

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, NOVEMBER 19, 2001
WEST HOLLYWOOD PARK**

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

PLEDGE OF ALLEGIANCE: Richard Settle led the pledge.

ROLL CALL:

PRESENT: Councilmember Duran, Martin, Prang and Mayor Heilman.

ABSENT: Mayor Pro Tempore Guarriello.

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. One item of initiated litigation was added to the agenda. No reportable action was taken.

APPROVAL OF AGENDA:

Staff requested that Item 5.A. be tabled.

Councilmember Martin noted his NO vote on Item 2.P.

Councilmember Martin requested that Item 3.C. be moved to the Consent Calendar.

Councilmember Duran requested the meeting be adjourn in memory of Marlene Rasnick.

Councilmember Prang requested the meeting be adjourn in memory of Teresa Mc Phee.

ACTION: Approve the November 19, 2001 Agenda as amended. **Moved by Councilmember Martin, seconded by Councilmember Duran to approve the agenda as amended. Unanimously carried noting Mayor Pro Tempore Guarriello as Absent.**

PRESENTATIONS:

AIDS Project of Los Angeles presented a \$20,000 check to the City Council for West Hollywood Club Freedom.

Mayor Heilman proclaimed December 1, 2001 as World AIDS Day.

PUBLIC COMMENT:

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding comments that were made at the last Council meeting.

RUTH WILLIAMS, WEST HOLLYWOOD, thanked Council for approving Item 3.C.

DONNY CACY, LOS ANGELES, thanked Council for approving Item 2.P. and Item 3.C.

KATHERINE THULIN, WEST HOLLYWOOD, spoke in opposition of a proposed housing development on Delongpre Avenue.

CAROL RODRIGUEZ, WEST HOLLYWOOD, spoke about pooper-scooper containers.

SCOTT IMLER, WEST HOLLYWOOD, thanked Council for adjourning in memory of Marlene Resnek and announced her memorial service. He also addressed several questions concerning the Los Angeles Cannabis Resource Center.

SIBYL ZADEN, WEST HOLLYWOOD, spoke regarding Hart Park as being the City's Dog Park and requested Council to look into buying more land for dog parks.

JEROME CLEARY, WEST HOLLYWOOD, spoke regarding parking enforcement on Saturday evenings.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT: None.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Russell stated that the fiscal impact on the Consent Calendar for Monday, November 19, 2001 is \$666,125 in expenditures and \$326,603 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.,O.,P.,Q.,R.(3.C.) Moved by Councilmember Prang and seconded by Councilmember Martin to approve the Consent Calendar as amended. Motion carried with Councilmember Prang voting NO on item 2.P. and noting Mayor Pro Tempore Guarriello as Absent.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, November 19, 2001 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, November 15, 2001.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of November 5, 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. 450, RESOLUTION NO. 01-2610:

ACTION: Approve Demand Register No. 450 and adopt Resolution No. 01-2610, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 450." **Approved as part of the Consent Calendar.**

2.E. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Alvaro Meza, Marcia M. Garcia, and Ora Kohensedgh and refer them to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.F. RESIGNATION OF GUY WHEATLEY FROM THE FINE ARTS COMMISSION:

ACTION: Accept with regret the resignation of Guy Wheatley from the Fine Arts Commission. **Approved as part of the Consent Calendar.**

2.G. CALIFORNIA LAW ENFORCEMENT EQUIPMENT PROGRAM (CLEEP) GRANT FUNDING ALLOCATION PROPOSAL:

ACTION: 1) Authorize the City Manager to accept West Hollywood's FY 2001-2002 allocation of \$41,203 from the California Law Enforcement Equipment Program (CLEEP) grant program; 2) Authorize the Interim Director of Finance to increase budgeted expenditures by \$41,203 in account 204-4000-8424 and budgeted revenues by \$41,203 in account 204-0000-5024; and 3) Authorize the City Manager to reprogram all savings and interest earnings towards the purchase of additional high technology equipment. **Approved as part of the Consent Calendar.**

- 2.H. MILLS ACT 01-04 FOR PROPERTY LOCATED AT 9231-9245 ½ DOHENY ROAD:**
ACTION: Approve a Mills Act Contract for 9231-9245 ½ Doheny Road and authorize the City Manager to sign it. **Approved as part of the Consent Calendar.**
- 2.I. ASSIGNMENT AGREEMENT WITH THE CITY OF WALNUT FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS:**
ACTION: 1) Approve a Prop A fund trade agreement with the City of Walnut for \$200,270 West Hollywood Fiscal Year 2001-2002 General Funds in exchange for \$286,100 City of Walnut Prop A Funds; and 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**
- 2.J. LEGISLATIVE STATUS REPORT:**
ACTION: Receive and file status update of Bills. **Approved as part of the Consent Calendar.**
- 2.K. AMENDMENT TO AGREEMENT FOR GROUNDS MAINTENANCE SERVICES:**
ACTION: 1) Approve the Fourth Amendment to Agreement for Grounds Maintenance Services with TruGreen LandCare, Inc., for maintaining landscape improvements on Santa Monica Boulevard and at the Plummer Park Community Center at a monthly cost of \$13,600; and 2) Authorize the City Manager to sign the Fourth Amendment to Agreement. **Approved as part of the Consent Calendar.**
- 2.L. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATES FOR PHASE II OF THE LA CIENEGA CORRIDOR (WESTSIDE NORTH SOUTH CORRIDOR) PROJECT:**
ACTION: Authorize the City Manager to enter into a professional services agreement with Gardener Transportation Systems in an amount not to exceed \$261,515 to provide engineering construction plans, specifications, estimates and project management for Phase II of the La Cienega Corridor Project. **Approved as part of the Consent Calendar.**
- 2.M. RESOLUTION PROCLAIMING DECEMBER 1 AS “WORLD AIDS DAY”:**
ACTION: Adopt Resolution 01-2611, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING DECEMBER 1, 2001 AS “WORLD AIDS DAY”.” **Approved as part of the Consent Calendar.**

2.N. ESTABLISHMENT OF THE WEST HOLLYWOOD TECHNOLOGY TASK FORCE:

ACTION: 1) Direct the City Clerk to begin soliciting applications from West Hollywood residents for qualified individuals to be appointed by the City Manager to serve on the Technology Task Force. An understanding of current technology and telecommunications will be a pre-requisite; and 2) Direct the Information systems Manager to establish the West Hollywood Technology Task Force and develop a quarterly schedule of meeting dates and times. **Approved as part of the Consent Calendar.**

2.O. PROPOSED RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY FOR THE SUPPLEMENTAL ASSISTANCE TO THE NATIONAL BROWNFIELDS ASSESSMENT DEMONSTRATION PILOTS – FY 2002 GRANT:

ACTION: 1) Adopt Resolution No. 01-2612, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION, THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO, AND ANY OTHER DOCUMENTS NECESSARY TO SECURE THE SUPPLEMENTAL ASSISTANCE TO THE NATIONAL BROWNFIELDS ASSESSMENT DEMONSTRATIONS PILOTS GRANT FROM THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY;" and 2) Authorize the City Manager to execute all necessary applications, contracts, payment requests, agreements, and amendments for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application. **Approved as part of the Consent Calendar.**

2.P. FOUNTAIN AVENUE PEAK HOUR PARKING RESTRICTIONS:

ACTION: Approve maintaining the Fountain Avenue peak hour restrictions: Eastbound between La Cienega Boulevard and Havenhurst Drive during 4:00 P.M. to 7:00 P.M., Monday to Friday, Eastbound and westbound between Laurel Avenue and Gardner Street at designated locations during 7:00 A.M. to 9:00 A.M. and 4:00 P.M. to 7:00 P.M. Monday to Friday. **Approved as part of the Consent Calendar with Councilmember Martin voting NO.**

2.Q. UPDATE ON THE ECONOMIC DEVELOPMENT STUDY SESSION:

ACTION: Receive and file the Economic Development Study Session Executive Summary. **Approved as part of the Consent Calendar.**

2.R. HEDGE HEIGHT LIMITS: (ZONING TEXT AMENDMENT 01-07):

ACTION: Introduce on first reading Ordinance No. 01-615, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING TEXT AMENDMENT 01-07 ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO REMOVE HEIGHT LIMITS ON HEDGES IN ALL RESIDENTIALLY ZONED AREAS IN WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar.**

THE CITY COUNCIL WILL RECESS TO THE PUBLIC FACILITIES CORPORATION: 7:10 P.M.

RECONVENE AS THE CITY COUNCIL: 7:12 P.M.

3. PUBLIC HEARINGS:

3.A. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF TEMPORARY USE PERMITS 01-11 AT 365 SAN VICENTE BOULEVARD (CEDARS SINAI LOT):

City Clerk Russell stated that the item was published in the West Hollywood Independent on November 7, 2001

John Keho, Senior Planner, provided background information as outlined in the staff report dated November 19, 2001.

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

RICK JACOBS, LOS ANGELES, appellant for Cedars Sinai spoke regarding the Temporary Use Permit and requested that the permit be granted for an additional year. He also provided background information about the temporary parking lot.

JEFF HABER, LOS ANGELES, appellant for Cedars Sinai spoke regarding the time limit of the Temporary Use Permit. He stated that the project as is meets and exceeds all required setbacks. He also stated that if the 15-foot setbacks are required the existing buildings would have to be demolished.

In response to Councilmember Prang, John Keho, Senior Planner, provided an overview of the application processing procedures. He stated that the concept of the landscaping had been resolved and that the improvements had not been done.

In response to Councilmember Duran, Mr. Jacobs stated that their employees are currently using the lot. He also stated that they have a series of projects but there are no plans to develop this lot.

In response to Councilmember Prang, Mr. Haber stated that the parking spaces within this lot are not tied to any parking requirements in neither Los Angeles nor West Hollywood. He also stated that this parking is in excess of what is required.

ANNETTE VAIT, WEST HOLLYWOOD, appellant for the neighborhood stated that she had sent a letter to the City Clerk requesting that this item be continued and that she is not prepared to address the issue. She expressed her concerns about Cedars Sinai being a bad neighbor and how Cedars Sinai continues to violate the conditions of the current Temporary Use Permit. She stated that an agreement was not made on the landscaping plan and that the neighbors have participated in good faith to solve this issue.

In response to Councilmember Martin, Ms. Vait stated that the 15-foot setback begins at the property line, which is the backside of the sidewalk. She also stated that the landscaping plan included trees, grass and a sprinkler system.

ANNMARIE ISLEIB, WEST HOLLYWOOD, spoke in opposition of staff's recommendations.

CHRISTOPHER LOVE, WEST HOLLYWOOD, spoke in support of the Cedars Sinai appeal.

LEON MISMAS, WEST HOLLYWOOD, spoke in support of the Cedars Sinai appeal.

LAUREN MIESTER, WEST HOLLYWOOD, spoke in support of staff's recommendations.

WILLIAM GIVERTZ, WEST HOLLYWOOD, spoke in support of the Cedars Sinai appeal.

HILLARY SELVIN, LOS ANGELES, spoke in support of Cedars Sinai appeal and asked the Council to grant a 2-year Temporary Use Permit.

DAN SIEGEL, WEST HOLLYWOOD, spoke in support of the neighborhood's appeal and requested Council to deny Cedars Sinai appeal.

CHIS ISLEIB, WEST HOLLYWOOD spoke in support of the neighborhood's appeal.

MICHAEL HIRSHFIELD, WEST HOLLYWOOD, spoke in support of the Cedars Sinai appeal.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the neighborhood's appeal.

JEFF HABER, LOS ANGELES, appellant for Cedars Sinai responded to the neighbor's concerns regarding landscaping issues. He stated that they have met with the neighbors regarding this issue. He also stated that Cedars Sinai has never considered the rehabilitation of the buildings on the site.

ANNETTE VAIT, WEST HOLLYWOOD, stated that the conditions of the existing Temporary Use Permit are not being followed. She also spoke about vagrants living in the housing and how Cedars Sinai is not taking care of the property. She recommended that the conditions of the Temporary Use Permit be enforced.

Mayor Heilman closed the public hearing.

Councilmember Duran requested that Council grant the 15-foot setback requirements, grant an additional two or three years to the Temporary Use Permit and demolish the existing vacant buildings.

Councilmember Martin requested that the City be granted access to the thirty or forty spaces on the north portion of the lot. He also requested that Cedar's Sinai reconfigure the landscaping of the lot and add additional trees within the parking lot.

Councilmember Prang again requested that Council defer the decision of this item until Mayor Pro Tempore Guarriello returns. He addressed concerns that Cedars Sinai has not been a good neighbor and has not lived up to the conditions that have been set forth. He felt that a shorter Temporary Use Permit would be better than granting longer use for this property.

Mayor Heilman stated the City could not tell the property owner how to develop their property. He suggested that the Temporary Use Permit be granted for a longer period of time. He also expressed his support of the demolition of the existing buildings.

RECOMMENDATION: 1) Conduct a public hearing; and 2) Adopt Resolution No. 01-2613, "A RESOLUTION OF THE CITY COUNCIL OF

THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF CEDARS-SINAI MEDICAL CENTER, PARTIALLY APPROVING THE APPEAL BY ANNETTE VIAT AND APPROVING TEMPORARY USE PERMIT 01-11 FOR A ONE-YEAR TEMPORARY USE OF A PARKING LOT FOR CEDARS-SINAI MEDICAL CENTER (CSMC) EMPLOYEES AT THE PROPERTY LOCATED AT 365 SAN VICENTE BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.”

ACTION: Moved by Councilmember Duran and seconded by Mayor Heilman granting both appeals in partial and amending the resolution as follows: 1) A 15-foot landscape buffer on the residentially zoned property of the site along Sherbourne Drive, landscape plan to be approved by staff; 2) Grant the Temporary Use Permit for 3 years, contingent upon Cedars Sinai applying for a demolition permit within 15 days; 3) Extend scope of TUP to authorize parking on the northern portion of the Lot upon demolition of the residential structures, subject to construction of landscape buffer; 4) Delete Section 4.14 the requirement for the bi-monthly meetings; 5) In Section 1.4 of the resolution strike-out 12 months and replace with 36 months and strike the second sentence; 6) Section 2.3 of the resolution should be stricken; 7) Amend Section 3.1 to include trees (which may be potted or planted) in interior of the parking lot in accordance to the landscape plan; 8) Create a sub-committee of the neighborhood to include Marty Strudler, President of West Hollywood West and Lauren Miester to review the landscape design along with staff; 9) Construction commence within 45 days of the issuance of necessary permits received with the objective of completing the construction within a period of 6 months thereafter subject only to delays due to conditions or circumstances beyond the applicant’s control; 10) Amend the title of the resolution to reflect that the Council partially approved and partially denied the Cedars appeal and partially approved and partially denied the appeal of Annette Vait; 12) Adopt all seven pages of conditions as above amended.

ROLL CALL VOTE:

AYES: Councilmember Duran, Martin, and Mayor Heilman.

NOES: Councilmember Prang.

ABSENT: Mayor Pro Tempore Guarriello

Council recessed at 9:20 P.M. and reconvened at 9:40 P.M.

Council took Item 4.D. out of order.

3.B. A ZONING TEXT AMENDMENT TO DELETE THE REQUIREMENT FOR FILING OF A CONDITIONAL USE PERMIT FOR A TALL WALL SIGN:

City Clerk Russell stated that the item was published in the West Hollywood Independent on November 7, 2001.

Jack McGee, Contract Planner, provided background information as outlined in the staff report dated November 19, 2001.

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

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the staff recommendations to deny the Zoning Text Amendment.

TODD ELLIOT, WEST HOLLYWOOD, spoke about the standards of the Conditional Use Permits and spoke in opposition to staff's recommendations.

HILLARY SELVIN, LOS ANGELES, spoke in opposition to staff's recommendations.

Mayor Heilman closed the public hearing.

RECOMMENDATION: Deny the Zoning Text Amendment, and retain the existing requirement for a Conditional use Permit for each Tall Wall Sign.

ACTION: Moved by Councilmember Prang and seconded by Councilmember Duran to approve staff's recommendations. Unanimously carried noting Mayor Pro Tempore as Absent.

3.C. HEDGE HEIGHT LIMITS: (ZONING TEXT AMENDMENT 01-07)

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

4. UNFINISHED BUSINESS:

4.A. CITY COUNCIL APPOINTMENTS TO A TASK FORCE FOR THE SELECTION OF CITY ENTRY FEATURES:

Mildred Ramos Majoros, Development Specialist, provided background information as outlined in the staff report dated November 19, 2001.

RECOMMENDATION: 1) Make one direct appointment – Mayor Heilman; and 2) Confirm pending appointment of Mary Sweeny – Councilmember Duran.

**ACTION: Mayor Heilman appointed Kim Schnider.
Councilmember Duran confirmed Mary Sweeny as his
appointment.**

**4.B. UPDATE ON THE CITY OF WEST HOLLYWOOD "VISION 2020"
STRATEGIC PLANNING PROCESS:**

Mildred Ramos Majoros, Development Specialist, provided background information as outlined in the staff report dated November 19, 2001.

RECOMMENDATION: 1) Receive and file the report, which consists of the following: a) An outline of the proposed strategic plan and anticipated outcomes; b) The proposed organization and reporting structure; c) A detailed description of the planning steps and timeline; and 2) Direct the City Manager and staff to proceed with the Strategic Plan process.

ACTION: Moved by Mayor Heilman and seconded by Councilmember Duran to approve staff's recommendation. Unanimously carried noting Mayor Pro Tempore as Absent.

4.C. ADOPTION OF CODE OF CONDUCT:

Mike Jenkins, City Attorney, provided background information as outlined in the staff report dated November 19, 2001.

TOM DEMILLE, WEST HOLLYWOOD, requested that the code be upheld by all Councilmembers and be displayed at City Hall.

RECOMMENDATION: Adopt Resolution No. 01-2604, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A CODE OF CONDUCT GOVERNING THE CITY'S ELECTED AND APPOINTED OFFICIALS."

ACTION: Moved by Councilmember Prang and seconded by Councilmember Duran to approve staff's recommendation and directed the City Clerk to post the Code of Conduct on the City's Web site. Unanimously carried noting Mayor Pro Tempore Guarriello as Absent.

4. D. SANFAIR BUS STOP GARDENS AND POCKET PARK:

Mildred Ramos Majoros, Development Specialist, provided background information as outlined in the staff report dated November 19, 2001.

Pamela Burton, Project Manager, provided additional background information regarding the project.

Barbara McCarren, Artist of the project, provided a brief overview and how the project was designed by using the game of chess as a metaphor and design pattern.

Councilmember Duran requested that Spanish be added to the project.

RECOMMENDATION: Review the Sanfair Bus Stop Gardens and Pocket Park design and direct staff to proceed with design development.

ACTION: Moved by Councilmember Prang and seconded by Councilmember Martin to approve staff's recommendation. Unanimously carried noting Mayor Pro Tempore Guarriello as Absent.

NEW BUSINESS:

5.A. TOW AWAY ENFORCEMENT ON SUNSET BOULEVARD:

RECOMMENDATION: 1) Adopt Resolution No. 01-2608, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING TOW AWAY ENFORCEMENT ON SUNSET BOULEVARD BETWEEN THE HOURS OF 2:30 A.M. AND 7:00 A.M. EVERYDAY"; and 2) Authorize the Interim Director of Finance to increase the budgeted General Fund Expenditures in the Parking Division by \$23,600 for Fiscal Year 2001/2002; and 3) Authorize the Interim Director of Finance to increase the budgeted revenues in the General Fund by \$33,391, and \$932 for the Parking Improvement Fund for Fiscal year 2001/2002.

ACTION: The Item was tabled.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

DAN SIEGLE, WEST HOLLYWOOD, spoke regarding Cedars Sinai demolishing existing buildings on their property.

6. LEGISLATIVE: None.

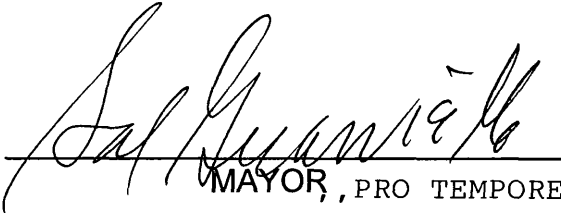
COUNCILMEMBER COMMENTS:

Councilmember Prang wished Norman Chramoff a happy 50th birthday.

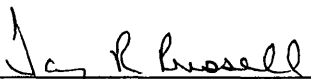
Councilmember Duran wished the entire City Happy Thanksgiving.

ADJOURNMENT: The City Council adjourn at 10:15 P.M. in the memory of Marlene Rasnick and Teresa McPhee, to the Affordable Housing Summit, which will be on Thursday, November 29, 2001 at 8:30 A.M. at Plummer Park, 7377 Santa Monica Boulevard. The next regular meeting will be held on Monday, December 3, 2001, 6:30 P.M. at West Hollywood Park, 647 N. San Vincent Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 3rd DAY OF DECEMBER, 2001.


MAYOR, PRO TEMPORE

ATTEST:


TONY RUSSELL, CITY CLERK