public hearing.

ACTION: 1) Approve the proposed CDBG program budget and instruct staff to submit the CDBG Program Planning Summary for approval to the Los Angeles County Community Development Commission (CDC); and 2) Authorize staff to adjust the program budget as necessary to take into account the final CDBG allocation from the U.S. Department of Housing and Urban Development (HUD) and any amounts remaining unspent at the close of the fiscal year. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously carried.**

3.B. PROPOSED RESOLUTIONS APPROVING THE EXCHANGE OF FISCAL YEAR 2004-2005 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS BETWEEN THE CITY OF WEST HOLLYWOOD AND THE COUNTY OF LOS ANGELES, LETTERS OF AGREEMENT FOR EXCHANGE OF 2003-2004 CDBG FUNDS BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITIES OF RANCHO PALOS VERDES AND EL SEGUNDO AND LETTERS OF AGREEMENT FOR EXCHANGE OF 2004-2005 CDBG FUNDS BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITIES CERRITOS, MANHATTAN BEACH, LA VERNE, BRADBURY AND SIERRA MADRE:

City Clerk West announced that this item was noticed as required by law.

David Wilson, Development Specialist III, provided background information as outlined in the staff report dated January 20, 2004.

Mayor Prang opened the public hearing and no speakers came forward. Mayor Prang closed the public hearing.

ACTION: 1) Conduct a public hearing and receive public comment on the proposed exchange of CDBG Funds between the City of West Hollywood and the County of Los Angeles; the City of West Hollywood and the City of Rancho Palos Verdes; the City of West Hollywood and the City of El Segundo; the City of West Hollywood and the City of Cerritos; the City of West Hollywood and the City of Manhattan Beach; the City of West Hollywood and the City of La Verne; the City of West Hollywood and the City of Bradbury; and the City of West Hollywood and the City of Sierra Madre; 2) Adopt Resolution No. 04-3009, Resolution No. 04-3010, Resolution No. 04-3011, Resolution No. 04-3012, Resolution No. 04-3013, Resolution No. 04-3014, Resolution No. 04-3015 and Resolution No. 04-3016 as outlined in the Staff Report; 3) Authorize the City Manager

to execute all necessary Letters of Agreements and Amendments for the purpose of exchanging CDBG funds with the identified agencies; and 4) Authorize the Director of Finance and Technology to appropriate \$183,257 from the General Fund Unallocated Reserves to the Expenditure for Traded Funds (100-6000-7580) line item in FY 2003-2004; and appropriate \$636,367 from the General Fund Unallocated Reserves to the Expenditure for Traded Funds (100-6000-7580) line item in FY 2004-2005. **Motion by Councilmember Guarriello, seconded by Councilmember Land and unanimously carried.**

4. UNFINISHED BUSINESS:

4.A. 2003-04 ART GRANTS RECOMMENDED BY THE ARTS AND CULTURAL AFFAIRS COMMISSION:

Alison Maxwell, Development Specialist provided background information as outlined in the staff report dated January 20, 2004.

ANDREW CAMPBELL, WEST HOLLYWOOD, spoke in support of the recommendations made by the Arts and Cultural Affairs Commission, specifically in regards to the MAK Center.

Mayor Pro Tempore Duran spoke regarding available money in the City's art and beautification fund. He requested that an additional \$5,000 be allocated.

Councilmember Heilman spoke in opposition to allocating more funds at this time. He spoke in support of eliminating the grant to the MAK Center and re-allocating the money to the Gay Men's Chorus, West Hollywood Chorale and Vox Femina.

Councilmember Land spoke in support of allocating more funds next year.

Councilmember Guarriello spoke in support of the recommendation made by the Arts & Cultural Affairs Commission.

Mayor Prang spoke in support of increasing the grant funding next year and in support of the recommendation made by the Arts & Cultural Affairs Commission.

ACTION: 1) Approve the recommendations of the Arts and Cultural Affairs Commission to award 2003-2004 Arts Grants to the following organizations: Gay Men's Chorus (\$2,900); Israel Film Festival/Israfest (\$1,000); MAK Center (\$7,500); Mladi Chamber Orchestra (\$2,000); Sundays Live (\$500); United Arts Academy (\$2,500); Vox Femina Los Angeles (\$2,900); West Hollywood Chorale (\$2,900) and Women Playwrights Outreach Project (\$800); and 2) Approve the recommendations of the Arts and Cultural Affairs Commission to award

2003-2004 Arts Awareness Grants to Friends of Rosewood (\$1,000) and West Hollywood Elementary School (\$1,000). **Motion by Councilmember Heilman, seconded by Councilmember Land and carried on a ROLL CALL VOTE. Approve recommendations with the following revisions: reduce the allocation to the MAK Center by \$3,500 to \$4,000 and re-allocate an additional \$1,000 each to Gay Men's Chorus, West Hollywood Chorale and Vox Femina and \$500 to United Arts Academy. Councilmember Guarriello and Mayor Prang voted NO.**

4.B. FOUR MONTH REVIEW OF THE LA JOLLA/HAVENHURST PUBLIC PARKING LOT:

ACTION: Moved to the Consent Calendar as Item 2.M.

5. NEW BUSINESS:

5.A. CO-SPONSORSHIP OF ANNUAL ACADEMY AWARDS VIEWING EVENTS:

ACTION: Moved to the Consent Calendar as Item 2.N.

5.B. AMENDMENT TO THE AGREEMENT WITH AFFILIATED COMPUTER SERVICES FOR EXTENSION OF THE PHOTO ENFORCEMENT PROGRAM:

Joan English, Director of Department of Transportation, Terri Slimmer, Transit and Planning Manager and Joyce Rooney, Associate Transportation Planner and Deputy Porsche provided background information as outlined in the staff report dated January 20, 2004.

Councilmember Heilman spoke in support of increasing signage at the photo enforcement intersections. He expressed concern over items in the staff report, specifically the timing of the camera operations.

Mayor Prang expressed concern over the City issuing tickets enforcing front license plates.

ACTION: 1) Receive and file a report on the Photo Enforcement Program; and 2) Amend the agreement with ACS to revise the fee structure and extend the agreement to June 30, 2005 and authorize the City Manager to sign. Motion by Councilmember Heilman, seconded by Councilmember Guarriello and unanimously carried subject to language inclusion concerning legal action being approved by the City Attorney and direct staff to make minor corrections to report to make accurate reflections of the camera operations.

EXCLUDED CONSENT CALENDAR:

2.K. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH KANE, BALLMER & BERKMAN:

Councilmember Guarriello expressed concern over this item being on the Consent Calendar and the expenditures for this item.

ACTION: 1) Approve a professional services agreement with the law firm of Kane, Ballmer & Berkman for legal services; and 2) Authorize the City Manager to sign the agreement. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and unanimously carried with the revision to impose a Not To Exceed (NTE) Amount of \$100,000 and direct that any amount over the NTE will be brought back to Council for approval.**

2.L. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE LAW OFFICES OF ERIC HONIG:

Councilmember Guarriello expressed concern over this item being on the Consent Calendar and the expenditures for this item.

ACTION: 1) Approve a professional services agreement with the Law Offices of Eric Honig for legal services; and 2) Authorize the City Manager to sign the agreement. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and unanimously carried with the revision to impose a Not To Exceed (NTE) Amount of \$50,000 and direct that any amount over the NTE will be brought back to Council for approval.**

PUBLIC COMMENT: NONE.

6. LEGISLATIVE:

6.A. AMENDMENT TO THE TAXICAB REGULATION ORDINANCE CHAPTER 5.108 AND ADOPTION OF RESOLUTION NO. 04-3008 TAXICAB CODE OF CONDUCT:

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

COUNCILMEMBER COMMENTS: NONE.

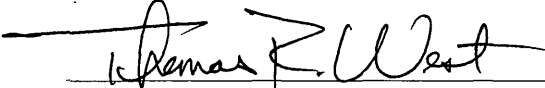
ADJOURNMENT: The City Council adjourned at 8:43 PM in memory of Ernest Baruch, Mimi Robbins, Connie Faure, John Meehan, and Robert "Buddy" Soto, to their next regular meeting, which will be on Monday, February 2, 2004 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 2nd
DAY OF FEBRUARY, 2004.



JEFFREY PRANG, MAYOR

ATTEST:



THOMAS R. WEST, CITY CLERK