

**CITY COUNCIL
MINUTES
TUESDAY, SEPTEMBER 2, 2003
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER: The meeting was called to order at 6:31 PM.

PLEDGE OF ALLEGIANCE: Arich Berghammer 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 Clerk Tom West and Acting Assistant City Clerk Gwen Peirce.

REPORT OF CLOSED SESSION AGENDA:

No reportable action taken.

APPROVAL OF AGENDA:

Councilmember Guarriello requested that Item 2.F. be moved to Excluded Consent.

Staff requested that Item 4.A. be moved to be heard directly following the Community Development Commission Agenda.

Mayor Prang requested that the meeting be adjourned in the memory of Harriet McElroy Luckman.

ACTION: Moved by Mayor Pro Tempore Duran and seconded by Councilmember Land and unanimously carried to approve the September 2, 2003 agenda as amended.

PRESENTATIONS:

Councilmember Heilman presented a commendation to Rob Bergstein, member of the Disabilities Advisory Board who will no longer be serving on the Board.

Mayor Prang presented a commendation to Los Angeles County Fire Department Chief Tony Marrone, who is leaving West Hollywood.

Mayor Prang presented a proclamation to representatives of recovery programs declaring September as "Alcohol and Drug Abuse Recovery Month."

Mayor Prang presented a proclamation with the United States Conference of Mayors declaring September as "Prostate Awareness Month."

1. PUBLIC COMMENT:

BARBARA HAMAKER, WEST HOLLYWOOD, spoke in support of West Hollywood Community Housing.

MARK LOSEKAMP, WEST HOLLYWOOD, spoke in opposition to sausage carts that are in business on Sunset Boulevard.

JAMES FUHRMAN, WEST HOLLYWOOD, spoke in opposition to the Council's decision regarding Regency Billboard appeal and spoke regarding campaign contributions.

ANDREW SOUSA, WEST HOLLYWOOD, spoke regarding the Global AIDS crisis.

WARREN MILLER, WEST HOLLYWOOD, spoke in opposition to condominium development.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding National and State political issues.

DONALD DELUCCIO, WEST HOLLYWOOD, spoke regarding the Democrat of the Year award that was presented to Barbara Boxer by the West Hollywood Democratic Club. He also spoke regarding the Governor's recall election and spoke regarding an upcoming public forum regarding the recall election.

NORMAN CHRAMOFF, WEST HOLLYWOOD, spoke regarding free testing for prostate cancer. He also spoke in opposition to Proposition 54. He also announced that the Stonewall Democratic Club is opening a special office for the Anti-Recall effort.

JW MOORE IV, WEST HOLLYWOOD, spoke in support of Item 2.I., opposition to Proposition 54. He also spoke regarding another hate incident involving Trev Broudy. He also spoke in support of Item 4.A., the issuance of bonds for the Redevelopment Agency.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello commended the Sheriff's Captain and the COPS Team for their great work on Sunset Boulevard.

Councilmember Land spoke regarding an upcoming town hall meeting regarding Proposition 54.

Councilmember Heilman announced an upcoming Human Rights Speakers Event, "Voices from the Front Lines," regarding the AIDS crisis in Africa. He also announced the upcoming West Hollywood Book Fair on September 21, 2003. He also announced the Westside Economic Collaborative that is going to be hosted by the West Hollywood Chamber of Commerce. He also spoke regarding the sausage carts and directed that

the City Manager follow-up with the speaker who spoke regarding the carts and research the City's efforts of enforcement with the carts. He also spoke regarding development of condos and directed staff to discuss the development of condominiums during General Plan discussion.

Mayor Pro Tempore Duran requested that the City Manager investigate the Gateway Church at Santa Monica Boulevard near La Brea because of the debris caused by the homeless meal program and requested that the City Manager bring back a report on its clean up to Council. He also requested that the City Manager look into the jewelry stands on Santa Monica Boulevard and whether or not they are in compliance. He also spoke regarding developing new development and development of affordable housing. He also spoke regarding the defendants in the Trev Broudy case who plead guilty in a plea bargain agreement. He also spoke regarding an upcoming town hall meeting regarding the State bill regarding domestic partnership benefits. He also spoke in support of the West Hollywood Chamber of Commerce.

Mayor Prang spoke in opposition to the hot dog carts due to public health hazards and problems with regulating the public health standards. He thanked and commended Ina Bliss, who recently resigned from the Rent Stabilization Commission. He spoke regarding a Domestic Partnership benefits legislation that was adopted by Los Angeles County. He also acknowledged the Sheriff's Department for their work on issuing tickets to bicyclists on sidewalks. He also requested that as the homeless are being addressed at the Gateway Church that PATH assists in their needs. He also announced an upcoming fundraising event for Trev Broudy.

CITY MANAGER'S REPORT:

City Manager Arevalo addressed the issue of the hot dog carts and spoke regarding the reinstatement of nighttime code enforcement.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact for the Consent Calendar is \$37,500 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. **Motion by Councilmember Heilman, seconded by Councilmember Land 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 August 18, 2003. **Approved as part of the Consent Calendar.**

- 2.C. DEMAND REGISTER NO. 491, RESOLUTION NO. 03-2950**
ACTION: 1) Approve Demand Register No. 491 and adopt Resolution No. 03-2950, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 491" **Approved as part of the Consent Calendar.**
- 2.D. CLAIMS ADMINISTRATION:**
ACTION: Deny the claims of Richard Rocha, Nicole McKinley, State Farm Insurance and Heidi Northcott and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**
- 2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.F. AN ORDINANCE REGULATING MOBILE ADVERTISING:**
Moved to Excluded Consent.
- 2.G. FOURTH QUARTER REPORT OF THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.H. AGREEMENT FOR SERVICES WITH WEST HOLLYWOOD CHAMBER OF COMMERCE:**
ACTION: Approve an agreement with the West Hollywood Chamber of Commerce in the amount of \$37,550 to provide a range of business development programs and sponsorships; and, authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**
- 2.I. RESOLUTION OPPOSING PROPOSITION 54, "THE CLASSIFICATION BY RACE, ETHNICITY, COLOR, OR NATIONAL ORIGIN INITIATIVE":**
ACTION: 1) Adopt Resolution No. 03-2951, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING PROPOSITION 54, "THE CLASSIFICATION BY RACE, ETHNICITY, COLOR OR NATIONAL ORIGIN INITIATIVE;" and 2) Approve the City's co-sponsorship of a Community Town Hall Forum on Proposition 54 to be held on Tuesday, September 23, 2003 at West Hollywood Park Auditorium. **Approved as part of the Consent Calendar.**

THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:20 PM

The West Hollywood Community Development Commission adopted the minutes of August 18, 2003, and approved the issuance and sale of up to \$12.5M of Tax Allocation to the West Hollywood Public Finance Authority to fund projects for the Eastside Redevelopment Project Area. 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 WEST HOLLYWOOD PUBLIC
FINANCE AUTHORITY: 7:23 PM**

The West Hollywood Public Finance Authority established a regular time and place for meetings of the West Hollywood Public Finance Authority and approved the purchase of up to \$12.5M of tax allocation bonds from the West Hollywood Community Development Commission and the sale of such bonds to Stone & Youngberg for the Eastside Redevelopment Project Area. The actions are more fully described in the West Hollywood Public Finance Authority minutes.

**THE WEST HOLLYWOOD PUBLIC FINANCE AUTHORITY RECESSED AND
RECONVENED AS THE CITY COUNCIL: 7:25 PM**

THE FOLLOWING ITEM WAS HEARD OUT OF ORDER OF THE AGENDA:

**4.A. APPROVAL TO ISSUE TAX ALLOCATION BONDS UP TO \$12,500,000
FROM THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT
COMMISSION:**

Anil Gandhi, Director of Finance, provided background information as outlined in the staff report dated September 2, 2003.

ACTION: 1) Adopt Resolution No. 03-2952, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ISSUANCE BY THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION OF NOT TO EXCEED \$12,500,000 AGGREGATE PRINCIPAL AMOUNT OF WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION EAST SIDE REDEVELOPMENT PROJECT 2003 TAX ALLOCATION BONDS, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO;" and 2) Authorize the Director of Finance to execute bond documents necessary to issue the bonds, provided that the bond size does not exceed \$12.5 million, the interest rate does not exceed 7% per annum, the bond discount does not exceed 1.25% of the bond principal, and the bond term does not exceed 30 years. **Motion by Councilmember Heilman, seconded by Councilmember Land and unanimously carried.**

3. PUBLIC HEARINGS:

**3.A. PROPOSED RESOLUTION APPROVING A LETTER OF AGREEMENT
FOR EXCHANGE OF CDBG FUNDS BETWEEN THE CITY OF WEST
HOLLYWOOD AND THE CITY OF RANCHO PALOS VERDES FOR
FISCAL YEAR 2003-2004 CDBG FUNDS:**

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

David Wilson, Development Specialist III, provided background information as outlined in the staff report dated September 2, 2003.

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 City of Rancho Palos Verdes; 2) Adopt Resolution No. 03-2953, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF RANCHO PALOS VERDES FOR THE EXCHANGE OF CDBG FUNDS FOR THE FISCAL YEAR 2003-2004;" and 3) Authorize the Director of Finance and Technology to appropriate \$230,000 from the General Fund Unallocated Reserves to the Expenditure for Traded Funds (100-6000-7580) line item in FY 2003-2004. **Motion by Councilmember Land, seconded by Councilmember Guarriello and unanimously carried.**

4. UNFINISHED BUSINESS:

4.A. APPROVAL TO ISSUE TAX ALLOCATION BONDS UP TO \$12,500,000 FROM THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION:

This Item was heard out of order, directly following the Public Finance Authority Agenda.

4.B. COMMISSION AND ADVISORY BOARD APPOINTMENTS:

City Clerk West provided background information as outlined in the staff report dated September 2, 2003.

ACTION: Make new appointments or re-appointments to the following Commissions: 1) Make direct appointments to various City Commissions: a) Councilmember Guarriello: Arts & Cultural Affairs and Historic Preservation; b) Councilmember Heilman: Business License, Public Facilities, Arts & Cultural Affairs and Historic Preservation; c) Councilmember Land: Transportation, Arts & Cultural Affairs and Historic Preservation; d) Mayor Pro Tempore Duran: Arts & Cultural Affairs and Historic Preservation; and e) Mayor Prang: Arts & Cultural Affairs and Historic Preservation; 2) Call for nominations for the at-large appointments for the following Commissions: Arts & Cultural Affairs Commission (2); Historic Preservation Commission (2); and 3) Call for Nominations for the at-large appointments for the following Advisory Boards: Disabilities Advisory Board (1); and Russian Advisory Board (11). **Carried by concurrence of the Council.**

Councilmember Guarriello:

Arts & Cultural Affairs Commission: Lyn Deshields
Historic Preservation Commission: Ralph Feeley

Councilmember Heilman:

Business License Commission: **CONTINUED**
Public Facilities Commission: Gregory Woodell
Arts & Cultural Affairs Commission: Ken Sherman
Historic Preservation Commission: Tim Felchlin

Councilmember Land:

Arts & Cultural Affairs Commission: **CONTINUED**
Historic Preservation Commission: Natalie Shivers
Transportation Commission: Steve Wayland

Mayor Pro Tempore Duran:

Arts & Cultural Affairs Commission: Michael Haibach
Historic Preservation Commission: **CONTINUED**

Mayor Prang:

Arts & Cultural Affairs Commission: Richard Kaleh
Historic Preservation Commission: **CONTINUED**

At-Large Appointments:

Arts & Cultural Affairs Commission: **CONTINUED**
Historic Preservation Commission: Mark Yeber; **CONTINUED**

Disabilities Advisory Board: **CONTINUED**

Russian Advisory Board:
Alexander Faynerman
Mikhail Moshkovich
Andrey Pronin
Elina Dvorskaya
Steve Pargamanik
Robert Parkens
Agassi Topchian
Olga Uraltseva
Yaroslav Ustyaniivskiy
Lev Volovik
Ronya Faylisovich

5. NEW BUSINESS:

5.A. 2003-2004 SERVICE AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION AND PLAN TO ADDRESS RECOMMENDATIONS OF NEEDS ASSESSMENT IN 2003-2004 WORK PROGRAM:

Jeff Skorneck, Housing Manager, provided background information as outlined in the staff report dated September 2, 2003.

PAUL ZIMMERMAN, LOS ANGELES, Executive Director of the West Hollywood Community Housing Corporation, spoke in support of the agreement.

THOMAS HALSTEAD, WEST HOLLYWOOD, spoke in support of staff's recommendation and requested that residents at Palmview and Harper be involved in the planning and implementation process.

BARBARA HAMAKER, WEST HOLLYWOOD, spoke in support of the agreement.

TODD ELLIOT, WEST HOLLYWOOD, spoke regarding positive changes occurring on the Community Housing Board and an upcoming retreat. He spoke in support of staff's recommendation.

DAVID NASH, WEST HOLLYWOOD, spoke regarding issues involving the board of the West Hollywood Community Housing Corporation.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding problems with the West Hollywood Community Housing Corporation Board.

BEN JOSEPH, LOS ANGELES, presented a speech by his father who lives in the Palmview Apartments regarding problems with the West Hollywood Community Housing Corporation Board.

THOMAS MANN, WEST HOLLYWOOD, President of the West Hollywood Community Housing Corporation, spoke in support of the agreement.

GERALD BOYCE, WEST HOLLYWOOD, spoke in support of the agreement, but had concerns about implementation.

Councilmember Heilman spoke in support of increasing communication efforts between the WHCHC and the residents. He also expressed concern regarding coordination with residents and service providers. He spoke in support of the Board conducting their own fundraising and requested that it would be added to the Scope of Service.

Mayor Pro Tempore Duran spoke regarding the history of long-term hospice care vs. independent living for people living with HIV/AIDS and spoke regarding the importance of such facilities. He spoke about the possibility of having an orientation program for new residents, such as a "Buddy" Program. He also spoke in support of staff meeting with the Actors' Fund to review the model. He also spoke in support of an annual review of the City's model to ensure that the latest technology and information is reflected.

Councilmember Land spoke in support of periodic review of the model. She also spoke in support of the WHCHC Board working on "capacity building." She also requested that an implementation report return to Council in three months.

Councilmember Guarriello spoke in support of the implementation of the report. He expressed concern about the early office hours of the resident manager of Palmview Apartments.

Mayor Prang spoke in support the agreement and plan moving forward with Council's recommendations. He spoke regarding the special needs the residents of Palmview Apartments.

ACTION: 1) Approve a service agreement with the WHCHC in the amount of \$225,000 to provide operational support for the Corporation, with the additional provision that WHCHC will prepare a plan as part of its 2003-2004 work program to address recommendations contained in the Palm View and Harper Community Apartments Needs Assessment; and 2) Authorize the City Manager to execute the agreement. **Motion by Mayor Pro Tempore Duran, seconded by Mayor Prang and unanimously carried with additional direction to add that board development and fundraising be included in the contract and add that staff return in 3 months to report on implementation of the recommendations of the Housing Report.**

EXCLUDED CONSENT CALENDAR:

2.F. AN ORDINANCE REGULATING MOBILE ADVERTISING:

City Clerk West provided background information as outlined in the staff report dated September 2, 2003.

Councilmember Guarriello spoke in support of raising the violation fines.

Councilmember Heilman directed staff to investigate increased enforcement, including impounding the vehicle, and return to Council for recommendation.

Mayor Pro Tempore Duran directed staff to look into a 30-day impound of vehicle.

ACTION: Return to Council with tougher fines and opportunities to impound vehicles for enforcement. Carried by concurrence of the Council.

PUBLIC COMMENT:

STEVE SMITH, WEST HOLLYWOOD, spoke in support of the Regency Billboard appeal from the August 18, 2003 meeting.

6. LEGISLATIVE:

6.A. INTRODUCTION OF ORDINANCE REGARDING COMMISSIONS:

City Clerk West provided background information as outlined in the staff report dated September 2, 2003.

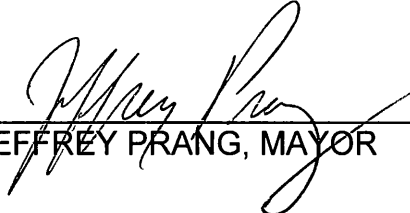
ACTION: Introduce on first reading Ordinance No. 03-663, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING CITY COMMISSIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and unanimously carried.**

COUNCILMEMBER COMMENTS:

Mayor Pro Tempore Duran expressed concern that one meeting in October could be cumbersome and suggested rescheduling the first meeting in October if it was necessary. He also requested that the City Manager provide a report to Council regarding the LaJolla-Havenhurst Parking Lot.

ADJOURNMENT: The City Council adjourned in memory of Harriet McElroy Luckman at 8:35 PM to their next regular meeting, which will be on Monday, September 15, 2003 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 15th DAY OF SEPTEMBER, 2003.



JEFFREY PRANG, MAYOR

ATTEST:



THOMAS R. WEST, CITY CLERK