

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, MAY 7, 2001
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:15 p.m.

PLEDGE OF ALLEGIANCE: David Eichman led the Pledge.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: City Attorney Jenkins, City Manager Arevalo, Assistant City Clerk Taylor and Administrative Assistant Bell.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins reported that the Closed Session began at 6:00 P.M., one item of potential litigation was added to the agenda and prior to recessing there was no public comment. No reportable actions were taken and the Closed Session ended at 6:55 P.M. with no reportable actions taken.

Mayor Heilman requested that Item 2.H. and 2.V. be moved to Excluded Consent Calendar. Mayor Heilman later placed Item 2.H was back on the Consent Calendar.

Mayor Pro Tem Guarriello requested that Item 2.S. be moved to Unfinished Business to be heard before 4.A.

Councilmember Prang requested that item 2.Z. be moved to Excluded Consent Calendar.

Councilmember Martin requested that Item 2HH. be moved to Excluded Consent Calendar. Which later was tabled until May 21, 2001 meeting.

Councilmember Duran requested that Item 2II. be moved to Excluded Consent Calendar. Which was later tabled until May 21, 2001 meeting.

APPROVAL OF AGENDA:

ACTION: Approve the May 7, 2001 Agenda as amended. **Motion Mayor Pro Tem Guarriello, seconded by Councilmember Martin and unanimously carried.**

PRESENTATIONS:

Mayor Pro Tem Guarriello presented a plaque to Senior's Are Special Award Presentation to Rose Bolotin.

Hillary Selvin, Executive Director of the West Hollywood Chamber of Commerce presented one of the awards from last year for the Sunset Strip Billboard Awards to City Manager Arevalo, Mayor Heilman and Councilmember Martin.

Councilmember Martin presented a proclamation for Bike to Work Week, May 14th to May 18th and presented it to Sarah Bradshaw, Deputy to Councilmember Martin and Joan English, Director of Transportation.

Mayor Heilman proclaimed May as Historical Preservation Month and presented it to Friends of the Schindler House and Mak Center for Art and Architecture.

Mayor Heilman requested that the meeting be adjourned in memory of Wayne Zimmerman.

PUBLIC COMMENT:

LAURA FRAKES, WEST HOLLYWOOD, announced the dates that the Library will be closed May 14th to May 28th for technology upgrades and she mentioned programs scheduled in respect to Asian Heritage Month.

CAPTAIN LYNDA CASTRO, WEST HOLLYWOOD, announced a new program called CAPTAIN FOR A DAY for both sworn and civilian persons.

GAIL TUBBS, LOS ANGELES, Actor's Fund of America, spoke about the negotiation agreement with CIM Group and the Actor's Fund.

SHIRLEY BUSHNELL, WEST HOLLYWOOD, spoke in support of item 2. S.

EMILIA LOMBARDI, WEST HOLLYWOOD, spoke in support of item 2.S.

DEBORAH JACKSON, WEST HOLLYWOOD, spoke in support of item 2.S. and she thanked the Council and the citizens for their awareness.

CHERYL HOFFMAN, LOS ANGELES, assisting in the entertainment portion of the Transgender Event on June 8th, thanked the City Council for their support.

RICHARD PENG, NORTH HOLLYWOOD, Run Walk For Gay And Lesbian Pride 20th Annual Race Sunday, June 17th Presented a poster to the City Council.

DAVID NASH, WEST HOLLYWOOD, spoke about an incident he witness involving a senior citizen.

MERLE HOPHINI, WEST HOLLYWOOD, spoke about the former parking lot of Spagos on Sunset Boulevard.

ARICH BERGHAMMER, SANTA MONICA, General Manager Of House Of Blues, spoke about the contract in approving the Sunset Strip.

JACK JAY, WEST HOLLYWOOD, spoke about the problems of his business with the reconstruction of Santa Monica Boulevard near LaBrea Boulevard.

JEROME CLEARY, WEST HOLLYWOOD, spoke about homes built by Edward Fickett in the City and their preservation.

RODNEY SCOTT, WEST HOLLYWOOD, spoke about the support of the City Council in strengthening the direction of Christopher Street West.

DAVID EICHMAN, LOS ANGELES, Chair, Transportation Commission, spoke in support of item 6.A. and the safety of having it in place.

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke about utility hikes.

LENNY TASHMAN, SHERMAN OAKS, spoke about the elimination of some parking spaces in front of his business with a bus stop at 7769 Santa Monica Boulevard.

YEFIM STORYARSKIY, WEST HOLLYWOOD, President of the Russian World War II Veterans spoke about the "Nights of May" celebration.

EFIM KUNTZ, WEST HOLLYWOOD, expressed congratulations to John Heilman, as Mayor.

JAMES JOHNSON, WEST HOLLYWOOD, spoke about the tow away policy and his own car being towed.

COUNCILMEMBER COMMENTS:

Mayor Pro Tem Guarriello spoke about the elimination of parking in front of 7769 Santa Monica Boulevard.

Councilmember Martin thanked Jerome Cleary for the packet on Edward Fickett and he thanked Rodney Scott and all involved in the revitalization of Christopher Street West. He also spoke in support of their new council, Jeff Thomas.

Councilmember Prang wished all the mothers Happy Mother's Day. He congratulated Rick Rickles on being chosen as Senior of the Year by the LA County Commission on Aging. He also encouraged people to watch or attend senior activities going on throughout the month in the City. He congratulated the boardmembers and volunteers

of Christopher Street West. He also announced that the Russian Veteran's Parade will be on the Boulevard on the sidewalk, Wednesday, May 9th at 11 am.

Councilmember Duran, stated that Jeff Thomas was his law partner of Duran and Thomas and that he would be abstaining on any matters regarding Christopher Street West. He announced his new Deputy Hernan Molina which is employed by the Los Angeles County.

CITY MANAGER'S REPORT: City Manager Arevalo reported that Friday, May 25th the City will be hosting the Walkable Westside City's Program; a campaign which urges pedestrians and motorists to be aware of their environment and use safety measures. The event on the roof of the Pacifica Design Center at 10:30 a.m., with free parking.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Taylor stated that the fiscal impact on the Consent Calendar for May 7, 2001 as amended is \$301,198 in expenditures and \$ (67,835) in potential revenues.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J., K., L., M., N., O., P., Q., R., T., U., W., Y., AA., BB., CC., DD., EE., FF., GG., and JJ. Motion Mayor Pro Tem Heilman, seconded by Councilmember Martin and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, May 7, 2001 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, May 3, 2001.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of April 16, 2001. Approved as part of the Consent Calendar.

2.C. WAIVER OF FURTHER READING:

ACTION: *The City Council will waive the reading of the full text of an ordinance after the reading of the title.* Approved as part of the Consent Calendar.

2.D. DEMAND REGISTER NO. 437, RESOLUTION NO. 01-2488:

ACTION: Approve Demand Register No. 437 and adopt Resolution No. 01-2488, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 437." Approved as part of the Consent Calendar.

2.E. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Judith Rabineau, Arthur William Sullivan, and J.S. Chrisant and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 01-600 (2ND READING) ESTABLISHING EXCEPTIONS TO THE TRENCH CUT MORATORIUM ON SANTA MONICA BOULEVARD:

ACTION: Waive further reading and adopt No. 01-600, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO. 00-586 AND ESTABLISHING EXCEPTIONS TO THE TRENCH CUT MORATORIUM ON SANTA MONICA BOULEVARD." **Approved as part of the Consent Calendar.**

2.G. AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT 3RD QUARTER REPORT:

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

2.H. AGREEMENT WITH WILLIAM AVERY AND ASSOCIATES, EXECUTIVE SEARCH FIRM:

ACTION: 1) Approve an agreement with William Avery and Associates to conduct an executive searches for the Planning Manager management position; and, 2) Authorize the City Manager to execute the agreement in the amount not to exceed \$13,500 for professional services and \$6,000 for related expenses. **Approved as part of the Consent Calendar.**

2.I. APPROVAL OF A PURCHASE ORDER WITH FLINT TRADING COMPANY FOR PROCUREMENT OF THERMOPLASTIC PAVEMENT STRIPING AND MARKING MATERIALS FOR STREET MAINTENANCE SERVICES:

ACTION: Authorize the City Manager to execute a Purchase Order with Flint Trading Incorporated in an amount not to exceed \$20,000 for procurement of thermoplastic pavement striping and marking materials. **Approved as part of the Consent Calendar.**

2.J. ONE-YEAR EXTENSION OF THE TERM OF THE EAST SIDE PROJECT AREA COMMITTEE MEMBERS:

ACTION: Extend the term of the East Side Project Area Committee members for one year. **Approved as part of the Consent Calendar.**

2.K. CHRISTOPHER STREET WEST 31ST ANNUAL LESBIAN, GAY, BISEXUAL, AND TRANSGENDER CELEBRATION AND PARADE "2001": PRIDE ODYSSEY HELD IN THE CITY OF WEST HOLLYWOOD:

ACTION: Approve recommendations as outlined in staff report. **Approved as part of the Consent Calendar.**

2.L. LEGISLATIVE TRACKING:

ACTION: Receive and file quarterly status update of Bills. **Approved as part of the Consent Calendar.**

2.M. PROPOSED RESOLUTION DENYING THE APPEAL OF ELLER MEDIA AND SUPPORTING THE PLANNING COMMISSION'S DECISION TO DENY CREATIVE BILLBOARD PERMIT (CBB) 99-52 FOR THE INSTALLATION OF A CREATIVE BILLBOARD/TALL WALL AT 8730 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA:

ACTION: Adopt Resolution No. 01-2489, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF ELLER MEDIA AND SUPPORTING THE PLANNING COMMISSION'S DECISION TO DENY CREATIVE BILLBOARD PERMIT (CBB) 99-52 FOR THE INSTALLATION OF A CREATIVE BILLBOARD / TALL WALL AT 8730 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar.**

2.N. VEHICLE REPLACEMENT PURCHASE:

ACTION: 1) Authorize the Finance Department to issue a Purchase Order to Wondries Ford of Alhambra, California in an amount of \$59,112.72 for the purchase of one full size pickup truck and two passenger sedans; and, 2) Declare one Dodge 1989 Dodge Ram pickup truck, one 1994 Ford Taurus and one 1990 Ford Tempo as surplus and authorize staff to sell these vehicles at a future date with funds received being deposited into the General Fund. **Approved as part of the Consent Calendar.**

2.O. COUNTY OF LOS ANGELES REGIONAL PARK AND OPEN SPACE DISTRICT GRANT PROGRAM-YOUTH EMPLOYMENT PLAN:

ACTION: Adopt the Youth Employment Plan as outlined in the staff report. **Approved as part of the Consent Calendar.**

2.P. PROPOSED RESOLUTIONS SUPPORTING VARIOUS BILLS RELATIVE TO HOUSING- SENATE BILL 985 (KUEHL), SENATE BILL 183 (BURTON), AND ASSEMBLY BILL 1008 (LOWENTHAL) AND ASSEMBLY BILL 628 (OROPEZA):

ACTION: 1) Adopt Resolution No. 01-2490, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING SENATE BILL 985 (KUEHL)"; 2) Adopt Resolution No. 01-2491, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING SENATE BILL 183 (BURTON);" 3) Adopt Resolution No. 01-2492, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING ASSEMBLY BILL 1008 (LOWENTHAL);" and, 4) Adopt Resolution No. 01-2493, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST

HOLLYWOOD SUPPORTING ASSEMBLY BILL 628 (OROPEZA)."
Approved as part of the Consent Calendar.

2.Q. EXCLUSIVE NEGOTIATING AGREEMENT WITH CALIFORNIA URBAN REAL ESTATE FUND LP (CIM) FOR DEVELOPMENT OF THE CITY PROPERTY LOCATED AT 8759 SANTA MONICA BOULEVARD: (J ENGLISH)

ACTION: Authorize the City Manager to enter into an Exclusive Right to Negotiate with California Urban Real Estate Fund LP (CIM) for the development of the property located at 8759 Santa Monica Boulevard.
Approved as part of the Consent Calendar.

2.R. AMENDMENT TO THE AGREEMENT WITH DMG MAXIMUS, EXECUTIVE SEARCH FIRM:

ACTION: Amend the agreement with DMG Maximus for an additional amount not to exceed \$65,000 for professional services and related expenses and authorize the City Manager to execute the agreement.
Approved as part of the Consent Calendar.

2.S. PROPOSED RESOLUTION THAT WOULD MAKE BOTH THE RAINBOW LOGO AND THE BLUE AND WHITE LOGO ACCEPTABLE FORMS OF THE CITY'S OFFICIAL LOGO:

Heard under Unfinished Business.

2.T. PROPOSED RESOLUTION DECLARING MAY AS HISTORIC PRESERVATION MONTH:

ACTION: 1) Adopt Resolution No. 01-2494, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING MAY AS "HISTORIC PRESERVATION MONTH;" and, 2) Refer this item to staff, the Cultural Heritage Commission, 2001 Historic Preservation Month honorees and the MAK Center and Friends of the Schindler House on additional programming. **Approved as part of the Consent Calendar.**

2.U. FRONTRUNNERS 20TH ANNUAL RUN WALK FOR GAY AND LESBIAN PRIDE:

ACTION: 1) Authorize the use of Santa Monica Boulevard between Fairfax Boulevard and Doheny Drive for the 5K and 10k run/walk from 7:00 a.m. to 11:00 a.m. in addition to La Peer Drive from Santa Monica Boulevard to Melrose Avenue from 6:00 a.m. to 11:00 a.m.; 2) Authorize the placement of water stations on Santa Monica Boulevard, Havenhurst Avenue, and La Peer Drive during the race; 3) Authorize the use of the swimming pool showers for participants after the race, and the use of related race equipment provided by the Recreation Division; 4) Waive all permit fees associated with the event; 5) Approve the City becoming co-sponsor of the event, allowing Frontrunners to use the City name and logo

on entries, t-shirts and other promotions. Include promotion of the race by the City during its promotion of the annual West Hollywood Pride Festival; and, 6) Direct Frontrunners to produce insurance sufficient to satisfy the City's requirements, either as an addition to the Christopher Street West policy or as separate policy, with the City named as additionally insured. **Approved as part of the Consent Calendar.**

2.V. SUNSET BOULEVARD AND HARPER AVENUE - REQUEST FOR PEDESTRIAN TRAFFIC SIGNAL CONTROL:
Moved to Excluded Consent.

2.W. COMMISSION AND ADVISORY BOARD ACTION:
ACTION: Receive and file. Approved as part of the Consent Calendar.

2.X. AMEND CONTRACT FOR PROFESSIONAL SERVICES:
Tabled.

2.Y. RESIGNATION OF GRETCHEN FINE FROM WOMEN'S ADVISORY BOARD:
ACTION: Accept with regret the resignation of Gretchen Fine from the Women's Advisory Board effective May 1, 2001. Approved as part of the Consent Calendar.

2.Z. PROFESSIONAL SERVICES AGREEMENT WITH DESIGN TEAM FOR SANTA MONICA BOULEVARD FURNITURE PLACEMENT AND ADDITIONAL LANDSCAPING:
Moved to Excluded Consent.

2.AA. PROPOSED RESOLUTION DECLARING THE WEEK OF MAY, 20-26TH AS SENIOR SAFETY WEEK IN WEST HOLLYWOOD:
ACTION: Adopt Resolution No. 01-2495, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THE WEEK OF MAY, 20-26TH AS SENIOR SAFETY WEEK IN WEST HOLLYWOOD." Approved as part of the Consent Calendar.

2.BB. CONSIDERATION OF ONGOING SPONSORSHIP OF THE RUSSIAN VETERAN'S "VICTORY IN EUROPE" EVENT:
ACTION: 1) Adopt Resolution No. 01-2496, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING FOR ANNUAL SPONSORSHIP OF THE RUSSIAN VETERAN'S "VICTORY IN EUROPE" EVENT;" and, 2) Refer the sponsorship, in the amount of \$5,000 of the Russian Veteran's "Victory in Europe" event to the City Manager for placement in the City's annual work program. Approved as part of the Consent Calendar.

2.CC. PROPOSED RESOLUTION IN SUPPORT OF TRANS-UNITY AND DECLARING THE WEEK OF JUNE 3-9, 2001 AS TRANSGENDER AWARENESS WEEK IN WEST HOLLYWOOD:

ACTION: Adopt Resolution No. 01-2497, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF TRANS UNITY AND DECLARING THE WEEK OF JUNE 3-9TH, 2001 AS TRANSGENDER AWARENESS WEEK IN WEST HOLLYWOOD."
Approved as part of the Consent Calendar.

2.DD. RESOLUTION SUPPORTING THE GOVERNOR'S PROPOSED STATE BUDGET THAT INCLUDES SIGNIFICANT FUNDING FOR HOUSING AND URGING ADDITIONAL FUNDING THAT BRINGS THE BUDGET INTO PARITY WITH LAST YEAR'S LEVEL OF FUNDING:

ACTION: Adopt Resolution No. 01-2498; "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE GOVERNOR'S PROPOSED 2001-2002 STATE BUDGET FOR HOUSING AND URGING ADDITIONAL FUNDING THAT BRINGS THE HOUSING BUDGET INTO PARITY WITH LAST YEAR'S LEVEL OF FUNDING." **Approved as part of the Consent Calendar.**

2.EE. PROPOSED RESOLUTION IN SUPPORT OF AB 925 (ARONER), WHICH REQUIRES THE CREATION OF COMPREHENSIVE STATE AND COUNTY STRATEGIES TO BRING DISABLED PERSONS INTO EMPLOYMENT, AND WHICH ALSO INCREASES MEDI-CAL ELIGIBILITY FOR DISABLED PERSONS:

ACTION: 1) Adopt Resolution No. 01-2499, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 925 (ARONER), WHICH REQUIRES THE CREATION OF COMPREHENSIVE STATE AND COUNTY STRATEGIES TO BRING DISABLED PERSONS INTO EMPLOYMENT, AND WHICH ALSO INCREASES MEDI-CAL ELIGIBILITY FOR DISABLED PERSONS;" and, 2) Send signed copies of the resolution to Assembly Member Dion Aroner and appropriate legislators. **Approved as part of the Consent Calendar.**

2.FF. PROPOSED RESOLUTION IN SUPPORT OF AB 25 (MIGDEN), WHICH PROVIDES REGISTERED DOMESTIC PARTNERS THE SAME RIGHTS AND PRIVILEGES AFFORDED TO MARRIED COUPLES:

ACTION: 1) Adopt Resolution No. 01-2500, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 25 (MIGDEN), WHICH PROVIDES REGISTERED DOMESTIC PARTNERS THE SAME RIGHTS AND PRIVILEGES AFFORDED TO MARRIED COUPLES;" and, 2) Send signed copies of the resolution to Assembly Member Carole Midgen and appropriate legislators. **Approved as part of the Consent Calendar.**

2.GG. PROPOSED RESOLUTION IN SUPPORT OF AB 181 (KORETZ), THE "LIVING WAGE ACT" WHICH RESTORES THE PURCHASING POWER OF CALIFORNIA'S MINIMUM WAGE:

ACTION: 1) Adopt Resolution No. 01-2501, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 181 (KORETZ), "THE LIVING WAGE ACT" WHICH RESTORES THE PURCHASING POWER OF CALIFORNIA'S MINIMUM WAGE;" and, 2) Send signed copies of the resolution to Assembly Member Koretz and appropriate legislators. **Approved as part of the Consent Calendar.**

2.HH. PROPOSED RESOLUTIONS IN SUPPORT OF NUMEROUS ASSEMBLY BILLS AUTHORED BY ASSEMBLY MEMBER PAUL KORETZ:

Tabled to May 21, 2001.

2.II. PROPOSED RESOLUTION IN SUPPORT OF AB 27X (KORETZ), THE ENERGY ON-SITE GENERATION TAX CREDIT:

Tabled to May 21, 2001.

2.JJ. SUPPLEMENTAL PURCHASE ORDER FOR PROCUREMENT OF TREE GRATES:

ACTION: Authorize a supplemental purchase order with Neenah Foundry not to exceed \$10,000 for additional costs for procurement of 28 tree grates for Santa Monica Boulevard. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. ORDINANCE NO. 01-599 (2ND READING) ADOPTING LOS ANGELES COUNTY'S SYSTEM OF GRADING RESTAURANTS:

This item was noticed in the West Hollywood Independent on April 18, 2001 and April 25, 2001.

ACTION: 1) Conduct a public hearing and receive comment on the adoption, by reference, of the Los Angeles County's System of Grading Restaurants; and 2) Waive further reading and adopt Ordinance No. 01-599, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 7.16 OF THE WEST HOLLYWOOD MUNICIPAL CODE, ADOPTING BY REFERENCE DIVISION 1 OF TITLE 8 (PUBLIC HEALTH LICENSING) OF THE LOS ANGELES COUNTY CODE." **Motion Mayor Pro Tem Guarriello, seconded by Councilmember Martin and unanimously carried.**

3.B. SIX-MONTH UPDATE/PROGRESS IN IMPLEMENTING THE PARKING NEEDS ASSESSMENT AND STRATEGIES:

ACTION: Continued until the May 21, 2001 City Council Meeting. **By Consensus of the City Council.**

4. UNFINISHED BUSINESS:

2.S. Moved from the Consent Calendar.

PROPOSED RESOLUTION THAT WOULD MAKE BOTH THE RAINBOW LOGO AND THE BLUE AND WHITE LOGO ACCEPTABLE FORMS OF THE CITY'S OFFICIAL LOGO:

Donna Saur, Deputy to Mayor Pro Tem Guarriello and Sheriff Don Mueller, provided background information as outlined in the staff report dated May 7, 2001.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of keeping the rainbow logo.

IVY BOTTINI, WEST HOLLYWOOD, spoke in support of diversity and the rainbow logo as the official logo of the City.

MORRIS KIGHT, WEST HOLLYWOOD, spoke in support of the rainbow logo.

City Manager Arevalo stated that the Sheriff's Department is proud to use whatever logo is approved by the City Council.

Mayor Heilman questioned why the Public Safety Commission was involved in the review rather than the Fine Arts Commission.

City Manager Arevalo stated that originally the item was brought by a Councilmember specifically requesting that the City Council give direction for the rainbow logo to be put on the Sheriff vehicles. The Sheriff's department had to order new decals. He further stated that Mayor Heilman was correct and that there are better avenues to approach if the consideration is to change the logo.

Councilmember Prang commented that the resolution does not deal with Sheriff 's vehicles.

Mayor Pro Tem Guarriello commented that the logo chosen will be on all the City vehicles, including the Sheriff vehicles.

Councilmember Martin commented on the history of the Sheriff's Department in the City of West Hollywood and the history of the introduction of the rainbow logo by the former City Manager, Charlie McKinney. He further stated his support for the rainbow logo.

Mayor Heilman stated his support for one logo, not two. He commented that it doesn't make sense to have staff faced with the decisions to chose

which logo for stationary, city vehicles etc. Substantively, with respect to the rainbow logo it is apparent that the rainbow is a symbol of "Gay Pride" but not appropriate for a City logo since there is a growing population of Jews, Russians and a growing Hispanic population. The rainbow flag elevates one group over all of the others and it sends the incorrect message when the City is reflective of diversity.

Councilmember Duran commented that he understood the different issues being presented and he knew Gilbert Baker who designed the rainbow flag, which was a symbol of diversity. He suggested that the logo is the map of the City and that it could be colored and represent many different cultures and maintain the integrity of the logo.

Councilmember Prang commented that the way that the logo is recorded with the Secretary of State does not indicate a specific color, it states that the color of the logo is typically a dark background with white squares.

ACTION: Adopt Resolution No. 01-2502, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD MAKING BOTH THE RAINBOW LOGO AND BLUE AND WHITE LOGO ACCEPTABLE FORMS OF THE CITY'S OFFICIAL LOGO." **Motion Councilmember Prang, seconded by Councilmember Martin and carried, noting the NO vote of Mayor Heilman and the Abstention of Councilmember Duran.**

4.A. PROFESSIONAL SERVICE CONTRACT WITH DOWNTOWN RESOURCES TO DEVELOP A BUSINESS IMPROVEMENT DISTRICT (BID) FOR SUNSET BOULEVARD:

Alison Maxwell, Development Specialist III, provided background information as outlined in the staff report dated May 7, 2001.

HILLARY SELVIN, LOS ANGELES, Executive Director of the West Hollywood Chamber of Commerce, spoke in support of this item.

KEVIN MCCARNEY, BURBANK, spoke in support of the project and the item.

Councilmember Prang commented that the program is a resident based program and have the business community come together to mitigate the concerns that have had the largest impact on the residents.

Councilmember Martin directed the City Manager to return with a game plan to work on trash issues, noise issues and public safety issues prior to the bid being put in place.

Councilmember Guarriello commented on the clubs being the most problematic.

ACTION: 1) Authorize the City Manager to execute an Agreement for Services with Downtown Resources for a sum not to exceed \$59,800, and authorize the City Manager or his designee to approve amendments to the Agreement as needed up to 10% of the contract total; and, 2) Receive a short verbal presentation by Downtown Resources. **Motion Councilmember Duran, seconded by Councilmember Martin and unanimously carried.**

4.B. SUBLEASE FOR FIRE STATION #7 WITH LOS ANGELES COUNTY FIRE DISTRICT:

Paul Arevalo, City Manager provided background information as outlined in the staff report dated May 7, 2001.

ACTION: 1) Approve the revised Sublease dated February 1, 1998 with the Los Angeles County Fire District for Fire Station #7 and authorize the Mayor to execute all related documents; 2) Authorize the Interim Director of Finance to appropriate \$540,000 of accrued capital interest from reserve for Capital Projects to account 340-1012-9250; and, 3) Authorize staff to initiate the development plan of old fire station #7 in accordance with the terms specified in the agreement. **Motion Councilmember Martin, seconded by Mayor Pro Tem Guarriello and carried, noting the Abstention of Councilmember Duran.**

4.C. DIRECT APPOINTMENT TO BUSINESS LICENSE COMMISSION BY MAYOR PRO TEMPORE GUARRIELLO:

ACTION: Mayor Pro Tempore Guarriello appointed James Kazakos to the Business License Commission.

THE CITY COUNCIL RECESSED AT 8:55 P.M.

THE CITY COUNCIL RECONVENED AT 9:15 P.M.

5. NEW BUSINESS:

5.A. APPEAL BY LEONARD AND CO. OF PLANNING COMMISSION'S DECISION TO DENY BILLBOARD PERMIT NO. 2000-38 AT 8853 SUNSET BOULEVARD:

Jack McGee, Contract Planner, provided background information as outlined in the staff report dated May 7, 2001.

Monica D. Witt, of Jeffer, Mangels, Butler & Marmaro LLP, representing Leonard and Company, the Appellant, argued that the staff erred and argued as to why the sign met the intent of the Sunset Specific Plan as a billboard. She also offered on behalf of her client banners for the City in upcoming City events.

Councilmember Duran Using a building as a creative billboard

Mayor Heilman asked why didn't the applicant apply for a permit before putting the sign on the wall.

Monica Witt said that this sign did not require a permit and she argued that this kind of a sign did not require a permit.

RON McIVER, WEST HOLLYWOOD, stated his support for the American Cancer Society, and supported the sign.

LISA CHISHOLM LOS ANGELES, stated her support for the American Cancer Society and she commented that the sign would help the community in general.

Rebuttal, Monica Witt stated that the sign was put up without the permit but it did not need the permit, and that the sign met the expressed purpose of the plan and if the Council determined that the sign was providing a benefit to the City, Leonard and Company would like to give back signs to the community and the American Cancer Society.

Councilmember Duran stated that it is clearly a sign, with offsite advertising and as such under the Sunset Specific Plan it fails to meet the minimum qualification of 5000 square feet for this kind of advertisement.

Councilmember Martin stated that it qualifies as a sign and it draws your eye to the building instead of the empty lot.

Mayor Pro Tem Guarriello commented that he denies the appeal.

Mayor Heilman commented that the Sunset Specific Plan prohibits signs unless they are specifically approved and the general policy of the City is to prohibit offsite advertising.

ACTION: 1) Deny the appeal; and, 2) Adopt Resolution No. 01-2503,"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF LEONARD AND COMPANY AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO DENY BILLBOARD PERMIT (BB) 2000-38 FOR THE PLACEMENT OF A BILLBOARD AT 8853 SUNSET BOULEVARD, WEST HOLLYWOOD CALIFORNIA."

Motion Mayor Pro Tem Guarriello, seconded by Councilmember Prang and unanimously carried.

5.B. RE-ALLOCATION OF A PORTION OF THE CITY'S 1999/2000 LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS FOR USE BY THE SHERIFF'S SUNSET DEPLOYMENT TASK FORCE:

ACTION: Authorize the expenditure not to exceed \$60,000 from the fiscal 1999/2000 Local Law Enforcement Block Grant (LLEBG) program grant allocation for use by the West Hollywood Sheriff's Station on the Sheriff's Sunset Boulevard Deployment Task Force. **Motion Councilmember Duran, seconded by Councilmember Martin and carried, noting the Abstention of Councilmember Prang.**

5.C. SUNSET MILLENNIUM ASSOCIATES STANDARD BILLBOARD PERMITS 99-01 AND 99-02 ON THE MIDDLE PARCEL:

Mayor Heilman recused himself from the discussion, and left the dias.

Ray Reynolds, Project Director, provided background information as outlined in the staff report dated, May 7, 2001.

Attorney Cindy Starrett, of Latham and Watkins, and Mark Seffin, the developer reported on the lease agreements of the retail portion and stated that the sixth floor is almost completely leased. The parking for the middle parcel is being constructed on the west parcel

ROSEMARY MINSKI, WEST HOLLYWOOD, spoke in support of the item.

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

MICHAEL EPSTEIN, SANTA MONICA, policing agent for the project, spoke in support of the item.

JAMES LITZ, WEST HOLLYWOOD, Vice President of Government Affairs for the West Hollywood Chamber of Commerce, spoke in support of the item.

Councilmember Duran questioned approving the billboards for the middle parcel prior to erecting the middle parcel building.

Cindy Sterrit stated that the approval is required to seek the financing needed to complete the middle parcel and generate revenue.

Councilmember Martin stated concerns regarding the City's benefits in approving the billboards

Development agreement payment plus if the billboards could remain for 10 years that in that event the City would still receive the on the sixth

anniversary of erecting the billboards. Assured the City that a bond would be posted.

Councilmember Prang stated that the work so far is commencement of construction and stated concerns that they might be there longer than the agreement and want to move the project as quickly as possible cautioned and admonished bringing the project back over and over again.

Mayor Pro Tem Guarriello spoke in support of the item.

City Attorney Jenkins suggested that the Council either use the time period the rights are vested in the property or the time period the tentative map is vested is still alive and not a set number of years. Tied to the vesting of the development agreement or the vesting map Mike stated the vesting map as a choice Vesting map for the tentative parcel.

Martin voted for the maximum amount of time.

Councilmember Duran stated his concern in making an exception whereas this developer is allowed to pull permits to erect billboards and perhaps not break ground for three years. He noted his NO vote.

ACTION: 1) Except as is provided for below, the billboards shall remain in place throughout demolition of existing improvements on the Middle Parcel and construction of the SMA project in accordance with Development Agreement No. 99-01 and the project approvals referenced therein; 2) The billboards may remain in place on the site for the time period during which Vesting Tentative Tract Map 99-01 remains in force. If SMA has not substantially completed the project on the Middle Parcel as described in Development Agreement No. 99-01 and the project approvals referenced therein by the time its rights to complete the project under Vesting Tentative Tract Map No. 99-01 have expired, then the City has the right to require SMA to remove the billboards; 3) Should SMA fail or refuse to remove the billboards immediately upon receipt of a direction from the City to do so as provided in paragraph 2 above, then the City shall have the right to enter upon the property and remove the billboards at SMA's sole cost and expense. The cost of removal shall constitute a debt due and owing the City; 4) The billboard building permits are conditioned on the posting of a bond in the amount of \$250,000, in a form acceptable to the City Attorney, the proceeds of which shall be available to the City upon demand to reimburse the City for any costs of removal of such billboards in the event such removal is required by the City pursuant to these Conditions, and SMA fails or refuses to remove them; 5) The issuance of the billboard building permits are conditioned on the waiver of rights regarding advertising under state law, including without limitation the Outdoor Advertising Act, which might otherwise prevent the City from

removing such billboards without compensation; and, 6) As consideration to the City in the event these billboards remain on the site without substantial completion of the Middle Parcel project by the sixth anniversary of erecting the billboards, SMA will assure that the Public Benefit Payment of \$1,733,000 required by the Development Agreement will be paid on or before such sixth anniversary date. Security to guarantee such payment will be provided in the form of a bond or other alternative security satisfactory to the City Attorney.

Motion by Councilmember, seconded by Mayor Pro Tem Guarriello and carried on a Roll Call Vote.

AYES: Martin, Prang, Guarriello.

NOES: Duran.

ABSTENTION: Heilman.

EXCLUDED CONSENT CALENDAR:

2.V. SUNSET BOULEVARD AND HARPER AVENUE - REQUEST FOR PEDESTRIAN TRAFFIC SIGNAL CONTROL:

Mayor Heilman stated concerns that the when the pedestrian crosswalk was approved it staff stated that it was safe to do so.

Director English stated that after inspecting and surveying the traffic on Sunset Boulevard it was determined that the volume of pedestrians crossing the street was prohibiting cars from moving forward and causing some unanticipated traffic congestion.

ACTION: 1) Adopt Resolution No. 01-2504, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE MID-BLOCK LOCATION OF SUNSET BOULEVARD EAST OF HARPER AVENUE AS A PEDESTRIAN TRAFFIC SIGNAL CONTROL LOCATION AND DIRECTING STAFF TO ERECT APPROPRIATE TRAFFIC CONTROL DEVICES AND MARKINGS"; 2) Authorize the City Manager to execute a supplemental agreement for Purchase Order 2001-0248 (Katz, Okitsu and Associates) to increase the not to exceed amount \$10,000, to a total amount of \$95,000 for the purpose of signal and intersection design and implementation work; and, 3) Authorize the Interim Finance Director to transfer \$10,000 from CIP account number 100-8030-9425 to account #100-8040-8501. **Motion Councilmember Martin, seconded by Mayor Pro Tem Guarriello and unanimously carried.**

2.Z. PROFESSIONAL SERVICES AGREEMENT WITH DESIGN TEAM FOR SANTA MONICA BOULEVARD FURNITURE PLACEMENT AND ADDITIONAL LANDSCAPING:

Councilmember Prang stated his concern regarding community input, especially for people with special needs.

Hassan Haghani, Acting Planning Manager, stated that two community meetings are scheduled to receive input while processing the designs.

Councilmember Prang suggested that the Disabilities Advisory Board and the Senior Advisory Board be included in the meetings.

Mayor Heilman commented that in previous years the members of the public have been invited to come out and try the furniture and vote on the different prototypes after sitting on it.

Councilmember Martin requested that bike racks be incorporated in the plans.

ACTION: 1) Approve the proposed amendment to the Professional Agreement with Zimmer Gunsul Frasca Partnership in an amount not to exceed \$69,790 for the development of additional landscape improvements for Santa Monica Boulevard, based on processes and procedures set forth in the proposed contract; and, 2) Authorize the City Manager to execute the contract. **Motion Councilmember Martin, seconded by Mayor Pro Tem Guarriello and unanimously carried.**

PUBLIC COMMENT: None.

6. LEGISLATIVE:

6.A. PROPOSED ORDINANCE AMENDING THE MUNICIPAL CODE RELATIVE TO PARKING ON GRADES:

Vit Vittatoe, Parking Manager, provided background information as outlined in the staff report dated May 7, 2001.

Councilmember Martin proposed raising the grade to 6%, reduce the fine to \$24.00 and change the signage.

Councilmember Prang recommended reducing the fine to even less than \$24.00.

Councilmember Duran recommended to keep the ordinance as it is.

Mayor Heilman recommended to stop enforcing the ordinance period. He further stated that the statistics do not reflect the City of West Hollywood but nationwide and the number of run away vehicles are minor. He stated that this is a misappropriation of funds that is of minor concern to the residents of the City.

Mayor Pro Tem Guarriello commented that the ordinance should remain in effect.

ACTION: 1) Introduce on first reading Ordinance No. 01-595, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING VEHICLES TO PARK ON GRADES OF SIX PERCENT OR MORE WITHOUT TURNING THEIR WHEELS TO THE CURB AS POSTED AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE" and, 2) Adopt Resolution No. 01-2505, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE NEW PARKING SIGNS FOR PARKING ON GRADES, AUTHORIZING THE REPLACEMENT OF EXISTING PARKING ON GRADES SIGNS, AND AUTHORIZING THE INSTALLATION OF NEW SIGNAGE ON ALL STREETS WITH GRADES OF SIX PERCENT OR MORE;" 2) Direct staff to return on May 21, 2001 with a resolution reducing the fine to \$24.00.
Motion Councilmember Martin, seconded by Mayor Pro Tem Guarriello and carried on a Roll Call vote:

AYES: Martin, Prang, Guarriello.

NOES: Duran, Heilman.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council was adjourned in memory of Wayne Zimmerman, to a Special Study Session meeting with the Senior Advisory Board, to be held on Monday, May 14, 2001 at 6:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The next regular meeting will be Monday May 21, 2001 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL
THIS 21ST DAY OF MAY, 2001.

ATTEST:


VIVIAN LOVE, INTERIM CITY CLERK


MAYOR