

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, NOVEMBER 4, 2002
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Guarriello called the meeting to order at 6:40 P.M.

PLEDGE OF ALLEGIANCE: Ray Reynolds 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 Manager 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. Council added one item to the Closed Session Agenda: potential acquisition of property located at 7718 Santa Monica Boulevard. He stated that the Closed Session recessed at 6:30 P.M. with no reportable action. He also announced that the City has executed a settlement agreement in the case of Beverly Boulevard vs. City of West Hollywood.

APPROVAL OF AGENDA:

Councilmember Heilman requested that Item 4.B. be moved to Consent Calendar.

Mayor Guarriello requested that 2.I. be tabled.

Councilmember Prang requested that the meeting be adjourned in memory of Mike Alexander and the mother of Mario Polanco.

Councilmember Heilman requested that the meeting be adjourned in memory of Harry Hays.

Mayor Pro Tempore Martin requested that the meeting be adjourned in memory of United States Senator Paul Wellstone.

ACTION: Moved by Councilmember Prang and seconded by Mayor Pro Tempore Martin to approve the November 4, 2002 Agenda as amended. Motion carried unanimously.

PRESENTATIONS:

Mayor Guarriello presented a commendation to Jan Harmon, Environmental Program Specialist, for the City's ongoing recycling programs.

PUBLIC COMMENT:

JAMES FUHRMAN, WEST HOLLYWOOD, spoke in support of staff's recommendation to Item 2.L. He also commented on the City's Halloween Carnival.

STEVEN LEVIN, WEST HOLLYWOOD, spoke in support of staff's recommendation to Item 2.I.

BOB DAVIS, WEST HOLLYWOOD, spoke in opposition to staff's recommendation to Item 2.I. and spoke regarding petitions that were given to the City in opposition to permit parking.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the recall of District Attorney Cooley.

JIMMY PALMIERI, WEST HOLLYWOOD, spoke regarding a recent hate crime against a resident and asked the City to provide safety tips to the residents.

DAVID NASH, WEST HOLLYWOOD, thanked the Council for intervening on behalf of the residents of Palm Avenue Apartments regarding ongoing security and safety issues.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding the recent Halloween event. She suggested that the City charge an entrance fee for future events and recommended that the City find additional parking.

ABBE LAND, WEST HOLLYWOOD, spoke in support of staff's recommendation to Items 2.E. and 4.B.

CAROL RODRIGUEZ, WEST HOLLYWOOD, spoke regarding the noise in her neighborhood from a recent Halloween party.

COUNCILMEMBER COMMENTS:

Mayor Guarriello announced that the West Hollywood Veterans Day Celebration will be held on Saturday, November 9, 2002 at Plummer Park Community Center at 10:00 a.m. to 12:00 p.m. He also announced that the City will receive a Buddy Bear Statue on Wednesday, November 13, 2002 at City Hall. He provided a brief overview of the petition process to recall District Attorney Cooley. He also announced the birthday of Ed Garren's mother, who will be turning 90 years old.

Councilmember Duran gave a brief status report on the hate crime against Trev Broudy. He announced that the District Attorney's office added aggravated mayhem to the criminal complaints. He thanked staff for their hard work regarding Item 2.H., the traffic circle at Westmount and Knoll Avenue. He also stated that there will be an election central to watch the poll returns at Here Bar on Tuesday, November 5, 2002 from 6:00 p.m. to 9:00 p.m.

Councilmember Prang stated that Council was ready to take action on Item 2.I. but the City received a request to remove signatures from the existing petition, which disqualified the petition. He stated that the Halloween Carnaval was one of the best festivals the City has had in the past few years. He addressed several issues that staff should be aware of for next year's festival. He stated that the Halloween Task Force should meet and discuss this year's festival and make recommendations for future events.

Councilmember Heilman thanked staff and all the volunteers for their hard work on the recent Halloween Carnaval. He directed staff to bring an item back to Council to discuss the Halloween event.

Mayor Pro Tempore thanked everyone for their participation in the recent Halloween Carnaval and asked staff to bring an item back for Council discussion regarding the event. He also thanked Shirley Busnell on her hard work regarding transgender issues.

CITY MANAGER'S REPORT:

City Manager Arevalo announced that the City's Employee Union (WEHOME) has ratified the three (3) year contract. He also gave a brief report on the recent Halloween Carnaval and stated that staff will return with an item to review this year's event.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Russell stated that the fiscal impact on the Consent Calendar, as amended for the Monday, November 4, 2002 Agenda is \$82,900 in expenditures and a reduction of \$3,000 in potential revenue.

2. CONSENT CALENDAR:

**ACTION: Approve the items as amended
2.A.,B.,C.,D.,E.,F.,G.,H.,J.,K.,L.,M.,N.,O.,P. (Item 4.B) Moved by
Councilmember Heilman and seconded by Mayor Guarriello to approve the
Consent Calendar as amended. Motion carried unanimously.**

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, November 4, 2002 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, October 31, 2002.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of October 14, 2002 and October 21, 2002. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 471, RESOLUTION NO. 02-2799:

ACTION: Approve Demand Register No. 471 and adopt Resolution No. 02-2799, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 471." **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

ACTION: Deny the claim of Robert Freeland and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. RECOMMENDATION TO WAIVE BUILDING AND SAFETY PERMIT FEES FOR PROJECTS DEVELOPED BY NONPROFIT AFFORDABLE HOUSING DEVELOPERS AND PROJECTS DEVELOPED UNDER THE REDEVELOPMENT AND COMMUNITY DEVELOPMENT BLOCK GRANT REHABILITATION PROGRAMS:

ACTION: Waive building and safety permit fees for projects developed by nonprofit affordable housing developers and projects developed under the Redevelopment and CDBG rehabilitation programs. Project types and amounts will be limited to those under program guidelines and include commercial façade renovations, residential rehabilitation, and institutional rehabilitation. Fee waivers will be retroactive to the beginning of fiscal year 2001-2002 and will be available until the next annual fee resolution is approved by Council. **Approved as part of the Consent Calendar.**

2.F. AGREEMENT FOR SERVICES - SUNSET STRIP BUSINESS ASSOCIATION:

ACTION: Approve an agreement with the Sunset Strip Business Association, Inc. in an amount not to exceed \$70,000 for administration and management of the BID; and, authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.G. PROPOSED RESOLUTION AUTHORIZING THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES TO ISSUE BONDS AND ACQUIRE MORTGAGE LOANS TO FINANCE THE ACQUISITION AND CONSTRUCTION OF A MULTIFAMILY RENTAL HOUSING PROJECT IN THE CITY OF WEST HOLLYWOOD:

ACTION: Adopt Resolution No. 02-2800, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES TO ISSUE BONDS AND ACQUIRE MORTGAGE LOANS TO FINANCE THE ACQUISITION AND CONSTRUCTION OF A MULTIFAMILY RENTAL HOUSING PROJECT IN THE CITY OF WEST HOLLYWOOD."
Approved as part of the Consent Calendar.

2.H. NOTICE OF COMPLETION FOR CIP NO. 0203 WESTMOUNT DRIVE/WEST KNOLL DRIVE TRAFFIC CIRCLE LANDSCAPING CONSTRUCTION PROJECT:

ACTION: 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.I. IMPLEMENTATION OF DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON FORMOSA AVENUE:

ACTION: The item was tabled.

2.J. MILLS ACT FOR PROPERTY LOCATED AT 1360 N. CRESCENT HEIGHTS BOULEVARD (MA 00-06):

ACTION: Approve a Mills Act Contract for 1360 N. Crescent Heights Boulevard and authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

2.K. STATUS OF ZONING CODE AMENDMENT WITH REGARD TO BILLBOARDS IN THE REDEVELOPMENT AREA:

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

2.L. VACATE THE OFFICE OF A MEMBER OF THE DISABILITIES ADVISORY BOARD:

ACTION: 1) Declare the office of Randall Kerr of the DAB vacated due to a lack of attendance; 2) Direct the City Clerk to notify Mr. Kerr of his vacated office; and, 3) Direct the City Clerk to post a notice of vacancy for an appointment to the DAB for a term expiring May 31, 2003. **Approved as part of the Consent Calendar.**

2.M. ADOPTION OF JOB DESCRIPTION FOR NEW WEHOME POSITION OF PROFESSIONAL SUPPORT SERVICES SPECIALIST IN THE ADMINISTRATIVE SERVICES DEPARTMENT:

ACTION: 1) Adopt the job description for the new WEHOME position of Professional Support Services Specialist in the Administrative Services Department; and 2) Approve the salary range for the Professional Support Services Specialist position at Grade 5080; GE-08, Non-Exempt (\$39,529 to \$47,812 annually; pre-2002 COLA). **Approved as part of the Consent Calendar.**

2.N. RESIGNATION OF SANDY SACHS FROM THE PUBLIC FACILITIES COMMISSION:

ACTION: Accept with regret the resignation of Sandy Sachs from the Public Facilities Commission. **Approved as part of the Consent Calendar.**

2.O. MILLS ACT CONTRACTS 02-01, 02-02, 02-03, 02-04 FOR PROPERTY LOCATED AT 1424 N CRESCENT HEIGHTS BLVD, UNITS #37, #48, #27 AND #38:

ACTION: Approve Historical Property Preservation Agreements (Mills Act Contracts) between the City of West Hollywood and the owners of Units #37 (John Luciano), #48 (Suzanne Finstad), #27 (Nahnatchaka Kahn) and #38 (Antony Mervis) at 1424 Crescent Heights Boulevard and authorize the City Manager to sign the agreements. **Approved as part of the Consent Calendar.**

2.P. RUSSIAN CULTURAL FESTIVAL:

ACTION: 1) Authorize the Department of Finance and Technology to appropriate a \$15,000 grant from undesignated reserves in the General Fund to the Recreation Division special events account for distribution; 2) Authorize the use of Plummer Park and its facilities at no cost; 3) Approve a beer and wine garden to be operated by and for the benefit of a non profit; and 4) Waive permitted parking on Vista and Fuller Streets from 7pm to Midnight on May 17, 2003. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS: NONE

4. UNFINISHED BUSINESS:

4.A. REQUEST TO CONSOLIDATE THE PRIMARY NOMINATING ELECTION OF THE CITY OF LOS ANGELES WITH THE CITY'S GENERAL MUNICIPAL ELECTION TO BE HELD ON MARCH 4, 2003:

Tony Russell, City Clerk, provided background information as outlined in the staff report dated November 4, 2002.

RECOMMENDATION: 1) Adopt Resolution No. 02-2801, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, CONSENTING TO AN ELECTION CONSOLIDATION WITH THE CITY OF LOS ANGELES, INCLUDING THE LOS ANGELES COMMUNITY COLLEGE DISTRICT AND ORDERING THAT THE FOUR (4) SEATS ON THE BOARD OF TRUSTEES OF THE LOS ANGELES COMMUNITY COLLEGE DISTRICT APPEAR ON THE BALLOT OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 4, 2003"; 2) Direct the City Clerk to take any and all steps necessary to hold the consolidated election; and 3) Authorize the Director of Finance and Information Technology to increase budgeted expenditures in Election Account No. 100-2060-8551 by \$12,000 and increase budgeted revenues in the General Fund by \$30,000 for miscellaneous revenues.

ACTION: Moved by Councilmember Heilman and seconded by Councilmember Prang to approve staff's recommendation. Motion carried unanimously.

4.B. RUSSIAN CULTURAL FESTIVAL:

ACTION: Moved to Consent Calendar as Item 2.P.

4.C. FOLLOW-UP REPORT ON PROPOSED TAX MEASURES SLATED FOR THE MARCH 4, 2003 GENERAL MUNICIPAL ELECTION:

Paul Arevalo, City Manager, provided background information as outlined in the staff report dated November 4, 2002.

Ray Reynolds, Director of Economic Development/Special Projects, provided additional information regarding the Transit Occupancy Tax and the City's Business License Tax.

HILLARY SELVIN, LOS ANGELES, spoke in support of staff's recommendation.

In response to Councilmember Heilman, Mr. Arevalo stated that staff is recommending reclassifying the current business categories to be more in line with federal business categories.

In response to Councilmember Heilman, David Hatcher, Revenue Manager provide a brief overview of the proposed tax rate and how that rate affects the local businesses.

Mayor Pro Tempore Martin stated that Council needs to be responsible when addressing the business license tax. He stated that under the current tax situation, businesses are not paying their fair share. He stated that he would be in favor of option 2, to place an ordinance on the ballot to both restructure classification of the businesses and institute an across the board 50% increase in rates and to increase the Transient Occupancy Tax by one percent.

Councilmember Heilman stated that he would be in favor of option 1, to place a measure on the ballot to restructure classification of businesses and increase the Transient Occupancy Tax by one percent.

RECOMMENDATION: Direct the City Attorney and City Clerk to prepare the appropriate ordinance and ballot language to: A) Increase the City's Transient Occupancy Tax by one percent from 11.5% to 12.5% with an effective date of January 1, 2004; and B) Restructure the City's Business License Tax Business Classification system with an effective date of January 1, 2004 for placement on the March 4, 2003 General Election ballot and to return to Council on or before its December 2, 2002 meeting.

ACTION: Moved by Councilmember Heilman and seconded by Mayor Guarriello to approve staff's recommendation. Motion carried on a Roll Vote.

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

5. NEW BUSINESS: None.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 7:50 P.M. in memory of Mike Alexander, the mother of Mario Polanco, Harry Hays and United States Senator Paul Wellstone. The next regular meeting will be on Monday, November 18, 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 18TH DAY OF NOVEMBER, 2002.


MAYOR

ATTEST:


CITY CLERK