

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, OCTOBER 1, 2001
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Heilman called the meeting to order at 6:40 P.M.

PLEDGE OF ALLEGIANCE: Agassi Topchian led the pledge.

ROLL CALL:

PRESENT: Councilmembers 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 Administrative Assistant Bell.

REPORT OF CLOSED SESSION: City Attorney Jenkins reported that one item of potential litigation was added to the Closed Session agenda regarding potential litigation, with no reportable action.

APPROVAL OF AGENDA:

The Appellant requested that item 3C. be continued to November 5, 2001, City Council meeting.

ACTION: Make the finding that there is an immediate need to add the Urgency Item entitled, AIDS WALK LOS ANGELES, to the agenda under Unfinished Business. **By consensus of the City Council.**

Mayor Heilman pulled Item 2.J. for separate discussion.

Mayor Pro Tem Guarriello requested that Item 5.A. be tabled.

Councilmember Duran stated his NO vote on Item 2.F.

Mayor Heilman stated his NO vote on Item 2.F. and 2.O.

ACTION: Approve the October 1, 2001 agenda as amended. **Moved by Mayor Pro Tem Guarriello, seconded by Councilmember Prang to approve the agenda as amended. Unanimously carried.**

Mayor Heilman requested that the meeting be adjourned in memory of Harry Hoffman.

Councilmember Martin requested that condolences be sent to Bill Rosendahl for the death of his brother.

Councilmember Prang requested that the meeting be adjourned in memory of Herb King.

PRESENTATIONS:

Mayor Heilman presented commendations to Georgiy Minasyan, Aida Vedischeva, Istelle Olya Petrakova, Girgoriy Adlivankin, Aleksandr Smirnov, Yakov Krendel Agassi Topchian, Lev Volovik, Olga Uraltseeva and Alexander Pesin, the organizers of the Russian Festival for the Santa Monica Boulevard, Grand Re-Opening.

Mayor Heilman presented commendations to Healthy West Hollywood Month sponsors, Cedar Sinai Medical Center, City of Hope, Los Angeles Gay and Lesbian Center, Los Angeles Free Clinic and Jewish Family Services.

Councilmember Prang announced several activities taking place during the month in recognition of Disabilities Awareness Month.

Councilmember Prang presented a plaque to Scott Forbes for his years of service on the Business License Commission. Scott Svonkin, Deputy to Assemblyman Koretz, also presented a commendation to Scott Forbes for his service as a commissioner.

Councilmember Martin presented a proclamation for the 10th Anniversary of AB 101 Demonstrations, and Morris Kight was in acceptance.

Mayor Heilman presented a proclamation for Domestic Violence/Partner Abuse Awareness Month to representatives from West Hollywood Family Project of JFS; Los Angeles Gay & Lesbian Center's STOP Domestic Violence Program; Women Helping Women Services and Los Angeles County Domestic Violence Council.

PUBLIC COMMENT:

BRUCE TRAUB, WEST HOLLYWOOD, spoke about the temporary shrine on Santa Monica Boulevard and Holloway Drive due to the attack on the World Trade Center. He requested that the City erect a flagpole and flag at the triangle.

ROZLYN KRAUSE, WEST HOLLYWOOD, spoke in support of a flag and flagpole at Santa Monica Boulevard and Holloway Drive. She also spoke about a tall hedge on Rugby Drive and Westbourne Drive which blocks the view of traffic when traveling west on Westbourne Drive.

LAUREN FRATICELLI, LOS ANGELES, Manager of the Standard Hotel introduced himself to the City Council.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about the pole sign on the southwest corner of Santa Monica Boulevard and San Vicente Boulevard, which she stated was broken and that she would like it to come down. She also addressed the many establishments in the City selling liquor and the eight requests scheduled to be heard by the Business License Commission.

TOM DEMILLE, WEST HOLLYWOOD, commented on the responsibility of each individual to stay informed and he spoke about the World Trade Center attack.

DAVID NASH, WEST HOLLYWOOD, spoke about comments made by Mayor Pro Tem Guarriello regarding Palm View and the West Hollywood Community Housing Corporation mediation investigation.

ESTHER BAUM, WEST HOLLYWOOD, spoke in favor of the West Hollywood Community Housing Corporation and the two buildings near her residence. She also spoke in favor of the resolution against creative billboards.

COUNCILMEMBER COMMENTS:

Mayor Pro Tem Guarriello commented that he and Councilmember Prang attended the 88th anniversary of West Hollywood Presbyterian Church. He also directed the City Manager to put a flag and flagpole on the triangle to commemorate the deaths of September 11th. He requested that regular reports regarding future community housing projects be re-instituted by the Community Development Department.

Councilmember Martin commented on his participation at the Babi Yar which was the 10th anniversary memorial to commemorate the massacre of thousands of Jews by the Nazis. He also spoke about his attendance at the Westwood Federal Building to protest the war on terrorism and he stated that the West Hollywood Sheriff's deputies were very friendly and professional. Rodney Scott, his direct appointment, has resigned from the Business License Commission.

Councilmember Prang stated that American flags should be posted at the triangle as part of the Veterans Memorial. He also stated that flagpoles would be nice at each of the public facilities, including Plummer Park. He reminded staff how imperative it is to deal with issues of pedestrian crosswalks where there is no traffic light, because he is receiving complaints and concerns particularly from seniors and persons with mobility impairment. He also spoke about a high hedge at Cynthia Street and Larrabee Street which blocks the view when traveling westbound on Larrabee Street. He said a fond farewell to Larry Springer, a long time resident who moved to Hawaii. He requested that the meeting be adjourned in memory of Elizabeth, Larry Springer's cat. He recommended that the City Council begin having meetings at the new Community Center at Plummer Park, beginning with the study session regarding tenant harassment. He stated that he was receiving calls and e-mails regarding the low hanging trees on Santa Monica Boulevard and he directed staff to look into it. He commented that he hosted a Civic Prayer Breakfast to discuss the role of clergy and community affairs regarding the tragedy of September 11th.

Councilmember Duran responded to comments made under public comment regarding the tragedy of September 11th, by encouraging the community to think globally and act locally to work through fear and move forward as Americans to prevail over the terrorists. He asked staff to coordinate with the schools to create an art project to commemorate a slide in West Hollywood Park in memory of the son of the two gay fathers killed in the recent tragedy and all children in West Hollywood. He also asked staff to explore, with local schools, some art projects regarding diversity.

Mayor Heilman stated that there would be a community forum on October 17th at West Hollywood Park Auditorium, to discuss the aftermath of the tragedy on September 11th and how people can get involved. He commented that prior direction had been given to Code Enforcement regarding the hedge issue. He stated that the sign referred to on San Vicente Boulevard and Santa Monica Boulevard was an illegal pole sign but that it had probably been grandfathered in, however based on non-use the grandfather clause had expired and he directed the City Manager to investigate. Mayor Heilman stated that the City Council had given him discretion to give everyone a fair chance to participate under Public Comments.

CITY MANAGER'S REPORT: City Manager Arevalo stated that a number of trees on Santa Monica Boulevard had been trimmed in the last couple of weeks, however if there are more complaints they should call City Hall and the contractor would be sent out to trim any additional trees. He also stated that he spoke with Tom Benedetti, Lead Code Enforcement Officer, and he is working out a schedule with the owners to trim the hedges. In response to Mayor Pro Tem Guarriello's request, he stated that Ray Reynolds, Director of Special Projects, told him that the report, listing future community housing projects, was being developed and it would be available during November. He announced and reminded the public about the Vision 20/20 Community Strategic Planning Workshops on Saturday, October 13th and Sunday, October 14th.

Councilmember Prang stated that the trees which he saw that needed trimming were located between Robertson Avenue and Sweetzer Avenue on Santa Monica Boulevard.

FISCAL IMPACT ON CONSENT CALENDAR: City Clerk Russell stated that the fiscal impact on the Consent Calendar for Monday, October 1, 2001 as amended is \$525,500 in expenditures and \$0 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A.,B.,C.,D.,E.,F.,G.,H.,I.,K.,L.,M.,N.,O. and P. Moved by Mayor Pro Tem Guarriello, seconded by Councilmember Martin to approve the Consent Calendar. Motion carried with Councilmember Duran voting NO on Item 2.F. and Mayor Heilman voting NO on items 2.F. and 2.O.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, October 1, 2001 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, September 27, 2001.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of September 4, 2001. **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. 447, RESOLUTION NO. 01-2582:

ACTION: Approve Demand Register No. 447 and adopt Resolution No. 01-2582, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 447." **Approved as part of the Consent Calendar.**

2.E. ORDINANCE NO. 01-610 (2ND READING) ADOPTING ZONING TEXT AMENDMENTS 2000-04 CONCERNING LEGALIZATION OF ILLEGAL DWELLING UNITS:

ACTION: Waive further reading and adopt Ordinance No. 01-610, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING TEXT AMENDMENT 2000-04 CONCERNING LEGALIZATION OF ILLEGAL DWELLING UNITS." **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 01-612 (2ND READING) APPROVING MODIFICATIONS OF THE SUNSET MILLENNIUM DEVELOPMENT AGREEMENT, AT 8560-8590 SUNSET BOULEVARD:

ACTION: Waive further reading and adopt Ordinance No. 01-612, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING THE FIRST AMENDMENT OF THE SUNSET MILLENNIUM DEVELOPMENT AGREEMENT TO ALLOW BILLBOARDS AT 8560-8590 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar with Mayor Heilman and Councilmember Duran voting NO.**

2.G. ORDINANCE NO. 01-611 (2ND READING) DISTRICT 7 PREFERENTIAL PARKING REGULATIONS ON KINGS ROAD:

ACTION: Waive further reading and adopt Ordinance No. 01-611, " AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.220, SECTION C OF THE WEST HOLLYWOOD MUNICIPAL CODE, IMPLEMENTING PREFERENTIAL PARKING DISTRICT 7 REGULATIONS ON KINGS ROAD BETWEEN SANTA MONICA BOULEVARD AND FOUNTAIN AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.H. PROPOSED RESOLUTION ACCEPTING THE TERMS AND CONDITIONS OF THE GRANT AGREEMENT WITH THE CALIFORNIA STATE COASTAL CONSERVANCY TO RECEIVE GRANT FUNDS:

ACTION: Adopt Resolution No. 01-2583, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ACCEPTING THE TERMS AND CONDITIONS OF THE GRANT AGREEMENT WITH THE CALIFORNIA STATE COASTAL CONSERVANCY TO RECEIVE GRANT FUNDS."; and 2) Authorize the Interim Director of Finance to increase the revenue and expenditure accounts in the Grants Fund by \$30,000 and transfer the matching amount of \$5,802 from the 212 Fund to the 204 Fund. **Approved as part of the Consent Calendar.**

2.I. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 TO INCREASE ASSESSMENTS FOR THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT:

ACTION: Adopt Resolution No. 01-2584, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DIRECTING THE PREPARATION OF A REPORT BY THE AVENUES OF ART AND DESIGN ADVISORY BOARD IN CONNECTION WITH THE PROPOSED INCREASE IN ASSESSMENTS AGAINST CATEGORY 1 AND 2 BUSINESS AND DIRECTING THAT NOTICE BE GIVEN OF A PUBLIC MEETING AND PUBLIC HEARING." **Approved as part of the Consent Calendar.**

2.J. PROPOSED RESOLUTION DESIGNATING 9231-9245 ½ DOHENY ROAD AS A LOCAL CULTURAL RESOURCE (CRD 01-02):

ACTION: Moved to Excluded Consent.

2.K. PROPOSED RESOLUTION PROCLAIMING OCTOBER 10, 2001 AS "CALIFORNIA WOMEN'S HISTORY DAY":

ACTION: 1) Adopt Resolution No. 01-2586, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING OCTOBER 10, 2001 AS "CALIFORNIA WOMEN'S HISTORY DAY." and send copies to appropriate groups and legislators; and 2) Create and present "California Women's History Day" Proclamation. **Approved as part of the Consent Calendar.**

2.L. PROPOSED RESOLUTION PROCLAIMING OCTOBER AS "BREAST CANCER AWARENESS MONTH":

ACTION: Adopt Resolution No. 01-2587, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING OCTOBER AS BREAST CANCER AWARENESS MONTH." **Approved as part of the Consent Calendar.**

2.M. PROPOSED RESOLUTION PROCLAIMING OCTOBER AS "DISABILITY AWARENESS MONTH":

ACTION: Adopt Resolution No. 01-2588, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING OCTOBER AS DISABILITY AWARENESS MONTH." **Approved as part of the Consent Calendar.**

2.N. PROPOSED RESOLUTION PROCLAIMING OCTOBER AS "HEALTHY WEST HOLLYWOOD MONTH":

ACTION: Adopt Resolution No. 01-2589, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING OCTOBER AS HEALTHY WEST HOLLYWOOD MONTH." **Approved as part of the Consent Calendar.**

2.O. SUPPLEMENTAL AGREEMENT WITH WILLDAN ASSOCIATES FOR CONSTRUCTION MANAGEMENT OF THE SANTA MONICA BOULEVARD CONSTRUCTION PROJECT:

ACTION: Authorize the City Manager to execute a supplemental agreement with Willdan Associates in an amount not to exceed \$525,000 for construction management and inspection services, and authorize the Finance Director to adjust the budget accordingly. **Approved as part of the Consent Calendar with Mayor Heilman voting NO.**

2.P. PROPOSED RESOLUTION DECLARING OCTOBER "DOMESTIC VIOLENCE/PARTNER ABUSE AWARENESS MONTH" IN WEST HOLLYWOOD:

ACTION: Adopt Resolution No.01-2590, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING OCTOBER "DOMESTIC VIOLENCE/PARTNER ABUSE AWARENESS MONTH" IN WEST HOLLYWOOD." **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSIONS DENIAL OF EXTENSION OF APPROVAL OF DEVELOPMENT PERMIT 97-20 AND CREATIVE SIGN PERMIT 97-09 TO ALLOW THE CONTINUED OPERATION OF

THE LARGE SCREEN VIDEO LOCATED AT 8410 SUNSET BOULEVARD:

City Clerk Russell stated that the item was published in the West Hollywood Independent on September 19, 2001.

Tim Foy, Interim Planning Manager, provided background information as outlined in the staff report dated October 1, 2001.

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

WAYNE AVERSHAW, Attorney for Shooshani Developers LLC, stated that there are four reasons for the delay: (1) the site was a difficult site because it was narrow, had a steep slope and an earthquake vault which was discovered after work began; (2) difficult construction; (3) and an intricate design; and (4) simply started with the residential portion too late. He stated that he felt that the matter should be remanded to the Planning Commission for a procedural error, where the Planning Commission gave a date certain of October 15, 2001 when the residential portion of the project would be completed. He stated that the developer is requesting thirty (30) days, which would be a completion date of November 5, 2001. Mr. Avrashow stated that if the Planning Commission's recommendation is upheld and his client is forced to discontinue the operation of the jumbotron, it would cause a significant economic loss and there would be no benefit to the City.

JEANNE DOBRIN, WEST HOLLYWOOD, commented that the project was begun in 1997 and permission was given in 1998. The applicant has delayed and developers should not be rewarded.

Mayor Heilman closed the Public Hearing and no more speakers came forward.

Wayne Avrashow, Attorney for Shooshani Developers LLC, stated that this project is for a mixed-use development and it is physically separate and coming together at one point. He requested that this item be continued to the November 5, 2001 City Council meeting.

Councilmember Duran stated that he had visited the project, and asked if it would be ready for occupancy in thirty (30) days.

Mr. Avrashow stated that advertising had begun for occupancy and that the developer would not do that if the project were not in its final stages.

James Donovan, Interim Building and Safety Manager, stated that there are other approvals necessary but that the project can be completed by the date that the developer is requesting.

Mayor Heilman stated that if the jumbotron was turned on, there would be incentive to complete the project. He also stated that there were a number of calls regarding parking at the site.

Councilmember Martin stated that Sandy Margolis, who testified against the developer at the Planning Commission, said that the problems had been resolved and she has no problems with the City Council granting the thirty-(30) day extension.

Councilmember Duran expressed his opposition to this item. He stated that the solution is to shut down the jumbotron.

RECOMMENDATION: 1) Conduct a public hearing; and, 2) Adopt Resolution No. 01-2591, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING AN APPEAL BY JOSEPH SHOOSHANI AND UPHOLDING THE PLANNING COMMISSION'S DENIAL OF AN AMENDMENT TO DEVELOPMENT PERMIT 97-20 AND CREATIVE SIGN PERMIT 97-09 ON AN APPLICATION BY JOSEPH SHOOSHANI, LOCATED AT 8410 SUNSET BOULEVARD, WEST HOLLYWOOD."

ACTION: Moved by Councilmember Prang and seconded by Mayor Pro Tem Guarriello to continue this item for two months. Motion carried with Councilmember Duran voting NO.

3.B. PUBLIC HEARING REGARDING THE PROPOSED VACATION OF PORTIONS OF SIDEWALK AND AIRSPACE ADJACENT TO THE BUILDING LOCATED AT 8560 SUNSET BOULEVARD:

City Clerk Russell stated that the item was published in the West Hollywood Independent on September 19, 2001 and September 26, 2001.

Keith Williams, Assistant City Engineer, provided background information as outlined in the staff report dated October 1, 2001.

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

CYNDY STARRATT, Attorney for Sunset Millennium, asked that the vacations be approved because they were consistent with the Sunset Specific Plan.

MARK SIFFIN, LOS ANGELES, requested that the City Council approve the item.

PAT MCGIN, LOS ANGELES, Regional Council of Carpenters, spoke about a recession with hundreds of jobs at stake and he stated that the City would receive a right hand turn lane and an approval would mean jobs for the contractors he represents.

NORBY WALTERS, WEST HOLLYWOOD, spoke for his homeowner association in support.

THELMA JACKSON, WEST HOLLYWOOD, spoke in support of the item.

JIM MURRAY, WEST HOLLYWOOD, spoke in support of the item.

JULES RIFKIN, WEST HOLLYWOOD, spoke in support of the item.

FRANCISCO ARIZONE, LOS ANGELES, Union Representative of Local 300, spoke in support of the item.

DAVID JONAS, WEST HOLLYWOOD, spoke in support of the item.

GREG REGIER, OAK PARK, representing Regency Outdoor Advertising, stated that granting the approval of this item for vacation of the airspace and the signs were inconsistent with the code and general plan. He also requested that the item be remanded back to the Planning Commission. He further stated that the permits were invalid upon approval and that they were inconsistent with due process by those that opposed the item.

LENNY PANOMAR, WEST HOLLYWOOD, spoke in support of the item.

TERRY PIOTROWSKI, WEST HOLLYWOOD, General Manager of Empire West, and a homeowner in Westview Towers, spoke in support of the item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the item.

JEHUDA RENAN, WEST HOLLYWOOD, spoke in support of the item.

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke in support of due process amendment rights for residents to have an opportunity to be heard on issues regarding their community.

Mayor Heilman closed the Public Hearing.

Councilmember Duran said that he was not so concerned about the land being vacated for the seismic retrofit but the vacation of the air space above the buildings. He stated that he did agree that there were many public benefits, such as more land to help with the cul-de-sac on Alta Loma Avenue and another right turn lane, however he thought that the price for it was the erection of billboards towering over all the towers on Sunset Boulevard and drastically changing the look of the Sunset Strip.

Mayor Heilman stated that he completely supported the cul-de-sac but not the vacation of the air space.

RECOMMENDATION: 1) Conduct a public hearing; 2) Adopt Resolution No. 01-2592, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ORDERING THE VACATION OF A PORTION OF THE SIDEWALK ON THE WEST SIDE OF THE 1200 BLOCK OF ALTA LOMA ROAD ADJACENT TO THE BUILDING LOCATED AT 8560 SUNSET BOULEVARD AND TO VACATE A PORTION OF THE AIR SPACE ABOVE THE SIDEWALK AT 8560 SUNSET BOULEVARD IN THE CITY OF WEST HOLLYWOOD."; 2) Adopt Resolution No. 01-2593, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ACCEPTING THE GRANT OF TWO EASEMENTS AND RIGHT-OF-WAY FOR PUBLIC STREET AND SIDEWALK PURPOSES ON ALTA LOMA ROAD IN THE CITY OF WEST HOLLYWOOD.", and 3) Direct the City Clerk to submit certified copies of Resolution No. 01-2592 and 01-2593, as well as the Easements in Attachment E and Attachment F for recordation by the Office of the Registrar / Recorder of the County of Los Angeles.

ACTION: Moved by Councilmember Prang and seconded by Councilmember Martin to approve staff's recommendations with findings. Motion carried with Councilmember Duran and Mayor Heilman voting NO.

3.C. APPEAL OF THE PLANNING COMMISSIONS DECISION TO DENY THE REQUEST TO CONSTRUCT A NEW BILLBOARD ON AN EXISTING BUILDING AT 8539 SUNSET BOULEVARD (VARIANCE 2000-10, BILLBOARD 2000-53, AND DEVELOPMENT PERMIT 2000-54):

RECOMMENDATION: 1) Conduct a public hearing; and 2) Adopt Resolution No.01-2594, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD UPHOLDING A PLANNING COMMISSION DECISION TO DENY VARIANCE 2000-10, BILLBOARD 2000-53, AND DEVELOPMENT PERMIT 2000-54 ON AN APPLICATION OF TODD ELLIOT, REPRESENTING PALLCO OUTDOOR TO PERMIT A 120 SQUARE FOOT ADDITION TO AN EXISTING COMMERCIAL

BUILDING AND NEW TWO-SIDED BILLBOARD EXCEEDING THE HEIGHT LIMIT LOCATED AT 8539 SUNSET BOULEVARD, CITY OF WEST HOLLYWOOD.”

ACTION: This item was continued to the November 5, 2001 City Council Meeting.

4. UNFINISHED BUSINESS:

4.A. AIDS WALK LOS ANGELES:

City Manager Arevalo provided background information as outlined in the staff report dated October 1, 2001.

RECOMMENDATION: 1) Authorize the City Manager to enter into an agreement with AIDS Walk Los Angeles to hold event within the City of West Hollywood for an amount no to exceed \$76,000. The City Manager will attempt to have all fee's reduced or waived; 2) Authorize the Interim Director of Finance to appropriate \$76,000 from the unallocated General Fund Reserves to various expenditure accounts. This amount will be reduced if any fee's associated with the event are waived or reduced; 3) Close West Hollywood Park from 5:00 AM Saturday October 20, to 4 PM Sunday, October 21, 2001; 4) Approve street closures, contained in background analysis; and 5) Waive all in-kind fee's associated with the event.

Councilmember Martin proposed to suspend permit parking.

City Manager Arevalo stated that he was working with AIDS Project Los Angeles and the Pacific Design Center to provide offstreet parking.

Councilmember Prang stated his concerns regarding crowds and traffic, but that the City had no choice but to accommodate the walk since the AIDS WALK was the grandfather of all AIDS fundraisers.

City Manager Arevalo stated that the City was an alternate site and that he had no knowledge that Paramount Studios had backed out of the deal.

Councilmember Duran requested that, as a show of good will, Paramount Studios, should be asked to contribute in the cost of the Sheriff's overtime. He also suggested that the Sheriff's Department might be willing to contribute. He stated that the restaurants and bars would benefit but the business owners that serve the residents will suffer.

Mayor Heilman stated his shared concern regarding the impact on the businesses but he said that the hours were from 9:00 to 10:00 a.m. on Sunday and that most of the businesses were not open during that time.

Mayor Heilman also stated that the City Manager should ask the City of Los Angeles for some assistance since they were prepared to provide a number of in kind services for this event. He also clarified the fact that the City contracts with AIDS Project Los Angeles for services and that we do not donate money.

ACTION: By consensus, City Council approved staff's recommendations and directed the City Manager to explore all options to reduce the City's costs associated with the event.

5. NEW BUSINESS:

5.A. PROPOSED RESOLUTION TO RECONSIDER THE APPROPRIATE ZONING OF THE AREA KNOWN AS THE CEDAR SINAI PARKING SITE:

RECOMMENDATION: 1) Adopt Resolution No. 01-2595,"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INITIATING AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN AND THE OFFICIAL ZONING MAP RELATIVE TO AN AREA OF LAND BOUNDED BY SHERBOURNE DRIVE AND SAN VICENTE BOULEVARD." and 2) Direct the Planning Commission to consider and make a recommendation to the City Council on whether to amend the Land Use Element of the General Plan and the Official Zoning Map for the property described above in order to: A) Delete the existing "hotel overlay" designation; B) Designate the portion of the property facing the northerly portion of Sherbourne Drive in a manner that is compatible with the adjoining residential neighborhood; C) Designate the remainder for uses consistent with the City's General Plan goals and objectives, given its location on a major collector street and its suitability for higher density housing and/or institutional care; and D) Allow employee parking as permitted use (as an "overlay") until such time as the owner redevelops a property consistent with its revised zoning.

ACTION: This item was tabled.

5.B. SET A DATE FOR A CITY COUNCIL STUDY SESSION ON TENANT HARASSMENT ENFORCEMENT AND PROSECUTIONS:

Helen Goss, Director of Public Information & Adjudication Services, provided background information as outlined in the staff report dated October 1, 2001.

RECOMMENDATION: Direct staff to schedule one of the three dates below for a Study Session on the City's efforts to protect tenants from harassment: 1) Monday, November 12, 2001 from 5:00 p.m. to 6:00 p.m.; 2) Monday, December 3, 2001 from 5:00 p.m. to 6:00 p.m.; 3) Monday,

December 10, 2001 from 6:00 p.m. to 8:00 p.m.; and 4) Monday, January 14, 2002 from 6:00 p.m. to 8:00 p.m.

Mayor Heilman stated that the location for the meeting was to be determined at a later date.

Councilmember Martin requested that the agenda packet be prepared early to allow the Councilmembers sufficient time for review.

Ms. Goss stated that the packet would be given to the Councilmembers thirty (30) days in advance.

ACTION: By consensus, City Council directed that the Study Session be held on January 14, 2002 with the location to be determined.

EXCLUDED CONSENT CALENDAR:

2.J. PROPOSED RESOLUTION DESIGNATING 9231-9245 ½ DOHENY ROAD AS A LOCAL CULTURAL RESOURCE (CRD 01-02):

ACTION: Adopt Resolution No. 01-2585, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THAT CITY COUNCIL DESIGNATE THE BUILDING LOCATED AT 9231-9245 ½ DOHENY ROAD AS A LOCAL CULTURAL RESOURCE IN THE CITY OF WEST HOLLYWOOD."

Mayor Heilman stated his concerns with the Cultural Heritage Commission and what criteria they are using to designate property as historic.

Jennifer Davis, Senior Planner, stated that the Cultural Heritage Commission was in the business of historic preservation and when staff, owner and the Cultural Heritage Commission come together there is a propensity to designate a property as historic.

Mayor Heilman stated that it was real easy to approve this item on consent but that it did have fiscal impact down the line and that the potential for removing residential units from the City's housing stock, if the owner could obtain a certificate of appropriateness, and utilize the facility for commercial use or a bed and breakfast.

Ms. Davis stated that the building referred to in the item had been on the designation list for many years. She further stated that the owner could utilize the building for commercial use through a commercial use permit and that the changes in the Zoning Ordinance made it close to impossible to utilize a building for a bed and breakfast.

Ms. Davis stated that the criteria is in place for designation and research had been done in 1989 and that there was a list of properties for designation.

ACTION: Moved by Councilmember Martin, seconded by Councilmember Prang to continue this item for one month. Unanimously carried.

PUBLIC COMMENT:

6. **LEGISLATIVE:** None.

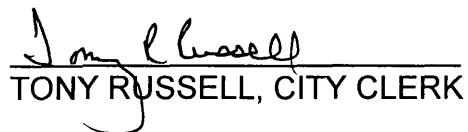
COUNCILMEMBER COMMENTS:

ADJOURNMENT: The City Council adjourned at 9:30 p.m. in memory of Harry Hoffman and Herb King to their next regular meeting, which will be on Monday, October 15, 2001 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 15TH DAY OF OCTOBER, 2001.


MAYOR

ATTEST:


TONY RUSSELL, CITY CLERK