

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, OCTOBER 21, 2002
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Guarriello called the meeting to order at 6:42 P.M.

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 Attorney Mike Jenkins, City Attorney Paul Arevalo, City Clerk Tony Russell, and Assistant City Clerk Todd Taylor.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that the Closed Session convened at 6:00 P.M. He announced that the Closed Session item regarding the property located at 1351 Havenhurst Drive was referred to the next Public Facilities Commission meeting, which will be held on Wednesday, November 12, 2002. Council added three items to the Closed Session Agenda: two items of pending litigation; Leonte vs. City of West Hollywood, United States vs. 7094 Santa Monica Boulevard and one initiation of friends of the Court brief, California League of Cities: San Jose Christian College vs. City of Morgan Hills. He stated that Council authorized the City to join the Amicus brief, San Jose Christian College vs. City of Morgan Hills. He stated that the Closed Session adjourned at 6:35 P.M.

Councilmember Duran announced his ABSTENTION to United States vs. 7094 Santa Monica Boulevard.

APPROVAL OF AGENDA:

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

Mayor Guarriello requested that Item 5.A. be moved to Consent Calendar except for the funding of People Assisting The Homeless (PATH) organization.

Mayor Pro Tempore Martin requested that the meeting be adjourned in memory of Adrienne Gail Herman and Gwen Aravjo.

Councilmember Prang requested that the meeting be adjourned in memory of Sytire Robinson and Robert Chew. He also announced the birth of Jacob Forrester, grandson of Commissioner Ruth Williams.

ACTION: Moved by Councilmember Heilman and seconded by Mayor Pro Tempore Martin to approve the October 21, 2002 Agenda as amended. Motion carried unanimously.

PRESENTATIONS: None.

PUBLIC COMMENT:

JOHN KEHO, LOS ANGELES, spoke in opposition to staff's recommendation to Item 2.N.

JOYCE ROONEY, LOS ANGELES, read a letter from the Los Angeles County Federation of Labor AFL-CIO regarding contract negotiations between the City and West Hollywood Municipal Employees (WEHOME) and spoke in opposition to Item 2.A.

DR. RICK ANDREWS, WEST HOLLYWOOD, spoke regarding the poorly re-designed intersection at Westmount Drive and Santa Monica Boulevard.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the need to increase spending for public housing and public safety.

TERRY GODDARD, PASADENA, thanked Council for their continued support of their organization.

PETER MACKLER, WEST HOLLYWOOD, thanked Council for their continued support of the Human Service Commission and spoke in support of staff's recommendation to Item 5.A.

JIM MANGIA, WEST HOLLYWOOD, spoke in support of staff's recommendation to Item 5.B.

RACHEL WHITE, WEST HOLLYWOOD, spoke regarding her termination of employment from the County of Los Angeles and thanked Council for their support.

JIMMY PALMIERI, WEST HOLLYWOOD, requested an update on the recall of District Attorney Cooley.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding the AIDS Walk and asked Council to properly notify residents of special event happenings in the future.

BOB KNOTEK, LOS ANGELES, spoke regarding the possibility to increase the fines for noise from boom cars.

JOHN SHEEHAN, WEST HOLLYWOOD, spoke regarding the increase of homelessness within the City.

COUNCILMEMBER COMMENTS:

Councilmember Duran gave a brief status report on the City's meeting with Attorney General Bill Lockyer regarding the hate crime against Trev Brody. He stated that the Attorney General has the authority to investigate the case. He also stated that if the defendants enter a plea by November 4, 2002, hate crimes charges couldn't be added. He stated that he and other Councilmembers are working on locating an alcohol and drug recovery center within the City.

Councilmember Prang noted his abstention on Item 2.M. He thanked those who participated in the City AIDS Walk. He also suggested that permit parking be waived during next years event. He also encouraged everyone to continue to apply pressure to District Attorney Cooley

Councilmember Heilman thanked the residents and staff for their participation in the AIDS Walk. He directed staff to review the procedures for notifying residents of special events along with the ingress and egress of next years AIDS Walk. He also gave direction to public safety to investigate proposals to deal with the noise of boom cars and asked that staff return with options to control the noise. He also announced the Human Rights Speaker Series, which will be held at the Pacific Design Center, Tuesday, October 22, 2002 at 7:00 P.M.

Mayor Pro Tempore Martin directed staff to investigate the lighting of tall walls and to review the lighting standards and requirements. He thanked the residents for their participation in the AIDS Walk. He thanked those residents who came out to speak in favor of more greenspace. He also thanked those residents who came out for the Mathew Sheppard event.

Mayor Guarriello provided a brief overview of the on going petition process to recall District Attorney Cooley. He announced the Domestic Violence Prevention Awards, which will be held on Wednesday, October 23, 2002 at West Hollywood Community Center Plummer Park. He also commented on the poor notification to residents concerning the AIDS Walk.

CITY MANAGER'S REPORT:

City Manager Arevalo provided a brief report on Item 2.N. labor negotiations with City's local employee union (WEHOME). He stated that the benefits package offered is extremely generous. He stated that the WEHOME employees are in the processes of

voting to ratify the proposed contract and staff's recommendation has been amended to accommodate this action.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Russell stated that the fiscal impact on the Consent Calendar, as amended for the Monday, October 21, 2002 Agenda is \$38,505 in expenditures and \$35,000 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the items as amended.

2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,N.,O.,P.,R. (Item 5.A) Moved by Councilmember Heilman and seconded by Councilmember Prang to approve the Consent Calendar as amended. Motion carried noting Councilmember Prang's ABSTENTION on item 2.M. and Councilmember Duran's ABSTENTION on Item 2.R. regarding the funding of Shanti Wendy's Hope Center.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, October 21, 2002 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, October 17, 2002.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of the October 7, 2002 City Council meeting. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 470, RESOLUTION NO. 02-2790:

ACTION: Approve Demand Register No. 470 and adopt Resolution No. 02-2790, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 470." **Approved as part of the Consent Calendar.**

2.D. TREASURER'S REPORT FOR AUGUST 2002:

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

2.E. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Michael Trenholm, Jason Christopher, George A. Monserrat, Im Jung Soon, Paul Kessler and Gillian Rothchild and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

- 2.F. ORDINANCE NO. 02-638 R (2ND READING):**
ACTION: Waive further reading and adopt Ordinance No. 02-638 R, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 17.28 OF THE RENT STABILIZATION ORDINANCE CLARIFYING REGISTRATION AND RE-REGISTRATION REQUIREMENTS FOR PURPOSES OF BEING IN SUBSTANTIAL COMPLIANCE." **Approved as part of the Consent Calendar.**
- 2.G. ORDINANCE NO. 02-639 (2ND READING):**
ACTION: Waive further reading and adopt Ordinance No. 02-639, "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 DETROIT STREET AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**
- 2.H. ORDINANCE NO. 02-640 (2ND READING):**
ACTION: Waive further reading and adopt Ordinance No. 02-640, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.240 OF THE WEST HOLLYWOOD MUNICIPAL CODE TO EXPAND THE BOUNDARY OF PREFERENTIAL PARKING DISTRICT 9, IMPLEMENTING DISTRICT 9 PREFERENTIAL PARKING REGULATIONS ON LAUREL AVENUE AND EDINBURGH AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**
- 2.I. ONE HUNDRED AND TWENTY-DAY REVIEW OF REGULAR OPERATIONS OF CLUB 7969, LOCATED AT 7969 SANTA MONICA BOULEVARD:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.J. PROPOSED RESOLUTION REPEALING RESOLUTION NO. 98-1980:**
ACTION: Adcpt Resolution No. 02-2791, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REPEALING RESOLUTION NO. 98-1980 WHICH AUTHORIZED FREE 2-HOUR PARKING AT ALL PARKING METERS THROUGHOUT THE CITY FROM DECEMBER 23RD THROUGH THE 26TH OF EACH YEAR." **Approved as part of the Consent Calendar.**
- 2.K. NOTICE OF COMPLETION FOR CIP 0103 SLURRY SEAL PROGRAM:**
ACTION: 1) Accept the work and authorize the following: a) Filing a Notice of Completion by the City Engineer; b) Final payment to the contractor at the end of the 35 day lien period; c) Release of the

Performance Bond and Payment Bond. **Approved as part of the Consent Calendar.**

2.L. SANTA MONICA BOULEVARD MAINTENANCE DISTRICT:

ACTION: 1) Adopt Resolution No. 02-2792, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2003-2004 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE;" 2) Adopt Resolution No. 02-2793, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INITIATING PROCEEDINGS FOR THE ANNEXATION OF TERRITORY TO THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SAID ANNEXATION FOR THE 2003-2004 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE;" 3) Adopt Resolution No. 02-2794, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ENGINEER FOR THE 2003-2004 FISCAL YEAR IN CONNECTION WITH THE PROPOSED ANNEXATION OF TERRITORY TO THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE DISTRICT AND THE ANNEXATION AREA;" 4) Adopt Resolution No. 02-2797, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT FOR THE 2003-2004 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO;" 5) Adopt Resolution No. 02-2798, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO ANNEX TERRITORY TO THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT AND TO LEVY AND COLLECT ASSESSMENTS WITHIN SUCH TERRITORY FOR THE 2003-2004 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO;" 6) Authorize the City Manager to submit, on behalf of the City and in connection with property owned by the City and located within

Zone 2, a ballot in favor of the assessment against such property; and 7) Authorize the Director of Finance to appropriate \$6,000 from the General Fund undesignated reserves and increase the budget for account 623-3000-8501 by \$6,000 for professional services associated with the Zone 2 proceedings. **Approved as part of the Consent Calendar.**

2.M. APPROVAL OF A CONTRACT WITH LANGNER SECURITY SERVICES, INC. FOR CITY HALL SECURITY SERVICES:

ACTION: Approve an agreement with Langer Security, Inc. in an amount not-to-exceed \$35,000 for City Hall security services and authorize the City Manager to sign contract. **Approved as part of the Consent Calendar noting Councilmember Prang's ABSTENTION.**

2.N. AUTHORIZATION FOR IMPLEMENTATION OF THE LAST, BEST AND FINAL OFFER TO THE WEST HOLLYWOOD MUNICIPAL EMPLOYEES (WEHOME) EFFECTIVE OCTOBER 1, 2002 THROUGH JUNE 30, 2003:

ACTION: 1) Adopt Resolution No. 02-2795, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IMPLEMENTING THE LAST, BEST AND FINAL OFFER TO THE WEST HOLLYWOOD MUNICIPAL EMPLOYEES (WEHOME) PURSUANT TO GOVERNMENT CODE SECTION 3505.4;" 2) Authorize the implementation of attached provisions effective October 1, 2002 through June 30, 2003 and their inclusion in appropriate documentation as deemed necessary by the City Manager; and 3) Approve the attached schedule of negotiations with WEHOME for 2003-04 negotiations. **Approved as part of the Consent Calendar.**

2.O. SUSTAINABLE GREEN BUILDING PROJECT UPDATE AND CREATING GREEN HOMES CHARRETTE SUMMARY REPORT PREPARED BY GLOBAL GREEN US:

ACTION: Receive and file the Creating Green Homes Charrette Summary Report. **Approved as part of the Consent Calendar.**

2.P. DIRECTION TO RENT STABILIZATION COMMISSION TO STUDY IMPLEMENTING A REQUIREMENT FOR LANDLORDS TO PAY INTEREST ON SECURITY DEPOSITS FOR ALL RENTAL HOUSING IN THE CITY:

ACTION: Direct the Rent Stabilization Commission to study implementing a requirement for landlords to pay interest on security deposits for all rental housing in the city. **Approved as part of the Consent Calendar.**

2.Q. AUTHORIZATION TO CO-SPONSOR THE 2002 AIDS WATCH:

ACTION: Moved to Excluded Consent.

2.R. SOCIAL SERVICES CONTRACT RENEWALS –2002-04:

ACTION: 1) Approve the 2002-04 Social Service contracts as noted on the attached chart; and 2) Authorize the City Manager to sign the contracts. **Approved as part of the Consent Calendar with the exception of the funding of People Assisting The Homeless (PATH), which remained under 5.A. New Business and noting Councilmember Duran's ABSTENTION to the funding of Shanti Wendy's Hope Center.**

3. PUBLIC HEARINGS:

3.A. PROPOSED CHANGES TO FEE RESOLUTION FOR FY 2002-2003:

City Clerk Russell stated that this item was posted at City Hall, Plummer Park, Sheriff's Station, West Hollywood Park and published in the West Hollywood Independent.

David Hatcher, Revenue Officer, provided background information as outlined in the staff report dated October 21, 2002.

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

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the need to increase fees for tall wall applications.

HILLARY SELVIN, LOS ANGELES, spoke regarding the need for increasing fees and requested that staff create a task force to look at streamlining the application approval process.

MARK LEHMAN, WEST HOLLYWOOD, stated that he understood the need for the City to increase fees but increasing fees three to five times is very costly for a small business.

Mayor Guarriello closed the public hearing.

In response to Councilmember Duran, Mr. Arevalo stated there was never a discussion on whether or not the City was going to absorb the cost of fees. He stated that staff created a formula to increase fees based on the CPI and other numbers. He stated that rents for commercial property is sky rocketing. He also stated that the City is not requesting full cost recovery.

Councilmember Duran stated that he is in favor of increasing fees for those developments over 10,000 square feet but has some concerns with the increases for small businesses. He stated that he would be in favor of streamlining the application approval process.

Mayor Pro Tempore Martin stated that he was in favor of streamlining the application approval process. He stated that the City has a history of subsidizing businesses and that history goes back to the very beginning of the City's incorporation. He stated that it is time for the businesses to pay for their fair share.

Councilmember Heilman stated that he would be in favor of streamlining the application approval process. He stated that businesses can factor in the total cost of the fees but what they can't factor in, is the continued delays in the approval process. He stated that he would be in favor of staff creating a task force with the business community to work on the application approval process.

Councilmember Prang stated that he would be in favor of staff creating a task force with the business community to work on streamlining the application approval process. He stated that he is sympathetic with those small businesses that are affected by the large increase in fees. He also stated that the model the City uses to charge those fees is designed to pass along real costs to the business owners for processing their applications.

RECOMMENDATION: 1) Authorize the implementation of the revised fees for Planning services effective December 1, 2002; 2) Authorize the implementation of the revised fees for issuance of business licenses for the Code Compliance Division effective January 1, 2003; 3) Authorize the incorporation of previously approved Adjudication Services fees; 4) Adopt Resolution No. 02-2796, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REVISING FEES AND CHARGES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF WEST HOLLYWOOD AND AMENDING RESOLUTION NO. 02-2713."

ACTION: Moved by Mayor Guarriello and seconded by Councilmember Prang to approve staff's recommendation with additional direction that staff create a task force including City staff and representatives from the business community to work on streamlining the application approval process. Motion carried unanimously.

4. UNFINISHED BUSINESS: NONE

5. NEW BUSINESS:

5.A. SOCIAL SERVICES CONTRACT RENEWAL FOR PATH –2002-04:

Daphne Dennis, Social Services Administrator, provided background information as outlined in the staff report dated October 21, 2002.

JOEL ROBERTS, SANTA MONICA, thanked Council for their continued support of their organization. He stated that with the recent cuts, it is very difficult to continue to provide services to residents.

NATHAN METCALF, LOS ANGELES, thanked PATH for its support and spoke in support of staff's recommendation.

Mayor Guarriello stated that the organization has promised various services over the years but since they moved out of the City they have only provided 10 beds for City's use for the homeless.

In response to Mayor Guarriello, Mr. Mackler, Chairman, Human Services Commission, stated that the parameters that PATH was working under, the commission felt that the City was getting the best service for its money.

Ms. Dennis stated that the City never had all the beds in the facility when the organization was located within the City, because the City didn't provide full funding. She also stated the program now serves ten new people every month and two new people in transition. She stated that under the previous contract they served eleven new people a month and two new people in transition.

Councilmember Duran commended PATH for the work they do. He stated that he wished the City could give the organization more money. He also stated that there is nothing more heart breaking to see than homelessness in our community.

Councilmember Heilman stated that he had some concerns, and he didn't support the recent move out of the City. He stated that he doesn't see the visibility of the organization within the City now. He suggested creating a homeless round table to discuss the increase and chronic homelessness within the City and the possibility of providing a homeless shelter within the City.

Councilmember Prang stated that the visibility of the PATH organization has decreased across the City since the move. He also stated that there seems to be an increase in homelessness within the City.

Mayor Pro Tempore Martin stated that most of the homelessness in the City seems to be chronic homelessness. He stated that PATH has done a good job to help those individuals who want and need help back into the system. He also stated that he would be in favor of creating a round table to review the City's homelessness.

RECOMMENDATIONS: 1) Approve the 2002-04 Social Service contract with PATH as noted on the attached chart; and 2) Authorize the City Manager to sign the contract.

ACTION: Moved by Mayor Pro Tempore Martin and seconded by Councilmember Heilman to approve staff's recommendation with addition direction that staff create a round table to discuss homelessness and to look at the possibility of providing a homeless shelter within the City. Motion carried unanimously.

5.B. PROPOSED ORDINANCE – CAMPAIGN FINANCE DISCLOSURE, COUNCIL ACTIONS AFFECTING DONORS:

Councilmember Prang provided background information as outlined in the staff report dated October 21, 2002.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of staff's recommendation.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of staff's recommendation.

Councilmember Duran stated that it would be very easy for him to track his donations for the past year since he hasn't received any. He stated that during the campaign cycle it would be very difficult to track. He suggested that he would be in favor of campaign statements being posted on the City's web site or being placed at the back table during City Council meetings for public viewing. He also stated that he does not support this item as written

Mayor Pro Tempore Martin stated that Council really doesn't receive campaign contributions throughout the year and the majority of the contributions received are during an election period. He also stated that this action would add to the dysfunction of the process and that this issue should not be addressed piecemeal.

Councilmember Heilman stated that the concept of this item is a good idea. He expressed his concern with lobbyist raising money for Councilmembers or candidates who also represent clients before the City Council. He suggested that the City Council take a broader look at this issue.

RECOMMENDATION: Direct the City Attorney to draft an ordinance requiring public disclosure of in-kind or monetary contributions, totaling \$250 or more, to campaign committees of city council members, and city commissioners running for city council, when those contributions are given six months prior to a vote and six months following a vote on matters affecting the contributing party.

ACTION: Moved by Mayor Pro Tempore Martin and seconded by Councilmember Duran to table the item. Motion fail on a ROLL CALL vote:

AYES: Councilmember Duran and Mayor Pro Tempore Martin.
NOES: Councilmember Heilman, Prang and Mayor Guarriello.

ACTION: Moved by Councilmember Heilman and seconded by Mayor Guarriello to direct the City Attorney and City Clerk to investigate the possibility of prohibiting contributions, which are given six months prior to a vote and six months following a vote on matters affecting the contributing party and investigate the possibility of prohibiting lobbyist from serving as campaign managers and return to Council with a report within a reasonable period of time. Motion carried on a ROLL CALL vote.

AYES: Councilmember Duran, Heilman, Prang, Mayor Pro Tempore Martin and Mayor Guarriello.
NOES: None.

5.C. PROPOSED AMENDMENT TO THE BUSINESS LICENSE TAX ORDINANCE SLATED FOR THE MARCH 4, 2003 GENERAL MUNICIPAL ELECTION:

Paul Arevalo, City Manager, provided background information as outlined in the staff report dated October 21, 2002.

Anil Gandhi, Director of Finance and Technology, provided additional information regarding the City's financial white paper as outlined in staff report dated October 21, 2002.

Ray Reynolds, Director of Economic Development/Special Projects, provided additional information regarding the business license tax as outlined in staff report dated October 21, 2002.

In response to Councilmember Prang, Mr. Reynolds stated that at this time the City is not expanding the categories.

Mike Jenkins stated that the tax has to be internally consistent. He stated that there is room for upward movement, but the categories or classifications must have like functions. He also stated that the City cannot single out certain businesses for excessive taxation.

NEAL ZASLAVSKY, WEST HOLLYWOOD, suggested raising the City's Transit Occupancy Tax (TOT).

Councilmember Heilman stated that the current Business License Tax needs to be placed on the March 4, 2003 ballot for ratification. He suggested that staff develop language for four different options regarding placing a measure on the March 4, 2003 ballot: 1) Place the current Business License Tax on the ballot for ratification; 2) Place a modified version of the Business License Tax changing certain categories and increasing revenues; 3) Increasing the Transit Occupancy Tax; and 4) Establishing a new Parking Tax.

Councilmember Duran stated that he would not be in favor of the motion to increase revenue or change categories on the current Business License Tax after increasing the planning fees. He stated that the residents are not in favor of raising taxes on businesses.

RECOMMENDATION: Direct the City Attorney to develop language amending the City's Business License Tax Ordinance for placement on March 4, 2003 General Election, on or before the December 2, 2002 City Council meeting.

ACTION: Moved by Councilmember Heilman and seconded by Councilmember Prang to direct staff to develop language for four different options regarding placing a measure on the March 4, 2003 ballot: 1) Place the current Business License Tax on the ballot for ratification; 2) Place a modified version of the Business License Tax changing certain categories and increasing revenues; 3) Increasing the Transit Occupancy Tax (TOT); and 4) Establishing a new Parking Tax and bring a report back to Council on November 4, 2002. Motion carried on a ROLL CALL vote:

AYES: Councilmember Heilman, Prang, Mayor Pro Tempore Martin and Mayor Guarriello.

NOES: Councilmember Duran.

EXCLUDED CONSENT CALENDAR:

2.Q. AUTHORIZATION TO CO-SPONSOR THE 2002 AIDS WATCH:

Councilmember Heilman stated his only concern was the listing of co-sponsors names. He also stated that there should be more information on cable TV to tell residents how to get involved with the organizations that are co-sponsoring the event.

RECOMMENDATION: 1) Approve the City of West Hollywood as co-sponsor of the 2002 AIDS Watch presentations on Sunday, December 1, 2002; and 2) Authorize the Public Information and Adjudication Services Department to provide support for this project, including use of Citychannel 10 facilities and broadcast time and public information support.

ACTION: Moved Councilmember Heilman and seconded by Mayor Guarriello to approve staff's recommendation with additional direction for staff to provide more information on the co-sponsors of the event. Motion carried unanimously.

PUBLIC COMMENT:

6. LEGISLATIVE: NONE.

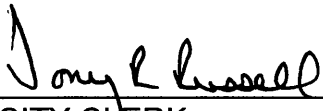
COUNCILMEMBER COMMENTS: NONE.

ADJOURNMENT: The City Council adjourned at 9:25 P.M. in memory of Adrienne Gail Herman, Gwen Aravjo, Sytire Robison and Robert Chew. The next regular meeting will be on Monday, November 4, 2002 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 4TH DAY OF NOVEMBER, 2002.


MAYOR

ATTEST:


CITY CLERK