

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, AUGUST 19, 2002
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Guarriello called the meeting to order at 7:05 P.M.

PLEDGE OF ALLEGIANCE: Jeanne Dobrin led the pledge.

ROLL CALL:

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

ABSENT: None.

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

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that the closed session convened at 6:05 P.M. Council added two items to the Closed Session Agenda: one item of Pending Litigation; City of West Hollywood vs. Dromy; and one item of Threatened Litigation. He stated that the Closed Session recessed at 6:55 P.M. until after the regular City Council meeting. The Closed Session meeting reconvened at 11:36 P.M. and adjourned at 11:45 P.M. with no reportable action.

APPROVAL OF AGENDA:

Councilmember Duran requested to add an Item to the Agenda titled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 187 DIRECTING THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES (CA DHS) TO CREATE A REGISTRY OF PATIENTS WHOSE MEDICAL PROVIDERS HAVE PRESCRIBED MEDICAL MARIJUANA TO MITIGATE SIDE EFFECT OF LIFE THREATENING DISEASES AND THEIR TREATMENTS."

ACTION: Make the finding that the Item came to the attention of staff after posting of the Agenda and that, there is an immediate need to hear the Item. **Moved by Councilmember Duran and seconded by Councilmember Prang to add the Item to the Consent Calendar as Item 2.QQ. Motion carried unanimously.**

Councilmember Heilman requested that the meeting be adjourned in memory of Michael Bursztin, and Rose Seplov.

Councilmember Duran requested that the meeting be adjourned in memory of Madeline Thomas, Peter Matz, and two residents of Palm Avenue Apartments Brett and Dick.

Mayor Guarriello requested that the meeting be adjourned in memory of Roland J. Bourassa.

Mayor Pro Tempore Martin requested that Item 5.B be moved to the Consent Calendar. He also requested that Item 2.NN. be continued and Item 2.I. be moved to the Excluded Consent.

Councilmember Prang requested that Item 4.A be moved to the Consent Calendar. He also requested that Items 2.K. and 2.OO be moved to Excluded Consent and he noted his NO vote on Item 2.BB.

Councilmember Heilman requested that Items 2.Q., 2.Z., 2.EE. and 2.II. be moved to Excluded Consent.

Mayor Guarriello noted his NO vote on 2.U.

Staff requested that Items 6.A. and 6.B be moved to the Consent Calendar.

Councilmember Prang requested that the meeting be adjourned in memory of Robert Barnes.

Mayor Pro Tempore Martin requested that the meeting be adjourned in memory of Chuck Witham.

ACTION: Moved by Mayor Guarriello and seconded by Councilmember Duran to approve the August 19, 2002 agenda as amended. Motion carried unanimously.

PRESENTATIONS:

Mark Presico, Community Development Director, introduced Tim Flanigan, Managing Director of the Energy Coalition, and he presented an overview of the California Energy Coalition services.

Mayor Pro Tempore Martin presented a commendation to the LA Open Sports Festival, to be held Saturday, August 29, 2002 through September 2, 2002.

Councilmember Prang presented commendations to Brenda Bunnell and Marina Kozirovskaya for their service to the City.

Councilmember Duran presented a commendation to Jim Mangia for his outstanding service to the community.

Mayor Guarriello presented a plaque to Rent Stabilization Commissioner Richard Maggio for his tenure as chairman of the Rent Stabilization Commission.

Councilmember Heilman proclaimed September as National Alcohol and Drug Addiction Recovery Month.

PUBLIC COMMENT:

FRANK QUIAMBAO, LOS ANGELES, spoke in support of staff's recommendation to Item 5.B.

BILL GORDON, WEST HOLLYWOOD, spoke in support of staff's recommendation to Item 2.HH.

RUTH TITLE, WEST HOLLYWOOD, spoke in support of staff's recommendation to Item 2.HH.

MAXINE TATLANGYHIAN, WEST HOLLYWOOD, spoke in support of staff's recommendation to Item 2.PP.

NADIA SUTTON, WEST HOLLYWOOD, spoke in support of staff's recommendation to Item 2.HH.

MORRIS KIGHT, WEST HOLLWYOOD, spoke in support of staff's recommendation to Item 2.HH.

JOEL MARK, WEST HOLLYWOOD, spoke in support of staff's recommendation to Item 4.A.

JAMES KAZAKOS, WEST HOLLYWOOD, spoke regarding a dangerous crosswalk at the intersection of Santa Monica Boulevard and Westmount Avenue.

SAM LUCAS, WEST HOLLYWOOD, introduced himself as the new director of the recently created Sunset Business Improvement District.

JEANE DOBRIN, WEST HOLLYWOOD, spoke in opposition to staff's recommendation to Item 2.R.

DONIMIC MADONO, WEST HOLLYWOOD, spoke regarding recent citations given to local businesses along Santa Monica Boulevard concerning illegal signage.

STACEY LEWIS, WEST HOLLYWOOD, spoke regarding citations given to local businesses along Santa Monica Boulevard concerning illegal signage.

MATHEW LYNCH, LOS ANGELES, representing WEHOME, the City Employee Union, thanked Council for their continued support during the current contract negotiations.

RICHARD EASTMAN, LOS ANGELES, introduced himself as a candidate for City Council for the City of Hollywood and asked Council for their support.

STEVE CORCHADD, SANTA MONICA, thanked Council for their continued support of disabled persons within the City.

LUIS MARQUEZ, WEST HOLLYWOOD, spoke regarding ongoing construction adjacent to his property, which is occurring on weekends and after hours.

STEVEN BERRY, LOS ANGELES, spoke regarding his pending litigation against the City.

ELLIOTT SIMMONS, WEST HOLLYWOOD, spoke in opposition to staff's recommendation to Item 2.KK.

COUNCILMEMBER COMMENTS:

Mayor Guarriello asked the City Manager to comment on the current contract negotiations with WEHOME, the City's employee union.

City Manager Arevalo stated that the City and WEHOME are at an impasse. He provided an overview of the contract negotiation process and he stated that the City is ready to go through with the mediation process and is willing to discuss the issues.

Councilmember Heilman spoke on behalf of the City Council and stated that the Council is united in the City's negotiation process with WEHOME. He stated that the Council has the utmost respect for all City employees. He also stated that the City is offering a generous economic package to WEHOME employees and is only asking for fair and reasonable changes to the MOU contract.

Mayor Guarriello stated that he attended the Russian Veterans WWII Association event at Plummer Park and thanked the participants for the cap and medals presented to him. He also recognized Laura Manukian for her dedication to the National Night Out program. He expressed his concern with commissioners who are trying to do away with the pledge of allegiance at commission meetings.

Councilmember Duran stated that he has been recuperating from a rough forty-five days and thanked everyone who sent cards and emails during his short illness.

Councilmember Prang directed staff to look at crosswalks and signage at several locations along Santa Monica Boulevard. He stated his concerns regarding weekend and after hours construction work occurring in the City. He also directed staff to look into the lack of use of the City's bicycle lanes within the City, with emphasis along Santa Monica Boulevard. He asked the City Manager to see if the City could help provide some assistance to the residents adjacent to the Desmond project, with damages that occurred during construction. He also directed staff to look into trash collection at the business establishment called Tempest.

Councilmember Heilman encouraged everyone who is interested in taking college classes within the City to contact Diane Kahn Epstein. He also commented on Ivy Bottini's dedication to the Gay and Lesbian rights movement. He also directed the City Manager to provide Council with a time schedule for addressing the crosswalk issues along Santa Monica Boulevard. He asked the City Manager to respond to Mr. Berry's comments regarding his termination.

Mayor Pro Tempore Martin commented on Ivy Bottini's accomplishments over the years. He also spoke regarding Consent Item 2.O and thanked Captain Castro for her support.

CITY MANAGER'S REPORT: None.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Russell stated that the fiscal impact on the Consent Calendar as amended for the Monday, August 19, 2002 is \$341,702 in expenditures and \$19,673 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the items as amended.

2.A.,B.,C.,D.,E.,F.,G.,H.,J.,L.,M.,N.,O.,P.,R.,S.,T.,U.,V.,W.,X.,Y.,AA.,BB.,CC.,DD.,FF.,GG.,HH.,JJ.,KK.,LL.,MM.,PP.,QQ. (Urgency Item) RR. (Item 4.A.) SS. (Item 5.B.) TT. (Item 6.A.) and UU.(Item 6.B.). Moved by Councilmember Prang and seconded by Councilmember Heilman to approve the Consent Calendar as amended. Motion carried with Mayor Guarriello voting NO on Item 2.U. and Councilmember Prang voting NO on item 2.BB.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, August 19, 2002 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 15, 2002.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of July 15, 2002. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 467, RESOLUTION NO. 02-2742:

ACTION: Approve Demand Register No. 467 and adopt Resolution No. 02-2742, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 467." **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Patricia Clark, Harmeet Ahlwalia, Jacquie Stavalone, Tibor Nagy, and Anatoly Moshensky and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. ORDINANCE NO. 02-629 (2ND READING):

ACTION: Waive further reading and adopt Ordinance No. 02-629, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON POINSETTIA DRIVE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 02-631 (2ND READING):

ACTION: Waive further reading and adopt Ordinance No. 02-631, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 10.24 OF THE WEST HOLLYWOOD MUNICIPAL CODE PERTAINING TO OFF-STREET PARKING LOT OPERATIONS." **Approved as part of the Consent Calendar.**

2.G. ORDINANCE NO. 02-632 (2ND READING):

ACTION: Waive further reading and adopt Ordinance No. 02-632, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO. 02-621 REGARDING THE SUNSET BUSINESS IMPROVEMENT DISTRICT." **Approved as part of the Consent Calendar.**

2.H. ORDINANCE NO. 02-633 (2ND READING):

ACTION: Waive further reading and adopt Ordinance No. 02-633, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.180 OF THE WEST HOLLYWOOD MUNICIPAL CODE AMENDING PARKING REGULATIONS IN PREFERENTIAL PARKING DISTRICT 3 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

- 2.I. RECOMMENDATION FORMALIZING CITY COUNCIL BUDGET SUB-COMMITTEE:
ACTION: Moved to Excluded Consent.**
- 2.J. APPOINTMENT OF SISTER CITY COMMITTEE:
ACTION: 1) Appoint the West Hollywood Sister City Committee Board; 2) Direct the Sister City Committee Board to create a set of by-laws with a process for committee membership; and 3) Direct that the first meeting be convened in September 2002. **Approved as part of the Consent Calendar.****
- 2.K. A RESOLUTION TO FORM AN AD HOC COMMITTEE TO DEVELOP A TRULY CREATIVE PRESENTATION FOR THE ANNUAL CHRISTOPHER STREET WEST PARADE:
ACTION: Moved to Excluded Consent.**
- 2.L. RECOMMENDATION TO COUNCIL FOR A RESOLUTION IN SUPPORT OF AB 1080 (KEHOE):
ACTION: 1) Adopt Resolution No. 02-2744, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1080 (KEHOE);" and 2) Direct staff to send copies of the bill to Assemblymember Kehoe and appropriate legislators. **Approved as part of the Consent Calendar.****
- 2.M. NOTICE OF COMPLETION FOR CIP 0108 SEWER REPAIR BEVERLY BOULEVARD/LA PEER DRIVE AND LA CIENEGA (RIGHT-OF-WAY) CONSTRUCTION PROJECT:
ACTION: 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. NOTICE OF COMPLETION FOR CIP 0110 SUNSET/ROXBURY TRAFFIC SIGNAL ET AL CONSTRUCTION PROJECT:
ACTION: 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.O. A RESOLUTION CALLING ON THE CITY OF WEST HOLLYWOOD TO CONDUCT A REVIEW OF THE COMMUNITY'S RESPONSE TO A POSSIBLE CHILD ABDUCTION:
ACTION: 1) Adopt Resolution No. 02-2745, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING ON THE CITY OF WEST HOLLYWOOD TO CONDUCT A REVIEW OF THE COMMUNITY'S RESPONSE TO A POSSIBLE CHILD ABDUCTION;" 2)**

Direct the City to form a Children's Safety Task Force that will report back to Council within three months on ways in which the community might most effectively respond to such a crisis. Expertise from the Public Safety Division, the Sheriff's Departments, the public information office, the Public Safety Commission, local school, parents, the Los Angeles Unified School District's and Los Angeles police departments, Neighborhood Watch leaders and the City's Recreation Division should be marshaled; and 3) Request that the Sheriff's Department regularly promote and perform free fingerprinting at Saturdays in the Park and other child-centered events in the City. **Approved as part of the Consent Calendar.**

2.P. A RESOLUTION ESTABLISHING A VOLUNTARY CONTRIBUTION CHECK-OFF PROGRAM FOR THE COUNCILMEMBERS OF THE CITY OF WEST HOLLYWOOD TO SUPPORT THE ACTION FOR BETTER CITIES PROGRAM:

ACTION: 1) Adopt Resolution No. 02-2746, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A VOLUNTARY CHECK-OFF PROGRAM FOR THE COUNCILMEMBERS OF THE CITY OF WEST HOLLYWOOD TO SUPPORT THE ACTION FOR BETTER CITIES PROGRAM;" and 2) Direct the City Manager to do all things necessary to implement the Program including, but not limited to, preparing appropriate forms to be completed by participating city council members, informing city council members of the range of charitable, educational, governmental, or other purposes for which non-profit mutual benefit corporations are organized, carrying out the direction of the participating city council members by remitting a portion of their salary as stated in the appropriate forms.

Approved as part of the Consent Calendar.

2.Q. AMENDMENT OF THE UNIFORM COMMISSION BY-LAWS:

ACTION: Moved to Excluded Consent.

2.R. CODE COMPLIANCE PROGRAM REPORT:

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

2.S. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE ASSOCIATION OF CONFIDENTIAL EMPLOYEES (ACE), SUPERVISORY AND NON SUPERVISORY UNITS, FOR THE PERIOD JULY 1, 2002 THROUGH JUNE 30 2005:

ACTION: 1) Approve the Memorandum of Understanding with ACE, which incorporates the agreements contained in the Tentative Agreement Packet; and 2) Authorize the City Manager to execute the Memorandum of Understanding on behalf of the City. **Approved as part of the Consent Calendar.**

- 2.T. A RESOLUTION IN SUPPORT OF PROPOSITION 52 – ELECTION DAY VOTER REGISTRATION:**
ACTION: 1) Adopt Resolution No. 02-2748, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 52 – ELECTION DAY VOTER REGISTRATION (EDVR);” and 2) Direct staff to send copies of the approved resolution to Senator Sheila Kuehl, Assemblyman Paul Koretz and California for Election Day Registration campaign. **Approved as part of the Consent Calendar.**
- 2.U. A RESOLUTION IN SUPPORT OF LEGISLATIVE MEASURES THAT WOULD LIFT THE BAN ON AMERICAN TRAVEL TO CUBA:**
ACTION: Adopt Resolution No. 02-2749, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF LEGISLATIVE MEASURES THAT WOULD LIFT THE BAN ON AMERICAN TRAVEL TO CUBA.” **Approved as part of the Consent Calendar with Mayor Guarriello voting NO.**
- 2.V. UPDATE ON STATUS OF COUNCIL DIRECTED REZONING OF SHERBOURNE TRIANGLE PARCEL LOCATED AT 365 SAN VICENTE BOULEVARD, OWNED BY CEDARS SINAI MEDICAL CENTER, ALSO KNOW AS THE CEDAR’S LOT:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.W. APPROVAL OF FINAL TRACT MAP NO. 52963 FOR THE CONDOMINIUM PROJECT LOCATED ON NORTON AVENUE:**
ACTION: 1) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474,66474.1 and 55474.6 of the Subdivision Map Act; b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3, Division 1 of Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436 (a)3A(I-viii) of the Subdivision Map Act; 2) Approve Final Tract Map No. 52963; 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 52963 the certificate, which embodies the approval of said map acceptance of dedications shown thereon; and 4) Authorize the Director of Finance to increase budgeted revenues for Quimby fees in account 2190000-5200 by \$19,937.23. **Approved as part of the Consent Calendar.**

- 2.X. AUTHORIZATION TO PURCHASE 5 CITYLINE REPLACEMENT VEHICLES:**
ACTION: Approve an agreement with MV Transportation, Incorporated in an amount not-to-exceed \$300,000 to purchase five (5) new CityLine vehicles as a "pass-through" and authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**
- 2.Y. AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES FOR TRANSPORTATION DEMAND MANAGEMENT:**
ACTION: Approve an amendment to the agreement with Leslie Scott Consulting for \$17,950 for fiscal year 2002-2003; and authorize the City Manager to sign. **Approved as part of the Consent Calendar.**
- 2.Z. PRODUCTION OF A PUBLIC SERVICE ANNOUNCEMENT (PSA) TO RAISE PUBLIC AWARENESS ON NEGATIVE EFFECTS OF DECLAWING IN FELINES AND OTHER ANIMALS:**
ACTION: Moved to Excluded Consent.
- 2.AA. A RESOLUTION PROCLAIMING SEPTEMBER AS ALCOHOL AND DRUG ADDICTION RECOVERY MONTH:**
ACTION: Adopt Resolution No. 02-2750, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING SEPTEMBER AS ALCOHOL AND DRUG ADDICTION RECOVERY MONTH." **Approved as part of the Consent Calendar.**
- 2.BB. AGREEMENT FOR BILLBOARD SPACE:**
ACTION: Approve a contract for billboard space with Viacom Outdoor in amount not-to-exceed \$30,000 and authorize the City Manager to sign. **Approved as part of the Consent Calendar with Councilmember Prang voting NO.**
- 2.CC. INVESTMENT OF BOND PROCEEDS WITH THE LOCAL AGENCY INVESTMENT FUND ADMINISTERED BY THE CALIFORNIA STATE TREASURE:**
ACTION: Adopt Resolution No. 02-2751, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE INVESTMENT OF BOND PROCEEDS IN THE LOCAL AGENCY INVESTMENT FUND." **Approved as part of the Consent Calendar.**
- 2.DD. A RESOLUTION AMENDING THE AFFORDABLE HOUSING SCHEDULES FOR THE INCLUSIONARY HOUSING PROGRAM AND APPROVING THE PROPOSED CHANGES TO THE CITY'S INCLUSIONARY HOUSING PROGRAM:**
ACTION: Adopt Resolution No. 02-2752, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE AFFORDABLE HOUSING SCHEDULES FOR THE INCLUSIONARY

HOUSING PROGRAM AND APPROVING THE PROPOSED CHANGES TO THE CITY'S INCLUSIONARY HOUSING PROGRAM." Approved as part of the Consent Calendar.

2.EE. APPROVAL OF FINAL TRACT MAP NO. 52530 FOR THE CONDOMINIUM PROJECT LOCATED ON SAN VICENTE BOULEVARD:

ACTION: Moved to Excluded Consent.

2.FF. SIXTY-DAY REVIEW OF REGULAR OPERATIONS OF CLUB 7969, LOCATED AT 7969 SANTA MONICA BOULEVARD:

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

2.GG. SEPTEMBER 11TH OBSERVANCE:

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

2.HH. DEDICATION OF A TREE AND PLAQUE IN HONOR OF IVY BOTTINI IN HONOR OF LESBIAN VISIBILITY:

ACTION: 1) Direct staff to purchase a tree in an amount not-to-exceed \$300; and 2) Direct staff to purchase a commemorative plaque in amount not-to-exceed \$200. Approved as part of the Consent Calendar.

2.II. PARTICIPATION IN THE BERLIN BUDDY BEAR EXHIBITION:

ACTION: Moved to Excluded Consent.

2.JJ. A RESOLUTION IN SUPPORT OF A NATIONAL HOUSING TRUST FUND:

ACTION: Adopt Resolution No. 02-2753, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF A NATIONAL HOUSING TRUST FUND." Approved as part of the Consent Calendar.

2.KK. RECOGNITION OF BOB CRAIG'S CONTRIBUTIONS TO WEST HOLLYWOOD:

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

2.LL. SIDEWALK AND LANE CLOSURE DURING CONSTRUCTION OF THE LA BREA GATEWAY PROJECT:

ACTION: Approve the sidewalk and lane closures on Santa Monica Boulevard, La Brea Avenue and Romaine Street during the construction of the La Brea Gateway project. Approved as part of the Consent Calendar.

2.MM. MEMORANDUM OF UNDERSTANDING BETWEEN THE ENERGY COALITION AND THE CITY OF WEST HOLLYWOOD:

ACTION: 1) Adopt Resolution No. 02-2760, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA ENERGY COALITION, A CALIFORNIA NON-PROFIT AGENCY;" 2) Approve the Memorandum of Understanding with the California Energy Coalition to enter into the Six Cities Project; and 3) Authorize the City Manager to execute the Memorandum of Understanding on behalf of the City. **Approved as part of the Consent Calendar.**

2.NN. A RESOLUTION CALLING ON THE CITY TO EXPLORE DEVELOPING A PROGRAM TO CULTIVATE AND DISTRIBUTE MEDICINAL MARIJUANA TO THOSE IN NEED IN CONJUNCTION WITH SAN FRANCISCO AND OTHER CITIES:

ACTION: This item was tabled.

2.OO. A PROPOSED RESOLUTION CREATING A CIVIC EDUCATION PROGRAM FOR COMMUNITY MEMBERS:

ACTION: Moved to Excluded Consent.

2.PP. CO-SPONSORSHIP OF THE AMERICAN CANCER SOCIETY'S RELAY FOR LIFE:

ACTION: 1) Approve co-sponsorship of the Relay for Life; 2) Direct staff to waive fees for facility usage; and 3) Authorize the usage of the City's Logo on the promotional materials for the Relay for Life. **Approved as part of the Consent Calendar.**

2.QQ. A RESOLUTION IN SUPPORT OF SB 187 WHICH DIRECTS THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES TO CREATE A REGISTRY OF PATIENTS WHOSE MEDICAL PROVIDERS HAVE PRESCRIBED MEDICAL MARIJUANA TO MITIGATE SIDE EFFECTS OF LIFE THREATENING DISEASES AND THEIR TREATMENTS:

ACTION: 1) Adopt Resolution No. 02-2761, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 187 DIRECTING THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES (CA DHS) TO CREATE A REGISTRY OF PATIENTS WHOSE MEDICAL PROVIDERS HAVE PRESCRIBED MEDICAL MARIJUANA TO MITIGATE SIDE EFFECTS OF LIFE THREATENING DISEASES AND THEIR TREATMENTS;" and 2) Direct staff to send copies of the approved resolution to Senator Vasconcellos, appropriate State legislators and Governor Gray Davis. **Approved as part of the Consent Calendar.**

2.RR. PARKING METERS INSTALLED ON CROSS-STREETS INTERSECTING SANTA MONICA BOULEVARD:

ACTION: Adopt Resolution No. 02-2759, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING PARKING METERS 10:00 A.M. TO 6:00 P.M. ON THE CROSS STREETS INTERSECTING SANTA MONICA BOULEVARD BETWEEN SPAULDING AVENUE AND VISTA STREET UNTIL SUCH TIME THAT A COMPREHENSIVE PLAN IS IMPLEMENTED TO DEAL WITH EAST SIDE PARKING ISSUES." **Approved as part of the Consent Calendar.**

2.SS. COLLABORATION WITH WEST LOS ANGELES COMMUNITY COLLEGE:

ACTION: Direct staff to meet with representatives of West Los Angeles Community College, to locate appropriate spaces in and around West Hollywood and to arrange for classes to be offered in West Hollywood. **Approved as part of the Consent Calendar.**

2.TT. REPEAL OF TRIGGER LOCK ORDINANCE:

ACTION: Introduce for first reading Ordinance No. 02-634, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REPEALING SECTION 5.60.040.7 (C) OF THE MUNICIPAL CODE REGARDING PROVISIONS REQUIRING TRIGGER LOCKS." **Approved as part of the Consent Calendar.**

2.UU. AN ORDINANCE AMENDING THE STORM WATER AND URBAN RUNOFF POLLUTION CONTROL ORDINANCE TO PROVIDE STORM WATER POLLUTION CONTROL FOR PLANNING AND CONSTRUCTION OF NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS AND SUPPLEMENTING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF:

ACTION: Adopt Urgency Ordinance No. 02-635, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE STORM WATER AND URBAN RUNOFF POLLUTION CONTROL ORDINANCE TO PROVIDE STORM WATER POLLUTION CONTROL FOR PLANNING AND CONSTRUCTION OF NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS AND SUPPLEMENTING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF." **Approved as part of the Consent Calendar.**

Council recessed at 9:42 P.M. and reconvened at 9:50 P.M.

3. PUBLIC HEARINGS:

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

RECOMMENDATION: Due to the length of time that has passed since the initial City Council hearing, staff recommends continuing this item to a date uncertain. Once the applicant submits revised plans, a new notice will be provided for the appropriate Council date.

ACTION: Moved by Councilmember Prang and 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 (HOTEL MARKETING BENEFIT ZONE):

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

Alison Maxwell, Development Specialist, provided background information as outlined in the staff report dated August 19, 2002.

Mayor Guarriello opened the public hearing and the following speaker came forward:

BRAD BERLINGAME, LOS ANGELES, provided an overview of the services performed by the Convention and Visitors Bureau and he also spoke in support of this item.

Mayor Guarriello closed the public hearing.

RECOMMENDATION: Adopt Resolution No. 02-2756, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD AND LEVYING A CHARGE (ASSESSMENT) IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2002-2003."

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

3.C. PROPOSED RESOLUTION CERTIFYING COMPLIANCE WITH LOS ANGELES COUNTY TRANSPORTATION COMMISSION CONGESTION MANAGEMENT PROGRAM:

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

RECOMMENDATION: Adopt Resolution No. 02-2757, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN COMPLIANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089."

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

3.D. APPROVAL OF REVISED FISCAL YEAR 2002-2003 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PLANNING SUMMARY AND USE OF UNALLOCATED CDBG FUNDS:

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

RECOMMENDATION: 1) Approve the revised CDBG program and budget; 2) Authorize staff to adjust the program as necessary for the current CDBG allocation from the U.S. Department of Housing and Urban Development (HUD) and any amount remaining unspent at the close of the fiscal year 2001-2002; and 3) Authorize staff to budget any CDBG funds purchased during fiscal year 2002-2003.

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

3.E. APPEAL OF PLANNING COMMISSION DENIAL OF A REQUEST TO MODIFY CONDITIONAL USE PERMIT 2001-16; TO ALLOW A TALL WALL SIGN AT 8590 SUNSET BOULEVARD (WEST ELEVATION):

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

RECOMMENDATION: Adopt Resolution No. 02-2758, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE APPEAL OF SUNSET MILLENNIUM ASSOCIATES, AND APPROVING THE MODIFICATION OF CONDITIONAL USE PERMIT 2001-16 FOR A TALL WALL SIGN AT 8590 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA."

ACTION: Moved by Councilmember Prang and seconded by Mayor Guarriello to continue the item to date uncertain. Motion carried unanimously.

3.F. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF DEVELOPMENT PERMIT 01-44 AND VARIANCE 01-11 AND DENIAL OF THE REQUESTED WAIVER TO EXCLUDE 326.5 SQUARE FEET ADDED TO THE GROUND FLOOR FRONT ELEVATION FROM THE PARKING REQUIREMENT PER SECTION 19.72.030 (B) (2) (C) OF THE WEST HOLLYWOOD MUNICIPAL CODE (NONCONFORMING STRUCTURES), ON A APPLICATION BY KLUGER KOLLIN ARCHITECTS AT THE PROPERTY LOCATED AT 8746 SUNSET BOULEVARD:

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

Emmiline Harrigan, Associate Planner, provided background information as outlined in the staff report dated August 19, 2002.

Mayor Guarriello opened the public hearing and the following speakers came forward:

CLAIRE BRONOWSKI, LOS ANGELES, appellant, stated that the Planning Commission's granting of the request of the applicant was based on several incorrect findings. She stated that staff granted the request based on an incorrect number of grandfathered parking spaces for the site. She also stated that the existing building on the site described is being approximately 5,000 square feet in size and that the permitted size of the building might be less, therefore additional parking spaces would be required to utilize additional square footage. She also stated that the approval was granted with the use of experimental car lifts, which the City

has no standards, conditions or guidelines on how and where such lifts should be used.

CHARLES KLUGER, LOS ANGELES, applicant, provided an overview of the project and stated that the owner is using quality architectural material. He stated that the occupant will be a high-end retail establishment. He also stated that the project supplies nine (9) parking spaces provided in tandem with the use of vertical lifts with a full time parking attendant. He stated that the lift emit noise equivalent to a pool filter or as stated by the manufacturer, a hair dryer. He also stated that the project provides a buffered sound wall between the residential property and will be screened to passer-bys by the proposed building itself and it does not affect adjacent office buildings.

LYNN DAVIS, CENTURY CITY, spoke in opposition to staff's recommendation.

STEVEN AFRIAT, LOS ANGELES, spoke in opposition to staff's recommendation.

VICTORIA JOYCE, WEST HOLLYWOOD, spoke in opposition to staff's recommendation.

COLIN BOOKER, WEST HOLLYWOOD, spoke in support of staff's recommendation.

YITZHALK DALAL, WEST HOLLYWOOD, spoke in support of staff's recommendation.

ANTHONY SARTINIO, WEST HOLLYWOOD, spoke in support of staff's recommendation.

WILLIAM DAILEY, WEST HOLLYWOOD, spoke in support of staff's recommendation.

MARK MONTGOMERY, LOS ANGELES, spoke in opposition to staff's recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to staff's recommendation.

WILLIAM DEHVAC, LOS ANGELES, spoke in support to staff's recommendation.

CHARLES KLUGER, LOS ANGELES, applicant, stated that the occupant will be a high-end retail establishment. He also stated that with the addition of the lifts along with the grandfathered spaces, this would provide the required parking needed for the square footage of the building.

CLAIRE BRONOSKI, LOS ANGELES, appellant, stated that if this was a new business, they would have to provide 24 useable spaces. She stated that the approval of the project without sufficient parking is a material detriment to other businesses in the area, because it will exacerbate the parking shortage in the area, will increase congestion, and will cause customers of the proposed store to use parking allocated for other uses. She also stated that the proposed use of lifts are inconsistent with the Sunset Specific Plan because the lifts are noisy and unsightly, while the Sunset Specific Plan seeks to maximize the aesthetic appeal of the area.

Mayor Guarriello closed the public hearing.

Councilmember Prang expressed concern that this project does not fit this site. He stated that the City currently does not have adequate standards for this type of lift operation, nor does the City have any experience in the use of these types of lifts. He also stated that trying to find new parking solutions is admirable but this is not the right way to do it. He agreed with the appellant that the approval of this project without sufficient parking would exacerbate the parking shortage already on Sunset.

Councilmember Duran stated that the building design for this business is wonderful and consistent to the Sunset Strip look. He stated that he feels that this is a high-end business with a low impact to the area. He stated that the lifts are unsightly but he also noted that they would not be seen by area residents or from the street. He commented that this is a creative solution to parking and would be in favor of the project.

Councilmember Heilman stated that staff has come up with the best figures that can be addressed for parking issues. He stated that he is not in favor of the lifts but he wants the project to go forward. He also stated that he would like to continue the item for 30 days to allow the applicant and staff to find additional off site parking for the proposed project.

Mayor Pro Tempore Martin stated that there are valid arguments on both sides given the challenges of the site and the proposed parking solution. He stated that staff and the Planning Commission has done their due diligence with this project given the site restrictions. He stated that this project is a good fit for the site and this would be an exciting new business for West Hollywood.

Mayor Guarriello stated that the proposed project is beautiful and would be a great asset to the Sunset Strip but parking is still an issue at the site and currently the project does not provide adequate spaces. He stated that until adequate off-site spaces have been found or a better solution to address parking, he would not be in favor this project.

RECOMMENDATION: Adopt Resolution No. 02-2740, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE REQUESTED APPEAL AND CONDITIONALLY APPROVING DEVELOPMENT PERMIT 01-44 AND VARIANCE 01-11 AND DENYING THE WAIVER REQUEST TO EXCLUDE 326.5 SQUARE FEET ADDED TO THE GROUND FLOOR FRONT ELEVATION FROM THE PARKING REQUIREMENT PER SECTION 19.72.030 (B) (2) (C) OF THE WEST HOLLYWOOD MUNICIPAL CODE (NONCONFORMING STRUCTURES), ON AN APPLICATION BY KLUGER KOLLIN ARCHITECTS FOR THE PROPERTY LOCATED AT 8746 SUNSET BOULEVARD, WEST HOLLYWOOD."

ACTION: Moved by Councilmember Duran and seconded by Mayor Pro Tempore Martin to approve staff's recommendation. Councilmember Duran withdrew his motion.

ACTION: Moved by Councilmember Heilman and seconded by Councilmember Duran to continue the item to the September 23, 2002 City Council meeting at which time Council will take action based on the report received from staff regarding parking. Council directed that additional offsite daytime parking be found to replace the parking lift component of the project. Motion carried unanimously.

4. UNFINISHED BUSINESS:

4.A. PARKING METERS INSTALLED ON CROSS-STREETS INTERSECTING SANTA MONICA BOULEVARD:

ACTION: Moved to the Consent Calendar as item 2.RR.

4.B. AIDS WALK 2002:

Nancy Beard, Recreation Service Administrator, provided background information as outlined in the staff report dated August 19, 2002.

Councilmember Heilman expressed his concern that residents and guests have the ability to exit and enter the City during the event. He recommended that entrance and exits points to the City be identified and be provided to the public.

RECOMMENDATION: 1) Approve an agreement with AIDS Walk Los Angeles to co-sponsor the AIDS Walk 2002 event within the City of West Hollywood and authorize the City Manager to sign; 2) Authorize the Director of Finance to appropriate \$76,000 from the unallocated General Fund Reserves to various expenditure accounts; 3) Close West Hollywood Park from 5:00 A.M. Saturday, October 19, 2002 to 4:00 P.M. Sunday, October 20, 2002; 4) Approve all street closures contained in the background analysis; and 5) Authorize the waiver of all City of West Hollywood event fees for this event.

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

5. NEW BUSINESS:

5.A. DIRECTION TO COMMUNITY DEVELOPMENT STAFF TO DRAFT POLICY PROHIBITING DEVELOPERS FROM BUILDING STRUCTURES WITHOUT ELEVATORS:

Councilmember Heilman, provided background information as outlined in the staff report dated August 19, 2002.

RECOMMENDATION: 1) Direct Community Development staff to draft an ordinance or policy that prohibits developers from building structures without including required elevators; and 2) Direct Community Development to determine whether there are other items which developers are allowed to exclude from construction which need to be addressed.

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

5.B. COLLABORATION WITH WEST LOS ANGELES COMMUNITY COLLEGE:

ACTION: Moved to the Consent Calendar as item 2.SS.

EXCLUDED CONSENT CALENDAR:

2.I. RECOMMENDATION FORMALIZING CITY COUNCIL BUDGET SUB-COMMITTEE:

Mayor Guarriello, provided background information as outlined in the staff report dated August 19, 2002.

Mayor Pro Tempore Martin stated that he is willing to discuss the budget sub-committee, but expressed his disagreement with the recommendations listed in the staff report. He stated that the budget sub-committee should remain open to everyone. He also stated that Council should elect the members of this committee.

Councilmember Prang stated that there should be a regular rotation of the budget sub-committee and that there should be some type of mechanism for appointment.

Councilmember Heilman stated that the entire Council should be supportive of the budget sub-committee. He stated that their needs to be a formal system for appointment to the sub-committee. He also suggested that the Mayor could have appointment authority of the sub-committee with the approval of the City Council

Councilmember Duran stated that their needs to be regular rotation of the budget sub-committee. He agreed that the entire Council should vote on the membership of the sub-committee.

RECOMMENDATION: 1) Adopt a recommendation formalizing the City Council Budget Committee as indicated under the Background and Analysis; and 2) Direct the City Manager to draft an amendment to the Finance Policy Resolution as directed by Council action, and return the revised resolution to Council for adoption.

ACTION: Moved by Councilmember Prang and seconded by Councilmember Heilman to continue this item until October and directed staff to come back with a staff report directing that the sub-committee be appointed by a vote of the Council and establishing a time for appointments. Motion carried unanimously.

2.K. A RESOLUTION TO FORM AN AD HOC COMMITTEE TO DEVELOP A TRULY CREATIVE PRESENTATION FOR THE ANNUAL CHRISTOPHER STREET WEST PARADE:

Mayor Pro Tempore Martin, provided background information as outlined in the staff report dated August 19, 2002.

Councilmember Duran recused himself from this item, stating that his law partner represents Christopher Street West.

Councilmember Prang stated that he was unclear as to what action was being recommended. He suggested that the Gay and Lesbian Advisory Board be used for this purpose.

ACTION: Adopt Resolution No. 02-2743, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO FORM AN AD HOC COMMITTEE TO DEVELOP A TRULY CREATIVE PRESENTATION FOR THE ANNUAL CHRISTOPHER STREET WEST PARADE;" and 2) Develop an ad hoc committee to meet and initiate planning the presentation. Among others, the Gay and Lesbian Advisory Board as well as the Fine Arts Commission and gay and lesbian businesses should be invited to participate in the planning process.

ACTION: Moved by Councilmember Heilman and seconded by Mayor Pro Tempore Martin to approve staff's recommendation with additional direction given to staff to develop a more creative role for the City's presentation within the Christopher Street West parade. Motion carried on a Roll Call Vote:

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

NOES: None.

ABSENT: Councilmember Duran.

ABSTAIN: Mayor Guarriello.

2.Q. AMENDMENT OF THE UNIFORM COMMISSION BY-LAWS:

Councilmember Heilman requested that the sentence in Section 4.8 regarding providing copies of power point presentations be removed.

RECOMMENDATION: 1) Review, modify, if necessary and approve the uniform by-laws for City Commissions; and 2) Adopt Resolution No. 02-2747, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE UNIFORM BY-LAWS FOR CITY APPOINTED COMMISSIONS AND RESCINDING RESOLUTION NO 02-2689."

ACTION: Moved by Councilmember Heilman and seconded by Mayor Pro Tempore Martin to amend the By-Laws by removing the following sentence from Section 4.8 – PUBLIC COMMENTS from the By-Laws; “A hard copy of power point presentations made by members of the public shall be provided to the commission prior to the presentation” and approve staff’s recommendation. Motion carried unanimously.

2.Z. PRODUCTION OF A PUBLIC SERVICE ANNOUNCEMENT (PSA) TO RAISE PUBLIC AWARENESS ON NEGATIVE EFFECTS OF DECLAWING IN FELINES AND OTHER ANIMALS:

Councilmember Heilman commented that he doesn’t see this as a public nuisance for the City.

RECOMMENDATION: Direct the Public Information Office to produce a PSA within the next 120 days.

ACTION: Moved by Mayor Guarriello and seconded by Councilmember Duran to approve staff’s recommendation. Motion carried on a Roll Call Vote:

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

NOES: Councilmember Heilman.

2.EE. APPROVAL OF FINAL TRACT MAP NO. 52530 FOR THE CONDOMINIUM PROJECT LOCATED ON SAN VICENTE BOULEVARD:

Councilmember Heilman stated that this was part of the Desmond project and the developer has not completed all of the requirements of the project. He also stated that the developer was required to rehab a building on Fountain Avenue for affordable housing and the developer has not made any significant progress with the Fountain Avenue project. He stated that the developer is asking for another extension after Council has already extended the project to September 30, 2002. He stated that he is not in favor of approving the final tract map or an extension.

ACTION: 1) Approve and authorize recordation concurrently with recordation of the Final Tract Map of a Covenant and Agreement against the title of thirteen designated units requiring that those units be set aside as inclusionary housing in accordance with the City’s standard inclusionary housing agreement (which has been executed by the subdivider) unless the subdivider completes the renovation and conveys the property at 7214 Fountain to the West Hollywood Housing Corporation by December 31, 2002 in accordance with the timeframe outlined in the

staff report below; 2) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 55474.6 of the Subdivision Map Act; b) That proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3, Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436 (a) 3A (I-iii) of the subdivision Map Act.; 3) Approve Final Tract Map No. 52530; and 4) Accept dedications as indicated on said map; 5) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No, 52530 the certificate, which embodies the approval of said map and acceptance of dedication shown thereon; and 6) Authorize the Director of Finance to increase budgeted revenues for Quimby fees in account 2190000-5200 by \$209,340.90.

ACTION: Moved by Mayor Pro Tempore Martin and seconded by Councilmember Heilman to continue this item until the September 23, 2002 City Council meeting. Motion carried unanimously.

2.II. PARTICIPATION IN THE BERLIN BUDDY BEAR EXHIBITION:

KRISTEN SCHMIDT, WEST HOLLYWOOD, spoke in support of staff's recommendation.

Councilmember Heilman questioned if this issue should be reviewed by the Fine Arts Commission.

Council Deputy Donna Saur stated that the Buddy Bear is considered a gift of state and does not have to be reviewed by the Fine Arts Commission.

RECOMMENDATION: 1) Accept the gift of the Buddy Bear and direct staff to work with the Berlin Tourism and Marketing office to coordinate the unveiling ceremony; and 2) Direct staff to determine the appropriate location for display of the Buddy Bear for the duration of exhibit.

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

2.OO. A PROPOSED RESOLUTION CREATING A CIVIC EDUCATION PROGRAM FOR COMMUNITY MEMBERS:

Councilmember Heilman expressed concern with the time frame. He stated that he would like staff to return at a later date with an outline of a draft curriculum and timeframe for such training.

ACTION: 1) Adopt Resolution No. 02-2755, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CREATING A CIVIC EDUCATION PROGRAM FOR COMMUNITY MEMBERS;" 2) The City Manager's Office shall develop a curriculum in conjunction with City Directors and the Public Information Office then promote and implement the program. To increase accessibility, the community academy should be offered twice a year; and 3) Commissioners shall be notified that such training is mandatory and that they must receive a certificate of completion prior to being re-appointed to their position. Newly appointed Commissioners will be expected to complete the training within 12 months of being sworn in.

ACTION: Moved by Councilmember Duran and seconded by Mayor Pro Tempore Martin to approve staff' recommendation with additional direction that staff come back to Council with established curriculum and some type of recognition for the participants. Motion carried unanimously.

PUBLIC COMMENT:

DAVID NASH, WEST HOLLYWOOD, spoke about the recent passing of residents at Palm View Apartments.

J.W. MOORE IV, WEST HOLLYWOOD, spoke in opposition to staff's recommendation to Item 4.A.

LAUREN MIESTER, WEST HOLLYWOOD, thanked Council and Laura Manukian for a wonderful National Night Out.

KEN SAVAGE, WEST HOLLYWOOD, spoke in opposition to City's handling of parkways within the City.

MITCHELL MOSS, WEST HOLLYWOOD, INGLEWOOD, spoke regarding a recent assault, which occurred in the City.

6. LEGISLATIVE:

6.A. REPEAL OF TRIGGER LOCK ORDINANCE:

ACTION: Moved to Consent Calendar as item 2.TT.

- 6.B. AN ORDINANCE AMENDING THE STORM WATER AND URBAN RUNOFF POLLUTION CONTROL ORDINANCE TO PROVIDE STORM WATER POLLUTION CONTROL FOR PLANNING AND CONSTRUCTION OF NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS AND SUPPLEMENTING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF:
ACTION: Moved to the Consent Calendar as item 2.UU.**

COUNCILMEMBER COMMENTS:


Councilmember Heilman asked staff for an update on the Preferential Parking Petitions for District 8, Detroit and Formosa Avenues. He also asked code compliance to look into possible illegal construction activity adjacent to 1233 North Detroit.

ADJOURNMENT: The City Council adjourned at 11:45 P.M. in memory of Michael Bursztin, Madeline Thomas, Rose Seplow, Roland J. Bourassa, Peter Matz, Robert Barnes, Chuck Whitman and Brett and Dick, two residents of Palm Avenue Apartments. The City Council will hold a Study Session on Monday, September 23, 2002 at 5:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The next regular meeting will be held on Monday, September 23, 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 23rd DAY OF SEPTEMBER, 2002.


MAYOR

ATTEST:


TONY RUSSELL, CITY CLERK