

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
TUESDAY, JANUARY 22, 2002  
WEST HOLLYWOOD PARK**

**CALL TO ORDER:** Mayor Heilman called the meeting to order at 6:37 P.M.

**PLEDGE OF ALLEGIANCE:** Esther Baum led the pledge.

**ROLL CALL:**

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

ABSENT: None.

ALSO PRESENT: Assistant City Attorney Christi Hogin, City Manager Paul Arevalo, City Clerk Russell and Assistant City Clerk Taylor.

**REPORT OF CLOSED SESSION AGENDA:**

Assistant City Attorney Hogin stated that the closed session convened at 6:00 P.M. Council added one item of pending litigation: Renan vs Heilman and one personnel item. No reportable actions were taken and the meeting adjourned at 6:30 P.M.

**APPROVAL OF AGENDA:**

Mayor Heilman announced that Item 3.D. has been continued indefinitely.

Mayor Heilman requested to move Item 5.A. to the Consent Calendar as Item 2.Q.

Mayor Heilman requested to move Item 3.E. to the Consent Calendar Consent Calendar as item 2.R.

Mayor Heilman requested that Item 2.H. be moved to Public Hearing agenda as item 3.G.

Councilmember Prang requested the Item 6.A. be moved to the Consent Calendar as item 2.S.

Mayor Heilman requested that item 2.N. be tabled until the February 4, 2002 City Council meeting.

Councilmember Martin requested the meeting be adjourned in memory of Donald Bayer.

Mayor Heilman requested the meeting be adjourned in memory of Gus Gardner.

Councilmember Prang requested the meeting be adjourned in memory of Joyce A. Dixon.

**ACTION:** Approve the January 22, 2002 agenda as amended. **Moved by Councilmember Duran, seconded by Councilmember Prang to approve the agenda as amended. Unanimously carried.**

**PRESENTATIONS:**

Mayor Heilman presented a proclamation to Gloria Steinem recognizing the anniversary of the Roe vs. Wade decision.

Mayor Heilman presented commendations to Jessica Rivera, Oksana Lutesenko, Celeste Barrios and Jessica Lewis for their participation in the Martin Luther King essay, poetry and art contest.

Councilmember Martin presented a plaque to Guy Wheatly for his service on the Fine Arts Commission.

Councilmember Martin presented a plaque to David Fisher for his service on the Gay and Lesbian Advisory Board.

Councilmember Martin presented a plaque to Donald Bruhnke for his service on the Rent Stabilization Commission.

Mayor Pro Tempore Guarriello presented a proclamation to John Angelo for his community service.

Mayor Heilman presented a commendation to Arich Berghammer, House of Blues, for his commitment to community service.

Mayor Heilman presented a proclamation to Dennis Le Breeque, manager Gold Coast, on their 21<sup>st</sup> Anniversary.

**PUBLIC COMMENT:**

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke in support of the staff's recommendation concerning Item 6.A. repealing the Sunset Millennium Billboard ordinances.

MILES WHITE, WEST HOLLYWOOD, spoke in regards to loyalty agreements made.

STAN LOTHIDGE, WEST HOLLYWOOD, spoke in support of staff's recommendations concerning Item 6.A. repealing the Sunset Millennium Billboard ordinances.

STEVE AFRIAT, LOS ANGELES, spoke in support of moving Item 6.A. regarding the Sunset Millennium Billboard ordinances to the Consent Calendar and he stated that the property owner look forward to working with Council on future projects.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of staff's recommendations concerning Item 6.A repealing the Sunset Millennium Billboard ordinances.

DON BRUHNKE, WEST HOLLYWOOD, spoke in support of Item 6.A. regarding the Sunset Millennium ordinances.

LARRY WINDSOR, LOS ANGELES, spoke regarding actions Adelphia Communications has taken to reinstate C-Span and the TV Guide programs.

ESTHER BAUM, WEST HOLLYWOOD, spoke regarding the city's enforcement of Codes related to the prohibition of sidewalk displays and signs along Santa Monica Boulevard.

MIKE MCCLEAN, WEST HOLLYWOOD, spoke in support of staff's recommendations concerning Item 6.A. repealing the Sunset Millennium Billboard ordinances.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke regarding a burned out street light at 743 Huntley Drive and chain link fences in the public right-of-way at the Pacific Design Center on Melrose.

DAVID EICHMAN, LOS ANGELES, spoke regarding the expansion of Preferential Parking Districts 7 and 8 and urged the City Council to have a study session with the Transportation Commission.

DAVID NASH, WEST HOLLYWOOD, thanked Council for the attendance at the Martin Luther King Ceremonies and Mayor Pro Tempore Guarriello for his continued support.

J.W. MOORE IV, WEST HOLLYWOOD, thanked Council for their continued support of West Hollywood residents involvement in emergency management programs.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding Sky Dempsy who erected a flagpole on his residency and he commented on the cities Martin Luther King ceremonies.

K.P. SCOTT, WEST HOLLYWOOD, spoke regarding an invasion of his home. He also stated that the Sheriff's Department has not pursued this issue.

MAXINNE SONNEBERG, WEST HOLLYWOOD, spoke regarding the Sunset Millennium project and how everyone should work together to find a workable solution to the project.

JOHN SHEEHAN, WEST HOLLYWOOD, spoke in opposition to staff's recommendations of Item 6.A. and in support of the Sunset Millennium Billboard ordinances.

#### **COUNCILMEMBER COMMENTS:**

Councilmember Duran directed the City Manager to look into the burned out street light on Huntley Drive. He recommended that the City only issue warnings for signs along Santa Monica Boulevard. He thanked both sides of the Sunset Millennium project for coming out and expressed his desire to move forward on this issue.

Councilmember Prang stated that the City needs to come up with a better solution to address signs and placards on Santa Monica Boulevard. He recommended that the City Council schedule a study session with the Transportation Commission concerning parking issues.

Mayor Pro Tempore Guarriello spoke regarding the sidewalk signs and placards along Santa Monica Boulevard and the city is not trying to put anyone out of business.

Mayor Heilman directed the City Manager to look into the construction at the Pacific Design Center, which is possibly impeding the public use of the sidewalk. He also announced the upcoming Human Rights Speaker Series program on "What's Changed, What Hasn't, The Future of Women", which will be held on February 13, 2002 at the Pacific Design Center, Green Building.

#### **CITY MANAGER'S REPORT:**

City Manager provided an overview on the current citywide pedestrian sidewalk safety maintenance program. He also provided council with an update regarding the fallen dead elm tree on Ranglely Drive. He provided a brief overview on A-frames and placard advertising along Santa Monica Boulevard.

#### **FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk Russell stated that the fiscal impact on the Consent Calendar for Tuesday, January 22, 2002 is \$178,617 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.,O.,P.,Q (5.A.) R.,(3.E.) S.,(6.A.)**

**Moved by Mayor Pro Tempore Guarriello and seconded by Councilmember Prang to approve the Consent Calendar as amended. Motion carried noting Councilmember Martins and Prangs NO vote of Item 2.S.**

**2.A. POSTING OF AGENDA:**

*The agenda for the meeting of Tuesday, January 22, 2002 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, January 17, 2002.*

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

**2.B. APPROVAL OF MINUTES:**

**ACTION:** Approve the minutes of January 7, 2002 and January 14, 2002 Study Session. **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. 454, RESOLUTION NO. 02-2627:**

**ACTION:** Approve Demand Register No. 454 and adopt Resolution No. 02-2627, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 454." **Approved as part of the Consent Calendar.**

**2.E. CLAIMS ADMINISTRATION:**

**ACTION:** Deny the claims of Julia Trakhtenberg, Sequoia Financial Services, Lisa Andreson, Agnes Szenassy, Dr. Hamid Ravan, Pallco Outdoor and Kim Krimski and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

**2.F. RUSSIAN ART EXHIBIT AND CULTURAL FESTIVAL:**

**ACTION:** Support a cultural event co-sponsored by the Russian Advisory Board and the City of West Hollywood; 2) Authorize the Department of Finance to advance \$3,000 to repaid by funds raised for the event; and 3) Approve a waiver of all special event fees for this event. **Approved as part of the Consent Calendar.**

**2.G. PROPOSED RESOLUTION URGING ADELPHIA CABLE TO RESTORE FULL-TIME CARRIAGE OF C-SPAN ON ITS BASIC SERVICE:**

**ACTION:** 1) Adopt Resolution 02-2628, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD STRONGLY URGING ADELPHIA CABLE TO RESTORE FULL-TIME SERVICE OF C-SPAN TO ITS BASIC SERVICE PACKAGE;" and 2) Direct the Public Information and Adjudication Services Department to send signed copies of the resolution to John Rigas, President, Adelphia Communications, member

of the City's Congressional delegation, Federal Communications Commission's (FCC) Cable Services Bureau and the media. **Approved as part of the Consent Calendar.**

**2.H. CULTURAL RESOURCE DESIGNATION 2001-05 OF THE BUILDING LOCATED AT 1114 HORN (FORMERLY SPAGO) (CRD 01-05):**

**ACTION:** Item was moved to the Public Hearing Agenda as Item 3.G.

**2.I. NOTICE OF COMPLETION FOR THE SANTA MONICA BOULEVARD REHABILITATION PROJECT:**

**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; and c) Release of the Performance Bond and Payment Bond. **Approved as part of the Consent Calendar.**

**2.J. PROPOSED DATES FOR COMMISSION/ADVISORY BOARD MEMBER TRAINING:**

**ACTION:** Direct the Administrative Services Department to schedule the Code of Conduct training at Plummer Park on Saturday, February 9<sup>th</sup> from 9 a.m. until 11 a.m. and on Wednesday, February 27<sup>th</sup> from 6:30 p.m. until 8:30 p.m. **Approved as part of the Consent Calendar.**

**2.K. RESOLUTION APPROVING THE COUNTY OF LOS ANGELES' HOLLY HILLS STORM DRAIN UNIT 7:**

**ACTION:** Adopt Resolution No. 02-2630, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE COUNTY OF LOS ANGELES' HOLLY HILLS STORM DRAIN UNIT 7, AND AUTHORIZING THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS TO PROCEED WITH CONSTRUCTION OF THE PROJECT." **Approved as part of the Consent Calendar.**

**2.L. PROPOSED RESOLUTION TO URGE ADELPHIA CABLE TO PROVIDE CUSTOMIZED CABLE PROGRAMMING SERVICES TO WEST HOLLYWOOD HOTELS:**

**ACTION:** 1) Adopt Resolution No. 02-2631, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD STRONGLY URGING ADELPHIA CABLE TO PROVIDE CUSTOMIZED CABLE PROGRAMMING SERVICES;" and 2) Direct the Public Information and Adjudication Services Department to send signed copies of the resolution to John Rigas, President, Adelphia Communications, members of the City's congressional delegation, the Federal Communications Commission's (FCC) Cable Services Bureau and to the media. **Approved as part of the Consent Calendar.**

- 2.M. COMMISSION AND ADVISORY BOARD ATTENDANCE REPORTS:**  
**ACTION:** Receive and file the attached attendance reports from the various appointed bodies covering a twelve-month period ending November, 2001. **Approved as part of the Consent Calendar.**
- 2.N. CHRISTOPHER STREET WEST GAY & LESBIAN PRIDE PARADE AND FESTIVAL STATUS REPORT:**  
**ACTION:** Approve the 2002 event concept and proposed event dates, June 21, 22 and 23. **Tabled until the February 4, 2002 regular City Council meeting.**
- 2.O. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**  
**ACTION:** Receive and file. **Approved as part of the Consent Calendar.**
- 2.P. RESIGNATION OF DEANN ZAMPELLI FROM THE WOMEN'S ADVISORY BOARD:**  
**ACTION:** Accept with regret the resignation of Deann Zampelli from the Women's Advisory Board. **Approved as part of the Consent Calendar.**
- 2.Q. SUBMITTAL OF THE CITY OF WEST HOLLYWOOD'S COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2002:**  
**ACTION:** Receive and file report. **Approved as part of the Consent Calendar.**
- 2.R. GENERAL PLAN AMENDMENT 99-05 ZONING TEXT AMENDMENT 01-03:**  
**ACTION:** 1) Adopt Resolution No. 02-2634, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD RELATIVE TO SAFETY AND AMENDING THE GENERAL PLAN"; and 2) Introduce on first reading Ordinance No. 02-619,"AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATIVE TO SAFETY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**
- 2.S. REPEAL ORDINANCE NO. 01-609 AND ORDINANCE NO. 01-612:**  
**ACTION:** Introduce for first reading Ordinance No. 02-620, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REPEALING ORDINANCE NO. 01-609 AND ORDINANCE NO. 01-612. **Approved as part of the Consent Calendar with Councilmember Martin and Councilmember Prang voting NO.**

**THE CITY COUNCIL WILL RECESS AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:50 P.M.**

**RECONVENE AS THE CITY COUNCIL: 7:55 P.M.**

**3. PUBLIC HEARINGS:**

**3.A. APPEAL OF PLANNING COMMISSION DENIAL OF DEVELOPMENT PERMIT 01-14 AND DEMOLITION PERMIT 01-03 8735 BONNER DRIVE: (This item was continued from the January 7, 2002 City Council Meeting)**

City Clerk Russell stated that the 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 January 22, 2002.

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

EDUARDO DE LA TORRE, LOS ANGELES, appellant, provided an overview of the revisions to the current plans and the project. He stated that he is very concerned with the resident's privacy and is willing to work with the residents to solve this situation.

LAUREN MEISTER, WEST HOLLYWOOD, stated that a larger home such as this would be inappropriate for the existing area.

JOHN PAUL DRAYER, WEST HOLLYWOOD, stated that the square footage of the project needs to be reduced to meet the zoning code requirements.

MARTIN STRUDLER, WEST HOLLYWOOD, stated the current zoning standards should be applied to this project.

DENNIS CLARK, WEST HOLLYWOOD, spoke regarding the size and architectural fit of the present project. He also stated that this project would reshape the street's character and that he is in opposition to the current project.

HELANE WILBOURNE, WEST HOLLYWOOD, stated that this project would change the shape and identity of the street and that she is in opposition to the current project.



KEVIN SCHAEFFER, WEST HOLLYWOOD, spoke in opposition to the project.

ERNEST BREIG, WEST HOLLYWOOD, spoke in opposition to the project.

STEVE KILLAM, WEST HOLLYWOOD, spoke in opposition to the project.

GABRIEL FEDIDA, WEST HOLLYWOOD, stated that as the architect of this project, he has tried to comply with all of the staff recommendations and the neighborhoods concerns.

SHERIE STRARK, WEST HOLLYWOOD, stated her opposition to the project.

RICARDO FORREST, WEST HOLLYWOOD, spoke regarding maintaining the character of the neighborhood and stated his opposition to the project.

SIMON FEDIDA, WEST HOLLYWOOD spoke in support of the project. He stated that it will raise the value of his home and others in the neighborhood.

SALVADORE DELATORRE, LOS ANGELES, stated that he has tried to compromise with the neighbors concerns regarding the square footage of the home and is still willing to work with them. He stated they need some closure to this project and hoped a decision could be made that would be fair and equitable to everyone involved.

Mayor Heilman closed the public hearing.

Councilmember Duran stated that the lot in question was not the smallest lot on Bonner Drive. He stated that he would be favor of remanding this back to the Planning Commission and let the parties work this issue out.

Councilmember Prang stated that he does not support the appeal as it stands but with new plans presented he would be in favor of remanding the project back to the Planning Commission.

Councilmember Martin spoke regarding mansionization of this area. He stated that a .5 FAR would be more effective for the neighborhood and with the current plans submitted he would be in favor of remanding this project back to Planning Commission.

Mayor Pro Tempore Guarriello stated that the current project would not fit on the lot.

Mayor Heilman stated that the current zoning code which pertains to .5 FAR can not be consider to this project because it was submitted under the old code. He agreed with the community about how the street's character is changing. He stated that he felt the developer and the property owners has tried to address all of the neighborhoods concerns and has shown this by the continued reduction of square footage of the home. He recommended that owner, developer and neighborhood residents meet to work out a solution.

**RECOMMENDATION:** Partially deny the appeal and adopt Resolution No. 02-2632, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PARTIALLY DENYING AN APPEAL OF THE PLANNING COMMISSION'S DENIAL OF DEVELOPMENT PERMIT 01-14 AND DEMOLITION PERMIT 01-03, FOR THE PROPERTY LOCATED AT 8735 BONNER DRIVE, WEST HOLLYWOOD, CALIFORNIA."

**ACTION:** By consensus, Council continued the item to the February 4, 2002 City Council meeting and directed staff to meet with the applicant and neighbors to achieve a workable solution.

**Council recessed at 8:55 P.M.**

**Council reconvened at 9:10 P.M.**

- 3.B. APPEAL OF BUSINESS LICENSE COMMISSION RESOLUTION BL 2001-04 REVOKING REGULATORY BUSINESS LICENSES: DANCE BUSINESS LICENSE REG000180, ENTERTAINMENT BUSINESS LICENSE REG000177, ENTERTAINMENT PROMOTER BUSINESS LICENSE REG001416, DANCE PROMOTER BUSINESS LICENSE REG001395, PUBLIC EATING BUSINESS LICENSE REG000179, COIN-OP BUSINESS LICENSE REG000178, MANAGER BUSINESS LICENSE REG000059, MANAGER BUSINESS LICENSE REG000061, AND MANAGER BUSINESS LICENSE REG000809 FOR ALHAR ENTERPRISES (DBA CLUB 7969) AT 7969 SANTA MONICA BOULEVARD:**

City Clerk Russell stated that the item was published in the West Hollywood Independent on January 9, 2002.

Wade Davenport, Code Compliance Manager, provided background information as outlined in the staff report dated January 22, 2002.

Councilmember Duran stated that he consulted with the City Attorney regarding a possible conflict of interest on his part in participating in this item. He stated that it was determined that there was no conflict of interest.

In response to Councilmember Duran, Assistant City Attorney Hogin stated that staff conducted two public hearings concerning this item to make sure the applicant had enough time to prepare. She also stated that at the October 23, 2001 Business License Commission public hearing, that the testimony that was given was sworn testimony before the Business License Commission. She also stated that Council could only consider legal arguments.

In response to Councilmember Prang, Richard Odenthal, Public Safety Manager, provided an overview of the Sheriff's Department responses at Club 7969 and other establishments in West Hollywood.

In response to Mayor Heilman, Wade Davenport stated that they requested a full report from the Sheriff's and Fire Departments concerning Club 7969 and that they are part of the record.

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

STEVE AFRIAT, LOS ANGELES, appellant provided an overview of the appeal of Club 7969. He also stated that the club has a new management team. He raised several issues, which were not provided when the first public hearing was heard. He stated that this is a first amendment issue concerning this club.

CAROLE FELD, LOS ANGELES, stated that she has taken direct responsibility for the club. She stated that she wanted to apologize to the neighbors for the past actions of the club and to assure the residents that she has taken a proactive role in its management.

In response to Councilmember Duran, Mark Lehman, stated that under due process of the law, the owner should have been provided a definition of what statement of charges were being presented. He stated that under the first hearing that a statement of charges was not included.

In response to Councilmember Duran, Mark Lehman, stated that there were compound errors in the public hearing process. He stated that the first amendment rights argument could not have happened until this hearing.

Christi Hogin, Assistant City Attorney administered the oath to everyone who wished to speak on this item.

CURTIS TAYLOR, WEST HOLLYWOOD, spoke in support of revoking the Clubs Business License.

MARK HEINENMANN WEST HOLLYWOOD, spoke in opposition to staff's recommendations and in support of Club 7969.

ROXXCIE RIVERA, WEST HOLLYWOOD, spoke in support of Club 7969.

GARY ZIMMERMAN, WEST HOLLYWOOD, spoke in support of staff's recommendation.

JAMES ALLEN, WEST HOLLYWOOD, spoke in support of staff's recommendation to revoke the business license of Club 7969.

BARBARA JAGER, WEST HOLLYWOOD, spoke in support of the Business License Commission to revoke the license of Club 7969.

MARK GEISMAR, WEST HOLLYWOOD, spoke in support of Club 7969.

JAY RISTAU, WEST HOLLYWOOD, spoke in support of Club 7969 and provided Council with alternatives to possibly resolve the problems.

RUPAUL CHARLES, WEST HOLLYWOOD, spoke in support of Club 7969.

STEPHEN CLAY, HOLLYWOOD, spoke in support of Club 7969.

MIA MERRITT, LOS ANGELES, spoke in support of Club 7969.

YUKI SHARONI, LOS ANGELES, spoke in support of Club 7969.

MICHAEL CRAYTON, LOS ANGELES, spoke in support of Club 7969.

MIA SUH, LOS ANGELES, spoke in support of Club 7969 and also stated that this club has provided entertainment for over 45 years.

KATHERINE KAMRAN, WEST HOLLYWOOD, spoke in support of Club 7969.

SAM FLORES, WEST HOLLYWOOD, spoke in support of Club 7969.

KAM KAMRAN, WEST HOLLYWOOD, spoke in support of Club 7969.

BRIAN TILLETSON, WEST HOLLYWOOD, spoke in support of Club 7969.

MATTHEW MAY, BEVERLY HILLS, stated that he is working with the new management team in providing a better club for the neighborhood.

HARRIET SAGALOW, LOS ANGELES, spoke in support of Club 7969.

JEFFREY LEEMAN, WEST HOLLYWOOD, spoke in support of Club 7969.

ROBERT MUNDY, LOS ANGELES, spoke in support of Club 7969.

LOUIS SACHS, WEST HOLLYWOOD, spoke in support of Club 7969.

JONATHAN FRYBERGER, WEST HOLLYWOOD, spoke in support of Club 7969.

TOM TRUJILLO, STUDIO CITY, spoke in support of Club 7969.

PATRICK VETRANO, WEST HOLLYWOOD, spoke in support of Club 7969.

ANGELA HECKMAN, WEST HOLLYWOOD, spoke in support of Club 7969.

VICTORIA VAUS, WEST HOLLYWOOD, spoke in support of Club 7969.

DAN ZUBER, WEST HOLLYWOOD, spoke in support of Club 7969 and stated that it preserves the diversity of the community.

MARNA DEITCH, WEST HOLLYWOOD, spoke in support of Club 7969.

WORTHIE MEACHAM, WEST HOLLYWOOD, spoke in support of Club 7969.

JAMES SHEEHAN, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

DANNY LEVY, WEST HOLLYWOOD, spoke in support of Club 7969.

EDD HOLMAN, WEST HOLLYWOOD, spoke in support of Club 7969.

SHIRLEY BUSHNELL, WEST HOLLYWOOD, spoke in support of Club 7969.

EMILIA LOMBARDIE, WEST HOLLYWOOD, spoke in support of Club 7969.

RIC SIMONE, STUDIO CITY, spoke in support of Club 7969.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

BOBBY TRENDY, WEST HOLLYWOOD, spoke in support of Club 7969.

ILLENE FISHER, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

AVNER GARBI, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

CORY WONG, LOS ANGELES, spoke in support of Club 7969.

KATHY BRAY, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

DAVE THOMPSON, WEST HOLLYWOOD, spoke in support of Club 7969.

NEAL ZASLAVSKY, WEST HOLLYWOOD, spoke regarding procedural irregularities of the Business License Commission public hearings and suggested that this item be remanded back to the Business License Commission.

ADA CALDERINI, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

JOHN ST JARRE, WEST HOLLYWOOD, spoke in support of Club 7969 and introduced himself as the new club manager.

JUSTIN BARTON, STUDIO CITY, spoke in support of Club 7969.

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

BRITT SAANS, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

ERIL NORMAN, WEST HOLLYWOOD, spoke in support of Club 7969.

MADONNA MIKE, WEST HOLLYWOOD, spoke in support of Club 7969.

BLAINE GRAY, RESEDA, spoke in support of Club 7969.

MAXINE SONNEBERG, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969

BARDY AZADMARD, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of Club 7969.

MARIANA COPPELLI, WEST HOLLYWOOD, spoke in support of Club 7969.

TONY COPPELLI, WEST HOLLYWOOD, spoke in support of Club 7969.

PHYLLIS FELD, CHEVY CHASE, MD, spoke in support of Club 7969.

KAREN LASH, ALTADENA, spoke in support of Club 7969.

JOSHUA WELLS, WEST HOLLYWOOD, spoke in support of Club 7969.

SHULY SULAMI, WEST HOLLYWOOD, spoke in support of Club 7969.

DANA MOOREHEAD, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

JOHN HUGHES, WEST HOLLYWOOD, spoke in support of Club 7969.

ROLAND BECKER, LOS ANGELES, spoke in support of Club 7969.

SEAN DIVINY, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

HARRY PRONGUE, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

CAROLINA CHARM, HOLLYWOOD, spoke in support of Club 7969.

THAI HARVELLE, WEST HOLLYWOOD, spoke in support of Club 7969.

J.W. MOORE IV, WEST HOLLYWOOD, spoke in support of Club 7969.

BOB BARRY, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

WENDY MCPHERSON, LOS ANGELES, spoke in support of Club 7969.

ARSEN TOPALYAN, WEST HOLLYWOOD, spoke in support of Club 7969.

SARA FALUGO, LOS ANGELES, spoke in support of Club 7969.

JEFF BRITTING, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

DONNA PORSHE, TORRANCE, spoke in support of Club 7969.

BRENT GRESELL, WEST HOLLYWOOD, spoke in support of the Business License Commission recommendation to revoke the business license of Club 7969.

HELEN WONG, LOS ANGELES, spoke in support of Club 7969.

MARELYNN NORDMAN, WEST HOLLYWOOD, spoke in support of Club 7969.

CELESTE CUREY, WEST HOLLYWOOD, spoke in support of Club 7969.



STEVE AFRIAT, LOS ANGELES, stated that the Business License Commission did not revoke the license on the stated charges against them. He further stated that the club is conforming to sound proofing regulations and other requirements the neighbors have requested.

In response to Mayor Pro Tempore Guarriello, Carole Feld stated that the valet parking company has provided over 95 spaces, which is adequate for the club.

In response to Councilmember Martin, Wade Davenport provided additional information concerning the certificate of occupancy.

In response to Councilmember Martin, Richard Odenthall provided additional information concerning the noise violations that have occurred with this club.

Mayor Heilman closed the public hearing.

In response to Councilmember Martin, Christ Hogan referred Council to the municipal code that points out the grounds for the revocation of a Business License.

Councilmember Duran thanked the public for coming out to express their opinions. He expressed his concern with the clubs effect on the neighborhoods and its close proximity to neighborhoods. He stated that he is not sure if the noise issues can be resolved.

Mayor Pro Tempore Guarriello stated that it's not the Council who is closing business down but the owners who is not willing to resolve their issues. He stated that it is the owner's responsibility to resolve problems that might be occurring.

Councilmember Martin spoke regarding other club problems across the city. He stated that it is hard to pin point were the problems are occurring and who is creating those problems. He also stated that Council could not have different standards for clubs throughout the City. He suggested giving the club owners 4 or 5 months to address the issues outlined in the staff report.

Councilmember Prang expressed his concern about revoking the business license but he stated that he understands the issues of the neighborhood and the clubs previous history. He stated that the issue is not a diversity issue but an operational one.

Mayor Heilman stated that he disagreed with the assertion that Council has singled out this business. He stated that the complete history of this establishment must be considered. He stated that this hearing is regarding exterior activities that occur and not the First Amendment activities within the club. He stated that the issues outlined are sufficient for revocation.

**RECOMMENDATION:** Direct staff to bring back a resolution at the City Council's next regular meeting denying the appeal and upholding the Business License Commission's decision and setting forth findings consistent with Council direction and deliberation.

**ACTION:** Moved by Councilmember Prang and seconded by Mayor Pro Tempore Guarriello to suspend Club 7969's business license for six (6) months and set conditions that the owner submit to staff an adequate sound proofing plan to mitigate the noise impact on the neighborhood and an operational and management plan addressing the issues included in the statement of charges in order for the suspension to be lifted after that time. Directed staff to draft a resolution ratifying Councils' direction and place it on the February 4, 2002 City Council Agenda for adoption. Unanimously carried.

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

**NOES:** None.

**ABSENT:** None.

**Council recessed at 12:45 A.M.**

**Council reconvened at 1:00 A.M.**

**3.C. EXPANSION OF PREFERENTIAL PARKING DISTRICTS 7 AND 8:**

City Clerk Russell stated that the item was published in the West Hollywood Independent on January 9, 2002.

Donald Korotsky, Transportation Planner, provided background information as outlined in the staff report dated January 22, 2002.

Councilmember Prang stated that he had to recused himself from item 2 of staff's recommendation because he resides on one of the streets covered by this action.

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

HILLARY SELVIN, LOS ANGELES, spoke regarding area business owners concerns that parking spaces for employees were being reduced.

TRICIA FREY, WEST HOLLYWOOD, spoke in opposition to staff's recommendation.

MIKE KRIPAS, WEST HOLLYWOOD, spoke in support of staff's recommendation.

GARY ZIMMERMAN, WEST HOLLYWOOD, spoke in support of staff's recommendation.

JAY RISTAU, WEST HOLLYWOOD, spoke regarding the process of implementing Preferential Parking Districts.

JAMES ALLEN, WEST HOLLYWOOD, spoke in support of staff's recommendation.

J.W. MOORE IV, WEST HOLLYWOOD, spoke in support of staff's recommendation but was concerned about permit parking petitions for Detroit Avenue, which have be received by city staff but is not a part of this item.

AVNER GARBI, WEST HOLLYWOOD, spoke in support of staff's recommendation.

Mayor Heilman closed the public hearing.

RECOMMENDATION: 1) Introduce on first reading, Ordinance No. 02-616, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTERS 10.08.220 OF THE WEST HOLLYWOOD MUNICIPAL CODE EXPANDING THE BOUNDARY OF PREFERENTIAL PARKING DISTRICT 7, IMPLEMENTING DISTRICT 7 PREFERENTIAL PARKING REGULATIONS ON LAUREL, HAYWORTH AND HAVENHURST AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE; 2) Introduce on first reading, Ordinance No. 02-617, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.220, SECTION C.1 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 7 PREFERENTIAL PARKING REGULATIONS ON SWEETZER AND NORTON AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE;" 3) Introduce on first reading, Ordinance No. 02-618, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE EXPANDING THE BOUNDARY

OF PREFERENTIAL PARKING DISTRICT 8, IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON FULLER AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE;" 4) Approve an expedited implementation process whereby residents within the expanded Districts may submit signatures representing a majority of the dwelling units without having a separate public hearing for each street if the petition is filed within two (2) years of the effective date of the ordinance expanding the district; and 5) Recommend that the City Council schedule a Preferential Parking Study Session with the Transportation Commission to discuss the program budget, staffing and policy issues.

**ACTION: Moved by Mayor Pro Tempore Guarriello and seconded by Councilmember Martin to approve staff's recommendations amending Ordinance No, 02-616 by adding Havenhurst Drive. Mayor Heilman directed staff to schedule a study session between the City Council and the Transportation Commission. Motion carried with Councilmember Prang recusing himself from staff recommendation #2.**

**3.D. APPEAL OF THE CULTURAL HERITAGE COMMISSION'S RECOMMENDATION TO DESIGNATE THE BUILDING LOCATED AT 8806 BEVERLY BOULEVARD (FORMERLY KNOWN AS THE HERMAN MILLER FURNITURE SHOWROOM) AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD:**

City Clerk Russell stated that the item was published in the West Hollywood Independent on January 9, 2002.

**RECOMMENDATION:** Based upon the attached letter from the representative of the owner of the property, staff recommends continuance of this item to a date uncertain.

**ACTION: Council concurred to accept staff's recommendation.**

**3.E. GENERAL PLAN AMENDMENT 99-05 ZONING TEXT AMENDMENT 01-03:**

**RECOMMENDATION:** 1) Adopt Resolution No. 02-2634, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD RELATIVE TO SAFETY AND AMENDING THE GENERAL PLAN"; and 2) Introduce on first reading Ordinance No. 02-619,"AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATIVE TO SAFETY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

**ACTION: Moved to the Consent Calendar as Item 2.R.**

**3.F. APPROVAL OF FY 2002-2003 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PLANNING SUMMARY:**

City Clerk Russell stated that the item was published in the West Hollywood Independent on January 9, 2002.

RECOMMENDATION: 1) Receive public comment on the City's proposed CDBG program for 2002-2003; 2) Approve the proposed CDBG program budget and instruct staff to submit the CDBG Program Planning Summary for approval to the Los Angeles County Community Development Commission (CDC); 3) Authorize staff to adjust the program budget as necessary to take account of the final CDBG allocation from the U.S. Department of Housing and Urban Development final CDBG allocation from the U.S. Department of Housing and Urban Development (HUD) and any amounts remaining unspent at the close of the fiscal year; and 4) Authorize staff to budget current unallocated funds.

**ACTION: Moved by Councilmember Duran and seconded by Mayor Pro Tempore Guarriello to approve staff's recommendations. Unanimously carried.**

**3.G. CULTURAL RESOURCE DESIGNATION 2001-05 OF THE BUILDING LOCATED AT 1114 HORN (FORMERLY SPAGO) (CRD 01-05):**

City Clerk Russell stated that the item was published in the West Hollywood Independent on January 9, 2002.

John Keho, Senior Planner, provided background information as outlined in the staff report dated January 22, 2002.

JEROME CLEARY, WEST HOLLYWOOD, spoke regarding the Cultural Resource Designation of 1114 Horn and asked Council to support the item.

CAROL RODRIGUEZ, WEST HOLLYWOOD, spoke in support of the Cultural Heritage Commissions recommendation.

JAMES FURHMAN, WEST HOLLYWOOD, spoke in support of the Cultural Heritage Commissions recommendation.

NORMAN CHRAMOFF, WEST HOLLYWOOD, spoke in support of the Cultural Heritage Commissions recommendation.

HARRY PRONGUE, WEST HOLLYWOOD, spoke in support of the Cultural Heritage Commissions recommendation.

J.W. MOORE IV, WEST HOLLYWOOD, spoke in support of the Cultural Heritage Commissions recommendation.

MAXINNE SONNEBERG, WEST HOLLYWOOD, spoke in support of the Cultural Heritage Commissions recommendation.

CATHERINE HAHN, WEST HOLLYWOOD, spoke in support of the Cultural Heritage Commissions recommendation.

TOM DILLON, WEST HOLLYWOOD, spoke in opposition to staff's recommendation.

In response to Councilmember Martin, John Keho provided additional information on tax benefits provided under the Mills Act agreement.

In response to Mayor Pro Tempore Guarriello, John Keho stated that the site has been on the inventory list for historical designation since mid 1980's.

**RECOMMENDATION:** Adopt Resolution No. 02-2629, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING 1114 HORN AS A LOCAL CULTURAL RESOURCE IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA."

**ACTION:** Moved by Mayor Pro Tempore Guarriello and seconded by Councilmember Duran to deny staff's recommendations and not designate this property as a Cultural Resource Designation. Motion carried with Councilmember Prang voting NO.

4. **UNFINISHED BUSINESS:** None.

5. **NEW BUSINESS:**

5.A. **SUBMITTAL OF THE CITY OF WEST HOLLYWOOD'S COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2002:**

**RECOMMENDATION:** Receive and file report.

**ACTION:** Moved to the Consent Calendar as Item 2.Q.

5.B. **REQUEST TO REVIEW PLANNING COMMISSION APPROVAL OF EXPANDED OUTDOOR DINNING AT THREE RESTAURANTS WITHIN SUNSET PLAZA, PURSUANT TO WEST HOLLYWOOD MUNICIPAL CODE SECTION NO. 19.76.020:**

Mark Persico, Director, Community Development, provided background information as outlined in the staff report dated January 22, 2002.

JAMES FURHMAN, WEST HOLLYWOOD, spoke in support of the request for review.

JEROME CLEARY, WEST HOLLYWOOD, spoke in support of the request for review.

**RECOMMENDATION:** Consider the "request for review" and provide direction to staff.

**ACTION:** No action was taken.

**EXCLUDED CONSENT CALENDAR:** None.

**PUBLIC COMMENT:** None.

**6. LEGISLATIVE:**

**6.A. REPEAL ORDINANCE NO. 01-609 AND ORDINANCE NO. 01-612:**

**RECOMMENDATION:** Introduce for first reading Ordinance No. 02-620, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REPEALING ORDINANCE NO. 01-609 AND ORDINANCE NO. 01-612.

**ACTION:** Moved to the Consent Calendar as Item 2.S.


**COUNCILMEMBER COMMENTS:** None.

**ADJOURNMENT:** The City Council adjourned at 1:45 A.M. in memory of Joyce A. Dixon, Gus Gardner and Donald Bayer. The next regular meeting will be on Monday, February 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 4<sup>th</sup>  
DAY OF FEBRUARY, 2002.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
TONY RUSSELL, CITY CLERK