

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, MAY 6, 2002
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Guarriello called the meeting to order at 6:47 P.M.

PLEDGE OF ALLEGIANCE: Bernice Levin 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 Russell and Assistant City Clerk Taylor.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that the closed session convened at 6:00 P.M. Council added three items to the Closed Session Agenda: two items of Possible Initiation of Litigation; and one item of Pending Litigation, Beverly Boulevard vs. City of West Hollywood. The meeting adjourned at 6:40 P.M. with no reportable action.

APPROVAL OF AGENDA:

Mayor Guarriello requested that Item 6.A. be moved to the Consent Calendar.

Councilmember Heilman requested that the recommendation to Item 2.Q. be expanded to include hotels and refer the item to the Public Safety Commission.

Mayor Guarriello announced that the appellant for Item 3.C. has withdrawn their appeal.

Mayor Guarriello requested that the meeting be adjourned in memory of Larry Cook and Betsy Hamaker Jonson.

Mayor Pro Tempore Martin requested that the meeting be adjourned in memory of Rita Pekler.

ACTION: Moved by Councilmember Heilman and seconded by Councilmember Prang to approve the May 6, 2002 agenda as amended. Motion carried unanimously.

PRESENTATIONS:

Mayor Guarriello proclaimed the month of May as Senior Month and presented Senior Advisory Boardmember Rickles with the proclamation.

Mayor Guarriello proclaimed the month of May as Historic Preservation Month and presented Cultural Heritage Commissioner Powell with the proclamation.

Mayor Guarriello presented a commendation to Rae Mitchell for her service to the community.

Mayor Pro Tempore Martin announced that May 16, 2002 is Bike to Work Day and presented a proclamation to Transportation Commissioner Eichman and David Logan proclaiming the month of May as Bike to Work Month.

Mayor Pro Tempore Martin presented a plaque to Mario Maglieri of the Rainbow Bar and Grill for its 30th Anniversary.

Councilmember Prang presented a plaque to outgoing Commissioner David Gold for his service on the Public Facilities Commission.

PUBLIC COMMENT:

EMILIA LOMBARDI, WEST HOLLYWOOD, spoke in support of Item 2.R. and also thanked Council for their continued support of the Transgender Task Force.

SHIRLEY BRUSHNELL, WEST HOLLYWOOD, thanked Council for their continued support of the Transgender Task Force.

ERIKA BAZAN, WEST HOLLYWOOD, spoke regarding the need for additional commercial parking permits for her business, which is located on Laurel Avenue.

MARCIA SMITH, WEST HOLLYWOOD, spoke in opposition to the West Hollywood Housing Corporation proposed management of the 1433 Havenhurst low-income housing project.

JAMES FUHRMAN, WEST HOLLYWOOD, spoke regarding credit card charges of City Officials.

JEROME CLEARY, WEST HOLLYWOOD, spoke regarding the recent increases in crime and graffiti in the City.

ESTER BAUM, WEST HOLLYWOOD, spoke in support of the proposed low-income housing project at 1433 Havenhurst.

JOSEPH TERRY, WEST HOLLYWOOD, spoke regarding how the West Hollywood Housing Corporation has breached its contract with the residents of Palm View Apartments.

JOHN GRIFFIN, WEST HOLLYWOOD, spoke in opposition to the permanent display of donor plaques at the Palm View Apartments.

ANN CROWELL, WEST HOLLYWOOD, spoke in support Item 2.N. and also spoke regarding cars speeding along Westbourne Drive.

ALEXANDER STEVELISKI, LOS ANGELES, thanked Council for their continued support for the Avenues of Arts and Design District.

LARISSA OZADORSKAYA, WEST HOLLYWOOD, spoke regarding the lack of Section 8 Housing in West Hollywood for seniors.

LAUREN MIESTER, WEST HOLLYWOOD, spoke regarding the 1st Annual West Hollywood West picnic in the park and presented Council with a collage of the event

COUNCILMEMBER COMMENTS:

Councilmember Duran addressed the issue of increased crime in the City, which was raised under public comment. He also spoke regarding the West Housing Community Housing Corporation management of the proposed 1433 Havenhurst low-income housing project.

Councilmember Prang announced that the Victory Day in Europe celebration would occur on May 9, 2002. He also spoke regarding the placement of the City logo on the Los Angeles County Fire Department vehicles. He directed staff to review consolidating newspaper and magazine racks at street corners within the City.

Councilmember Heilman announced the viewing of "The Art and Times of Ivan Djeneef" at Plummer Park Great Hall from April 27 through May 26, 2002.

Mayor Pro Tempore Martin spoke regarding the recent enforcement of the cruising ordinance along Sunset Boulevard. He also directed Code Enforcement to investigate the illegal newspaper and magazine racks on Sunset Boulevard.

Mayor Guarriello announced that Monday, May 13, 2002 would be Meet the Mayor Day at the Farmer's Market between 10:00 a.m. to 12:00 p.m.

CITY MANAGER'S REPORT:

City Manager Arevalo invited the public to attend a meeting to discuss the Park Master Plan to be held on May 18, 2002 from 10:00 am to 12:00 pm. at West Hollywood Park.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Russell stated that the fiscal impact on the Consent Calendar as amended for Monday, May 6, 2002 is \$487,897 in expenditures and \$0.00 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.,Q.,R.,S.,T.,U.,V.,W.,X.,Y.,Z.(Item 6.A.) Moved by Councilmember Duran and seconded by Councilmember Heilman to approve the Consent Calendar as amended. Motion carried unanimously

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, May 6, 2002 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 2, 2002.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of April 8, 2002, April 15, 2002 and April 29, 2002. Approved as part of the Consent Calendar.

2.C. WAIVER OF FURTHER READING:

ACTION: After the City Attorney has read the title of any ordinance on tonight's agenda, the further reading thereof shall be waived. Approved as part of the Consent Calendar.

2.D. DEMAND REGISTER NO. 461, RESOLUTION NO. 02-2676:

ACTION: Approve Demand Register No. 461 and adopt Resolution No. 02-2676, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 461." Approved as part of the Consent Calendar.

2.E. TREASURER'S REPORT:

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

2.F. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of A. Grey Le Cuyer, Reiko Ohno, Devin Duvoc, and Avraham Gottesman and refer to the City's claims adjuster. Approved as part of the Consent Calendar.

2.G. ORDINANCE NO. 02-624 (2ND READING):

ACTION: Waive further reading and adopt Ordinance No. 02-624, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 17.52.090 OF THE MUNICIPAL CODE RELATING TO THE PROHIBITION OF TENANT HARASSMENT." **Approved as part of the Consent Calendar.**

2.H. ORDINANCE NO. 02-625 (2ND READING):

ACTION: Waive further reading and adopt Ordinance No. 02-625, "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 ORANGE GROVE AND VISTA STREET AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.I. DISPLAY OF CITY LOGO/SEAL ON WEST HOLLYWOOD FIRE DISTRICTS VEHICLES:

ACTION: Direct staff to work with the Los Angeles County Fire District officials to determine the feasibility of adding the City of West Hollywood official logo/seal to fire department vehicles that serve the City. **Approved as part of the Consent Calendar.**

2.J. PROPOSED RESOLUTION IN SUPPORT OF AB 2216 (KEELEY):

ACTION: 1) Adopt Resolution No. 02-2677, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 2216 (KEELEY), WHICH WOULD INCLUDE DOMESTIC PARTNERS AS INDIVIDUALS WHO CAN INHERIT FROM A DECEASED PARTNER'S ESTATE;" and 2) Send copies to appropriate groups and members of the California Legislature. **Approved as part of the Consent Calendar.**

2.K. PROPOSED RESOLUTION IN SUPPORT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AGAINST ANY FURTHER REDUCTIONS IN ITS FUNDING:

ACTION: 1) Adopt Resolution No. 02-2678, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AGAINST ANY FURTHER REDUCTIONS IN ITS FUNDING;" and 2) Send signed copies of the resolution to Senators Feinstein and Boxer, Representative Waxman, and other appropriate legislators. **Approved as part of the Consent Calendar.**

- 2.L. RESIGNATION OF ELAINE MUTCHNIK POLACHEK FROM THE TRANSPORTATION COMMISSION:**
ACTION: Accept with regret the resignation of Elaine Mutchnik Polachek from the Transportation Commission. **Approved as part of the Consent Calendar.**
- 2.M. RESIGNATION OF DAVID GOLD FROM THE PUBLIC FACILITIES COMMISSION:**
ACTION: Accept with regret the resignation of David Gold from the Public Facilities Commission. **Approved as part of the Consent Calendar.**
- 2.N. ALL-WAY STOP SIGN INSTALLATION AT INTERSECTIONS SHERWOOD DRIVE AND WESTBOURNE DRIVE; ROMAINE STREET AND ORANGE GROVE AVENUE; ROMAINE STREET AND OGDEN DRIVE; ROMAINE STREET AND SPAULDING AVENUE AND STANLEY AVENUE:**
ACTION: Adopt Resolution No. 02-2679, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING INTERSECTIONS AS ALL-WAY STOP CONTROL INTERSECTIONS AND DIRECTING STAFF TO ERECT APPROPRIATE SIGNS AND CROSSWALK MARKINGS." **Approved as part of the Consent Calendar.**
- 2.O. NOTICE OF COMPLETION, FAIRFAX MEDIAN LANDSCAPE RENOVATION PROJECT, C.I.P. #5050-01-03:**
ACTION: 1) Accept the work completed by S&M Landscape, Inc.; 2) Authorize filing a Notice of Completion by the City; and 3) Authorize a retention payment not to exceed \$16,897.00 to S&M Landscape, Inc. at the end of the 35-day lien period. **Approved as part of the Consent Calendar.**
- 2.P. UPDATE ON STATUS OF CLASSIFICATION AND COMPENSATION STUDY:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.Q. DEVELOPMENT OF A CAMPAIGN TARGETING THEFTS IN NIGHTCLUBS AND RESTAURANTS:**
ACTION: 1) Direct staff to develop a multifaceted campaign targeting thefts in West Hollywood night clubs and restaurants; and 2) Direct staff to report back to Council in 90 days to present strategies for a campaign to help decrease thefts in West Hollywood nightclubs and restaurants. **Approved as part of the Consent Calendar.**

- 2.R. REVIEW THE WEST HOLLYWOOD TRANSGENDER TASK FORCE'S GOALS AND OBJECTIVES WORKPLAN:**
ACTION: 1) Receive and file the West Hollywood Transgender Task Force's Goals and Objective Workplan; and 2) Direct staff to assist the Transgender Task Force with implementation of its Goals and Objectives Workplan. **Approved as part of the Consent Calendar.**
- 2.S. APPROVAL OF THE WEST HOLLYWOOD HATE INCIDENT REPORTING PILOT PROJECT AND DECLARING WEST HOLLYWOOD AS A "HATE-FREE CITY":**
ACTION: 1) Adopt Resolution No. 02-2680, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THE CITY OF WEST HOLLYWOOD AS A "HATE-FREE CITY"; and 2) Receive and file the City of West Hollywood's Hate Incident Reporting Project for 2002. **Approved as part of the Consent Calendar.**
- 2.T. AGREEMENT FOR PLANNING SERVICES WITH WILDAN FOR TALL WALL AND BILLBOARD RELATED APPLICATIONS:**
ACTION: 1) Approve the agreement for planning services with Wildan in an amount not-to-exceed twenty-eight thousand dollars (\$28,000) for planning services for tall wall and billboard related applications in the Planning Division; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**
- 2.U. PROPOSED RESOLUTION PROCLAIMING MAY AS HISTORIC PRESERVATION MONTH:**
ACTION: 1) Adopt Resolution No, 02-2681, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING MAY AS "HISTORIC PRESERVATION MONTH;" and 2) Direct staff to work with the Cultural Heritage Commission and organize 2002 Historic Preservation Month events. **Approved as part of the Consent Calendar.**
- 2.V. PROPOSED RESOLUTION IN SUPPORT OF AB 2003 (KORTEZ):**
ACTION: 1) Adopt Resolution No. 02-2682, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 2003 (KORETZ), THE HOLOCAUST AND GENOCIDE EDUCATION ACT OF 2003;" and 2) Direct staff to send copies of the resolution to Assemblymembers Koretz and Wyland, along with other appropriate legislators. **Approved as part of the Consent Calendar.**

2.W. PROPOSED RESOLUTION CALLING ON THE CATHOLIC CHURCH TO RENOUNCE ANY SCAPEGOATING OF THE GAY AND LESBIAN COMMUNITY SURROUNDING THE SEXUAL ABUSE OF CHILDREN BY CHURCH EMPLOYEES:

ACTION: 1) Adopt Resolution No. 02-2683, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING ON THE CATHOLIC CHURCH TO RENOUNCE ANY SCAPEGOATING OF THE GAY AND LESBIAN COMMUNITY SURROUNDING THE SEXUAL ABUSE OF CHILDREN BY CHURCH EMPLOYEES;" and 2) Forward a copy of this resolution to Cardinal Mahony and the Pope. **Approved as part of the Consent Calendar.**

2.X. PROPOSED RESOLUTION OPPOSING PRESIDENT BUSH'S PROPOSED FETAL PERSONHOOD REGULATIONS:

ACTION: 1) Adopt Resolution No. 02-2684, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING PRESIDENT BUSH'S PROPOSED FETAL PERSONHOOD REGULATIONS;" and 2) Direct staff to send copies to appropriate groups and legislators. **Approved as part of the Consent Calendar.**

2.Y. APPROVAL OF A CONTRACT WITH LANGNER SECURITY FOR SECURITY SERVICES FOR THE SUNSET BUSINESS IMPROVEMENT DISTRICT:

ACTION: Authorize the City Manager to negotiate a contract with Langner Security, Inc. for security services for the Sunset Business Improvement District. **Approved as part of the Consent Calendar.**

2.Z. CONSIDERATION OF COMMERCIAL PARKING PERMITS FOR BUSINESSES OPEN PAST 7:00 P.M. AND ARE LOCATED WITHIN PREFERENTIAL PARKING DISTRICT 7:

ACTION: Introduce for first reading Ordinance No. 02-626, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.080.220 OF THE WEST HOLLYWOOD MUNICIPAL CODE AMENDING THE TYPES OF PERMITS SOLD IN PREFERENTIAL PARKING DISTRICT 7 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE;" and 2) Adopt Resolution No. 02-2690, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD EXTENDING THE HOURS OF ENFORCEMENT FOR TIME LIMITED PARKING IN THE AREA FRONTING THE COMMERCIAL ZONED PROPERTY ON FOUNTAIN AVENUE BETWEEN LAUREL AND HAYWORTH AVENUES." **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG) FOR FISCAL YEAR 2002-2003 BETWEEN THE CITY OF WEST HOLLYWOOD AND THE COUNTY OF LOS ANGELES:

RECOMMENDATION: 1) Adopt Resolution No. 02-2685, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, APPROVING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR 2002-2003 BETWEEN THE CITY OF WEST HOLLYWOOD AND THE COUNTY OF LOS ANGELES."

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

3.B. APPEAL OF THE PLANNING COMMISSION'S DENIAL OF MINOR CONDITIONAL USE PERMIT 2001-17, DEVELOPMENT PERMIT 2001-34, ADMINISTRATIVE PERMIT 2002-07 AND PARKING USE PERMIT 2001-05 FOR THE ON-SITE SALE OF ALCOHOLIC BEVERAGES, INCIDENTAL BACKGROUND MUSIC, THE ADDITION OF AN OUTDOOR DINING AREA AND OFF-SITE PARKING AT 8789 AND 9000 SUNSET BOULEVARD FOR A RESTAURANT LOCATED AT 1114 HORN (LOBSTER BAY):

City Clerk Russell stated that this item was published in the West Hollywood Independent on April 24, 2002.

John Keho, Senior Planner, provided background information as outlined in the staff report dated May 6, 2002

In response to Councilmember Heilman, Mr. Keho stated that the current ordinance regarding off-site parking has been modified.

LARRY POLLACK, LOS ANGELES, appellant provided an overview of the proposed restaurant and he outlined the shuttle service being proposed from the restaurant to the off-site parking structure at 9000 Sunset Boulevard.

In response to Mayor Pro Tempore Martin, Mr. Pollack stated that the shuttle service would be a more efficient use than providing a valet service.

In response to Councilmember Duran, Mr. Pollack stated that there would be two hosts stations one on Horn Avenue and the other facing Sunset Boulevard.

Mayor Guarriello opened the Public Hearing and the following speakers came forward:

JAMES FUHRMAN, WEST HOLLYWOOD, spoke in support of staff's recommendation and in opposition to the shuttle service.

JEROME CLEARY, WEST HOLLYWOOD, spoke in support of staff's recommendation and also spoke regarding current traffic gridlock on Sunset Boulevard.

MARCY DILLINGER, WEST HOLLYWOOD, spoke in support of staff's recommendation.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of staff's recommendation and also to the inadequate parking spaces required for the proposed restaurant.

CATHERINE HAHN, WEST HOLLYWOOD, requested that the Mayor recuse himself from these deliberations. She also spoke in support of staff's recommendation.

DICK STEVENSON, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

THELMA JACKSON, WEST HOLLYWOOD, spoke in support of staff's recommendation.

NANCY SAYER, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

AMY BERRENBURG, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

JEFF WEINSTEIN, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

DAVID WEISSFELD, LOS ANGELES, spoke in support of staff's recommendation.

SIBYL ZADEN, WEST HOLLYWOOD, spoke in support of staff's recommendation.

ALLISON PIETER, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

ARLEEN WEINSTOCK, WEST HOLLYWOOD, spoke in support of staff's recommendation.

STEPHANIE LAFF, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

JUSTIN MILLER, LOS ANGELS, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

MAUREEN YOST, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

DARREN GREENLY, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

JOSH GREELY, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

MATT PUGH, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

MELISSA WRIGHT, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

JAIME KALMAN, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

CHRIS CLARKIN, WEST HOLLYWOOD, spoke in support of staff's recommendation.

KEVIN SCOTTI, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

MICHAEL SCOGGINS, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

GRAHAM MAC DONALD, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

APRIL GATEWOOD, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

JASON SAVKIN, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

MELISSA DECARVALLO, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

KERRI DOONER, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

JEFF DENTON, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

JUSTIN BRAUER, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

SEAN ENTIN, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

CHRIS URSITTI, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

VICTORIA MONTALVO, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

JUSTIN BARNETT, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

JOSH BOLES, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

JEREMY FINDEL, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

LYA ARNY, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

DENNIS GROESS, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

MICHELE MASERA, LOS ANGELES, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

RICHARD MAGGIO, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

GILBERT BELL, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

GARY SHAFFER, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

LEILA PIEDRAFTA, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and in support of the Lobster Bay restaurant.

J.W. MOORE IV, WEST HOLLYWOOD, spoke in support of staff's recommendation.

JEAN MATHISON, WEST HOLLYWOOD, spoke in support of staff's recommendation.

G.G. VERONE, LOS ANGELES, spoke in support of staff's recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of staff's recommendation.

NICK SHAFFER, WEST HOLLYWOOD, spoke in support of staff's recommendation.

LARRY POLLACK, LOS ANGELES, addressed the concerns regarding the valet and shuttle service.

In response to Mayor Pro Tempore Martin, Mr. Pollack stated that his employees would park at the 9000 parking structure.

Mayor Guarriello closed the Public Hearing.

Council recessed at 9:20 P.M. and reconvened at 9:33 P.M.

Councilmember Duran thanked the residents and non-residents for coming out and addressing their concerns regarding the restaurant. He stated that a restaurant would be the best use of the property. He commented that staff's traffic assessments concluded that the proposed restaurant project would not significantly impact traffic on either neighborhood streets or Sunset Boulevard.

Mayor Pro Tempore Martin stated that the owners of the property are willing to work with Council to find a workable solution to parking. He also stated that he would recommend adding a condition that employee's park at the off-site parking structure at 9000 Sunset and the employer pay for their parking. He also expressed his concern with the possible increase in noise to the neighborhood if outdoor dining is granted.

Councilmember Prang stated that he would be willing to support the appeal upon the approval of several conditions to the property. He stated that he had reservations with the shuttle service, the off-site parking at 9000 Sunset Boulevard and the valet service that runs through the residential neighborhood. He also stated that he has concerns with the

restaurant hours of operation and outdoor dining service. He stated that with a revised parking plan, valet service and change in hours of operation it could be successful.

Councilmember Heilman stated that this is a land use issue. He stated that the permits that might be approved with this property would be binding to whoever owns the property. He also stated that he would not be in favor of changing the existing exhibition kitchen to another bar. He also stated that outdoor dining should not be granted due to the increase noise to the neighborhood. He also stated that the shuttle plan has not been fully developed. He also recommended that the hours of operation be changed.

Mayor Guarriello stated that the parking and the proposed parking plan were the only reasons why the Planning Commission denied the appeal. He also stated that the City needs the revenue from the Sunset Strip and that the City needs to find a workable solution to this project.

RECOMMENDATION: 1) Conduct a public hearing; and 2) Adopt Resolution No. 02-2686, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING A MINOR CONDITIONAL USE PERMIT 2001-17, DEVELOPMENT PERMIT 2001-34, ADMINISTRATIVE PERMIT 2002-07 AND PARKING PERMIT 2001-05 FOR THE ON-SITE SALE OF ALCOHOLIC BEVERAGES, INCIDENTAL BACKGROUND MUSIC, THE ADDITION OF AN OUTDOOR DINING AREA, THE REDUCTION IN THE NUMBER OF REQUIRED PARKING SPACES AND OFF-SITE PARKING AT 8789 AND 9000 SUNSET BOULEVARD FOR A RESTAURANT LOCATED AT 1114 HORN (LOBSTER BAY).

ACTION: Moved Councilmember Heilman and seconded by Councilmember Duran to continue the item to the July 15, 2002 City Council meeting and preliminary approve the Sunset Boulevard entrance, requiring that the hostess station be moved to the front entrance, and the two piano's with additional conditions. They also directed the Transportation and Community Development staff to review and provide recommendations regarding shuttle service, parking and valet service. It was recommended that conditions be set allowing only one bar within the restaurant, that all outdoor dining be fully enclosed and that the restaurant's closing time be changed from 2:00 A.M. to 12:00 A.M. on weekdays and to 1:00 A.M. on the weekends.

3.C. APPEAL OF PLANNING COMMISSION APPROVAL OF DEVELOPMENT PERMIT 01-31, DEMOLITION PERMIT 01-16, REQUEST FOR DENSITY BONUS AND WAIVER OF DEVELOPMENT STANDARDS, 1433 HAVENHURST DRIVE:

RECOMMENDATION: Adopt Resolution No. 02-2687, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE APPEAL OF DON WILLFONG AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF DEVELOPMENT PERMIT 01-31, DEMOLITION PERMIT 01-16, DENSITY BONUS AND WAIVER OF STANDARDS FOR THE PROPERTY LOCATED AT 1433 HAVENHURST DRIVE, WEST HOLLYWOOD, CALIFORNIA."

ACTION: The appellant withdrew their appeal.

4. UNFINISHED BUSINESS:

4.A. FLAGS/BANNERS ALONG SANTA MONICA BOULEVARD:

Hernan Molina, Deputy to Councilmember Duran, provided background information as outlined in the staff report dated May 6, 2002.

Councilmember Duran stated that he was more interested in erecting flag/banners along West Santa Monica Boulevard particular the area know as "boys town".

Councilmember Heilman stated that he would prefer banners instead of flags. He also stated that he would like to have the symbols always present across the City and they could be changed periodically to address the different events occurring within the City.

RECOMMENDATION: 1) Provide direction regarding the purchase and installation of flags and banners along Santa Monica Boulevard to signify Gay/Lesbian/Bisexual/Transgender unity; and 2) Allocate appropriate funding from undesignated reserves for the purchase and installation of flags and banners as outlined in the staff report and directed by Council.

ACTION: Moved by Councilmember Heilman and seconded by Mayor Guarriello to authorize the expenditure of \$20,000 to purchase Lambda Rainbow flags and US flags before the Gay Pride Celebration and directed staff to decide on the locations for placement along Santa Monica Boulevard between Robertson Boulevard and Crescent Heights. Motion carried unanimously carried.

4.B. ENTRY FEATURES RECOMMENDATIONS FOR BRANDING THE CITY OF WEST HOLLYWOOD:

Ray Reynolds, Director of Economic Development, provided background information as outlined in the staff report dated May 6, 2002.

LAUREN MIESTER, WEST HOLLYWOOD, stated that the task force was not excited about the proposed designs and requested that the task force further study this issue.

J.W. MOORE IV, WEST HOLLYWOOD, spoke regarding the implementation of the proposed designs to the City's entrances.

Councilmember Duran stated that the City needs to be flexible in choosing design brands and possibly having different design entrances across the City. He also stated that the Task Force needs more public input to possibly find different designs for the gateways of the City.

Councilmember Prang stated that the Task Force needs to solicit more input from the community.

Councilmember Heilman stated that since the City is facing a downturn in revenues, this item should be suspended and could be revisited at a later date. He recommended that staff investigate other types of branding that is less expensive.

Mayor Pro Tempore Martin stated that due to the budget concerns this project should be suspended.

Mayor Guarriello stated that he was not in favor of the designs and with the budget deficit he would not be in favor of moving forward with this project.

RECOMMENDATION: 1) Direct the Convention and Visitors Bureau and Economic Development Department to move forward with additional public comment; 2) Direct that public comment be supported by a public relations effort in press releases, public access programming and on the City's website; and 3) Direct that creative funding sources be explored to support further design and construction.

ACTION: Moved by Councilmember Heilman and seconded by Mayor Pro Tempore Martin to defer this item to a later date and directed staff to look at other options for City branding. Motion carried with Councilmember Duran voting NO.

4.C. TOW AWAY ENFORCEMENT ON SUNSET BOULEVARD:

Joan English, Director of Transportation and Public Works, provided background information as outlined in the staff report dated May 6, 2002.

Mayor Pro Tempore Martin stated that he would be in favor of ticketing the car before towing.

Councilmember Duran stated that the clubs close at 2:00 AM and tow-away enforcement begins at 2:30 AM, with the rush to enforce the tow-away zone, the City might be putting impaired drivers behind the wheel. He also stated that with the early tow-away enforcement, we might be creating additional problems in the residential areas close to Sunset Boulevard.

Councilmember Prang stated that if there is no concerns with public safety that there is no need for this action.

RECOMMENDATION: Adopt Resolution No. 02-2688, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING TOW AWAY ENFORCEMENT ON SUNSET BOULEVARD BETWEEN THE HOURS OF 2:30 A.M. AND 6:00 A.M. EVERYDAY."

ACTION: Moved by Councilmember Heilman and seconded by Mayor Pro Tempore Martin to approve staff's recommendation and amend the resolution designating Sunset Boulevard as a No Parking Tow Away zone during street sweeping hours (4:00 AM to 7:00 AM) Motion carried with Councilmember Duran voting NO.

4.D. PROPOSED NEW CITYWIDE STREET SWEEPING SCHEDULE:

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated May 6, 2002.

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

TERRY LEFTGOFF, WEST HOLLYWOOD, spoke in support of staff's recommendation.

MARCY DALLINGER, WEST HOLLYWOOD, spoke in support of staff's recommendation.

J.W. MOORE IV, WEST HOLLYWOOD, spoke regarding how the eastside of the City receives poor street sweeping service.

Councilmember Heilman stated that he would like to see additional street sweeping on Santa Monica Boulevard possibly seven days a week. He also stated that if there isn't adequate off-site parking on any given street that street sweeping should occur later in the day.

RECOMMENDATION: Authorize staff to proceed with implementation of the proposed new citywide street sweeping schedule.

ACTION: Moved by Councilmember Heilman and seconded by Councilmember Duran to approve the street sweeping schedule in concept and provided additional suggestions to staff. Motion carried unanimously.

5. NEW BUSINESS:

5.A. REPORT OUTLINING VARIOUS OPTIONS AVAILABLE TO COMPLY WITH PUBLISHING AND NOTICING REQUIREMENTS FOR PUBLIC HEARINGS AND NOTICES:

Tony Russell, City Clerk, provided background information as outlined in the staff report dated May 6, 2002.

PLURIA MARSHALL, LOS ANGELES, spoke in opposition to staff's recommendation. He stated that the paper was distinct to the City of West Hollywood.

MARCI DILLINGER, WEST HOLLYWOOD, spoke in opposition to staff's recommendation and how the paper serves the entire City.

TERRY LEFTGOFF, WEST HOLLYWOOD, spoke in opposition to staff's recommendation but would be in favor of expanded mailing of notices.

Councilmember Heilman stated he felt that distribution of the West Hollywood Independent is somewhat fictional. He stated that he would be in favor of expanded mail notification.

Councilmember Duran stated that he would be in favor of expanded mail notification.

Councilmember Prang stated that the West Hollywood Independent has a reasonable distribution in the City.

RECOMMENDATION: 1) Direct staff to discontinue publishing hearings in the local newspaper unless required by State Law to do so, and whenever legally possible, simply post all notices at the three approved posting locations (City Hall, Plummer Park and West Hollywood Sheriffs Station); 2) When State Law requires publishing in a local newspaper, direct staff to continue publishing notices in the West Hollywood Independent; and 3) If

the Council chooses to discontinue publishing public hearings in the local newspaper, direct staff to amend the provisions of the Municipal Code that require publication (even when State law does not) to reflect this change.

ACTION: Moved by Mayor Pro Tempore Martin and seconded by Councilmember Prang to approve Alternative #1, to continue using the West Hollywood Independent for publishing public hearing and public notices. Motion failed on a Roll Call Vote:

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

ACTION: Moved by Councilmember Heilman and seconded by Mayor Guarriello directing staff to come back with alternatives to existing noticing with something closer to Alternative #3 and look at the expanding the mail notice requirements addressing how the 500 foot radius is measured for the mail notice. Motion carried on a Roll Call Vote:

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

5.B. APPOINTMENT TO THE TRANSPORTATION COMMISSION:

Tony Russell, City Clerk, provided background information as outlined in the staff report dated May 6, 2002.

RECOMMENDATION: Councilmember Prang to appoint one member to the Transportation Commission, to fill a vacancy with an un-expired term ending March 31, 2005.

ACTION: Councilmember Prang appointed David Gold to the Transportation Commission.

5.C. APPROVAL OF UNIFORM COMMISSION BY-LAWS:

RECOMMENDATION: 1) Review, modify if necessary the uniform by-laws for City Commissions; and 2) Adopt Resolution No. 02-2689, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING UNIFORM BY-LAWS FOR ADOPTION BY THE CITY'S APPOINTED COMMISSIONS AND BOARDS."

ACTION: Item was tabled until the May 20, 2002 meeting

5.D. CO-SPONSORSHIP OF THE AMNESTY INTERNATIONAL HUMAN RIGHTS FILM FESTIVAL:

Fran Solomon, Deputy to Councilmember Heilman, provided background information as outlined in the staff report dated May 6, 2002.

Councilmember Heilman stated that he would report back to Council if the fiscal impact of this item were significant.

RECOMMENDATION: 1) Approve co-sponsorship of the Amnesty International Human Rights Film Series; and 2) Direct Public Information staff to work with Amnesty International in promoting the event.

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

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

DAVID NASH, WEST HOLLYWOOD, spoke regarding several issues concerning the Palm View apartments.

J.W. MOORE IV, WEST HOLLYWOOD, spoke regarding the death of PAC member Larry Cook.

6. LEGISLATIVE:

6.A. CONSIDERATION OF COMMERCIAL PARKING PERMITS FOR BUSINESSES OPEN PAST 7:00 P.M. AND ARE LOCATED WITHIN PREFERENTIAL PARKING DISTRICT 7:

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

COUNCILMEMBER COMMENTS:

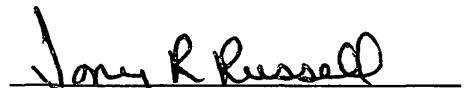
Mayor Pro Tempore Martin requested that the Sheriff's Department brief the Council on the recent death of PAC member Larry Cook.

ADJOURNMENT: The City Council adjourned at 12:27 P.M. in memory of Larry Cook, Betsy Hamaker Jonson and Rita Pekler to a Special Meeting/Study Session with the Human Services Commission, which will be held on Monday, May 13, 2002 at 6:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The next regular scheduled meeting will be on Monday, May 20, 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 20th
DAY OF MAY, 2002.


MAYOR

ATTEST:


TONY RUSSELL, CITY CLERK