

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, APRIL 1, 2002  
WEST HOLLYWOOD PARK**

**CALL TO ORDER:** Mayor Heilman called the meeting to order at 6:45 P.M.

**PLEDGE OF ALLEGIANCE:** Kristen Petterson 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 one item to the Closed Session Agenda: Tohl vs. City of West Hollywood. The meeting adjourned at 6:40 P.M. with no reportable action.

**APPROVAL OF AGENDA:**

Mayor Heilman stated that it was requested that Item 5.A. be moved to the Consent Calendar.

Councilmember Duran noted his abstention on Item 2.H.

Councilmember Martin requested that the meeting be adjourned in memory of Alexander Umansky and the closure of J. Sloans.

**ACTION: Moved by Mayor Pro Tempore Guarriello and seconded by Councilmember Duran to approve the April 1, 2002 agenda as amended. Motion carried unanimously.**

**PRESENTATIONS:**

Councilmember Martin presented a commendation to Gloria Scheer of the Silver Spoon Restaurant for winning the Food Server of the Year award.

Mayor Heilman proclaimed the month of April as Earthquake Preparedness Month.

Mayor Heilman presented graduation certificates to those individuals who participated in the City's CERT program.

Mayor Heilman presented a commendation to John Sheehan for his work with nonprofit organizations and TV charity events.

**PUBLIC COMMENT:**

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding current world events. He also spoke regarding the City's 20/20 vision process.

RAQUEL GONZALEZ, WEST HOLLYWOOD, spoke regarding the Cory and Phyllis Avenue Street closure and requested that the City reopen the street. She provided pictures of the area.

DOLORIS LUCKMAN, WEST HOLLYWOOD, spoke regarding the Cory and Phyllis Avenue traffic issue and requested that the City end the test street closure.

ROSEMAREY EDLEMAN, WEST HOLLWYOOD, spoke regarding the Cory and Phyllis Avenue traffic issue and requested that the City reevaluate the street closure.

HAROLD PRIVZER, WEST HOLLYWOOD, spoke regarding the Cory and Phyllis Avenue traffic issue and requested that the City reevaluate the street closure.

GAIL PROVIZER, WEST HOLLYWOOD, spoke regarding the Cory and Phyllis Avenue traffic issue and requested that the City reevaluate the intersection and reopen the street.

BOB FOSTER, WEST HOLLYWOOD, expressed his opposition to the closure of Cory Avenue.

JACKIE APPLEBAUM, WEST HOLLYWOOD, spoke regarding the process in which the City took to close Cory Avenue.

VAN SOUDLER, WEST HOLLYWOOD, spoke regarding the closure of Cory Avenue and requested that the City reevaluate the street closure.

DEANNA GRIFFETH, WEST HOLLYWOOD spoke regarding the closure of Cory Avenue and requested that the City reevaluate the street closure.

JOHN MATHENA, WEST HOLLYWOOD, spoke regarding the closure of Cory Avenue and requested that the City reevaluate the street closure.

JOHN GRIFFETH, WEST HOLLYWOOD, spoke regarding the closure of Cory Avenue and requested that the City reevaluate the street closure. He also presented the Council with a petition protesting the test traffic configuration.

MAXINE SONNEBURG, WEST HOLLYWOOD, spoke regarding the closure of Cory Avenue and requested that the City reevaluate the street closure. She also presented letters to the Council protesting the changes in the area.

CHARLES FOBISH, WEST HOLLYWOOD, spoke regarding the closure of Cory Avenue and requested that the City reevaluate the street closure.

NICK SCHAFFER, WEST HOLLYWOOD, spoke regarding the various activities at the Viper Room and its effect on the neighborhood.

LAUREN MEISTER, WEST HOLLYWOOD, spoke regarding the Cory and Phyllis Avenue traffic issue and requested that the City reevaluate the street closure.

JOHN PAUL DRAYER, WEST HOLLYWOOD, congratulated Mayor Heilman on his term as Mayor and stated that he looked forward to having Mayor Pro Tempore Guarriello as the new Mayor.

MATTY GALINDO, LOS ANGELES, thanked the City Council for their continued support of J Sloans. He also presented a petition to the Council in support of keeping the establishment open.

GABRIEL FREDIDDA, WEST HOLLYWOOD, expressed his frustration with the process in which he had to go through with the planning department concerning his project.

J.W. MOORE IV, WEST HOLLYWOOD, spoke regarding the closure of J. Sloans.

KATHERINE THULIN, WEST HOLLYWOOD, spoke regarding the trash left on her property from Sunset Strip patrons.

#### **COUNCILMEMBER COMMENTS:**

Mayor Pro Tempore Guarriello stated that Governor Davis signed a bill designating Caesar Chavez Day as a state holiday. He also spoke regarding the closure of J. Sloans. He also announced that the City Council Reorganization meeting will be held on Monday, April 8, 2002 at 6:00 P.M. at Pacific Design Center Silver Theater.

Councilmember Prang announced that April 21, 2002 is Mitzvah Day, a Jewish Holiday. He also extended a birthday wish to Marci Norton. He noted his abstention on Item 2.H. and commented on the Carol, Cory and Phyllis Avenue traffic test project.

Councilmember Duran wished the Citizens of West Hollywood happy Caesar Chavez Day. He also spoke regarding the closure of J. Sloans. He noted his abstention on Item 2.H., the smoke shop item.

Councilmember Martin thanked Ms. Thulin for her comments regarding trash left in the neighborhoods by patrons of the Sunset Strip. He also thanked Council for their support on his smoke shop item.

Mayor Heilman announced several events that were happening in the City. He also requested that the Carol, Cory and Phyllis Avenue traffic issue be brought to Council as soon as possible.

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

City Manager Arevalo provided an update on the suspended enforcement of A-frame signs and outdoor displays along Santa Monica Boulevard. He also stated that Code Enforcement would resume enforcement in the area starting the end of April. He asked Joan English, Director of Transportation and Public Works to provide an overview of the Carol, Cory and Phyllis Avenue traffic test project.

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

City Clerk Russell stated that the fiscal impact on the Consent Calendar as amended for Monday, April 1, 2002 is \$2,993,523 in expenditures and a \$ 0.00 in potential revenue.

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

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

**2.A.,B.,C.,D.,E.,F.,G.,H.,I.,J.,K.,L.,M.,N.,N.,O.,(5.A.)** Moved by Mayor Pro Tempore Guarriello and seconded by Councilmember Martin to approve the Consent Calendar as amended. Motion carried with Mayor Pro Tempore Guarriello and Councilmember Prang voting NO on Item 2.I and noting Councilmember Duran and Councilmember Prang's ABSTENTION on Item 2.H.

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

*The agenda for the meeting of Monday, April 1, 2002 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 28, 2002.*

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

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

**ACTION:** Approve the minutes of March 18, 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. 459, RESOLUTION NO. 02-2663:**

**ACTION:** Approve Demand Register No.459 and adopt Resolution No. 02-2663, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 459." **Approved as part of the Consent Calendar.**

**2.E. TREASURER'S REPORT:**

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

**2.F. ADJUSTMENT OF THE FINAL CONTRACT COST FOR THE SANTA MONICA BOULEVARD REHABILITATION PROJECT:**

**ACTION:** Authorize a payment in the amount of \$9,148.35 to Sialic Contractors Corporation (d.b.a Shawnan) for an adjustment to the final cost for the construction of the Santa Monica Boulevard Rehabilitation Project. **Approved as part of the Consent Calendar.**

**2.G. AMENDMENT #4 TO AGREEMENT FOR PARKING METER COLLECTION SERVICES WITH THE CITY OF BEVERLY HILLS:**

**ACTION:** 1) Approve an amendment to the agreement for parking meter coin collection services with the City of Beverly Hills in an amount not to exceed \$95,586 for the 2002-03 budget year; \$98,317 for the 2003-04 budget year; 2) Approve an extension of the agreement from July 1, 2002 to June 30, 2004; and 3) Authorize the City Manager to sign the amendment. **Approved as part of the Consent Calendar.**

**2.H. PROPOSED RESOLUTION CALLING ON THE CITY OF LOS ANGELES TO REMOVE THE "SMOKE SHOP" ACROSS FROM FAIRFAX HIGH SCHOOL:**

**ACTION:** 1) Adopt Resolution No. 02-2664, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING ON THE CITY OF LOS ANGELES TO REMOVE THE "SMOKE SHOP" ACROSS FROM FAIRFAX HIGH SCHOOL;" and 2) Forward a copy of this resolution to the Los Angeles City Council Member Jack Weiss. **Approved as part of the Consent Calendar noting Councilmember Duran and Councilmember Prang's ABSTENTION.**

**2.I. PROPOSED RESOLUTION CONFIRMING CITY COUNCIL ACTION REGARDING GRANTING IN PART AND DENYING IN PART GABRIEL FREDIDA'S APPEAL OF THE PLANNING COMMISSION'S DENIAL OF DEVELOPMENT PERMIT 01-04 AND DEMOLITION PERMIT 01-03:**

**ACTION:** Adopt Resolution No. 02-2632 R, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PARTIALLY APPROVING AND PARTIALLY DENYING THE APPEAL OF GABRIEL FEDIDA 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." **Approved as part of the Consent Calendar with Councilmember Prang and Mayor Pro Tempore Guarriello voting NO.**

**2.J. PROPOSED RESOLUTION CALLING ON THE STATE OF FLORIDA TO END ITS DISCRIMINATORY POLICY OF EXCLUDING GAYS AND LESBIANS FROM ADOPTION:**

**ACTION:** 1) Adopt Resolution No. 02-2665, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING ON THE STATE OF FLORIDA TO END ITS DISCRIMINATORY POLICY OF EXCLUDING GAYS AND LESBIANS FROM ADOPTING;" and 2) Forward a copy of this resolution to Kathleen Kearney, Florida's Department of Children and Families Secretary, Florida Governor Jeb Bush, the governors of Mississippi and Utah, the ACLU Lesbian and Gay Rights Project and Rosie O'Donnell. **Approved as part of the Consent Calendar.**

**2.K. AMENDMENT #4 TO THE CONTRACT WITH SERCO MANAGEMENT SERVICES, INC.:**

**ACTION:** 1) Approve an amendment to the contract with Serco Management Services, Inc. to provide Parking Enforcement Services in an amount not to exceed \$1,350,550 for fiscal year 2002-03 and \$1,449,070 for fiscal year 2003-04; and 2) Authorize the City Manager to sign the amendment. **Approved as part of the Consent Calendar.**

**2.L. COMMISSION AND ADVISORY BOARD ATTENDANCE REPORTS:**

**ACTION:** Receive and file the attached reports from the various appointed bodies covering a twelve-month period ending February 2002. **Approved as part of the Consent Calendar.**

**2.M. PROPOSED RESOLUTION SUPPORTING THE WEST BASIN MUNICIPAL DISTRICT'S GRANT APPLICATION:**

**ACTION:** 1) Adopt Resolution No. 02-2666, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE WEST BASIN MUNICIPAL DISTRICT'S GRANT APPLICATION;"

and 2) Forward a copy of this resolution to the California Department of Water Resources. **Approved as part of the Consent Calendar.**

**2.N. PROPOSED RESOLUTION IN SUPPORT OF AB 1058 (PAVLEY), WHICH REQUIRES REDUCED CARBON DIOXIDE EMISSION FROM PASSENGER VEHICLES:**

**ACTION:** 1) Adopt Resolution No. 02-2667, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1058 (PAVLEY), WHICH REQUIRES REDUCED CARBON DIOXIDE EMISSIONS FROM PASSENGER VEHICLES;" and 2) Send copies to appropriate groups and members of the California Legislature. **Approved as part of the Consent Calendar.**

**2.O. HOLIDAY DECORATIONS ALONG SANTA MONICA BOULEVARD:**

**ACTION:** 1) Direct the Director of Economic Development to coordinate a new election among property owners within the Santa Monica Boulevard Maintenance District to assess for holiday lighting; 2) Direct the Director of Economic Development to report to the City Council prior to scheduling an election for the year 2002-holiday season; and 3) Direct the Director of Economic Development and the Director of Public Information to work with the business community and the Chamber of Commerce to develop an outreach and education plan that explains the benefits of the assessment district before conducting the election. **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**

**3.A. 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):**

Mark Persico, Director of Community Development, provided background information as outlined in the staff report dated April 1, 2002.

**RECOMMENDATION:** Accept the applicant / appellant request to continue this item until May 20, 2002.

**ACTION:** Council concurred to continue this item to the May 20, 2002 City Council meeting.

**4. UNFINISHED BUSINESS:**

**4.A. PARK MASTER PLAN STEERING COMMITTEE:**

Sam Baxter, Facilities & Landscape Manager, provided background information as outline in the staff report dated April 1, 2002.

RECOMMENDATION: 1) Appoint two Councilmembers, as members of the Park Master Plan Steering Committee; and 2) Appoint five representatives, one appointed from each Council Office, as members of the Park Master Plan Steering Committee.

**ACTION:** Mayor Pro Tempore Guarriello and Mayor Heilman were appointed to serve on the Park Master Plan Steering Committee. Council also appointed the following residents to serve on the Committee: Joseph Guardarrama (Councilmember Prang); Donna Feinstein (Councilmember Duran); Rod McDonald (Councilmember Martin); Gene Smith (Mayor Pro Tempore Guarriello); and Jim Ballard (Mayor Heilman).

**5. NEW BUSINESS:**

**5.A. HOLIDAY DECORATIONS ALONG SANTA MONICA BOULEVARD:**

**ACTION:** The Item was moved to Consent Calendar.

**5.B. REVIEW AND DISCUSSION OF FRONT YARD PARKING STANDARDS AND OPTIONS FOR FUTURE CONSIDERATION:**

Susan Heely Keene, Planning Division Manager, provided background information as outlined in the staff report dated April 1, 2002.

LAUREN MEISTER, WEST HOLLYWOOD, stated that with acceptable front yard landscaping, parking in front yards could be appropriate.

DEBBIE BANKLER, WEST HOLLYWOOD, spoke regarding the confusion of front yard parking and parking set backs.

In response to Councilmember Martin, Mr. Davenport stated that staff has not completed a citywide survey of affected properties.

In response to Mayor Heilman, Ms. Keene stated that the majority of the front yard parking areas were completed without proper permits.

Councilmember Duran stated that the unlimited parking in front yards is not appropriate for the City. He also stated that the answer to this issue should be somewhere in the middle, and that the City should have some



type of limited front yard parking taking into consideration existing conditions.

Councilmember Prang stated that he would be in support of some type of limited or restrictive front yard parking but he would not be in favor of unlimited front yard parking.

Councilmember Martin expressed his concerned with unlimited paving of front yards. He also stated that if the City approved limited front yard parking then homeowners should be cognizant of the environment and be willing to use permeable materials instead of having non-permeable front yards.

Mayor Pro Tempore Guarriello stated he doesn't like to see cars parked in the front yards. He also stated that the zoning ordinance that deals with the 45 percent of front yard paving needs to remain in force with no changes.

Mayor Heilman stated that he would not support unlimited front yard parking. He also recommended that the City discourage parking in front lawns and to encourage the use of more permeable materials. He also expressed his support in grand fathering existing conditions.

**RECOMMENDATION:** Discuss the options and provide policy input to the staff.

**ACTION:** Council directed staff to further refine regulations and standards limiting parking on front yards with consideration being given to existing conditions. Council concurred to not allow unlimited front yard parking.

**EXCLUDED CONSENT CALENDAR:** None.

**PUBLIC COMMENT:**

J.W. MOORE IV, WEST HOLLYWOOD, spoke regarding his possible participation on the Park Master Plan Steering Committee.

INA BLISS, WEST HOLLYWOOD, spoke regarding the Mitzvah Day celebration.

**6. LEGISLATIVE:** None.

**COUNCILMEMBER COMMENTS:**

Councilmember Prang addressed several comments that were made during public comment and to give the Council opportunity to address issues.

**CLOSED SESSION:**

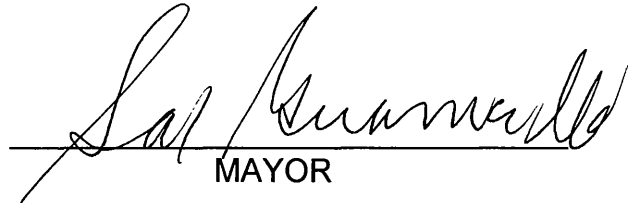
Mayor Heilman requested that Council add an item to the Closed Session agenda; City Managers Evaluation, and recess into Closed Session.

**ACTION: Moved by Mayor Pro Tempore Guarriello and seconded by Councilmember Duran that Council add the City Managers Evaluation to the Closed Session Agenda and recess into Closed Session. Motion carried unanimously.**

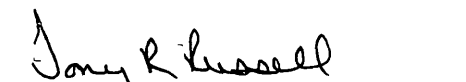
The City Council recessed into Closed Session at 8:45 P.M. The meeting adjourned at 9:20 P.M. with no reportable action.

**ADJOURNMENT:** The City Council adjourned at 9:20 P.M. in memory of Alexander Umansky and the closure of J. Sloans. A Special Meeting will be held on Monday, April 8, 2002 at the Pacific Design Center for the installation of Mayor and Mayor Pro Tempore. The next regular meeting will be held on Monday, April 15, 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 15<sup>th</sup> DAY OF APRIL, 2002.

  
MAYOR

ATTEST:

  
TONY RUSSELL, CITY CLERK