

**CITY COUNCIL
MINUTES
MONDAY, DECEMBER 22, 2003
WEST HOLLYWOOD PARK**

CALL TO ORDER: The meeting was called to order at 6:45 PM.

PLEDGE OF ALLEGIANCE: Mama led the pledge.

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

ABSENT: Councilmember Guarriello.

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 two items were added to the Closed Session Agenda, one item of Pending Litigation, 1112 Investments v. City of West Hollywood; and one item of Initiation of Litigation, an Amicus Brief regarding the Living Wage Ordinance in Hayward. The City Council approved participation in the amicus brief in Hayward. He stated that the Closed Session recessed at 6:41 PM.

APPROVAL OF AGENDA:

Councilmember Heilman requested that Item 6.A. be moved to the Consent Calendar as Item 2.T.

Mayor Prang requested that the meeting be adjourned Diana Goddard, Dr. Judd Marmor, Charlotte Hahn and the sister of Bernice Levin.

ACTION: Motion by Councilmember Land and seconded by Councilmember Heilman and unanimously carried to approve the December 22, 2003 agenda as amended.

PRESENTATIONS:

Mayor Prang presented a commendation to Teresa Decresenzo, a previous member of the Human Services Commission.

Mayor Prang presented the Rainbow Key award to Mama, for her work in the Lesbian, Gay and Transgender Community.

Mayor Prang introduced his new Deputy, Josh Kurpies.

Mayor Prang presented a commendation to Jose Carrillo, his Deputy who is leaving his position in the Mayor's office.

1. PUBLIC COMMENT:

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the holiday season.

JAMES FUHRMAN, WEST HOLLYWOOD, spoke regarding the City shopping at a store on strike. He also spoke in opposition to Item 5.A., the acquisition of the Tower Records parking lot.

RIC RICKLES, WEST HOLLYWOOD, thanked the City Council and the City's Human Services staff for their support of the senior citizen community.

ALAIN BEREBI, WEST HOLLYWOOD, spoke in support of Item 2.N., Gay Days.

HILARY SELVIN, WEST HOLLYWOOD, wished everyone a Happy Holidays on behalf of the Chamber of Commerce.

COUNCILMEMBER COMMENTS:

Councilmember Land thanked staff and the residents for the work on the E-Waste recycling event on November 22nd. She also spoke regarding the March for Freedom of Choice on April 25, 2004 and invited everyone to join in with the West Hollywood delegation. She wished everyone safe and happy holidays.

Mayor Pro Tempore Duran spoke regarding his appointee, Aaron Kunz to the Transportation Commission. He wished everyone safe and happy holidays.

Mayor Prang congratulated Annie Semonco, a member of the Disabilities Advisory Board, who was appointed to the MTA Sector Governance Council. He also sent his condolences to the families of those who lost loved ones in today's earthquake in the Central Coast. He spoke regarding the Gateway Project, and the upcoming work that will be done to complete it soon. He reported that on December 31, the Los Angeles Business License Commission will be holding a hearing for an appeal for U-Wash Doggie. He also provided an update on the State budget problems, specifically the Governor's promise to reimburse cities the funds that would be lost with the repeal of the Vehicle License Fee.

CITY MANAGER'S REPORT:

City Manager Arevalo introduced Captain Richard Odenthal, who provided an update on the City's response to the upgraded terror alert level.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact for the Consent Calendar is \$39,528 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.,K.,L.,M.,N.,O.,P.,Q.,R.,S.,T.(6.A.). **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 December 1, 2003. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 498, RESOLUTION NO. 03-2996:

ACTION: Approve Demand Register No. 498 and adopt Resolution No. 03-2996, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 498." **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Lovey Dash, Yuriy & Zina Khaimchaev, Larry James Slovack, Giulio A. Campanelli, Darrell Meade and Carlton Batts and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. ORDINANCE NO. 03-673 (2ND READING) APPROVING A DEVELOPMENT AGREEMENT WITH THE PACIFIC DESIGN CENTER LOCATED AT 8687 MELROSE AVENUE, WEST HOLLYWOOD:

ACTION: Waive further reading and adopt Ordinance No 03-673, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, APPROVING A DEVELOPMENT AGREEMENT WITH THE PACIFIC DESIGN CENTER LOCATED AT 8687 MELROSE AVENUE, WEST HOLLYWOOD, CALIFORNIA." **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. RESIGNATION OF JUDY LUBIN AND SARA MYERS FROM THE WOMEN'S ADVISORY BOARD:

ACTION: Accept with regret the resignations of Judy Lubin and Sara Myers from the Women's Advisory Board. **Approved as part of the Consent Calendar.**

2.H. TRANSPORTATION COMMISSION APPOINTMENT:

ACTION: Mayor Pro Tempore Duran will appoint Aaron Kuntz as his direct appointment to the Transportation Commission.

- 2.I. MILLS ACT CONTRACT 03-01 FOR PROPERTY LOCATED AT 1416 HAVENHURST DRIVE, UNIT #3C:**
ACTION: Approve Historical Property Preservation Agreement (Mills Act Contract) between the City of West Hollywood and the owner of Unit #3C (Sarah G. Buxton) at 1416 Havenhurst Drive and authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**
- 2.J. MILLS ACT CONTRACT 03-02 FOR PROPERTY LOCATED AT 1424 N CRESCENT HEIGHTS BLVD, UNIT #34:**
ACTION: Approve Historical Property Preservation Agreement (Mills Act Contract) between the City of West Hollywood and the owner of Unit #34 (Abdi Nazemian) at 1424 Crescent Heights Boulevard and authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**
- 2.K. AGREEMENT WITH JOHNSON'S SUPER SERVICE TO PROVIDE VEHICLE TOWING AND STORAGE SERVICES:**
ACTION: 1) Approve an agreement with Johnson's Super Service to provide vehicle towing and storage services for the City of West Hollywood. The contract term will cover an initial (5) five year period, beginning January 1, 2004 through December 31, 2008; 2) Authorize staff to exercise an option that would extend the contract for three (3) additional one (1) year extensions, with an ending date of December 31, 2011; 3) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**
- 2.L. APPROVAL OF A CONTRACT FOR TRAFFIC SIGNAL BATTERY BACK UP SYSTEMS:**
ACTION: 1) Approve a contract with U.S. Traffic Corporation, in an amount not to exceed \$39,528.40 for traffic signal battery back up systems at 8 intersections; 2) Authorize the City Manager to execute the contract. **Approved as part of the Consent Calendar.**
- 2.M. AUTHORIZE FILING A NOTICE OF COMPLETION FOR THE SANFAIR BUS STOP GARDEN & POCKET PARK PROJECT, C.I.P. # 6000-02-02:**
ACTION: 1) Rescind the cancellation of C.I.P. Contract No. 6000-02-02 with S.H.E. Construction Group, Inc. for construction of the SanFair Bus Stop Garden & Pocket Park Project; 2) Accept the work completed by S.H.E. Construction Group, Inc.; 3) Authorize filing a Notice of Completion by the City; and 4) Authorize withholding \$47,125 in retention and progress payments to address outstanding project closeout items as described in the staff report. **Approved as part of the Consent Calendar.**

2.N. GAY DAYS:

ACTION: Support Gay Days 2004 by providing use of the City of West Hollywood logo and name on promotional material. **Approved as part of the Consent Calendar.**

2.O. STREET TREE SPECIE ON GREENACRE AVENUE:

ACTION: Modify the Urban Design Streetscape Master Plan by adding Queen Palm (*Arecastrum romanzoffianum*) trees to the street tree planting palette for Greenacre Avenue. **Approved as part of the Consent Calendar.**

2.P. APPROVE SURFACE PARKING LOT LOCATED AT 8752 EL TOVAR PLACE:

ACTION: 1) Authorize the installation of a 44 space surface parking lot for the City owned property located at 8752 El Tovar Place, including the demolition of the existing building; 2) Approve surface parking lot design. **Approved as part of the Consent Calendar.**

2.Q. RESOLUTION IN SUPPORT OF THE "RUSSIAN-AMERICAN ARTS" EXHIBIT IN PDC:

ACTION: Adopt Resolution No. 03-2997, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS ENDORSEMENT OF THE "RUSSIAN-AMERICAN ARTS" EXHIBIT." **Approved as part of the Consent Calendar.**

2.R. A RESOLUTION SUPPORTING THE STATEWIDE BALLOT INITIATIVE TO REQUIRE VOTER APPROVAL BEFORE STATE GOVERNMENT MAY TAKE LOCAL TAX FUNDS:

ACTION: 1) Adopt Resolution 03-2998, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE CALIFORNIA LEAGUE OF CITIES BALLOT INITIATIVE OF NOVEMBER 2004 TO PROTECT LOCAL REVENUES;" 2) Send copies of adopted resolution to the California League of Cities, both state legislative bodies and other organizations. **Approved as part of the Consent Calendar.**

2.S. A RESOLUTION IN SUPPORT OF THE MARCH FOR FREEDOM OF CHOICE, APRIL 25, 2004:

ACTION: 1) Adopt Resolution 03-2999, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE MARCH FOR FREEDOM OF CHOICE, APRIL 25, 2004;" 2) Send copies of signed resolution to the, National Organization for Women, the Feminist Majority, National Center for Policy Research (CPR) for Women and Families, the National Women's Health Network, Senator Barbara Boxer, Senator Dianne Feinstein, Representative Henry Waxman, Assemblymember Paul Koretz and State Senator Sheila Kuehl. **Approved as part of the Consent Calendar.**

2.T.(6.A.) PROPOSED ORDINANCE OF AMENDING THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA TO EXTEND CERTAIN TIME LIMITS:

ACTION: Introduce for first reading Ordinance No. 03-674, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, AMENDING THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA TO EXTEND CERTAIN TIME LIMITS." **Approved as part of the Consent Calendar.**

THE CITY COUNCIL WILL RECESS AND RECONVENE AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:25 PM.

THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION WILL RECESS AND RECONVENE AS THE CITY COUNCIL: 7:27 PM.

3. PUBLIC HEARINGS: NONE.

4. UNFINISHED BUSINESS: NONE.

5. NEW BUSINESS:

5.A. ACQUISITION OF PROPERTY AT 8755-8779 SUNSET BOULEVARD:

Oscar Delgado, Parking Services Manager, presented background information as outlined in the staff report dated December 22, 2003.

Councilmember Heilman requested that staff provide information in the next City newsletter and to the business community regarding the current parking acquisitions by the City.

Mayor Prang commended City staff for the efforts made to alleviate parking problems.

ACTION: 1) Approve Negative Declaration; 2) Approve property acquisition at 8755-8779 Sunset Boulevard (Tower Records) and authorize the City Manager to sign the Sale and Purchase Agreement; 3) Adopt Resolution No. 03-3000, "A RESOLUTION DECLARING INTENTION TO REIMBURSE EXPENDITURES FROM THE PROCEEDS OF OBLIGATIONS TO BE ISSUED BY THE CITY OF WEST HOLLYWOOD AND DIRECTING CERTAIN ACTIONS; 4) Authorize the Director of Finance to appropriate in the Debt Funded Capital Project Fund \$7,750,000 into account 340-8020-9836 and to approve loans of \$5,500,000 from the Parking Improvement Trust Fund and \$2,000,000 from the General Fund to the Debt Funded Capital Project Fund; 5) Adopt Resolution No 03-3001, "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 8775-8779 SUNSET BOULEVARD;" 6) Approve an addendum to the contract with AMPCO System Parking for the operation of the parking lot located at 8755-8779 Sunset Boulevard for an amount not to exceed \$60,000 per year; and authorize the City Manager to execute the contract; 7) Authorize the Director of Finance to increase Parking Improvement Fund revenue and expenditure budgets for FY 04 by \$30,000. **Motion by Councilmember Land, seconded by Councilmember Heilman, and unanimously carried.**

EXCLUDED CONSENT CALENDAR: NONE.

PUBLIC COMMENT:

6. LEGISLATIVE:

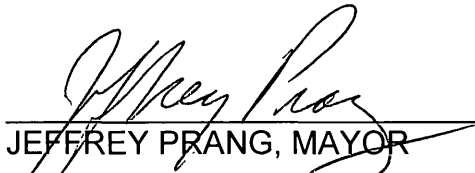
6.A. PROPOSED ORDINANCE OF AMENDING THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA TO EXTEND CERTAIN TIME LIMITS:

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

COUNCILMEMBER COMMENTS:

ADJOURNMENT: The City Council adjourned in the memory of Diana Goddard, Dr. Judd Marmor, Charlotte Hahn and the sister of Bernice Levin at 7:35 PM to their next regular meeting, which will be on Monday, January 5, 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 5th DAY OF JANUARY, 2004.


JEFFREY PRANG, MAYOR

ATTEST:


THOMAS R. WEST, CITY CLERK