

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

CALL TO ORDER: Mayor Heilman called the meeting to order at 6:55 P.M.

PLEDGE OF ALLEGIANCE: LuNita Rodriguez led the pledge.

ROLL CALL:

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

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. and adjourned at 6:45 P.M. with no reportable action.

APPROVAL OF AGENDA:

Councilmember Duran requested that Items 4.A. and 4.C. be moved to Consent Calendar.

Staff requested that Item 5.B. be moved to Consent Calendar.

Staff requested that Items 4.B. and 4.E. be presented together but with separate actions.

Councilmember Martin requested the meeting be adjourned in memory of Clint Risetter.

Mayor Heilman requested the meeting be adjourned in memory of William Joseph West Sr.

ACTION: Approve the March 4, 2002 agenda as amended. **Moved by Mayor Pro Tempore Guarriello, seconded by Councilmember Prang to approve the agenda as amended. Motion carried unanimously.**

PRESENTATIONS:

Mayor Heilman presented a proclamation to Michelle Bell for her service to the City.

Mayor Heilman unveiled the City's Women's History Month Banners and presented a proclamation to Wendy Krueger proclaiming the month of March as Women's History Month.

Mayor Heilman presented plaques to the Design Review Committee for Plummer Park Community Center.

Mayor Heilman presented a plaque to City Attorney Mike Jenkins for his 15 years of service with the City.

Mayor Heilman wished Mayor Pro Tempore Guarriello happy birthday.

PUBLIC COMMENT:

DENNIS PALMIERI, SAN FRANCISCO, spoke regarding Amnesty International's campaign to rid the violence against women in Kenya. He also spoke in support of Item 2.H.

JAMES FUHRMAN, WEST HOLLYWOOD, stated that the City Council Agenda and the last six months of City Council Minutes were not posted on the City's Web site. He also requested that the demand register be placed on the City's web site.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the United States shadow government policies. He also commented on how many citizens in the United States are living with AIDS.

RIC RICKLES, WEST HOLLYWOOD, thanked City Attorney Jenkins for his presentation to Commissioners and Advisory Boardmembers on the Code of Conduct.

DAVID NASH, WEST HOLLYWOOD, thanked Daphne Dennis and her staff for the House of Blues Valentines dance for seniors. He also spoke about independent living.

DONNY CACY, WEST HOLLYWOOD, spoke regarding permit parking and stated that it is taking up parking for his customers and employees.

DAN SIEGAL, WEST HOLLYWOOD, spoke regarding a code violation complaint which was filed against his property. He provided an overview of the process to resolve the issue.

COUNCILMEMBER COMMENTS:

Mayor Pro Tempore Guarriello stated that for the past eight days he has been without cable service at his residency and he was told on numerous occasions that the problem would be corrected. He also stated that the Cable Company is not responsive to residents.

Councilmember Prang announced that the Statewide Primary Election will be held on Tuesday, March 5, 2002 and encouraged everyone to vote.

Councilmember Duran addressed several issues regarding his trip to Atlanta that were raised under public comment.

Councilmember Martin commented on the use of Sacagwea dollars during Women's History month. He also thanked City Attorney Jenkins for his seminar on the Code of Conduct for Commissioners and Boardmembers.

Mayor Heilman announced that Cedars Sinai has opened an outreach program for those residents who want to keep healthy and fit. He also directed the City Manager to investigate the Code Enforcement complaint of Mr. Dan Seigal, which was addressed under Public Comment. He also commented on a serious apartment fire on Croft Avenue and thanked everyone who provided assistance to the displaced residents.

CITY MANAGER'S REPORT:

City Manager Arevalo asked Captain Castro and Battalion Chief Marrone to give an update on the apartment fire on Croft Avenue. Captain Castro and Battalion Chief Marrone provided a brief overview of the apartment fire.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Russell stated that the fiscal impact on the Consent Calendar as amended for Monday, March 4, 2002 is \$72,000 in expenditures and a reduction of \$300.00 in potential revenue excluding item 4.C. which was moved from unfinished business.

2. CONSENT CALENDAR:

ACTION: Approve the items as amended.

2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.M.(4.A.), N.(4.C.), O.(5.B.) Moved by Mayor Pro Tempore Guarriello, seconded by Councilmember Duran to approve the Consent Calendar as amended. Motion carried unanimously.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, March 4, 2002 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 28, 2002.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of February 19, 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. 457, RESOLUTION NO. 02-2650:

ACTION: Approve Demand Register No. 457 and adopt Resolution No. 02-2650, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 457." **Approved as part of the Consent Calendar.**

2.E. CLAIMS ADMINISTRATION:

ACTION: Deny the Claims of Harumi Shinozuka Soejim and Nobu Soejima and refer them to the City's Claims Adjuster for action. **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 02-623 (2ND READING) IMPLEMENTING PREFERENTIAL PARKING REGULATIONS ON FAIRFAX AND NORTON AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

ACTION: Waive further reading and adopt Ordinance No. 02-623, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTERS 10.08.220 AND 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING PREFERENTIAL PARKING REGULATIONS ON FAIRFAX AND NORTON AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.G. APPROVE AGREEMENTS WITH SBC PACIFIC BELL AND MCI WORLDCOM TO PROVIDE TELECOMMUNICATIONS SERVICES TO THE CITY:

ACTION: 1) Approve the agreement with SBC Pacific Bell for telecommunications services for a period of five years; 2) Approve the

agreement with MCI WorldCom for long distance service on a month to month basis; 3) Authorize the City Manager to execute the contracts; and 4) Authorize the City Manager to execute Authorizations to Order, amending the contracts to provide additional telecommunications services if needed. **Approved as part of the Consent Calendar.**

2.H. PROPOSED RESOLUTION DENOUNCING VIOLENCE AGAINST WOMEN IN KENYA:

ACTION: 1) Adopt Resolution No. 02-2651, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENOUNCING VIOLENCE AGAINST WOMEN IN KENYA;" and 2) Direct staff to send copies to appropriate groups and legislators. **Approved as part of the Consent Calendar.**

2.I. PROPOSED RESOLUTION CALLING FOR INCREASED USE OF THE SACAGAWEA DOLLAR FOR WOMEN'S HISTORY MONTH:

ACTION: Adopt Resolution No. 02-2652, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING FOR INCREASED USE OF THE SACAGAWEA DOLLAR FOR WOMEN'S HISTORY MONTH." **Approved as part of the Consent Calendar.**

2.J. RUSSIAN CULTURAL EXPO – BEER AND WINE SALES AND CONTRACT APPROVAL:

ACTION: 1) Approve an agreement with St. Petersburg Entertainment and authorize the City Manager to execute; and 2) Council may approve the request for the sale of beer and wine at the event. **Approved as part of the Consent Calendar.**

2.K. ADOPTION OF TAX TRANSFER RESOLUTION:

ACTION: Adopt Resolution No. 02-2653, "A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, THE CITY COUNCIL OF THE CITY OF LOS ANGELES AND THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE RESULTING FROM "WESTMOUNT DRIVE DETACHMENT NO. 97-1." **Approved as part of the Consent Calendar.**

2.L. RESIGNATION OF CELIA HOLLANDER FROM THE WOMEN'S ADVISORY BOARD:

ACTION: Accept with regret the resignation of Celia Hollander from the Women's Advisory Board. **Approved as part of the Consent Calendar.**

2.M. SANFAIR BUS STOP GARDENS & POCKET PARK:

ACTION: Review the San Fair Bus Stop Gardens & Pocket Park design and direct staff to proceed with construction documents. **Approved as part of the Consent Calendar.**

2.N. AMEND THE 2001-2002 OPERATING AND CAPITAL BUDGETS:

ACTION: 1) Authorize the Director of Finance to adjust the Adopted Fiscal Year 2001-02 budget as follows: General Fund: Decrease revenues by \$1,922,400 and decreases expenditures by \$2,119,959; Gas Tax Fund: Decrease revenues by \$48,983; Housing Trust Fund: Increase expenditures by \$50,000; Parking Improvement Fund: Decrease revenues by \$60,000 and increase expenditures by \$100,000; Debt Funded Capital Projects: Increase expenditures by \$206,240; Adjust other funds to handle the transactions necessary to recognize the receipt and expenditure of the Section 108 grant and loan, previously approved by Council; and 2) Authorize the Director of Finance to make year-end transfers from the General Fund to other funds for the amount needed to bring that fund into balance, provided that amount does not exceed the transfer amount previously approved by Council. **Approved as part of the Consent Calendar.**

2.O. SET A DATE FOR A CITY COUNCIL STUDY SESSION WITH THE HUMAN SERVICES COMMISSION:

RECOMMENDATION: City Council will direct staff to schedule a Special Study Session with the Human Services Commission; and 2) If the City Council directs staff to schedule a Special Study Session, Monday, May 13, 2002 from 6 p.m. to 7 p.m. is available. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. APPEAL OF PLANNING COMMISSION DENIAL OF DEVELOPMENT PERMIT 01-14 AND DEMOLITION PERMIT 01-03, 8735 BONNER DRIVE:

City Clerk Russell stated that this item was published in the West Hollywood Independent on December 26, 2001.

Tim Foy, Senior Planner, provided background information as outlined in the staff report dated March 4, 2002.

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

GABRIEL FREDIDA, WEST HOLLYWOOD, appellant stated that the reduction in square footage was unreasonable but he would be willing to work with staff to resolve this issue.

LAUREN MIESTER, WEST HOLLYWOOD, spoke regarding the old zoning ordinance and how it is open to interpretation. She asked that this issues be resolved.

MARTIN STRUDLER, WEST HOLLYWOOD, stated that the neighborhood's position on this issue has not changed.

Mayor Heilman closed the public hearing.

Councilmember Duran stated that he was more concerned about qualitative issues and the square footage of home.

Councilmember Martin stated that he would be in favor of denying the appeal of the 3000 square foot home and remand the item back to the Planning Commission to work out the square footage issue.

Mayor Heilman stated that the massing of the house and the rhythm of the neighborhood is a major concern for him. He stated that he would be in favor of the square footage being in the range of 2300 to 2400 square feet.

RECOMMENDATION: Determine the appropriate size of the house and remand any needed design changes to the Community Development Director, with input from the Planning Commission Design Review Committee.

ACTION:

Motion #1: Moved by Mayor Heilman and seconded by Councilmember Duran to deny the appeal and grant the appeal in part approving a home of 2350 square feet with the garage setback. Motion failed on a Roll Call vote:

AYES: Councilmember: Duran and Mayor Heilman.

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

ABSENT: Councilmember: None.

Motion #2: Moved by Councilmember Martin and seconded by Councilmember Duran to deny the appeal and grant the appeal in part approving a home of 2250 square feet with the garage setback. Motion carried on a Roll Call vote:

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

3.B. APPEAL OF THE PLANNING COMMISSIONS DENIAL OF CREATIVE BILLBOARD PERMIT 2001-54; TO ALLOW A CREATIVE BILLBOARD AT 8285-8295 SUNSET BOULEVARD:

City Clerk Russell state that item was published in the West Hollywood Independent on February 20, 2002.

RECOMMENDATION: Accept the request of the applicant/appellant to withdraw the application.

ACTION: Council concurred to accept staff's recommendation.

4. UNFINISHED BUSINESS:

**4.A. SANFAIR BUS STOP GARDENS & POCKET PARK:
ACTION: Moved to the Consent Calendar as Item 2.M.**

4.B. PARK MASTER PLANNING SERVICES:
Sam Baxter, Facilities and Landscape Manager provided background information as outlined in the staff report dated March 4, 2002.

In response to Councilmember Martin, Mr. Baxter stated that it was imperative that the consultant involves everyone in the park master plan.

Councilmember Martin requested that all stakeholders, those who use the parks be involved in the process.

Mayor Pro Tempore Guarriello stated that he wanted a full compliment of residents involved in the process.

RECOMMENDATION: 1) Approve an Agreement with MDA Johnson Favaro, Architecture and Urban Design, of Culver City, California, in the amount of \$300,140 for preparing a master plan for West Hollywood Park and conducting a re-visit to the adopted Plummer Park Master Plan and authorize the City Manager to execute the Agreement; 2) Appoint two

representatives, one from each of two Council Offices, as members of the Master Plan Steering Committee; 3) Authorize the expenditure of an amount not to exceed \$95,860 for other project related components and contingencies as approved by the City Manager; and 4) Reject all other proposals received for this project.

ACTION: Moved by Mayor Heilman and seconded by Councilmember Duran to approve staff' recommendation and amending the composition of the Park Master Plan Steering Committee eliminating representatives from the Cultural Heritage Commission, Fine Arts Commission, Public Safety Commission and the Transportation Commission and authorized each Councilmember to make one appointment to the committee and to hold off on the appointment of the two Council representatives until the next meeting. Directed that Council appointments be made at the April 1, 2002 City Council meeting. Motion carried unanimously.

- 4.E. STATUS AND SCHEDULE FOR THE WEST HOLLYWOOD LIBRARY:**
Ray Reynolds, Director, Economic Development and Special Projects provided background information as outlined in the staff report dated March 4, 2002.

In response to Councilmember Martin, Mr. Reynolds stated that there is an another funding cycle for Proposition 14 grant money in the year 2004.

In response to Mayor Pro Tempore Guarriello, Mr. Reynolds stated that staff has met with County representative concerning site 3.

RECOMMENDATION: 1) Approve the schedule of activity and direct staff to proceed with West Hollywood Park Site selection in the Parks Master Plan process; 2) Proceed with the necessary activity to achieve a Library Operating Agreement with Los Angeles County; and 3) Apply for Proposition 14 Funds in March 2003.

ACTION: Council concurred to approve staff's recommendation.

- 4.C. AMEND THE 2001-2002 OPERATING AND CAPTIAL BUDGETS:**
ACTION: Moved to the Consent Calendar as Item 2.N.

4.D. LEASE TO PROVIDE OFF STREET PARKING ON THE SURFACE LOT LOCATED AT 8459 SUNSET BOULEVARD:

Joan English, Director, Transportation and Public Works provided background information as outlined in the staff report dated March 4, 2002.

RECOMMENDATION: 1) Adopt Resolution No. 02-2654, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE INSTALLATION OF SELF-PARKING DEVICES AND ESTABLISHING THE HOURS OF OPERATION AND PARKING RATES FOR THE PARKING LOT LOCATED AT 8459 SUNSET BOULEVARD;" 2) Approve a lease with West Hollywood Properties, LLC for use of the property at 8459 Sunset Boulevard, to provide off-street parking daily from 7:00 a.m. to 2:30 a.m.; 3) Authorize the City Manager to execute the agreement with West Hollywood Properties, LLC; 4) Approve a twelve month contract with AMPCO System Parking in an amount not to exceed \$120, 000 for the operation of the 8459 Sunset Boulevard parking lot; and authorize the City Manager to execute the contract; 5) Authorize the Director of Finance to increase Parking Improvement Fund revenue and expenditure budgets for FY 02 by \$40,000; and 6) Approve waiver of all City administrative fees applicable to the operation of the 8459 Sunset Boulevard surface parking lot.

ACTION: Moved by Councilmember Martin, seconded by Councilmember Prang to approve staff's recommendations. Motion carried unanimously.

5. NEW BUSINESS:

5.A. ELECTION OF MAYOR AND MAYOR PRO TEMPORE TO BE INSTALLED APRIL 8, 2002:

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

RECOMMENDATION: Call for nominations and elect the Mayor and Mayor Pro Tempore.

Mayor Heilman stated that the council currently has a policy on how the election of Mayor and Mayor Pro Tempore are rotated. He further stated that if council wanted to change the policy then they should look at possible permanent changes of how the Mayor and Mayor Pro Tempore are elected.

ACTION: The Council elected Mayor Pro Tempore Guarriello as the next Mayor and Councilmember Martin as the next Mayor Pro Tempore.

5.B. SET A DATE FOR A CITY COUNCIL STUDY SESSION WITH THE HUMAN SERVICES COMMISSION:

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

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS:

Councilmember Martin spoke regarding the recent loss of Assemblyman Paul Koretz's family pet.

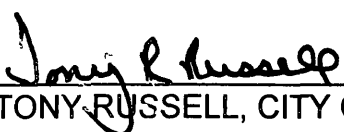
ADJOURNMENT: The City Council adjourned at 8:45 P.M. in memory of William Joseph West Sr. and Clint Risetter. The next regular meeting will be on Monday, March 18, 2002 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 18th DAY OF MARCH, 2002.



MAYOR

ATTEST:



TONY RUSSELL, CITY CLERK