

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, APRIL 7, 2003
WEST HOLLYWOOD PARK**

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

PLEDGE OF ALLEGIANCE: Captain Dave Long led the pledge.

ROLL CALL: PRESENT: Councilmember Duran, Heilman, Land, Prang, 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 stated that the Closed Session convened at 6:00 PM. and adjourned at 6:25 PM with no reportable action.

APPROVAL OF AGENDA:

Councilmember Prang requested that Item 2.K. be moved to Excluded Consent.

Councilmember Duran stated his NO vote on Item 2.N. and requested that Item 6.B. be moved to the Consent Calendar. He also noted his abstention on Item 4.A.

Councilmember Duran requested that the meeting be adjourned in the memory of Naomi Sanchez, Dr. Herb Weisenger, Michael Jeter and Ralph Winter.

Mayor Guarriello requested that the meeting be adjourned in the memory of Fanny Braun.

Councilmember Prang requested that the meeting be adjourned in the memory of Lenore Breslauer, long time peace activist.

City Manager Arevalo stated that staff has requested that Items 4.A. and 5.D. be moved to the Consent Calendar.

PRESENTATIONS:

Councilmember Land presented a proclamation to Ray and Rita Norton in celebration of their 60th Wedding Anniversary.

1. PUBLIC COMMENT:

DR. PETER WEINSTEIN, IRVINE, spoke in opposition to the proposed ban on pet declawing.

RIC RICKLES, WEST HOLLYWOOD, spoke in support of Items 2.M., a resolution in support of Assembly Bill 137 Senior Advocacy Extension; 2.N. a resolution in support of universal single payer healthcare; and 2.O. a resolution in support of National Housing Trust Fund Bill, and AB 1286.

WILLIAM BUYCKS, LOS ANGELES, spoke regarding PATH and its services and spoke in support of Item 2.H. year end report on Social Services programs.

STEVE GIDEON, WEST HOLLYWOOD, spoke in support of Item 2.I. the temporary lease of the Werle building in order to provide space for 12-step addiction recovery meetings.

BILL DYER, VENICE, spoke in support of the proposed ban on pet declawing.

VERONICA SERNAS, WEST HOLLYWOOD, spoke regarding WHEST and in support of Item 2.H. year-end report on Social Services programs.

LYNN BROWN, WEST HOLLYWOOD, spoke in support of Item 2.I. the temporary lease of the Werle building in order to provide space for 12-step addiction recovery meetings.

DENNIS JAMES, WEST HOLLYWOOD, spoke in support of Item 2.I. the temporary lease of the Werle building in order to provide space for 12-step addiction recovery meetings.

JOHN KOPJANSKI, WEST HOLLYWOOD, spoke in support of Item 2.I. the temporary lease of the Werle building in order to provide space for 12-step addiction recovery meetings.

WILLIAM QUINN, HOLLYWOOD, spoke in support of Item 2.I. the temporary lease of the Werle building in order to provide space for 12-step addiction recovery meetings.

LESLIE FRIEDMAN, GRANADA HILLS, spoke regarding SOVA Food Pantry Program and in support of Item 2.H. year-end report on Social Services programs.

IVY BOTTINI, WEST HOLLYWOOD, spoke in support of Items 2.I. the temporary lease of the Werle building in order to provide space for 12-step addiction recovery meetings; 2.N. a resolution in support of universal single payer healthcare, 2.P. a resolution in support of AB 898 the "Sexual Assault Victim's DNA Bill of Rights" and 2.R. in support of the opening of the Los Angeles Museum of Holocaust Exhibition on the Nazi Persecution of Homosexuals.

MURIEL SCHOICHET, WEST HOLLYWOOD, spoke in support of Item 2.N. a resolution in support of universal single payer healthcare.

MARK ROSENBERY, WEST HOLLYWOOD, spoke in support of Item 2.I. the temporary lease of the Werle building in order to provide space for 12-step addiction recovery meetings.

JULIE SUMMERS, WEST HOLLYWOOD, spoke in support of Item 2.N. a resolution in support of universal single payer healthcare and SB 921.

DR. JENNIFER CONRAD, SANTA MONICA, spoke in support of Item 2.V. the proposed ban on pet declawing.

CHRIS DE ROSE, WEST HOLLYWOOD, spoke in support of Item 2.V. the proposed ban on pet declawing.

JW MOORE IV, WEST HOLLYWOOD, spoke in support of Items 2.E. the implementation preferential parking on the 7500 block of Lexington Avenue; 2.N. a resolution in support of universal single payer healthcare, and in opposition to Item 2.K. authorization to extend the current cable television franchise agreement.

HOWARD ARMISTEAD, WEST HOLLYWOOD, spoke regarding the book he is writing about AIDS Research and findings on a cure for AIDS.

YOLA DORE, WEST HOLLYWOOD, spoke in support of Item 2.N. a resolution in support of universal single payer healthcare and SB 921.

COUNCILMEMBER COMMENTS:

Councilmember Duran provided an update on Trev Broudy, the victim of a hate crime. He also spoke in support of Item 2.I. the temporary lease of the Werle Building to provide space for a 12-step addiction recovery program and the need to find a permanent home for West Hollywood Recovery Center. He commented on his NO vote on the single-payer item, Item 2.N., because he is concerned that it would have a negative impact on working class citizens with catastrophic illnesses. Councilmember Duran also spoke in support of Item 2.V. the proposed ban on pet declawing.

Councilmember Land spoke in support of SB921, Item 2.N., a resolution in support of universal single payer healthcare and she spoke regarding her close contact with Senator Kuehl's office during the revision process. She also spoke regarding the need to find a permanent home for the West Hollywood Recovery Center. She requested that staff provide a definite timeline for when they will transition into the new facility. She acknowledged staff for the KidsFair. She announced the upcoming vacancies for appointments to Boards and Commissions and the vacant position of her Council Deputy.

Councilmember Prang spoke in support of Items 2.N. a resolution in support of universal single payer healthcare (SB921) and 2.V. the proposed ban on pet declawing and the importance of a symbolic ban. He also spoke in support of Item 2.I. the temporary lease of the Werle Building to provide space for a 12-step addiction recovery program and assisting the West Hollywood Recovery Center to find a permanent home.

Councilmember Heilman announced that April is Healthy West Hollywood Food Drive Month and stated that the food drive will be at West Hollywood Park, Plummer Park and City Hall. He also announced the Human Rights Speaker Series event on April 22 at the Pacific Design Center. He spoke in support of Item 2.I. temporary lease of the Werle Building to provide space for a 12-step addiction recovery program and emphasized the importance of finding a permanent solution. He requested that the City Manager and Social Services staff research the possibility of the City entering into a master lease with potential landlords and then subletting the space to the twelve-step programs. He also spoke in support of Items 2.N. a resolution in support of universal single payer healthcare and 2.V. the proposed ban on pet declawing.

Mayor Guarriello spoke regarding his process of interviewing individuals who have submitted applications to Commissions and Advisory Boards.

CITY MANAGER'S REPORT:

City Manager Arevalo introduced Lieutenant Buddy Goldman, who provided an update on a recent hate crime that occurred in West Hollywood. City Manager Arevalo spoke regarding Item 2.S., the creation of a hate crimes fund. He also spoke regarding the Tree Ordinance and the Street Tree Planting Grant Application and stated that staff is working on strengthening the ordinance to assist in obtaining the grant. He also spoke regarding the loss of Ralph Winter, a long time employee of City Hall. He introduced Dave Long, the new Sheriff Captain for the City of West Hollywood.

FISCAL IMPACT ON CONSENT CALENDAR:

Assistant City Clerk Taylor stated that the fiscal impact for the Consent Calendar as amended is \$233,690 in expenditures and \$182,660 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,L.,M., N.,O.,P.,Q.,R.,S.,T.,(Item 4.A.),U., (Item 5.D.),V., (Item 6.B.) **Motion by Councilmember Heilman, seconded by Councilmember Land and unanimously carried noting Councilmember Duran voting NO on Item 2.N and Councilmember Duran's ABSTENTION on Item 2.T.**

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 March 17, 2003. **Approved as part of the Consent Calendar.**

- 2.C. DEMAND REGISTER NO. 481, RESOLUTION NO. 03-2861:**
ACTION: Approve Demand Register No. 481 and adopt Resolution No. 03-2861, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 481." **Approved as part of the Consent Calendar.**
- 2.D. TREASURER'S REPORT FOR JANUARY 2003:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.E. ORDINANCE NO. 03-652 (2ND READING) IMPLEMENTATION OF DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7500 BLOCK OF LEXINGTON AVENUE:**
ACTION: Waive further reading and adopt Ordinance No. 03-652, "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 LEXINGTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". **Approved as part of the Consent Calendar.**
- 2.F. INSTALLATION OF MAYOR JEFFREY PRANG AND MAYOR PRO TEMPORE JOHN DURAN AND SETTING THE DATE AND TIME OF INSTALLATION OF OFFICERS:**
ACTION: Install Councilmember Jeffrey Prang as Mayor and Councilmember John Duran as Mayor Pro Tempore on Monday, April 21, 2003 at Plummer Park Community Center. **Approved as part of the Consent Calendar.**
- 2.G. SECOND QUARTER REPORT OF THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.H. YEAR-END REPORT ON SOCIAL SERVICES PROGRAMS:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.I. WEST HOLLYWOOD RECOVERY CENTER:**
ACTION: 1) Direct staff to begin discussions with the West Hollywood Recovery Center regarding renovations at the Werle Building; and 2) Direct staff to negotiate a lease agreement and performance contract to provide temporary 12-step meeting space; Human Services (HS) staff to return to Council with a request for budgetary allocation for term to be determined by the Council upon recommendation from Human Service staff. **Approved as part of the Consent Calendar.**

- 2.J. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR THE CONSTRUCTION MANAGEMENT OF FOUNTAIN AVENUE STREET REHABILITATION PROJECT:**
ACTION: Authorize the City Manager to enter into a professional services agreement with RBF Consulting in an amount not to exceed \$72,364.00 to provide construction management and inspection for the Fountain Avenue Street Rehabilitation Project. **Approved as part of the Consent Calendar.**
- 2.K. AUTHORIZATION TO EXTEND THE CURRENT CABLE TELEVISION FRANCHISE AGREEMENT:**
ACTION: Moved to Excluded Consent.
- 2.L. APPROVAL OF AN AGREEMENT WITH SOCIAL VOCATIONAL SERVICES FOR LITTER PICK-UP SERVICES WITHIN THE PUBLIC RIGHT-OF-WAY:**
ACTION: 1) Approve an agreement for services with Social Vocational Services in the amount not to exceed \$41,730; and 2) Authorize the City Manager to sign the Agreement for Services. **Approved as part of the Consent Calendar.**
- 2.M. RESOLUTION IN SUPPORT OF ASSEMBLY BILL 137 (CORREA, CHAVEZ, DYMALLY AND LIEBER), SENIOR ADVOCACY EXTENSION:**
ACTION: 1) Adopt Resolution No. 03-2862, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING SENIOR ADVOCACY EXTENSION (AB 137);" and 2) Direct staff to send signed copies of the resolution to the City's State representatives, the Governor and appropriate Administration Officials. **Approved as part of the Consent Calendar.**
- 2.N. RECOMMENDATION FROM THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING CALIFORNIA STATE SENATE BILL SB921, UNIVERSAL SINGLE PAYER HEALTH CARE:**
ACTION: 1) Adopt Resolution No. 03-2863, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING UNIVERSAL SINGLE PAYER HEALTH CARE COVERAGE (SB921);" and 2) Direct staff to send signed copies of the resolution to the City's Federal representatives and appropriate cabinet and Administration Officials. **Approved as part of the Consent Calendar noting Councilmember Duran voting NO.**
- 2.O. RESOLUTION IN SUPPORT OF HR 1102 (SANDERS), THE NATIONAL HOUSING TRUST FUND BILL:**
ACTION: 1) Adopt Resolution 03-2864, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF HR 1102 (SANDERS), THE NATIONAL HOUSING TRUST FUND BILL;" and

2) Send copies of signed resolution to appropriate legislators. **Approved as part of the Consent Calendar.**

2.P. RESOLUTION IN SUPPORT OF AB 898 (CHU) THE "SEXUAL ASSAULT VICTIMS' DNA BILL OF RIGHTS," REQUIRING LAW ENFORCEMENT AGENCIES INVESTIGATING A FELONY SEX OFFENSE, UPON THE REQUEST OF THE VICTIM, TO PROMPTLY INFORM THE VICTIM OF THE STATUS OF THE DNA TESTING OF THE RAPE KIT EVIDENCE OR OTHER CRIME SCENE EVIDENCE FROM THE VICTIM'S CASE, AS SPECIFIED:

ACTION: 1) Adopt Resolution No. 03-2865, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE PASSAGE OF AB 898, THE SEXUAL ASSAULT VICTIMS' DNA BILL OF RIGHTS;" and 2) Send copies to appropriate legislators. **Approved as part of the Consent Calendar.**

2.Q. APPROVE AN AMENDED LETTER OF AGREEMENT FOR THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITIES OF MANHATTAN BEACH FOR FISCAL YEAR 2003-2004:

ACTION: 1) Adopt Resolution No. 03-2866, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA APPROVING AN AMENDMENT TO THE LETTER OF AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF MANHATTAN BEACH FOR THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE FISCAL YEAR 2003-2004 AND REPEALING RESOLUTION NO. 02-2819;" **Approved as part of the Consent Calendar.**

2.R. A PROPOSAL TO COSPONSOR AND SUPPORT THE LOS ANGELES MUSEUM OF HOLOCAUST EXHIBITION ON THE NAZI PERSECTUION OF HOMOSEXUALS:

ACTION: Approve co-sponsorship of the Los Angeles Museum of Holocaust Exhibition on the Nazi Persecution of Homosexuals. **Approved as part of the Consent Calendar.**

2.S. CREATION OF WEST HOLLYWOOD HATE CRIMES REWARD FUND:

ACTION: 1) Adopt Resolution 03-2867, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOCATING \$10,000 TO THE ESTABLISHMENT OF THE HATE CRIMES REWARD FUND, FOR THE HATE CRIMES INCIDENTS THAT OCCUR WITHIN THE CITY OF WEST HOLLYWOOD;" 2) Authorize the allocation of \$10,000 from the General Fund undesignated reserves to establish reward fund; 3) Direct the City Manager to inform the Sheriff's Department of fund; and 4) Authorize the City Manager to offer fund proceeds when both the Los Angeles County Sheriff's Department and City Manager deem it necessary. **Approved as part of the Consent Calendar.**

2.T. CHRISTOPHER STREET WEST 33rd ANNUAL LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PRIDE CELEBRATION AND PARADE IN WEST HOLLYWOOD:

ACTION: 1) Approve the use of West Hollywood Park and City property, as outlined in exhibit A, for the 2003 Lesbian, Gay, Bisexual, and Transgender Pride Celebration; 2) Authorize the City Manager to enter into an agreement permitting the event; and 3) Authorize the Director of Finance and Technology to appropriate \$6,000 from unallocated General Reserves to increase budgeted Special Postage in the Recreation Division (100-5010-7310) to pay for expanded noticing for the event. **Approved as part of the Consent Calendar noting Councilmember Duran's ABSTENTION.**

2.U. 2003 HALLOWEEN CARNIVAL CONCEPTUAL AGREEMENT:

ACTION: Authorize the City Manager and staff to negotiate for the City, in partnership with the Convention and Visitors Bureau, the rights to televise the 2003 Halloween Carnival, with consideration for future years. **Approved as part of the Consent Calendar.**

2.V. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADDING CHAPTER 9.49 TO THE WEST HOLLYWOOD MUNICIPAL CODE AND BANNING THE PROCEDURE KNOWN AS ONYCHECTOMY (DECLAWING) WITHIN THE CITY:

ACTION: Introduce for first reading Ordinance No. 03-656, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADDING CHAPTER 9.49 TO THE WEST HOLLYWOOD MUNICIPAL CODE AND BANNING ONYCHECTOMY (DECLAWING)." **Approved as part of the Consent Calendar.**

THE CITY COUNCIL RECESSED AS THE WEST HOLLYWOOD HOUSING AUTHORITY AT 7:40 PM

The West Hollywood Housing Authority approved the minutes of March 18, 2002 and conducted a public hearing to approve the West Hollywood Housing Authority annual plan for fiscal year 2003. The actions are more fully described in the West Hollywood Housing Authority records.

THE WEST HOLLYWOOD HOUSING AUTHORITY ADJOURNED AND RECONVENED, AS THE CITY COUNCIL AT 7:45 PM

3. PUBLIC HEARINGS:

3.A. PROPOSED RESOLUTION APPROVING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS BETWEEN THE CITY OF WEST HOLLYWOOD AND THE COUNTY OF LOS ANGELES FOR FISCAL YEAR 2003-2004 AND LETTERS OF AGREEMENT FOR EXCHANGE OF CDBG FUNDS BETWEEN THE

CITY OF WEST HOLLYWOOD AND THE CITIES OF BRADBURY FOR FISCAL YEAR 1998-1999 CDBG FUNDS AND CERRITOS FOR FISCAL YEAR 2003-2004 CDBG FUNDS:

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

Allyne Winderman, Director of Rent Stabilization and Housing, provided background information as outlined in a staff report dated April 7, 2003.

Mayor Guarriello opened and 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 Bradbury; and the City of West Hollywood and the City of Cerritos; 2) Adopt Resolution No. 03-2868, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA APPROVING THE EXCHANGE OF FISCAL YEAR 2003-2004 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS BETWEEN THE CITY OF WEST HOLLYWOOD AND THE COUNTY OF LOS ANGELES; APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF BRADBURY FOR THE EXCHANGE OF CDBG FUNDS FOR THE FISCAL YEAR 1998-1999; AND APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF CERRITOS FOR THE EXCHANGE OF CDBG FUNDS FOR THE FISCAL YEAR 2003-2004;" and 3) Authorize the Director of Finance and Technology to appropriate \$8,732 from the General Fund Unallocated Reserves to the Expenditure for Traded Funds (100-6000-7580) line item in FY 2002-2003; and appropriate \$388,600 from the General Fund Unallocated Reserves to the Expenditure for Traded Funds (100-6000-7580) line item in FY 2003-2004. **Motion by Mayor Guarriello, seconded by Councilmember Land and unanimously carried.**

4. UNFINISHED BUSINESS:

4.A. CHRISTOPHER STREET WEST 33rd ANNUAL LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PRIDE CELEBRATION AND PARADE IN WEST HOLLYWOOD:

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

4.B. DIRECTION ON DEVELOPMENT OF THE FORMER COMMUNITY GARDEN SITE LOCATED AT 1351 HAVENHURST AVENUE:

Allyne Winderman, Director of Rent Stabilization and Housing provided background information as outlined in the staff report dated April 7, 2003.

RICHARD LORING, PACIFIC PALISADES, the developer on the project, spoke in support of the item.

Mayor Guarriello stated his concern for building more housing rather than building more parks. He spoke in opposition to this item.

Councilmember Heilman stated that he believed that it is a fair compromise since it had been used as a community garden. He stated that the proposal is a fair balance between building housing and providing more green space.

Councilmember Duran stated that parking and green space are also necessary, in addition to housing. He stated that this project does represent a fair compromise for housing and green space.

Councilmember Land spoke regarding the critical need for building more affordable housing in the City.

ACTION: Direct staff to draft an agreement with Archetype to develop the property located at 1351 Havenhurst Avenue for 12 condominium units and a neighborhood pocket park and return to City Council for its approval of the agreement. **Motion by Councilmember Prang, seconded by Councilmember Duran and carried on a ROLL CALL VOTE:**

AYES: Councilmember Duran, Heilman, Land, and Prang.

NOES: Mayor Guarriello.

5. NEW BUSINESS:

5.A. REVISION OF THE CITY COUNCIL MEETING SCHEDULE FOR THE SUMMER MONTHS:

City Manager Arevalo provided background information as outlined in the staff report dated April 7, 2003.

Councilmember Prang requested that staff bring the 1st recommendation back to Council. He spoke in opposition to going dark for one meeting each month during the summer.

Councilmember Duran spoke in opposition to going dark for one meeting each month during the summer.

Councilmember Heilman requested that the August 4, 2003 City Council meeting be cancelled.

Councilmember Land requested that more meetings be scheduled for Plummer Park and requested that staff return with a new schedule for meetings at Plummer Park.

ACTION: 1) Approve the cancellation of the regularly scheduled meetings for the first (June 2, 2003) and third (June 16, 2003) Monday of the month; and direct the City Clerk to reschedule the meetings to the second (June 9, 2003) and fourth (June 23, 2003) Monday; and 2) Provide the City Clerk direction on "going dark" for one or more meetings this summer and direct the City Clerk to adjust the schedule as revised. **Motion by Councilmember Prang, seconded by Mayor Guarriello and unanimously carried to approve staff's recommendation #1 and with further direction that the August 4, 2003 City Council meeting be cancelled and that staff return with a new meeting schedule which incorporates Plummer Park as a meeting facility.**

Council recessed at 8:00 PM and reconvened at 8:12 PM.

5.B. TAXICAB FRANCHISE REQUEST FOR PROPOSAL (RFP):

Toya Brown, Transit and Taxi Specialist, Terri Slimmer, Transit & Planning Manager, and Joan English, Director of Transportation and Public Works, provided background information as outlined in the staff report dated April 7, 2003.

IRAM RASHADA, BELLFLOWER, Checker Cab Co., spoke regarding Checker Cab's participation with programs in the City of West Hollywood and spoke in opposition to the issuance of an RFP.

DAVID GROSS, WEST HOLLYWOOD, Checker Cab Co., spoke in opposition to the issuance of an RFP.

SUNNI JEFFERSON, LOS ANGELES, Checker Cab Co., spoke in opposition to the issuance of an RFP.

JERRY QONSUL, LOS ANGELES, Checker Cab Co., spoke in opposition to the issuance of an RFP because bringing new taxicab companies into the City would take away jobs from his company's drivers.

NETTABAI AHMED, SANTA MONICA, spoke in opposition to the issuance of an RFP.

KEN SPIKER, HUNTINGTON BEACH, representative of the City's four franchised taxi companies, spoke in opposition to the issuance of an RFP.

WILLIAM ROUSE, LOS ANGELES, on behalf of Yellow Cab, spoke in support of the issuance of an RFP because many residents have experienced problems with the current licensed taxi companies.

STEVEN AFRIAT, LOS ANGELES, on behalf of Yellow Cab, spoke in support of the issuance of an RFP because periodic review of the taxicab services is necessary to ensure that the best service is being offered.

DAVID COBB, LOS ANGELES, representative of Yellow Cab, spoke in support of the issuance of an RFP and requested that the Council look closely at the allocation of cabs.

VARTAN ARAKECIAN, MONTROSE, Beverly Hills Cab Co., spoke in opposition to the issuance of an RFP.

Councilmember Heilman spoke in opposition to the formula the Commission and staff has created. He stated that staff needs to work with the taxicab companies to ensure that the community's needs are being met. He stated that if staff could assist in finding parking for waiting taxicabs, there would be less problem with taxicab traffic on Sunset.

Councilmember Land spoke in support of the RFP process, but she expressed concern in taking away contracts from existing companies if they don't deserve it. She spoke in opposition to only allowing 421 cabs, and expressed concern with the scoring process. She stated that the RFP process should not be cumbersome, if all possible.

Councilmember Duran spoke in support of the RFP process and stated that periodic evaluations are important. He expressed concern in the amount of 421 cabs and the deployment of cabs in the City. He suggested that deployment should be added to the evaluation of the cab companies. He stated that having circulating cabs should be encouraged in the City. He spoke in opposition to the ratios; but instead suggested using thresholds or establishing an A, B, or C grading system to decide how many cabs a company is allowed. He stated that he would like staff to further explore additional issues, such as standing areas and the possible misdemeanor citing of "bandit" cabs and using Sheriff's Departments Special Problem Units to enforce citing.

Councilmember Prang spoke in opposition to the proposed scoring. He spoke in support of the RFP process. He also spoke regarding working with the Sheriff's Department to fight "bandit" cabs. He expressed his concern with ensuring that the transit dependent community will continue to be served.

Mayor Guarriello spoke in support of taxi stands and stated the importance of the cab companies obeying the rules. He spoke in support of ensuring that the current taxi companies keep their licenses to operate within the City.

ACTION: Authorize staff to issue an RFP for the operation of franchised taxicab service in the City of West Hollywood. **Motion by Councilmember Heilman, seconded by Councilmember Land to approve in concept the RFP process, before the RFP is issued we will ask the existing providers and any new providers to provide the City with the number of cabs needed and provide documentation, which shows the need for more than current 421 cabs. As part of the RFP process look at qualifications. Rate existing operators as either qualified or non-qualified and any new providers or any existing providers who want to add additional cabs to their West Hollywood license would be rated in some kind of ranking system based on the criteria. Part of that criteria will also look at their 5-year business plan in addition to their 5-year experience. The license period would be for 5 years with annual evaluations. The number of cabs will be set before the RFP is issued but the actual allocation will be decided after the responses to the RFP. The overall goal will be to maintain existing licensed cab drivers at their current levels unless there are deficiencies or they are rated as unqualified in some way. As part of the proposal and licensing, the cab companies must provide a deployment plan with special attention to daytime deployment, taxi coupons and provisions of service to seniors. Further direction to staff to facilitate finding staging areas (not leasing or entering into agreements), but playing a role in finding areas and using City owned facilities that aren't being utilized at night. Also, look into the issue of cabs being ticketed at the Mondrian Hotel. Notification of Transportation Commission agendas should be sent to all cab companies. Review ways to enforce the bandit cabs and the possibility of utilizing parking enforcement officers. Establish a timeline and deadline for cab companies to give the needs assessment of cabs over the current cap. Motion carried on a Roll Call Vote:**

AYES: Councilmember Duran, Heilman, Land, Prang and Mayor Guarriello.

NOES: None.

5.C. A PROPOSAL TO IMPROVE ACCESSIBILITY OF WEST HOLLYWOOD'S DAYLINE/CITYLINE SCHEDULES:

Councilmember Heilman and Mayor Guarriello provided background information as outlined in the staff report dated April 7, 2003.

ACTION: 1) Direct staff to have schedules for DayLine/CityLine available on all shuttles; 2) Direct staff to post all stops with a map of the line, that is easily readable by people with visual challenges; 3) Direct staff to make

DayLine/CityLine schedules and maps available on the City website as well as in all public locations such as City Hall, schools, libraries, parks, and post offices; 4) Direct staff to implement the proposal within 90 days of the City Council's final approval of the above mentioned recommendations and to report back to Council within 90 days; and 5) Authorize the City Manager to increase Account 218-8030-8191 by \$20,000 from the unobligated general fund reserves. **Motion by Councilmember Duran, seconded by Councilmember Land and unanimously carried with the further direction that the bus schedules be placed at all local hotels and staff to return with implementation proposals within 90 days.**

**5.D 2003 HALLOWEEN CARNIVAL CONCEPTUAL AGREEMENT:
ACTION: Moved to the Consent Calendar as Item 2.U.**

EXCLUDED CONSENT CALENDAR:

**2.K. AUTHORIZATION TO EXTEND THE CURRENT CABLE TELEVISION
FRANCHISE AGREEMENT:**

Bob Abraham, CATV Coordinator, provided background information as outlined in the staff reported dated April 7, 2003.

Councilmember Prang suggested that the contract be only extended for one year.

ACTION: 1) Authorize an extension to the Adelphia cable television franchise agreement until April 30, 2004 to allow additional time for Adelphia to resolve its financial difficulties and emerge from bankruptcy; and 2) Authorize the City Manager to sign the agreement. **Motion by Councilmember Prang, seconded by Councilmember Duran and unanimously carried.**

PUBLIC COMMENT: None.

6. LEGISLATIVE:

**6.A. AN ORDINANCE ADDING SECTION 5.92.050(1)(I) TO CHAPTER 5.92
OF THE WEST HOLLYWOOD MUNICIPAL CODE TO BAN PEDDLING
WITHIN 250 FEET OF A MERCHANT SELLING THE SAME OR
SIMILAR GOODS:**

Assistant City Clerk Taylor provided background information as outlined in the staff report dated April 7, 2003.

HILLARY SELVIN, LOS ANGELES, West Hollywood Chamber of Commerce, spoke in support of the ordinance and the rewriting of the entire peddler ordinance.

ACTION: Introduce for first reading Ordinance No. 03-655, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADDING SECTION 5.92.050(1)(I) TO CHAPTER 5.92 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO BAN PEDDLING WITHIN 250 FEET OF A MERCHANT SELLING THE SAME OR SIMILAR GOODS." **Motion by Councilmember Heilman, seconded by Mayor Guarriello and unanimously carried.**

6.B. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADDING CHAPTER 9.49 TO THE WEST HOLLYWOOD MUNICIPAL CODE AND BANNING THE PROCEDURE KNOWN AS ONYCHECTOMY (DECLAWING) WITHIN THE CITY:

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

COUNCILMEMBER COMMENTS:

Councilmember Land requested that staff look into ensuring that the Havenhurst community garden lot be better maintained.

Councilmember Prang stated that the maintenance cover on Sweetzer does not fit well.

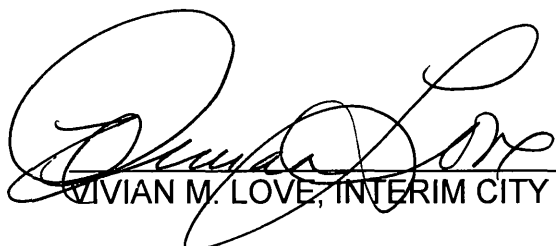
ADJOURNMENT: The City Council adjourned at 9:40 PM in memory of Naomi Sanchez, Dr. Herb Weisenger, Michael Jeter, Fanny Braun, Lenore Breslauer and Ralph Winter. The City Council will adjourn to a Special Study Session on Solid Waste & Recycling on Monday, April 14, 2003 at 6:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The next regular meeting will be April 21, 2003 at 6:00 PM at Plummer Park Community Center, 7377 Santa Monica Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 21st DAY OF APRIL, 2003.



JEFFREY PRANG, MAYOR

ATTEST:



VIVIAN M. LOVE, INTERIM CITY CLERK