

**CITY COUNCIL
MINUTES
TUESDAY, FEBRUARY 17, 2004
WEST HOLLYWOOD PARK**

CALL TO ORDER: The meeting was called to order at 6:35 PM.

PLEDGE OF ALLEGIANCE: Steve Wayland 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 Michael Jenkins, City Clerk Tom West and Assistant City Clerk Gwen Peirce.

REPORT OF CLOSED SESSION AGENDA:

There was no Closed Session Agenda.

APPROVAL OF AGENDA:

Staff requested that Item 2.J. be TABLED.

Mayor Prang requested that the meeting be adjourned in the memory of Don Brewster, who had been an intern in Mayor Prang's office.

Councilmember Guarriello requested that the meeting be adjourned in the memory of Ricardo Garcia, resident of Palmview Apartments.

ACTION: Motion by Councilmember Land and seconded by Councilmember Guarriello and unanimously carried to approve the February 17, 2004 agenda as amended.

PRESENTATIONS:

Councilmember Land presented a proclamation to Mary O'Gorman, Amanda Hinden and Donna Feinstein, for their organization of "V Day 2004" Events.

1. PUBLIC COMMENT:

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the Presidential campaign of Democratic candidate, John Kerry. He also spoke regarding the recent gay marriages in San Francisco.

JAMES FUHRMAN, WEST HOLLYWOOD, spoke regarding increased gang activity on Sunset Boulevard. He also spoke in opposition to the proposed rehabilitation of 1343 N. Laurel Avenue.

DAN SILVER, WEST HOLLYWOOD, spoke regarding increased gang activity on Sunset Boulevard. He spoke in support of re-licensing restaurants and bars on Sunset.

J.W. MOORE IV, WEST HOLLYWOOD, spoke in support of 2.E. He expressed concern over 2.G. and 2.H. He also spoke in opposition to previous speakers.

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

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to recent events and criminal activities that took place in clubs on Sunset.

ART KEMPF, WEST HOLLYWOOD, spoke in support of issuing a moratorium on liquor licenses due to recent criminal activity on Sunset.

CHARLES BAKER, WEST HOLLYWOOD, spoke in opposition to the proposed rehabilitation of 1343 N. Laurel Avenue.

TORY JAY BERGER, WEST HOLLYWOOD, spoke regarding the Hollywood Spiritual Film and Entertainment Festival, which would begin on March 21st, and requested that the City Council consider co-sponsoring the Festival.

DANIEL WATSON, WEST HOLLYWOOD, spoke in opposition to the proposed rehabilitation of 1343 N. Laurel Avenue.

JACK MERRILL, WEST HOLLYWOOD, spoke in opposition to the proposed rehabilitation of 1343 N. Laurel Avenue.

BOB DAVIS, WEST HOLLYWOOD, spoke in opposition to Item 5.B., traffic mitigation on Lexington/Formosa/Detroit.

RICHARD BLONS, WEST HOLLYWOOD, spoke regarding a West Hollywood Orchestra performance at 8:00 on Saturday, February 28th.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke in support of the marriage certificates that were issued in San Francisco to gays and lesbians, and explained the City of West Hollywood's inability to issue marriage certificates.

Councilmember Land spoke in support of the West Hollywood Orchestra's performance. She spoke regarding the public speaker who is organizing the March for Spiritual Entertainment and Religious and Spiritual Tolerance. She spoke regarding the criminal activity and problems that arose over the weekend due to several large-scale events in the City. She directed that the City Manager's Office draft a resolution in support of San Francisco's issuance of marriage licenses to gays and lesbians.

Councilmember Heilman requested that the City Manager follow-up with Tory Jay Berger regarding the event that he is organizing. He also requested that staff review the results of the large-scale events that took place over the weekend and coordinate future plans with transportation, public safety and the nightclubs and restaurants on Sunset. He also spoke in support of coordinating publicity for the City for these types of events.

Mayor Pro Tempore Duran spoke regarding traffic and safety problems that arose due to several large-scale events in the City over the weekend. He requested that Transportation, Public Safety and Sheriff's staff coordinate in the future to help alleviate traffic and safety problems during large-scale events. He spoke regarding a possible alternative method of issuing gay marriage licenses in West Hollywood. He requested that the City Manager provide an update on the Madison Car Wash.

Mayor Prang directed staff to meet with the organizers of the Latin Pride Parade and Festival with the possibility of the City co-sponsoring the Parade. He spoke regarding the recent issuing of marriage licenses to gays and lesbians in San Francisco and how it affects gay and lesbian civil rights on a national level. He recommended that constituents write Los Angeles County Board of Supervisors in support of issuing same-sex marriage licenses. He provided an update on the Sheriff's Homeland Security Sales Tax Initiative.

CITY MANAGER'S REPORT:

City Manager Arevalo provided an update on Madison Car Wash. He spoke regarding high-profile events that occurred in the City over the weekend and a few problems that arose. He also spoke regarding measures that have been made in the City to alleviate traffic, noise and safety problems that occur on and near Sunset Boulevard. He stated that staff has an internal debriefing scheduled to discuss how to develop a better plan to address these types of events in the future.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact for the Consent Calendar is \$572,185 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.,K.,L. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously carried.**

2. CONSENT CALENDAR:

2.A. POSTING OF AGENDA:

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

- 2.B. APPROVAL OF MINUTES:**
ACTION: Approve the minutes of February 2, 2004. **Approved as part of the Consent Calendar.**
- 2.C. DEMAND REGISTER NO. 502, RESOLUTION NO. 04-3021:**
ACTION: Approve Demand Register No. 502 and adopt Resolution No. 04-3021, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 502." **Approved as part of the Consent Calendar.**
- 2.D. CLAIMS ADMINISTRATION:**
ACTION: Deny the claims of Mia Lotringer, Mary Tucker, and Chris Land and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**
- 2.E. ORDINANCE NO. 04-676 (2ND READING), A PROPOSED AMENDMENT TO THE RENT STABILIZATION ORDINANCE, REQUIRING LANDLORDS TO BOTH POST AND DELIVER TO TENANTS INDIVIDUAL NOTICE OF TENANTS' RIGHTS:**
ACTION: Waive further reading and adopt Ordinance No 04-676, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING RENT STABILIZATION ORDINANCE §17.28.060, DESCRIBING THE MEANS BY WHICH LANDLORDS MUST INFORM TENANTS THAT THEY HAVE RIGHTS UNDER THE RENT STABILIZATION ORDINANCE." **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. AWARD OF CONSTRUCTION CONTRACT FOR CIP 0401, RESIDENTIAL STREET PAVING PROGRAM:**
ACTION: 1) Accept the bid dated January 28, 2004 submitted by Ruiz Engineering Company; 2) Authorize the City Manager to enter into a contract with Ruiz Engineering Company in the amount of \$166,857.40 for the construction of CIP 0401 Residential Street Paving Program; and 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 25% of the contract amount. **Approved as part of the Consent Calendar.**
- 2.H. AWARD OF CONSTRUCTION CONTRACT FOR CIP 0403, CONCRETE REPAIR PROGRAM:**
ACTION: 1) Accept the bid dated January 28, 2004 submitted by Civil Works Corp.; 2) Authorize the City Manager to enter into a contract with Civil Works Corp., in the amount of \$268,125.00 for the construction of CIP 0403, Concrete Repair Program; and 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an

amount not to exceed 25% of the contract amount. **Approved as part of the Consent Calendar.**

2.I. APPROVAL OF A CONTRACT RENEWAL WITH THE LA GAY & LESBIAN CENTER AND JEWISH FAMILY SERVICES FOR DOMESTIC VIOLENCE SAFETY PLAN COUNSELING SERVICES:

ACTION: 1) Authorize the City Manager to negotiate and enter into a one-year agreement with The LA Gay & Lesbian Center for its STOP Domestic Violence Program in an amount not to exceed \$44,780 for Safety Plan Counseling Services to the Lesbian, Gay, Bisexual and Transgender Communities; and 2) Authorize the City Manager to negotiate and enter into a one-year agreement with Jewish Family Service for its Family Violence Project in an amount not to exceed \$44,780 for Safety Plan Counseling Services to the Russian and Iranian Communities. **Approved as part of the Consent Calendar.**

2.J. AGREEMENT WITH AIDS PROJECT LOS ANGELES FOR EVALUATION SERVICES:

ACTION: THIS ITEM WAS TABLED.

2.K. A RESOLUTION AUTHORIZING IMPLEMENTATION OF PROVISIONS OF SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE FOR CONTRIBUTIONS TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM (EMPLOYER PICK-UP RESOLUTION):

ACTION: Adopt Resolution No. 04-3022, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING IMPLEMENTATION OF PROVISIONS OF SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE FOR CONTRIBUTIONS TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM (EMPLOYER PICK-UP RESOLUTION)." **Approved as part of the Consent Calendar.**

2.L. WOMEN'S HISTORY MONTH 2004:

ACTION: 1) Approve programming for Women's History Month 2004 and direct the appropriate City staff to work with the Women's Advisory Board to assist with the production and promotion of Women's History Month. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. PROPOSED AMENDMENT TO THE ZONING ORDINANCE TO PERMIT THE USE OF KIOSKS ON COMMERCIAL ZONED PROPERTIES:

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

Susan Healy Keene, Planning Manager, provided background information as outlined in the staff report dated February 17, 2004.

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

JW MOORE IV, WEST HOLLYWOOD, spoke in support of allowing kiosks.

MILTON SWIMMER, LOS ANGELES, spoke in support of allowing kiosks. He provided information on the Gateway's plans for kiosks.

DEBORAH KRAVITZ, SHERMAN OAKS, spoke in support of allowing kiosks and explained the kiosk program for the Gateway project.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of allowing kiosks as long as the open space is reserved and the kiosks do not compete with businesses in the Gateway.

Mayor Prang closed the public hearing.

ACTION: Introduce for first reading Ordinance No. 04-677, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING ORDINANCE TEXT AMENDMENT 2003-06 TO ALLOW KIOSKS IN THE COMMERCIAL ZONING DISTRICTS." **Motion by Councilmember Land, seconded by Councilmember Heilman and unanimously carried.**

4. UNFINISHED BUSINESS:

4.A. EXTENSION OF VIACOM/OUTDOOR BUS SHELTER CONTRACT FROM MARCH 1, 2004 THROUGH DECEMBER 31, 2004:

Terri Slimmer, Transit and Planning Manager provided background information as outlined in the staff report dated February 17, 2004.

ACTION: 1) Approval of an amendment extending the License Agreement with Viacom/Outdoor, for a month-to-month period up to ten (10) months from March 1, 2004 through December 31, 2004, for transit shelters; 2) and 4) Authorize the City Manager to execute the Amendment with Viacom/Outdoor. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously carried.**

4.B. WOMEN'S ADVISORY BOARD APPOINTMENTS:

ACTION: Call for Nominations for three at-large appointments for the Women's Advisory Board. **Carried by concurrence of the Council to appoint Renee Dake Wilson.**

5. NEW BUSINESS:

5.A. TRAFFIC CALMING IMPLEMENTATION PROJECT – TESTING OF CYNTHIA STREET TRAFFIC CIRCLES:

Walter Davis, Engineering Assistant, Terri Slimmer, Transit and Planning Manager and Joan English, Director of Transportation and Public Works provided background information as outlined in the staff report dated February 17, 2004.

DANIEL CURRAN, WEST HOLLYWOOD, spoke in support of the project and requested solutions to alleviate the traffic on eastbound Sunset Boulevard.

KARL LOTT, WEST HOLLYWOOD, spoke in support of the project.

TONY HANLEY, WEST HOLLYWOOD, representing the First Baptist Church, expressed concern over the handicapped parking zone.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the proposed project.

Mayor Pro Tempore Duran spoke regarding a neighborhood watch meeting regarding the traffic mitigation measure.

Councilmember Heilman directed that staff return to Council with an update in three months rather than six.

ACTION: Authorize the implementation of a six-month test, with a three month update, of traffic circles at the intersections of Cynthia Street and Wetherly Drive, Cynthia Street and Hammond Street, and Cynthia Street and Hilldale Avenue. **Motion by Mayor Pro Tempore Duran, seconded by Councilmember Land and unanimously carried.**

5.B. TRAFFIC CALMING MITIGATION - SIX MONTH TEST OF TRAFFIC CIRCLES ON LEXINGTON/FORMOSA/DETROIT:

Walter Davis, Engineering Assistant, Terri Slimmer, Transit and Planning Manager and Joan English, Director of Transportation and Public Works provided background information as outlined in the staff report dated February 17, 2004.

JW MOORE IV, WEST HOLLYWOOD, spoke in opposition to the project.

ERIC HEISLER, WEST HOLLYWOOD, spoke in opposition to the project.

STUART KATSH, WEST HOLLYWOOD, expressed concern over the increased traffic in his neighborhood due to the Gateway Project. He spoke in support of testing the traffic circles for six months as a first step.

ROXANNE McBRYDE, WEST HOLLYWOOD, spoke in support of speed bumps, but in opposition to curb extensions.

STEVE LEVIN, WEST HOLLYWOOD, spoke in support of the six-month test as a first step in mitigating traffic in the neighborhood.

Councilmember Land requested that staff follow-up with the citizens that have expressed concern.

Councilmember Heilman spoke in support of retaining the stop signs on Cynthia.

Mayor Pro Tempore Duran spoke in support of staff's recommendation for the project.

ACTION: Authorize the implementation of a three-month test of traffic circles at the intersections of Formosa Avenue and Lexington Avenue and Detroit Street and Lexington Avenue and retain the existing stop signs.
Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Duran and carried with Mayor Pro Tempore Duran voting NO.

EXCLUDED CONSENT CALENDAR: NONE.

PUBLIC COMMENT:

SIBYL ZADEN, WEST HOLLYWOOD, spoke regarding a stop sign on Hilldale that is barely visible due to trees and bushes. She also spoke regarding tow-away zones adjacent to the Trader Joe's on Santa Monica Boulevard.

6. LEGISLATIVE:

6.A. URGENCY ORDINANCE REGARDING LICENSING PET GROOMING AND RELATED BUSINESSES:

Sam Baxter, Facilities & Maintenance Manager, provided background information as outlined in the staff report dated February 17, 2004.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the ordinance.

Mayor Pro Tempore Duran expressed concern over penalizing new applicants due to one bad business. He spoke in opposition to issuing a moratorium. He spoke in support of authorizing the Community Development Director to investigate any new dog grooming applicants and review the applicants after a certain period of time. He also spoke in support of giving the Community Development Director the authority to deny an application or renewal if the applicant had his/her license revoked by the County. He spoke in support of expediting the process to 60 days rather than 90 days.

Councilmember Heilman spoke in support of issuing a moratorium in order to take the time to establish regulations. He expressed concern over enforcement of new regulations. He spoke in opposition to adopting the urgency ordinance.

ACTION: Adopt Urgency Ordinance No. 04-678U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE CITY'S ANIMAL CONTROL ORDINANCE RELATIVE TO ANIMAL GROOMING AND RELATED ESTABLISHMENTS AND DECLARING THE URGENCY THEREOF." Motion by Mayor Pro Tempore Duran, seconded by Mayor Prang and carried with further direction as follows:

- Add new Section 2.3, "Licenses issued or renewed pursuant to Title 10 shall be issued for a duration of no more than 6 months from the effective date of this ordinance."
- Delete proposed Section 3.
- In Section 4, delete the language, "...and placing a moratorium on issuance of new licenses to assure that new licenses in accordance with the newly adopted regulations."
- Expedite the review of the regulation ordinance.

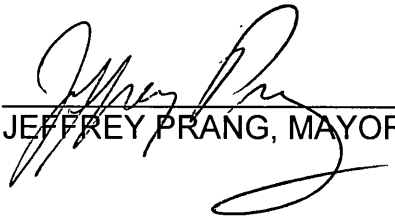
Councilmember Heilman voted NO.

COUNCILMEMBER COMMENTS:

Councilmember Heilman directed staff to look at the tow-away parking zone on Westbourne by Trader Joe's and look at the obstructed stop sign on Hilldale.

ADJOURNMENT: The City Council adjourned at 9:20 PM in the memory of Don Brewster and Ricardo Garcia to their next regular meeting, which will be on Monday, March 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 1st
DAY OF MARCH, 2004.



JEFFREY PRANG, MAYOR

ATTEST:



THOMAS R. WEST, CITY CLERK