

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, FEBRUARY 3, 2003  
WEST HOLLYWOOD PARK**

**CALL TO ORDER:** The meeting was called to order at 6:50 PM.

Mayor Guarriello requested a moment of silence for the astronauts who were lost on the Space Shuttle Columbia.

**PLEDGE OF ALLEGIANCE:** Richard Settle led the pledge.

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

**ABSENT:** NONE.

**ALSO PRESENT:** City Manager Paul Arevalo, City Attorney Mike Jenkins, Assistant City Clerk Todd Taylor and Administrative Assistant Gwen Peirce.

**REPORT OF CLOSED SESSION AGENDA:**

City Attorney Jenkins announced that the Closed Session convened at 6:00 PM. He stated that two Items were added after the posting of the agenda. One Item was an item of real estate negotiation for a property at 665 Robertson regarding a potential lease of property. The other Item was a litigation of City of Arcadia, etal. vs. Regional Water Quality Control Board. He stated that there was one reportable action, which was a Friend of the Court Brief for the case of the City of Chicago vs. the US Department of Treasury, regarding a disclosure of gun control cases.

**APPROVAL OF AGENDA:**

Assistant City Clerk Taylor announced that Item 3.B. has been requested to be continued to the February 18, 2003 City Council meeting.

Councilmember Heilman requested that Item 2.I. be moved to Excluded Consent.

Mayor Pro Tempore Martin requested that Item 2.O. be moved to Excluded Consent.

Councilmember Duran requested that the meeting be adjourned in the memory of Nell Carter, entertainer and previous resident of the City of West Hollywood.

Mayor Guarriello requested that the meeting be adjourned in the memory of Rose Bolton, who had been a 100 year old resident of the City of West Hollywood.

**ACTION: Moved by Mayor Guarriello and seconded by Councilmember Duran to approve the February 3, 2003 agenda as amended. Motion carried unanimously.**

**PRESENTATIONS:**

Mayor Guarriello presented a proclamation to Mina Kedar, member of the Women's Advisory Board.

Mayor Guarriello presented a proclamation to Danielle Noble, member of the Women's Advisory Board.

Mayor Pro Tempore Martin presented a proclamation to members of the West Hollywood Creative Community, specifically Tom Demille and David Nash, for the Day of Love and Compassion on Valentine's Day.

Mayor Pro Tempore Martin presented a proclamation to LJ Carusone with Marriage Equality California.

**1. PUBLIC COMMENT:**

JAMES FUHRMAN, WEST HOLLYWOOD, spoke regarding the State funding of the West Hollywood Library.

JEROME CLEARY, WEST HOLLYWOOD, spoke regarding the need of the City to attract a famous chef or restaurant into the City.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the Space Shuttle Columbia.

CHARLOTTE BANTA, WEST HOLLYWOOD, spoke regarding the noise of Up, an after hours club at The Factory night club.

DAVID NASH, WEST HOLLYWOOD, spoke regarding the Valentine's Day dance, the Day of Love and Compassion and issues of the HIV/AIDS Community.

JOEL RING, WEST HOLLYWOOD, spoke regarding the nuisance of the tall wall on Beverly Boulevard.

**COUNCILMEMBER COMMENTS:**

Councilmember Duran spoke regarding the Quarterly Conference of CAPE, California Association of Pride and Equality and gave an update on items discussed at the Conference, specifically issues relating to the trans-gendered community and the possible passage of a State bill which will give domestic partnerships nearly all of the same benefits and rights as marriages.

Councilmember Prang thanked the organizers of the Morris Kight Memorial. He spoke regarding Tempest, a bar on Santa Monica Boulevard, which leaves trash throughout the surrounding neighborhood. He requested that Tempest be required to clean up the neighborhood.

Councilmember Heilman announced an upcoming portion of the "Human Rights Speaker Series – "Will there ever be peace in the Middle East?" on Tuesday, February 11, 2003 at 7:00 PM.

Mayor Pro Tempore Martin spoke regarding the construction on San Vicente Boulevard and that if there is construction occurring earlier than 8:00 AM, to notify the City. He also expressed his concerns about Up.

Mayor Guarriello also expressed his concerns about Up.

**CITY MANAGER'S REPORT:**

City Manager Arevalo spoke regarding the two fact sheets that are available about the two ballot measures that will be appearing on the ballot at the March 4, 2003 election.

**FISCAL IMPACT ON CONSENT CALENDAR:**

Assistant City Clerk Taylor stated that the fiscal impact for the Consent Calendar as amended is \$588,627 in expenditures and \$490,992 in potential revenue.

**2. CONSENT CALENDAR:**

**ACTION:** Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H.,J.,K.,L.,M., N.  
**Motion by Councilmember Duran, 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 21, 2003. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NO. 477, RESOLUTION NO. 03-2833:**

**ACTION:** Approve Demand Register No. 477 and adopt Resolution No. 03-2833, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 477." **Approved as part of the Consent Calendar.**

**2.D. TREASURER'S REPORT FOR DECEMBER 2002:**

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

**2.E. ORDINANCE NO. 03-644 (2<sup>ND</sup> READING): IMPLEMENTATION OF DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON POINSETTIA PLACE:**

**ACTION:** Waive further reading and adopt Ordinance No 03-644, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING

REGULATIONS ON POINSETTIA PLACE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.” **Approved as part of the Consent Calendar.**

**2.F. ORDINANCE NO. 03-645 (2<sup>ND</sup> READING): AMENDMENTS TO THE RENT STABILIZATION ORDINANCE AND RENT STABILIZATION REGULATIONS REMOVING THE EXEMPTION FOR GOVERNMENT SUBSIDIZED UNITS (SECTION 8):**

**ACTION:** Waive further reading and adopt Ordinance No 03-644, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REMOVING THE EXEMPTION FOR GOVERNMENT SUBSIDIZED UNITS FROM THE RENT STABILIZATION ORDINANCE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.” **Approved as part of the Consent Calendar.**

**2.G. RESCHEDULE A CITY COUNCIL STUDY SESSION WITH THE LESBIAN AND GAY ADVISORY BOARD:**

**ACTION:** 1) Direct the City Clerk to cancel the study session with the Lesbian and Gay Advisory Board scheduled for February 10, 2003; and 2) Direct the City Clerk to return with an item in April suggesting alternative dates for a Study Session with the Lesbian and Gay Advisory Board. **Approved as part of the Consent Calendar.**

**2.H. FEASIBILITY OF PROVIDING ACCESS TO HEALTH INSURANCE BENEFITS FOR APPOINTED COMMISSIONERS AND BOARD MEMBERS:**

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

**2.I. “ART ON THE OUTSIDE”:**

**ACTION:** Moved to Excluded Consent.

**2.J. APPROVAL OF A PROFESSIONAL SERVICE CONTRACT FOR SEWER ROOT CONTROL SERVICES:**

**ACTION:** Authorize the City Manager to enter into a professional service contract with Dukes Root Control, Inc. in an amount not to exceed \$60,000 to provide sewer root control services for the City of West Hollywood for FY 02-03. **Approved as part of the Consent Calendar.**

**2.K. APPROVE AN AGREEMENT WITH ACCO ENGINEERED SYSTEMS FOR THE PURCHASE OF AN AIR CONDITIONING SYSTEM:**

**ACTION:** 1) Approve the agreement with ACCO Engineered Systems in an amount not to exceed \$37,635.00; and 2) Authorize the City Manager to execute the contract. **Approved as part of the Consent Calendar.**

**2.L. ADOPTION OF THE CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, RESOLUTION NO. 03-2834:**

**ACTION:** Adopt Resolution No. 03-2834, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGULATING MATERIALS OF CONSTRUCTION AND THEIR USE IN THE ERECTION, INSTALLATION, ALTERATION, REPAIR, REMOVAL, CONVERSION, DEMOLITION, AND CONSTRUCTION OF PUBLIC WORKS IMPROVEMENTS IN THE CITY OF WEST HOLLYWOOD; PROVIDING FOR THE ADMINISTRATION OF CONTRACTS AS WELL AS PERMITS ISSUED IN CONNECTION WITH SUCH IMPROVEMENTS; AND REPEALING ALL RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT THEREWITH." **Approved as part of the Consent Calendar.**

**2.M. APPROVAL OF PROGRAM SUPPLEMENT 007 OF THE LOCAL AGENCY MASTER AGREEMENT NO.07-LA-0-WHWD FOR FEDERAL GRANT FUNDS FOR CONSTRUCTION ON THE FOUNTAIN AVENUE STREET RECONSTRUCTION PROJECT:**

**ACTION:** 1) Adopt Resolution No. 03-2835, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PROGRAM SUPPLEMENT NO.007 OF THE LOCAL AGENCY STATE MASTER AGREEMENT NO. 07-LA-0-WHWD FOR FEDERAL GRANT FUNDS ON PROJECT STPL-5440(007) FOUNTAIN AVENUE STREET IMPROVEMENT PROJECT;" 2) Authorize the City Manager to sign Program Supplement No.007 of the Local Agency-State Master Agreement No.07-LA-0-WHWD; 3) Authorize the Director of Finance to increase the revenue and expenditure budget in Fund 204 by \$490,992.00; and 4) Instruct the City Clerk to submit two copies of the signed Agreement and a certified copy of the above-mentioned resolution to Caltrans' Local Assistance Branch. **Approved as part of the Consent Calendar.**

**2.N. A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE FREEDOM TO MARRY COLLABORATIVE:**

**ACTION:** 1) Adopt Resolution No. 03-2836, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE FREEDOM TO MARRY COLLABORATIVE;" 2) Send signed copies of the resolution to President Bush, Governor Gray Davis, Evan Wolfson of the Freedom to Marry Collaborative and other appropriate persons. **Approved as part of the Consent Calendar.**

**2.O. A PROPOSAL TO CREATE "SAFE HAVEN HOTLINE" BUMPER STICKERS FOR ALL CITY VEHICLES:**

**ACTION:** Moved to Excluded Consent.

**THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:30 PM**

The West Hollywood Community Development Commission approved the minutes of the January 21, 2003 Community Development Commission meeting, filed an update on Property Acquisition at 7718 Santa Monica Boulevard and adopted a Five-Year Implementation Plan for the East Side Redevelopment Project Area. The actions are more fully described in the West Hollywood Community Development Commission records.

**THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE CITY COUNCIL: 7:37 PM**

**3. PUBLIC HEARINGS:**

**3.A. APPROVE USE OF \$75,000 OF UNALLOCATED FY 2002-2003 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE SANFAIR BUS STOP GARDEN & POCKET PARK PROJECT:**

Assistant City Clerk Taylor stated that the item was noticed as required by law.

David Wilson, Development Specialist, provided background information as outlined in a staff report dated February 3, 2003.

Mayor Guarriello opened the public hearing and the following speaker came forward:

J.W. MOORE, IV, WEST HOLLYWOOD, spoke in support of the funding for the Sanfair Bus Stop Garden.

Mayor Guarriello closed the public hearing.

**ACTION:** 1) Approve the use of \$75,000 in unallocated FY 2002-2003 CDBG funds for construction of the SanFair Bus Stop Garden & Pocket Park Project; 2) Authorize the City Manager to execute a contract with the Los Angeles County Community Development Commission for use of the funds; and 3) Authorize the Director of Finance and Technology to increase budgeted revenues and expenditures in the CDBG Fund (281-6050-9652) by \$75,000 (281-0000-5102 and 281-6050-9652); in the Grant Fund revenue and expenditure accounts by \$62,000 (204-000-xxxx and 204-6050-9652); to increase expenditures in the Public Art and Beautification by \$15,000 (account 220-6050-9652; and increase the Redevelopment Agency Fund expenditures by \$10,000 (360-6050-0652).  
**Motion by Councilmember Prang, seconded by Councilmember Heilman and unanimously approved.**

**3.B. ZONE TEXT AMENDMENT 02-03 AND TALL WALL CONDITIONAL USE PERMIT 02-01, ALLOWING TALL WALLS ON THE EAST AND WEST ELEVATIONS OF THE EXISTING BUILDING AT 8899 BEVERLY BOULEVARD:**

**ACTION:** This Item has been Continued to the February 18, 2003 City Council meeting.

**3.C. APPROVAL OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THE CEQA GUIDELINES FOR THE PROPOSED WEST HOLLYWOOD PARK LIBRARY LOCATED ON THE SITE OF WEST HOLLYWOOD PARK, 647 NORTH SAN VICENTE BOULEVARD:**

Assistant City Clerk Taylor stated that the item was noticed as required by law.

Mark Persico, Director of Community Development, gave background information as outlined in the staff report dated February 3, 2003.

Mayor Guarriello opened and closed the public hearing.

**ACTION:** 1) Open the public hearing and receive testimony; and 2) Close the public hearing and adopt Resolution No. 03-2837, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THE CEQA GUIDELINES FOR THE PROPOSED WEST HOLLYWOOD PARK LIBRARY LOCATED ON THE SITE OF WEST HOLLYWOOD PARK, 647 NORTH SAN VICENTE BOULEVARD. **Motion by Mayor Guarriello, seconded by Councilmember Heilman and unanimously carried.**

**4. UNFINISHED BUSINESS: NONE.**

**5. NEW BUSINESS:**

**5.A. PROPOSED ORDINANCE MANDATING LANDLORDS TO INSTALL INTERCOM SYSTEMS ON ALL GATED RESIDENTIAL RENTAL PROPERTIES:**

Mayor Guarriello gave background information as outlined in the staff report dated February 3, 2003.

Councilmember Heilman stated that he supports the item, but would like the Rent Stabilization Department and Public Safety staff to take time to research this item and bring back their recommendations.

Councilmember Duran stated that before the Item is passed, it should be analyzed by the Rent Stabilization Department and Commission.

**ACTION:** Direct the City Attorney to draft an ordinance mandating landlords to install intercoms on gated residential rental properties. **Moved by Councilmember Duran, seconded by Councilmember Prang and unanimously carried with additional direction to direct the Item to the Rent Stabilization Department and the Rent Stabilization Commission for further study and public comment.**

#### **EXCLUDED CONSENT CALENDAR:**

##### **2.I. "ART ON THE OUTSIDE":**

Alison Maxwell, Economic Development Director, provided background information as outlined in the staff report dated February 3, 2003.

Councilmember Heilman expressed his concern with the Hedges and Edges project and that there was no coherent theme between the artwork. He requested that in the future that the art items be connected by a similar theme. He also stated his concern that all items that the Fine Arts Commission also be approved by Council. He also spoke regarding displaying existing artwork as opposed to commissioning artwork.

Councilmember Duran stated that he would not agree that the Council have final approval of artwork.

**ACTION:** Receive report and ratify the Fine Arts Commission decision to continue with the development of the "Art on the Outside" program as described in this staff report. **Moved by Councilmember Prang, seconded by Mayor Guarriello and unanimously carried with additional direction that future staff reports outline each art concept program for approval by the City Council.**

##### **2.O. A PROPOSAL TO CREATE "SAFE HAVEN HOTLINE" BUMPER STICKERS FOR ALL CITY VEHICLES:**

Donna Saur, Council Deputy to Mayor Guarriello, provided background information as outlined in the staff report dated February 3, 2003.

Mayor Pro Tempore Martin expressed his concern that there are too many stickers on the City vehicles.

Councilmember Heilman stated that the staff should have a policy of how stickers are placed on City vehicles.



**ACTION:** Direct staff to print and place the Safe Haven Hotline bumper stickers on all city vehicles and if permissible, include our West Hollywood Sheriff's Department's patrol cars. **Motion by Councilmember Heilman, seconded by Mayor Guarriello and unanimously carried with additional direction to Sam Baxter, Facilities and Landscape Manager, to create a policy for placement and/or removal of public service announcements (bumper stickers) on City vehicles.**

**PUBLIC COMMENT:**


PAUL DE ANGELIS, WEST HOLLYWOOD, spoke regarding noise complaints about UP.

6. **LEGISLATIVE: NONE.**

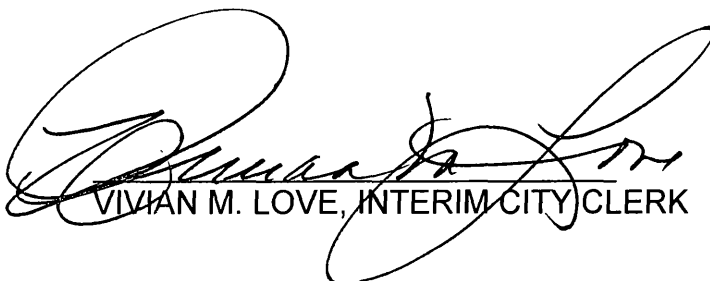
**COUNCILMEMBER COMMENTS:**

**ADJOURNMENT:** The City Council adjourned at 8:05 PM in memory of Nell Carter and Rose Bolton to their next regular meeting, which will be on Tuesday, February 18, 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 18<sup>TH</sup> DAY OF FEBRUARY, 2003.

  
MAYOR

ATTEST:

  
VIVIAN M. LOVE, INTERIM CITY CLERK