

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, DECEMBER 16, 2002  
WEST HOLLYWOOD PARK**

**CALL TO ORDER:** Mayor Guarriello called the meeting to order at 6:43 PM.

**PLEDGE OF ALLEGIANCE:** Tom Demille led the pledge.

**ROLL CALL:**

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

ABSENT: NONE.

ALSO PRESENT: City Manager Paul Arevalo, City Attorney Mike Jenkins, City Clerk Tony Russell and Assistant City Clerk Todd Taylor.

**REPORT OF CLOSED SESSION AGENDA:**

City Attorney Jenkins stated that the Closed Session convened at 6:00 PM. City Council added four items to the Closed Session Agenda: two items of Initiation of Litigation regarding participation in League of California Cities sponsored Amicus Briefs; and two items of Pending Litigation, Tohl vs. City of West Hollywood and Action Apartments vs. City of West Hollywood. Council authorized the participation in the Amicus Briefs with League of California Cities in two cases, Valley Outdoor vs. County of Riverside and Morgan vs. City of Chino. City Attorney Jenkins stated that the Closed Session adjourned at 6:35 PM with no reportable action taken on the pending litigation.

**APPROVAL OF AGENDA:**

Mayor Guarriello requested that Item 2.H. be move to Excluded Consent.

Councilmember Prang requested that Item 2.E. be tabled. He also requested that Item 2.I be moved to Excluded Consent.

Mayor Pro Tempore Martin requested that Item 2.K. be moved to the Excluded Consent.

Staff requested that Items 2.F. and 5.B be tabled.

Staff requested that Item 4.D. be moved to the Consent Calendar as Item 2.Q.

Staff requested that Item 5.A. be moved to the Consent Calendar as Item 2.R.

Mayor Guarriello requested that the meeting be adjourned in memory of Conrad Kemper.

Mayor Pro Tempore Martin requested that the meeting be adjourned in memory of Stan Rice and Grant Hinohata Gota.

Councilmember Heilman requested that the meeting be adjourned in memory of Ida Nordoff.

Councilmember Prang requested that the meeting be adjourned in memory of Lloyd F. Weeks.

**ACTION: Moved by Councilmember Prang and seconded by Mayor Pro Tempore Martin to approve the December 16, 2002 agenda as amended. Motion carried unanimously.**

**PRESENTATIONS: NONE.**

**PUBLIC COMMENT:**

GENNADY DANILKEVICH, WEST HOLLYWOOD, spoke regarding the timeliness of drafting an ordinance for Section 8 housing recipients.

MARK SORBVINSKY, WEST HOLLYWOOD, spoke regarding the timeliness of drafting an ordinance for Section 8 housing recipients.

TOM DEMILLE, WEST HOLLYWOOD, spoke on various issues regarding his candidacy for the City Council of the City of West Hollywood.

BILL GORDON, WEST HOLLYWOOD, thanked Council for allowing the Lesbian and Gay Advisory Board to have a Town Hall meeting.

EBON ALABASTUR, WEST HOLLYWOOD, spoke regarding the decorum of the City Councilmembers during public comment.

LARRY SCOTT, WEST HOLLYWOOD, spoke in opposition to staff's recommendation to Item 4.B.

MICHAEL KING, WEST HOLLYWOOD, spoke in support of staff's recommendation to Item 4.B.

CINDY OSMUNDSON, WEST HOLLYWOOD, spoke regarding a proposed new high-end restaurant on Sunset Boulevard where the Goodbar is located.

JEAN MATHISON, WEST HOLLWYOOD, spoke regarding the increased crime on Sunset Boulevard and commented on the Sheriff's department issuing good tickets to citizens on Sunset Boulevard.

RONALD KRALL, LA VERNE, spoke in support of staff's recommendation to Item 2.H.

G.G.VERONE, LOS ANGELES, spoke in support of staff's recommendation to Item 2.I.

JACK LEBOUF, WEST HOLLYWOOD, spoke regarding the use of the term active community members instead of community activist.

**COUNCILMEMBER COMMENTS:**

Mayor Guarriello stated that he attended the 12<sup>th</sup> Annual Russian Holiday Party. He also announced that he will be distributing "Don't Drink and Drive" napkins to bars within the City. He wished the citizens of West Hollywood happy holidays.

Councilmember Duran and staff provided an update on the City's efforts to draft an Ordinance for Section 8 Housing. He also provided an overview on the Trev Brody case. He stated that the Pre-hearing was continued to January 14, 2003.

Councilmember Prang provided an update on the health of his Council Deputy Howard Jacobs. He asked staff about the raised gardens on Detroit and requested that they be moved to another location. In response to public comments, he stated that the Council listens to the resident's concerns.

Councilmember Heilman thanked the members of Team West Hollywood who participated in the AIDS Marathon in Hawaii. He stated that Team West Hollywood raised over \$60,000 and that everyone completed the marathon.

Mayor Pro Tempore Martin congratulating City Manager Arevalo for his time in the marathon. He also announced that Morris Kight had been admitted to the hospital and provided an update on his condition.

**CITY MANAGER'S REPORT:**

City Manager Arevalo announced that the raised bed gardens would be placed at the Norwich Community Garden location.

**FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk Russell stated that the fiscal impact on the Consent Calendar as amended, for the Monday, December 16, 2002 Agenda is \$186,000.00 in expenditures and \$100,800.00 in potential revenue.

**2. CONSENT CALENDAR:**

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

**2.,A.,B.,C.,D.,G.,J.,L.,M.,N.,O.,P.,Q. (Item 4.D.) R. (Item 5.A.)**

**Moved by Councilmember Heilman and seconded by Councilmember Prang to approve the Consent Calendar as amended. Motion carried unanimously.**

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

*The agenda for the meeting of Monday, December 16, 2002 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, December 12, 2002.*

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

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

**ACTION:** Approve the minutes of December 2, 2002. **Approved as part of the Consent Calendar.**

**2.C. DEMAND REGISTER NO. 474, RESOLUTION NO. 02-2815:**

**ACTION:** Approve Demand Register No. 474 and adopt Resolution No. 02-2815, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 474." **Approved as part of the Consent Calendar.**

**2.D. CLAIMS ADMINISTRATION:**

**ACTION:** Deny the claims of Peter Siderus and Marion Sepersk and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

**2.E. ADVERTISING AGREEMENT WITH MACDONALD MEDIA:**

**ACTION:** Item was tabled

**2.F. BID AWARD, CITY FIELD SERVICES MODULAR BUILDING PURCHASE, C.I.P. # 5050-02-02:**

**ACTION:** Item was tabled.

**2.G. SET A DATE FOR A CITY COUNCIL STUDY SESSION WITH THE LESBIAN AND GAY ADVISORY BOARD:**

**ACTION:** Direct the City Clerk to schedule a study session with the Lesbian and Gay Advisory Board on February 10, 2003 from 6:00 p.m. to 8:00 p.m. **Approved as part of the Consent Calendar.**

**2.H. APPROVAL OF A CONTRACT TO HIRE A CONSULTANT TO PREPARE BIDS FOR THE SOLID WASTE FRANCHISE:**

**ACTION:** Moved to Excluded Consent.

**2.I. PROPOSED BAN ON ANIMAL DECLAWING:**

**ACTION:** Moved to Excluded Consent.

**2.J. AGREEMENT FOR PARKING ADJUDICATION SERVICES:**

**ACTION:** 1) Approve a two-year agreement with Sherman and Le Vine to provide parking adjudication services beginning January 1, 2003 through December 31, 2004, with an option to extend for an additional two years, through December 31, 2006, subject to the compensation schedule noted in Exhibit A; and 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

**2.K. RESOLUTION SUPPORTING THE BAN ON THE SALE OF PERSONAL LUBRICANTS CONTAINING THE SPERMICIDE NONOXYNOL-9:**

**ACTION:** Moved to Excluded Consent.

**2.L. AIDS/LIFECYCLE CLOSING CEREMONIES:**

**ACTION:** 1) Approve the request to host the closing ceremony event for the AIDS/LifeCycle 2 on Saturday, June 14, 2003 in the City of West Hollywood; and 2) Authorize the Director of Finance and Technology to appropriate up to \$3,000 from the General Fund undesignated reserves to 10050108160-Special Events Programming. **Approved as part of the Consent Calendar.**

**2.M. RELEASE REQUEST FOR PROPOSAL FOR SOCIAL MARKETING CAMPAIGN:**

**ACTION:** Authorize release on December 17, 2002 of an RFP for a social marketing campaign. **Approved as part of the Consent Calendar.**

**2.N. RESIGNATION OF ALEXANDER PESIN FROM THE RUSSIAN ADVISORY BOARD:**

**ACTION:** Accept with regret the resignation of Alexander Pesin from the Russian Advisory Board. **Approved as part of the Consent Calendar.**

**2.O. RESIGNATION OF CLAIRE MAGAHA FROM THE WOMEN'S ADVISORY BOARD:**

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

**2.P. RESIGNATION OF KULANI JACKSON FROM THE LESBIAN AND GAY ADVISORY BOARD:**

**ACTION:** Accept with regret the resignation of Kulani Jackson from the Lesbian and Gay Advisory Board. **Approved as part of the Consent Calendar.**

**2.Q. INCREASE THE BUDGET FOR SANFAIR BUS STOP GARDEN & POCKET PARK PROJECT:**

**ACTION:** Increase the budget for the SanFair Bus Stop Garden & Pocket Park Project by \$75,000 to make the new total project budget \$302,000. **Approved as part of the Consent Calendar.**

**2.R. APPROVAL FOR THE ACCEPTANCE OF THE CITY'S GRANT FUNDING ALLOCATION FROM THE U.S. DEPARTMENT OF JUSTICE'S VIOLENCE AGAINST WOMEN OFFICE "GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTIVE ORDERS PROGRAM" FOR FY02-04:**

**ACTION:** 1) Authorize the acceptance of funding from the Office of Justice Program's 2002/2003 and 2003/2004 Grants to Encourage Arrest Policies and Enforcement of Protective Orders in the amount of \$285,263; 2) Authorize the Director of Finance to increase budgeted revenues and expenditures in the Grants fund in the amount of \$285,265; 3) Authorize the City Manager to negotiate and enter into a one-year agreement with The LA Gay & Lesbian Center for its STOP Domestic Violence Program in an amount not to exceed \$41,000 for Safety Plan Counseling Services to the Lesbian, Gay, Bisexual and Transgender Communities; 4) Authorize the City Manager to negotiate and enter into a one-year agreement with Jewish Family Service for its Family Violence Project in an amount not to exceed \$41,000 for Safety Plan Counseling Services to the Russian and Iranian Communities; and 5) Authorize the City Manager to negotiate and enter into a one-year agreement with Allied Legal Services in an amount not to exceed \$31,000 for a Training Coordinator to assist in training local law enforcement and local social service agencies to better understand and serve victims of domestic violence in the grant's targeted underserved communities. **Approved as part of the Consent Calendar.**

**THE CITY COUNCIL RECESSED AND RECONVENED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 7:30 P.M.**

**THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION RECESSED AND RECONVENED AS THE CITY COUNCIL: 7:35 P.M.**

**3. PUBLIC HEARINGS:**

**3.A. SANTA MONICA BOULEVARD MAINTENANCE DISTRICT:**

City Clerk Russell stated that the item was posted at City Hall, Plummer Park, Sheriff's Station, West Hollywood Park and published in the West Hollywood Independent.

Alison Maxwell, Development Specialist, provided background information as outlined in the staff report dated December 16, 2002.

Mayor Guarriello opened and closed the public hearing.

Council recessed the Public Hearing at 7:38 PM so that staff could count and tabulate the ballots.

Council reconvened at 9:20 PM and the City Clerk announced the official ballot returns.

City Clerk Russell read the follow: Mister Mayor to the procedures for the completion, return and tabulation of the assessment ballots, which have been adopted by this Council. I have tabulated the ballots, submitted and not withdrawn in support of or in opposition to the proposed assessment within the Zone 2 annexation area. A total of 18 ballots were properly returned to the City Clerk. With ballots weighted according to the proportional financial obligation of each affected property, I have determined that ballots representing \$6,014.45 dollars in financial obligation were returned in support of the proposed assessment and ballots representing \$6,481.95 dollars in financial obligation were returned in opposition to the proposed assessment. Therefore 48 percent of the ballots, as weighed, were cast in support of the proposed assessment, Thus, there is a majority protest against the proposed assessment within the Zone 2 annexation area.

RECOMMENDATION: 1) Conduct a public hearing on the annexation of Zone 2 to the Santa Monica Boulevard Maintenance District, on the levy of an assessment for Fiscal Year 2003-04 within Zone 2 and on the levy on an assessment for Fiscal Year 2003-04 within existing district boundaries; 2) Following the public input portion of the public hearing, direct the City Clerk or appointed designee, to tabulate the assessment ballots returned in connection with the annexation and the levy of the assessment within Zone 2; 3) Adopt Resolution 02-2817, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING A DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2003-04 IN CONNECTION WITH THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE;" 4) If there is no majority protest, adopt Resolution No. 02-2818, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ORDERING THE ANNEXATION OF TERRITORY TO THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH TERRITORY FOR FISCAL YEAR 2003-2004 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE."

**ACTION: Moved by Mayor Pro Tempore Martin and seconded by Mayor Guarriello to approve staff's recommendation #1, #2 and #3. There is a majority protest against the proposed assessment within Zone 2 annexation area. Motion carried unanimously.**

**3.B. FIRST READING OF ZONING TEXT AMENDMENT 02-01 CLEAN-UP AMENDMENTS:**

City Clerk Russell stated that the item was posted at City Hall, Plummer Park, Sheriff's Station, West Hollywood Park and published in the West Hollywood Independent.

Emmeline Harrigan, Associate Planner, provided background information as outlined in the staff report dated December 16, 2002.

In response to Councilmember Heilman, Ms. Harrigan stated that mixed-use usually has the commercial portion on the ground floor. She also stated that signage would not be allowed in outdoor dining establishments.

HILLARY SELVIN, LOS ANGELES, thanked staff for there hard work regarding these amendments and spoke in support of staff's recommendation.

In response to Mayor Pro Tempore Martin, Ms Harrigan stated that the restriction of circle drives would be by project design and size, not by zone restrictions.

**RECOMMENDATION:** Introduce for first reading Ordinance No. 02-643, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD ZONING ORDINANCE."

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

**3.C. APPROVAL OF A LETTER OF AGREEMENT BETWEEN THE CITY OF MANHATTAN BEACH REGARDING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE FISCAL YEAR 2003-2004:**

City Clerk Russell stated that the item was posted at City Hall, Plummer Park, Sheriff's Station, West Hollywood Park and published in the West Hollywood Independent.

**RECOMMENDATION:** 1) Adopt Resolution No. 02-2819, "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 MANHATTAN BEACH REGARDING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE FISCAL YEAR 2003-2004."



**ACTION: Moved by Mayor Guarriello and seconded by Councilmember Heilman to approve staff's recommendation. The City Council also agreed if possible that these items be placed on the Consent Calendar in the future. Motion carried unanimously.**

**3.D. APPROVAL OF FY 2003-2004 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PLANNING SUMMARY:**

City Clerk Russell stated that the item was posted at City Hall, Plummer Park, Sheriff's Station, West Hollywood Park and published in the West Hollywood Independent.

RECOMMENDATION: 1) 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); and 2) 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 (HUD) and any amounts remaining unspent at the close of the fiscal year.

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

**4. UNFINISHED BUSINESS:**

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

Tony Russell, City Clerk, provided background information as outlined in the staff report dated December 16, 2002.

RECOMMENDATION: Make one "direct" appointment. Public Facilities Commission (make one "direct" appointment by Mayor Guarriello)

**ACTION: Mayor Guarriello appointed Rick Abramson to the Public Facilities Commission to a term ending March 31, 2003.**

**4.B. OPEN SPACE / PARKLAND ACQUISITION GUIDELINES:**

Sam Baxter, Facilities and Landscape Manager, provided background information as outlined in the staff report dated December 16, 2002.

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

ANGIE BECKETT, WEST HOLLYWOOD, spoke in support of staff's recommendation.

WILLIAM LITHGOW, WEST HOLLYWOOD, spoke regarding the traffic congestion on Havenhurst Drive and spoke in support of staff's recommendation.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding the need for open space within the City and in support of staff's recommendation.

CATHY SMALL, WEST HOLLYWOOD, spoke in opposition to housing replacing the Havenhurst Community Gardens.

PAMELA MORA, WEST HOLLYWOOD, spoke in support of more green space.

MARNE CARMEAN, WEST HOLLYWOOD, thanked Council for their support of the Havenhurst Community Gardens and in support of staff's recommendation.

NEAL ZASLVASKY, WEST HOLLYWOOD, spoke in opposition to the acquisition of the Havenhurst Community Gardens.

ROD MCDONALD, WEST HOLLYWOOD, spoke in support of pocket parks within his neighborhood and in support of staff's recommendation.

DAVID HILL, WEST HOLLYWOOD, spoke in support of staff's recommendation.

LYNN HOOPINGARNER, WEST HOLLYWOOD, spoke regarding the lack of green space within the City.

MARK KRAJEWSKI, WEST HOLLYWOOD, spoke in support of more green space within the City.

JACK LABOUEF, WEST HOLLYWOOD, spoke in support of more green space within the City.

KIM SCHNEIDER, WEST HOLLYWOOD, spoke in support of more green space within the City.

SUSANNE SHANKER, WEST HOLLYWOOD, spoke in support of more green space within the City.

REED POVERNY, WEST HOLLYWOOD, spoke in support of creating a new community garden within the City and the need for increased green space.

CATHERINE HAHN, WEST HOLLYWOOD, spoke in support of more green space within the City.

COLIN BOOKER, WEST HOLLYWOOD, spoke in support of pocket parks within the City and the need for green space.

City Manager Arevalo provided an update on a possible shared use of this property with a potential developer and provided potential costs to the City.

Councilmember Duran thanked the public for coming out to speak about this issue. He stated that in the past we have relied on the state to provide for the funding of these types of projects, but with the current state budget, funding for types of projects are limited. He stated that he would support a shared use of the Havenhurst site, accommodating housing and a pocket park.

In response to Mayor Pro Tempore Martin, Mr. Arevalo stated that the state is exploring the use of redevelopment funds for the creation of green space. He also provided an overview of using bonds to develop green space.

Mayor Pro Tempore Martin stated that a lack of vision or opportunity to provide green space for the City would be felt in the future. He stated that he hopes the City moves forward with using redevelopment funds to fund additional green space and to purchase the Havenhurst Community Gardens.

Councilmember Heilman thanked everyone who came out to speak. He commented on the misinformation that has been provided regarding this issue. He stated that the City Council has to represent the entire City not just one neighborhood. He stated that he would like to move forward with some type of park at Havenhurst but also look at other parts of the City to choose additional areas for parks. He also stated that neighborhoods requesting parks should work with the City to find funding.

Mayor Guarriello read a letter he received from Steve Wayland of the Project Area Committee in opposition to the use of redevelopment funds from the Santa Monica Boulevard green space fund to purchase the Havenhurst property. He stated that the City Council is looking at funding various green space projects within the City.

Councilmember Prang stated that the Havenhurst Community Gardens is a good location for a park. He stated the acquisition of this property would be expensive. He stated that Council might want to send this item to the Project Area Committee to review due to the possible use of redevelopment funds. He also suggested that all neighborhoods participate in the decision.

In response to Mayor Guarriello, Mr. Arevalo stated that the Council did allocate \$1.5 million for green space from the Santa Boulevard green space fund.

**RECOMMENDATION:** 1) Establish policy guidelines and priorities in relation to open space and parkland acquisition; 2) Direct staff in conjunction with the Public Facilities Commission to apply the established open space and parkland acquisition policy guidelines and priorities as established by Council and provide periodic review updates; 3) Authorize funding in the amount of at least \$738,000 as identified in this report for the specific purpose of acquisition and development of open space and / or park properties; and 4) Address future property acquisition for open space and park land use in conjunction with the City's budgetary process.

**ACTION:** Moved by Councilmember Heilman and seconded by Councilmember Duran to direct staff to moved forward with discussions with the purchaser of the Havenhurst property to set aside 50% of the lot for open space and also directed staff to move forward with the creation, or at least the identification, of pocket parks for the following neighborhoods: West Hollywood West, north of Santa Monica Boulevard; West Hollywood West, south of Santa Monica Boulevard; Mid-city, Fairfax to La Cienega, with the primary focus on Fairfax to Harper; Eastside South, Fairfax to La Brea; Eastside North, Fairfax to La Brea and that the locations in these areas, except for Havenhurst , be chosen by neighborhood meeting and election and possibly look at shared use. Directed staff to move forward with requiring a neighborhood match of 20% through 1) assessment district; 2) in-kind contributions; and/or 3) Community fundraising. Direct staff to look for new sources of revenues including state grants and local bonds but not at the detriment of our efforts to expand existing principle parks and place a moratorium on the creation of new community gardens. Directed that the 20% match be waived where it's not feasible. Motion carried on a roll call vote.

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

**NOES:** None.

**Council recessed at 9:26 PM**

**Council reconvened at 9:38 PM**

**4.C. 2002 HALLOWEEN CARNAVAL EVENT REVIEW / 2003 EVENT RECOMMENDATIONS:**

Nancy Beard, Recreation Services Administrator, provided background information as outlined in the staff report dated December 16, 2002.

MARNE CARMEAN, WEST HOLLYWOOD, spoke regarding the City's spelling of Carnival.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding sponsorships of the event and the possibility of requesting a donation or entrance fee to attend the event.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in support of a scaled down version of the Halloween Carnival.

ROD MCDONALD WEST HOLLYWOOD, thanked the Sheriff's department for their support during the Halloween Carnival.

DAVID HILL, WEST HOLLYWOOD, spoke in support of recommendation #1.

Councilmember Duran stated that the Sheriff's department only made one arrest during this years Halloween Carnival. He stated that he would be against charging a fee for this event. He also stated that staff should always plan for approximately 500,00 people to attend this event. He also stated that staff should continue look to seek corporate sponsorships to offset additional security costs. He also recommended moving the stage at La Cienega and Santa Monica Boulevard.

Mayor Pro Tempore Martin commented that some stages should be rearranged. He also suggested that the social services vendors were not needed. He recommended having fewer vendors, DJ's and radio station sponsorships.

Councilmember Prang stated that this was the largest event the City has ever had and the best-organized event overall. He also stated that he had serious problems with crowd control around certain stages and with the damage to vegetation along Santa Monica Boulevard. He stated that we should prohibit animals at the event and advise residents of the dangers of bringing children to the event. He also stated that staff should limit the promotion of the event. He stated that staff should reassemble the Halloween Task Force before the event to discuss residents concerns.

Councilmember Heilman suggested spreading out the activities over the week leading up to Halloween. He recommended a process to solicit donations from attendees. He suggested changing the lighting for the event and that the dance area should be eliminated. He also suggested that staff work with the MTA to waive the access lanes for buses and that music be played all along Santa Monica Boulevard. He also suggested that staff look into non-permitted activities.

**RECOMMENDATION:** 1) Continue to manage the event at its current level of attendance with quality entertainment while increasing safety personnel and extending the west end of the event to Almont Street to better accommodate the crowd; 2) Reduce attendance by decreasing the number of stages from 5 to 3 while adding more DJ type music throughout the boulevard and discouraging "name" talent.

**ACTION:** The City Council provided direction to staff and directed that staff return with an item within the next 3 months.

**4.D. INCREASE THE BUDGET FOR SANFAIR BUS STOP GARDEN & POCKET PARK PROJECT:**

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

**5. NEW BUSINESS:**

**5.A. APPROVAL FOR THE ACCEPTANCE OF THE CITY'S GRANT FUNDING ALLOCATION FROM THE U.S. DEPARTMENT OF JUSTICE'S VIOLENCE AGAINST WOMEN OFFICE "GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTIVE ORDERS PROGRAM" FOR FY02-04:**

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

**5.B. REVISION OF THE CITY COUNCIL MEETING SCHEDULE FOR THE MONTH OF JANUARY 2003:**

**ACTION:** Item was tabled.

**5.C. REVISION OF WEST HOLLYWOOD MUNICIPAL CODE ORDINANCE NUMBER 5.92 "PEDDLERS AND COMMERCIAL SOLICITORS" TO RESTRICT PEDDLING WITHIN 250 FEET OF A SIMILAR LAND BASED BUSINESS:**

Donna Saur, Deputy to Mayor Guarriello, provided background information as outlined in the staff report dated December 16, 2002.

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

Mayor Pro Tempore Martin suggested banning hot dog carts.

Councilmember Duran suggested that the ordinance be narrowly tailored to address activities specifically on Sunset Boulevard. He also expressed concern with the legality of such an ordinance.

Mayor Guarriello stated that he was trying to create a way to regulate peddlers or ban those peddlers who may not comply with state hygiene requirements.

Councilmember Heilman suggested reviewing City and County codes to determine if the peddlers are compliant with current law. He also spoke in support of creating a zone for existing land base businesses prohibiting peddlers within that zone.

City Attorney Jenkins stated that know one can peddle food without a County public health license. He also stated that the City's code prohibits peddlers except under certain circumstances.

**RECOMMENDATION:** Direct City Attorney to revise Ordinance 5.92 so as to prohibit the peddling and soliciting any goods, wares and merchandises for profit, whether or not a profit is made, within two hundred and fifty feet of a similar land based business.

**ACTION: Moved by Councilmember Duran and seconded by Councilmember Prang to direct the City Attorney to look into this issue and report back to Council and directed the City Manager to enforce current ordinances regarding peddling and soliciting goods. Motion carried unanimously.**

#### **EXCLUDED CONSENT CALENDAR:**

##### **2.H. APPROVAL OF A CONTRACT TO HIRE A CONSULTANT TO PREPARE BIDS FOR THE SOLID WASTE FRANCHISE:**

In response to Councilmember Heilman, Ms. Perlstein stated that the consultant would supplement the expertise of in house staff. She stated that the value of a franchise could amount to approximately \$25 million.

Councilmember Heilman stated that the solid waste franchise is a lucrative contract and the City should have adequate knowledge regarding what is needed to protect the City's interest.

Mayor Pro Tempore Martin stated that this is a complex franchise agreement and with the consultant's assistance, the City would be in a positive position during contract negotiations.

Councilmember Prang stated that he would like to review this issue a little further and requested that the item be tabled

**RECOMMENDATION:** Approve an agreement with Hilton Farnkopf & Hobson, LLC in the amount of \$108,000 to assist the City in preparing and negotiating a new solid waste franchise agreement; and authorize the City Manager to execute the agreement.

**ACTION: Moved y Councilmember Duran and seconded by Mayor Guarriello to tabled to this item to the January 6, 2003 City Council Meeting. Motion carried unanimously.**

**2.I. PROPOSED BAN ON ANIMAL DECLAWING:**

Councilmember Prang stated that he pulled the item and had several questions about existing residents who have pets that have already been declawed.

Councilmember Duran provided an overview of the reasons for banning animal declawing.

Mayor Pro Tempore Martin commented by the recent changing of pet ownership to pet guardianship this item falls in line with being more responsible for your pet's welfare.

Councilmember Heilman expressed concerns with the reasons why some pet guardians declaw their pets. He stated that some might have small children.

Mayor Guarriello expressed concern with enforcement of such an ordinance.

**RECOMMENDATION:** Direct the city attorney to research the legality of a local declawing ban, and if permissible draft an ordinance to be brought back to the Council for discussion and adoption

**ACTION:** Moved by Councilmember Prang and seconded by Mayor Pro Tempore Martin to tabled this item to the January 21, 2003 City Council Meeting. Motion carried unanimously.

**2.K. RESOLUTION SUPPORTING THE BAN ON THE SALE OF PERSONAL LUBRICANTS CONTAINING THE SPERMICIDE NONOXYNOL-9:**

Mayor Pro Tempore Martin asked for clarification regarding the ban.

Councilmember Prang stated that the proposed resolution supports the City and County of San Francisco's efforts to ban the use of Nonoxynol-9.

**RECOMMENDATION:** 1) Adopt Resolution No. 02-2816, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING A BAN ON THE SALE OF PERSONAL LUBRICANTS CONTAINING THE SPERMICIDE NONOXYNOL-9;" and 2) Direct staff to send signed copies of the resolution to the City's Federal representatives and appropriate Cabinet and Administration officials.

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

**PUBLIC COMMENT: NONE.**

**6. LEGISLATIVE: NONE**



**COUNCILMEMBER COMMENTS: NONE.**

**ADJOURNMENT:** The City Council adjourned at 11:00 PM in memory of Conrad Kemper, Stan Rice, Grant Hinohata Goto, Ida Nordoff and Lloyd F. Weeks. The next regular meeting will be held on Monday, January 6, 2003 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 6<sup>th</sup> DAY OF JANUARY, 2003.

  
MAYOR

ATTEST:  
  
CITY CLERK