

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

**CALL TO ORDER:** Mayor Heilman called the meeting to order at 6:50 P.M.

**PLEDGE OF ALLEGIANCE:** Richard Settle 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. Council added two items to the Closed Session agenda: one item of threatened litigation and one item of pending litigation. No reportable action was taken and closed session adjourned at 6:40 P.M.

**APPROVAL OF AGENDA:**

Mayor Heilman announced that, at the request of the appellant, Item 3.D. be tabled to the March 4, 2002 City Council Meeting.

Mayor Pro Tempore Guarriello requested that item 2.Y. be tabled to the February 19, 2002 City Council Meeting.

Mayor Heilman requested the meeting be adjourned in memory of Scott Forbes and Ann Jackowitz.

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

**PRESENTATIONS:**

Mayor Heilman presented commendations to Deputy Bell and Deputy Looney, members of the Social Mentoring, Academic & Rehabilitative Training (SMART) Team from Los Angeles Sheriff's Department.

Mayor Heilman presented a proclamation to Ruth Tittle and Ivy Bottini proclaiming February 13, 2002 as V-Day in the City of West Hollywood.

Mayor Heilman presented a proclamation to David Nash and Tom Demille in recognition of the 4<sup>th</sup> Annual Love and Compassion Day Event.

**PUBLIC COMMENT:**

BILL MILES, LOS ANGELES, spoke regarding the death of his partner, Scott Forbes, a longtime resident of West Hollywood.

GARY ZIMMERMAN, WEST HOLLYWOOD, spoke in support of Council's decision to suspend Club 7969 business license.

MORRIS KIGHT, LOS ANGELES, expressed his support of the Cultural Heritage designation of Café Galla/Spago's restaurant. He also spoke regarding the design of the City's logo on patrol cars.

GERALD RISTAU, WEST HOLLYWOOD, spoke in support of Council's decision to suspend Club 7969 business license.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding Presidents Bush proposed budget and how Congress needs to spend more money for social security, social programs and not for the military.

JEROME CLEARY, WEST HOLLYWOOD, spoke regarding the Cultural Heritage designation of Café Gallo/Spago's restaurant and requested Council to reconsider their vote on Item 2.Z.

RUTH TITTLE, LOS ANGELES, spoke regarding the Cultural Heritage designation of Café Gallo/Spago's restaurant and requested Council to reconsider their vote on Item 2.Z.

JACK LEBOUF, WEST HOLLYWOOD, spoke regarding the lack of neighborhood participation in the potential development of the Santa Monica-Hancock mixed use project.

MARK KRAJEWSKI, WEST HOLLYWOOD, spoke regarding providing a neighborhood liaison to staff to provide input in the Santa Monica-Hancock mixed-use project.

ARICH BERGHAMMER, SANTA MONICA, spoke in support of staff's recommendation for Item 3.B. the Sunset BID.

ROGER DAVIS, WEST HOLLYWOOD, asked the Council to reconsider Item 2.Z. and designate the Café Galla/Spago's site as a cultural resource.

DEBBIE BANKLER, WEST HOLLYWOOD, spoke regarding citations she has received for parking in front of her residency and how the new front yard set backs could effect residential parking.

ALISHA FONTAINE, WEST HOLLYWOOD, spoke regarding citations she has received for parking in front of her residency and how the new front yard set backs could effect residential parking.

NICK SCHAFFER, WEST HOLLYWOOD, spoke regarding continued problems at the Viper Room and the parking lot of Tower Records.

INA BLISS, WEST HOLLYWOOD, requested that staff provide e-mail updates to neighborhood associations of upcoming new projects and variances before the Council and the Planning Commission.

ALICIA GARGARO, WEST HOLLYWOOD, spoke regarding the Cultural Heritage designation of Café Gallo/Spago's restaurant and requested Council to reconsider their vote on Item 2.Z.

#### **COUNCILMEMBER COMMENTS:**

Mayor Pro Tempore Guarriello commented on the recently held Adelphia cable community meetings. He stated that the city was not receiving the quality of stations or selections, which the city deserves. He also stated that if the residents want to see a change to the cable system they should write letters of protest to the appropriate representatives of Adelphia Cable.

Councilmember Prang announced that March would be the 10<sup>th</sup> Anniversary of the CityLine Bus Service. He suggested that the City Manager investigate the feasibility of providing a month's worth of free rides on the CityLine in recognition of its 10-year anniversary.

Councilmember Duran spoke regarding the untimely death of longtime resident Scott Forbes. He also spoke about the recent changes to traffic circulation on Cory, Phyllis and Carol Drives and he asked that the residents and businesses be patient until the traffic study has been completed. He also commented on the Cultural Heritage designation of Café Galla/Spago's restaurant.

Councilmember Martin also commented on the Cultural Heritage designation of Café Galla/Spago's restaurant. He encouraged the Lesbian and Gay Advisory Board to create a history of gay listings within the City. He also announced the leaving of Hassan Haghani, Senior Planner.

Mayor Heilman provided a brief report from the California League of Cities concerning the possible fiscal impacts to cities regarding the current state budget crisis. He also directed the City Manager to come up with an appropriate celebration for the 10<sup>th</sup> Anniversary of CityLine and he also direct the City Manager not to issue citations for cars parking in front of their homes and to place this issue on the next agenda for discussion.

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

City Manager Arevalo provided an update on the Holly Hills Storm water drainage construction. He also reported that staff has worked with the Pacific Design Center to provide a walkway through their construction and that the burned out light on Huntley Drive has been replaced. He asked Brain Gainley, Information System Manager, to provide an update on the City's new website.

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

City Clerk stated that the fiscal impact on the Consent Calendar for Monday, February 4, 2002 is \$411,830 in expenditures and \$142,000 in potential revenue.

#### **2. CONSENT CALENDAR:**

**ACTION:** Approve the items as amended.

**2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,N.,N.,O.,P.,Q.,R.,S.,T.,U.,V.,W.,X.,Z.,**

**ACTION:** Moved by Mayor Pro Tempore Guarriello, seconded by Councilmember Prang to approve the Consent Calendar as amended.

**Motion carried noting Councilmember Martin voting NO on Item 2.K and Councilmember Prang voting NO on Items 2.K. and 2.Z.; and Councilmember Prang's ABSTENTION on Items 2.H. and 2.R.**

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

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

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

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

**ACTION:** Approve the minutes of January 22, 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. 455, RESOLUTION NO. 02-2635:**  
**ACTION:** Approve Demand Register No. 455 and adopt Resolution No. 02-2635, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 455." **Approved as part of the Consent Calendar.**
- 2.E. CLAIMS ADMINISTRATION:**  
**ACTION:** Deny the claims of Svetoslav Lazarov, Southern California Edison and Charity Babcock and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**
- 2.F. TREASURER'S REPORT:**  
**ACTION:** Receive and file. **Approved as part of the Consent Calendar.**
- 2.G. ORDINANCE NO. 02-616 (2<sup>ND</sup> READING) AMENDING TITLE 10, CHAPTER 10.08.220 OF THE WEST HOLLYWOOD MUNICIPAL CODE EXPANDING THE BOUNDARY OF PREFERENTIAL PARKING DISTRICT 7, IMPLEMENTING DISTRICT 7 PREFERENTIAL PARKING REGULATIONS ON HAVENHURST DRIVE, LAUREL AND HAYWORTH AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:**  
**ACTION:** Waive further reading and adopt Ordinance No. 02-616, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 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, HAVENHURST DRIVE AND HAYWORTH AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**
- 2.H. ORDINANCE NO. 02-617 (2<sup>ND</sup> READING) 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:**  
**ACTION:** Waive further reading and adopt 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." **Approved as part of the Consent Calendar with Councilmember Prang ABSTAINING.**

- 2.I. ORDINANCE NO. 02-618 (2<sup>ND</sup> READING) 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:**  
**ACTION:** Waive further reading and adopt 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." **Approved as part of the Consent Calendar.**
- 2.J. ORDINANCE NO. 02-619 (2<sup>ND</sup> READING) RELATIVE TO SAFETY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:**  
**ACTION:** Waive further reading and adopt 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.K. ORDINANCE NO. 02-620 (2<sup>ND</sup> READING) REPEALING ORDINANCE NO. 01-609 AND ORDINANCE NO. 01-612:**  
**ACTION:** Waive further reading and adopt 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 Prang voting NO.**
- 2.L. SUNSET BOULEVARD AND ALTA LOMA ROAD REQUEST FOR ADVANCE TEST ACTIVATION OF TRAFFIC SIGNAL CONTROL:**  
**ACTION:** Direct staff to implement the advance test activation of the Sunset Boulevard/Alta Loma Road traffic signal. **Approved as part of the Consent Calendar.**
- 2.M. NOTICE OF COMPLETION FOR CIP 0102, TRAFFIC SIGNAL LIGHT EMITTING DIODE (L.E.D.) CONSTRUCTION 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.N. APPROVE AN AGREEMENT WITH VERIZON WIRELESS TO PROVIDE CELLULAR SERVICE TO THE CITY:**  
**ACTION:** 1) Approve the agreement with Verizon Wireless for cellular phone service, requiring a minimum of five cellular phone lines for a period of three years, and 2) Authorize the City Manager to execute the contract. **Approved as part of the Consent Calendar.**
- 2.O. APPROVE AN AGREEMENT WITH SUNGARD PENTAMATION, INC. FOR THE UPGRADE OF THE FINANCIAL SYSTEM:**  
**ACTION:** 1) Approve the agreement with Sungard Pentamation, Inc. in an amount not to exceed \$102,911, and 2) Authorize the City Manager to execute the contract. **Approved as part of the Consent Calendar.**
- 2.P. APPROVE AN AGREEMENT WITH HdL SOFTWARE, LLC FOR THE PURCHASE OF A PERMITTING AND LAND RECORDS MANAGEMENT INFORMATION SYSTEM:**  
**ACTION:** 1) Approve the agreement with HdL Software, LLC in an amount not to exceed \$221,000.00, plus a base annual maintenance fee of \$24,105.00, renewable for five years; 2) Authorize the City Manager to execute the contract; and 3) Authorize the expenditure of an amount not to exceed \$22,100.00 for contingencies as approved by the Director of Finance and Technology Services Department. **Approved as part of the Consent Calendar.**
- 2.Q. A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING ON THE ATTORNEY GENERAL TO APPOINT A SPECIAL PROSECUTOR TO INVESTIGATE LINKS BETWEEN THE BUSH ADMINISTRATION AND ENRON:**  
**ACTION:** 1) Adopt Resolution No. 02-2637, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING ON THE ATTORNEY GENERAL TO APPOINT A SPECIAL PROSECUTOR TO INVESTIGATE LINKS BETWEEN THE BUSH ADMINISTRATION AND ENRON;" and 2) Forward a copy of this resolution to Attorney General John Ashcroft. **Approved as part of the Consent Calendar.**
- 2.R. A RESOLUTION CALLING ON THE COUNTY BOARD OF SUPERVISORS AND THE SHERIFF'S DEPARTMENT TO INCREASE FUNDING DIRECTED TO ADDRESSING THE MEDICAL NEEDS OF THOSE IN CUSTODY:**  
**ACTION:** 1) Adopt Resolution No. 02-2638, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING ON THE COUNTY BOARD OF SUPERVISORS AND THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT TO INCREASE FUNDING DIRECTED TO ADDRESSING THE MEDICAL NEEDS OF THOSE IN ITS CUSTODY;" and 2) Forward a copy of this resolution to the Los Angeles

County Board of Supervisors and to Sheriff Lee Baca. **Approved as part of the Consent Calendar with Councilmember Prang ABSTAINING.**

**2.S. PROPOSITION A DISCRETIONARY INCENTIVE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING:**

**ACTION:** Authorize the City Manager to execute an agreement with the Los Angeles County Metropolitan Transit Authority (MTA) for a Proposition A Incentive Grant to coordinate transit services, for the period of July 1, 2001 through June 30, 2006. This agreement will provide the City up to 25% reimbursement of net operating expenses of the taxi coupon/lift van subsidy program. **Approved as part of the Consent Calendar.**

**2.T. REQUEST TO AUTHORIZE THE ASSIGNMENT OF THE PHOTO ENFORCEMENT AGREEMENT:**

**ACTION:** Authorize the assignment of the agreement with Affiliated Computer Services, Inc. (ACS) to implement the services under the photo enforcement program. **Approved as part of the Consent Calendar.**

**2.U. APPROVAL TO ISSUE REQUEST FOR PROPOSAL (RFP) OF COMBINED CITYLINE AND DIAL A RIDE SERVICES AND COORDINATE SERVICES WITH CITY OF BEVERLY HILLS:**

**ACTION:** Authorize staff to issue an RFP to combine the operation of West Hollywood Dial A Ride and CityLine Local Fixed Route Services and consider the inclusion of the operation of City of Beverly Hills Transit Services. **Approved as part of the Consent Calendar.**

**2.V. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

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

**2.W. PROPOSED RESOLUTION TO SUSPEND ALL BUSINESS LICENSES ISSUED TO CLUB 7969 FOR SIX MONTHS:**

**ACTION:** Adopt Resolution No. 02-2636, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF ALHAR ENTERPRISES, DBA CLUB 7969, AND MODIFYING AND SUSPENDING FOR SIX-MONTHS 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, MANAGERS BUSINESS LICENSE REG000059, MANAGERS BUSINESS LICENSE REG000061, AND MANAGERS BUSINESS LICENSE REG000809 FOR CLUB 7969 AT 7969 SANTA MONICA BOULEVARD." **Approved as part of the Consent Calendar.**



**2.X. PROPOSED RESOLUTION IN SUPPORT OF THE V-DAY MOVEMENT TO END VIOLENCE AGAINST WOMEN AND DECLARE FEBRUARY 14, 2002 V-DAY IN THE CITY OF WEST HOLLYWOOD:**

**ACTION:** 1) Adopt Resolution No. 02-2639, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE V-DAY MOVEMENT TO END VIOLENCE AGAINST WOMEN AND DECLARE FEBRUARY 14, 2002 V-DAY IN THE CITY OF WEST HOLLYWOOD;" 2) Direct staff to send copies of the resolution to Governor Gray Davis, State Senator Sheila Kuehl, Assembly Member Paul Koretz, Representative Henry Waxman, U.S. Senators Barbara Boxer and Dianne Feinstein, and the V-Day Project; and 3) Direct staff to coordinate a press conference on February 14<sup>th</sup> with appropriate speakers. **Approved as part of the Consent Calendar.**

**2.Y. PROPOSED RESOLUTION IN SUPPORT OF THE COUNTY OF LOS ANGELES BALLOT MEASURE PROPOSITION C:**

**ACTION:** 1) Adopt Resolution No. 02-2640, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE COUNTY OF LOS ANGELES BALLOT MEASURE PROPOSITION C, WHICH WOULD AMEND THE CHARTER OF THE COUNTY OF LOS ANGELES, ALLOWING FOR CHANGES TO THE COMMAND STRUCTURE OF THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT;" and 2) Direct City Council staff to send copies of this resolution to the Los Angeles Board of Supervisors and the Los Angeles City Council. **Tabled to the February 19, 2002 City Council Meeting.**

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

**ACTION:** Adopt Resolution No. 02-2629 R, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE DESIGNATION OF 1114 HORN AVENUE AS A LOCAL CULTURAL RESOURCE (CULTURAL RESOURCE DESIGNATION 2001-05)." **Approved as part of the Consent Calendar with Councilmember Prang voting NO.**

**3. PUBLIC HEARINGS:**

**3.A. APPROVAL OF A RESOLUTION OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF CERRITOS REGARDING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE FISCAL YEAR 2002-2003:**

City Clerk Russell stated that the item was published in the West Hollywood Independent on January 23, 2002.

Allyne Winderman, Director, Rent Stabilization and Housing, provided background information as outlined in the staff report dated February 4, 2002.

**RECOMMENDATION:** 1) Conduct the public hearing and receive public comment on the proposed exchange of CDBG Funds between the City of Cerritos and the City of West Hollywood; and 2) Adopt Resolution No. 02-2641, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF CERRITOS REGARDING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE FISCAL YEAR 2002-2003.

**ACTION:** Moved by Councilmember Martin, seconded by Councilmember Duran to approve staff's recommendation. Motion carried unanimously.

**3.B. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 TO ESTABLISH A SUNSET STRIP BUSINESS IMPROVEMENT DISTRICT:**

City Clerk Russell stated that the item was published in the West Hollywood Independent on January 23, 2002.

Alison Maxwell, Development Specialist, provided background information as outlined in the staff report dated February 4, 2002.

John Lambeth, Downtown Resources, provided additional background information as outlined in the staff report dated February 4, 2002.

In response to Mayor Pro Tempore Guarriello, Alison Maxwell stated that only 26 businesses have filed protests against the BID assessment, which only makeup 28 percent of the BID.

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

GARY SILVER, WEST HOLLYWOOD, spoke in opposition to the BID assessment.

MARINA SILVER, WEST HOLLYWOOD, spoke in opposition to the BID assessment.

ARGUS HAMILTON, WEST HOLLYWOOD, spoke in opposition to the BID assessment.

HILLARY SELVIN, LOS ANGELES, spoke in support of establishing the Sunset BID.

STEVEN KELLY, VALENCIA, spoke in opposition to the BID assessment.

CHUCK TOVAR, LOS ANGELES, spoke in support of establishing the Sunset BID.

THEODORE THEODOSIADIS, WEST HOLLYWOOD, spoke in opposition to the BID assessment.

ALAN RAVERT, LOS ANGELES, spoke in opposition to the BID assessment.

DAVID SCOTT, LOS ANGELES, spoke in opposition to the BID assessment.

DAN DAINS, LOS ANGELES, spoke in opposition to the BID assessment.

R.J. COMER, LOS ANGELES, spoke in opposition to the BID assessment.

TOM DILLON, LOS ANGELES, spoke in support of establishing the Sunset BID.

CORY SETAREH, LOS ANGELES, spoke in opposition to the BID assessment.

MARK MONTGOMERY, LOS ANGELES, spoke in opposition to the BID assessment.

KEVIN MCCARNEY, BURBANK, spoke in support of establishing the Sunset BID.

NICK SCHAEFER, WEST HOLLYWOOD, spoke regarding how residents were not part of the overall BID development.

Mayor Heilman closed the public hearing.

Mayor Heilman stated the BID was brought about due to resident complaints about the continued noise and nuisances that occur on the Sunset Strip after hours. He stated that there are several good reasons why many of the businesses were being exempted or separated out. He also stated that the BID was necessary to gain control over the problems that currently exist on the strip.

Mayor Pro Tempore Guarriello stated that many of the establishments do not have adequate parking for their patrons.

Councilmember Duran stated the residents are tired of the constant problems of the Sunset Strip. He stated that Council is trying to find ways to solve the problems of the strip and creating the BID is a step in the right direction to start resolving those problems.

Councilmember Prang stated that this a necessary step to start solving the problems of Sunset Strip. He stated that this was a fair and equitable plan for those who would participate in the BID. He also stated that the primary reason for creating the BID was to provide solutions to the neighborhood problems. He stated that he was disappointed that the residents were not involved more in the overall BID development.

Councilmember Martin stated that the council needs to move forward on this issue. He also stated that it's time for businesses on the Sunset Strip to start paying their fair share for the problems on the strip.

**RECOMMENDATION:** 1) Hold a public hearing on the establishment of the BID and consider all protests against the establishment of the BID, the extent of the BID, and the furnishing of specified types of activities and improvement in the BID; 2) Introduce for first reading Ordinance No. 02-621, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A BUSINESS IMPROVEMENT DISTRICT ON SUNSET BOULEVARD IN THE CITY OF WEST HOLLYWOOD;" and 3) Authorize staff to proceed with the development and issuance of RFP's for security and clean-up services."

**ACTION:** Moved by Councilmember Martin, seconded by Mayor Pro Tempore Guarriello to approve staff's recommendations. Motion carried unanimously.

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

**Council reconvened at 9:23 P.M.**

**3.C. APPEAL OF CONDITIONS RELATED TO DEVELOPMENT PERMIT 00-58, MINOR CONDITIONAL USE PERMIT 00-24, AND MODIFICATION 01-04 FOR THE EXPANSION OF A 6-BED SENIOR RESIDENTIAL CARE FACILITY TO A 12-BED FACILITY AND THE ADDITION OF A SECOND STORY WITH TWO NEW ONE-BEDROOM RESIDENTIAL UNITS LOCATED AT 1000 SIERRA BONITA AVENUE:**

City Clerk Russell stated that the item was published in the West Hollywood Independent on January 23, 2002.

Emmeline Harrigan, Associate Planner, provided background information as outlined in the staff report dated February 4, 2002.

In response to Councilmember Martin, Emmeline Harrigan stated the Planning Commission was concerned about the condition of the property and instituted a higher bond limit for the property.

In response to Councilmember Duran, Emmeline Harrigan provided a definition of senior care facility.

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

SIMON BASSEINE, WEST HOLLYWOOD, applicant provided an overview of the project and commented on the high limits of the bond that was placed on the property. He requested lowering the bond limit so he could proceed with construction.

JOEY LEE, WEST HOLLYWOOD, spoke regarding his support of the senior facility in concept but was concerned about the ongoing vehicle repairs that occur on the property and stated his opposition to staff's recommendation of lowering the bond limit.

BARBARA CHONG, WEST HOLLYWOOD, spoke regarding the ongoing vehicle repairs that occur on the property and stated her opposition to staff's recommendation of lowering the bond limits.

WALTER FALLEN, WEST HOLLYWOOD, spoke regarding why the Planning Commission set higher limits for the bond and stated his opposition to staff's recommendation of lower the bond limit.

SIMONE BASSEINE, WEST HOLLYWOOD, stated that by granting the lower bond limit he would also be able to build an enclosed garage that would satisfy neighbors concerns.

In response to Councilmember Duran, Simon Basseine stated that the financial status of the property is in good standing and there are no liens against the property.

In response to Councilmember Martin, Simon Basseine stated that the property has never been in foreclosure.

Mayor Heilman closed the public hearing.

In response to Mayor Heilman, Emmelian Harrigan stated that code enforcement has inspected the property and has determined that there were no violations.

**RECOMMENDATION:** Adopt Resolution No. 02-2642, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING THE APPLICANT'S APPEAL OF CONDITIONS RELATED TO DEVELOPMENT PERMIT 00-58, MINOR CONDITIONAL USE PERMIT 00-24, AND MODIFICATION 01-04 FOR THE EXPANSION OF A 6-BED SENIOR RESIDENTIAL CARE FACILITY TO A 12-BED FACILITY AND THE ADDITION OF A SECOND STORY WITH TWO ONE-BEDROOM RESIDENTIAL UNITS ON AN APPLICATION BY SIMON BASSEIN, FOR THE PROPERTY LOCATED AT 1000 SIERRA BONITA AVENUE, WEST HOLLYWOOD."

**ACTION:** Moved by Councilmember Martin, seconded by Councilmember Duran to approve staff's recommendation, to lower the bond requirement to \$25,000 and directed staff to meet with the applicant and residents to address the residents complaints. Motion carried with Councilmember Prang voting NO.

**3.D. APPEAL OF PLANNING COMMISSION DENIAL OF DEVELOPMENT PERMIT 01-14 AND DEMOLITION PERMIT 01-03:**

**RECOMMENDATION:** Partially deny the appeal and adopt Resolution No.02-2639, "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:** Council concurred to table this item to the March 4, 2002 City Council Meeting.

**4. UNFINISHED BUSINESS:**

**4.A. COMMISSION AND ADVISORY BOARD:**

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

**RECOMMENDATION:** Make "at-large" appointments and direct appointments. 1) Fine Arts Commission: (make one "at-large" appointment); 2) Disabilities Advisory Board: (make one "at-large" appointment); 3) Lesbian & Gay Advisory Board: (make two "at-large" men's appointments); and 4) Women's Advisory Board: (make one "at-large" appointment.

**ACTION:** Council concurred to table this item to the February 19, 2002 City Council Meeting.

**4.B. DIRECTION ON HOUSING OPTION ON SANTA MONICA-HANCOCK MIXED USE DEVELOPMENT:**

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

Allyne Winderman, Director, Rent Stabilization and Housing, provided additional background information as outlined in staff report dated February 4, 2002.

Councilmember Martin stated that the city bought this property for parking. He stated that the alternatives presented could lead to loss of parking. He also stated that this property was supposed to be used for late night parking and was concerned about having enough buffers for the units proposed to provide noise abatement.

MARK LEHMAN, WEST HOLLYWOOD, spoke regarding the density of the proposed alternatives and expressed his concern with the potential loss of parking.

HILLARY SELVIN, LOS ANGELS, stated that she was very happy with the mixed-use project and encouraged staff to move forward.

JOHN GIVEN, SANTA MONICA, stated that they are willing to address traffic concerns with the residents.

ROD MCDONALD, WEST HOLLYWOOD, stated that the neighborhood has not actively participated in the discussions of this project.

DOUG ROBERTS, WEST HOLLYWOOD, expressed his concern with parking.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the item.

INA BLISS, WEST HOLLYWOOD, spoke in support of the concept of the mixed-use project.

EDWARD WESTON, LOS ANGELES, spoke regarding the affordable housing part of the project and stated that the Actors Fund would be in support of the project.

GAIL TUBBS, LOS ANGELES, stated that the City has a great opportunity to provide additional affordable housing to the community.

Councilmember Duran stated that there have been a lot of tentative talks concerning this matter but we are just starting the process. He stated that he would be more in favor of alternative 2.

Councilmember Martin expressed his concern with traffic circulation and financial funding. He stated that alternative 2 would be more favorable at this time. He also stated that parking should be developed for long term economic development.

Councilmember Prang stated that he would not be in favor of greater density for the project.

Mayor Pro Tempore Guarriello stated that he would be in favor of alternative 1. He stated that we need parking but we also need additional affordable housing now.

Mayor Heilman stated that he would be in favor of alternative 1. He stated that the City needs parking but also needs affordable housing. He stated that the density of the project would not have an adverse effect on the property or to the area.

**RECOMMENDATION:** Select Alternative 2 which includes 4,000 sq. feet of restaurant, 9,000 of retail, 213 parking spaces, and 40 housing units, of which 32 are market rate condominiums and 8 are inclusionary affordable units.



**ACTION: Council directed staff to further explore both options in an effort to provide more affordable housing and address concerns with future parking space requirements and the replenishment of the parking fund.**

**4.C. PROGRESS IN IMPLEMENTING THE PARKING NEEDS ASSESSMENT AND STRATEGIES:**

Vit Vittatoe, Parking Manager, provided background information as outlined in the staff report dated February 4, 2002.

**RECOMMENDATION:** Receive and file the report of progress on the Parking Needs Assessment and Strategies.

**ACTION: Council concurred to receive and file the report.**

**4.D. IMPLEMENTATION OF PUBLIC ART PLAN FOR SANTA MONICA BOULEVARD:**

Alison Maxwell, Development Specialist, provided background information as outlined in the staff report dated February 4, 2002.

Beatrice Barker, Barker and Associates provided additional background information as outlined in the staff report dated February 4, 2002.

RICHARD SILVERMAN, WEST HOLLYWOOD, spoke in support of staff's recommendation.

LOUANNE GREENWALD, WEST HOLLYWOOD, spoke in support of staff's recommendation.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the criteria for selecting public art and artists.

**RECOMMENDATION:** Ratify the decision of the Fine Arts Commission to approve concepts developed by seven selected for the Art on Outside: Edges and Hedges project for Santa Monica Boulevard.

**ACTION: Moved by Mayor Pro Tempore Guarriello, seconded by Councilmember Duran to approve staff's recommendation. Motion carried unanimously.**

**4.E. CHRISTOPHER STREET WEST GAY & LESBIAN PRIDE PARADE AND FESTIVAL STATUS REPORT:**

Nancy Beard, Recreation Services Administrator, provided background information as outlined in the staff report dated February 4, 2002.

Councilmember Duran stated that after discussing this item with the City Attorney, it was determined that a conflict of interest existed because one of his law partners represents Christopher Street West and that he has to recuse himself.

Councilmember Prang expressed several concerns with the event and he stated that the festival was not capitalizing on the overall message of the parade.

Mayor Heilman stated that he had a concern with getting financial reports from the event in a timely manner. He also stated that the event should look at having more sporting events and possibly having separate children areas.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the item.

**RECOMMENDATION:** Approve the 2002 event concept and proposed event dates, June 21, 22 and 23.

**ACTION:** Moved by Mayor Pro Tempore Guarriello, seconded by Councilmember Martin to approve staff's recommendation. Motion carried with Councilmember Duran ABSTAINING.

**5. NEW BUSINESS:**

**5.A. CREATION OF A SISTER CITY COMMITTEE:**

Fran Solomon, Deputy to Mayor Heilman, provided background information as outlined in the staff report dated February 4, 2002.

**RECOMMENDATION:** 1) Approve the creation of a community based Sister Cities Committee; and 2) Return to the City Council with the recommendations for Sister City Committee membership by March 30, 2002.

**ACTION:** Moved by Councilmember Duran, seconded by Councilmember Martin to approve staff's recommendation. Motion carried with Mayor Pro Tempore Guarriello ABSTAINING.

**5.B EIGHTEEN NEW WEST HOLLYWOOD SHERIFF'S STATION PATROL CARS:**

Richard Odenthal, Public Safety Manager, provided background information as outlined in the staff report dated February 4, 2002.

Councilmember Prang announced that after discussing this item with the City Attorney, it was determined that a conflict of interest existed because he is an employee of the Los Angeles County Sheriff's Department and that he has to recuse himself.

MORRIS KIGHT, WEST HOLLYWOOD, spoke in support of the rainbow flag and encouraged Council to approve the rainbow stripes on the patrol cars.

GILBERT BAKER, WEST HOLLYWOOD, stated his support of the existing rainbow logo on the patrol cars.

JAMES JOHNSON, WEST HOLLYWOOD, spoke in support of the existing rainbow logo on the patrol cars.

CLINT TROUT, WEST HOLLYWOOD, spoke in support of the existing rainbow logo on the patrol cars.

NEAL ZASALVSKY, WEST HOLLYWOOD, spoke in support of the existing rainbow logo on the patrol cars.

BARRY GREENFIELD, WEST HOLLYWOOD, spoke regarding identifying the difference between a sheriff's vehicle and a city vehicle.

RICHARD SILVERMAN, WEST HOLLYWOOD, spoke in support of the existing rainbow logo on the patrol cars.

DAN LEVEY, WEST HOLLYWOOD, spoke in support of the existing rainbow logo on the patrol cars.

Councilmember Duran stated that he spoke with several Sheriffs Deputies and that they agreed the green lettering would be more preferred over the blue lettering. He also stated that they didn't have an opinion on the city logo. He stated that he was in favor of option 2, which would keep the identity of the sheriff's department and continue to display the rainbow logo.

Mayor Heilman stated the sheriff's seemed to identify with the green lettering and would be in favor of option 2.

**RECOMMENDATION:** Council has the option to approve one of the three-pictured logo designs attached to the staff report.

**ACTION:** Council concurred to approve Option #3 with green lettering and directed that the rainbow stripes on the rear door be replaced with a large city logo with rainbow colors.

**EXCLUDED CONSENT CALENDAR:** None.

**PUBLIC COMMENT:** None.

6. **LEGISLATIVE:** None.


**COUNCILMEMBER COMMENTS:** None.

**ADJOURNMENT:** The City Council adjourned at 11:46 P.M. in memory of Scott Forbes and Ann Jackowitz. The next regular meeting will be on Tuesday, February 19, 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 19<sup>th</sup> DAY OF FEBRUARY, 2002.

  
MAYOR

ATTEST:

  
TONY RUSSELL, CITY CLERK