

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
CERTIFICATION OF THE ELECTION
MINUTES
MONDAY, MARCH 19, 2001
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Prang called the meeting to order at 7:03 PM.

PLEDGE OF ALLEGIANCE: Gloria Duran and family led the Pledge.

ROLL CALL:

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

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 meeting came to order at 6:00 p.m. and there were no reportable actions. The meeting adjourned at 6:55 p.m.

APPROVAL OF AGENDA:

Staff requested that Item 2.V. APPROVE AN AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. FOR THE LICENSING OF GEOGRAPHIC INFORMATION SYSTEMS SOFTWARE, be tabled to April 2, 2001.

ACTION: Approve the March 19, 2001 Agenda as amended. **Motion Councilmember Guarriello, seconded by Mayor Pro Tem Heilman and unanimously carried.**

PRESENTATIONS:

Councilmember Martin presented a commendation to Larry and Lynette Sperber for the 25th Anniversary of Parents & Friends of Lesbians & Gays

Councilmember Martin presented a plaque to John and Bill Wolfe, owners of Carney's in recognition of their 25th Anniversary.

Mayor Prang presented a proclamation to Lisa Heep for her years of service as Planning Manager.

SPECIAL ITEM:

CERTIFICATION OF 2001 GENERAL MUNICIPAL ELECTION RESULTS:

The City Council will receive the results of the General Municipal Election as canvassed by the City Clerk.

ACTION: 1) Declare Jeffrey Prang and John J. Duran elected as Members of the City Council to a full term of four (4) years; 2) Declare the ballot measure regarding the Condom Initiative was NOT carried, and shall NOT be deemed adopted and ratified; and, 3) Adopt Resolution No. 01-2468, "A RESOLUTION OF THE CITY COUNCIL OF

THE CITY OF WEST HOLLYWOOD, CALIFORNIA, RECITING THE FACT OF THE GENERAL ELECTION HELD ON MARCH 6, 2001, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW." **Motion Mayor Pro Tem Heilman, seconded by Councilmember Guarriello and unanimously carried.**

ADMINISTER THE OATH OF OFFICE TO THE NEWLY ELECTED COUNCILMEMBERS:

The Honorable Judge Robert Sandoval administered the oath to the newly elected member of the City Council, Jeffrey Prang and he also administered the oath for the newly elected member of the City Council, John J. Duran. Judge Lisa Hart-Cole arrived just after the oath was given to newly elected John J. Duran and spoke in support of his character and professionalism.

Councilmember Duran presented his gift to the City, a Maruichi band.

Councilmember Duran took his seat on the dais.

PUBLIC COMMENT:

CAPTAIN LYNDA CASTRO, WEST HOLLYWOOD, introduced the new Watch Commander, Lt. Cathy Petulo and she stated that there will be reserve deputies at the City Council meetings to allow patrol officers to remain in the field.

JEROME CLEARY, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran.

JOHN PAUL DRAYER, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran.

NICK SHAFFER, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran.

JAMES FUHRMAN, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran and he spoke about Mayor Pro Tem Heilman's trip to National League of Cities Conference.

LAUREN MEISTER, WEST HOLLYWOOD, spoke about slow growth and responsible development in the City.

TOM DEMILLE, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran.

RIC RICKLES, WEST HOLLYWOOD, Chair of the Senior Advisory Board, congratulated Mayor Prang and Councilmember Duran. He also commented on the upcoming Study Session scheduled with the City Council on May 14, 2001.

MORRIS KIGHT, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran.

PAUL DEANGELIS, WEST HOLLYWOOD, thanked Lisa Heep for her many years of service.

JIM RICHEL, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran.

INA BLISS AND RICHARD MAGGIO, WEST HOLLYWOOD, spoke about former Commissioner Duran of the Rent Stabilization Commission.

HERMAN MOLINA, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran and he spoke about the businesses conserving energy. He suggested that the City regulate the street lamps.

JEANNE DOBRIN, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran, commented that Lisa Heep was a most valuable employee and she commented on the Public Safety Awards Presentation.

GIGI VERONE, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran, thanked the Council for what is being done on Sunset Boulevard, thanked the Firemen for saving her house and suggested that the City could cut down on some of the signage on Sunset Boulevard to conserve energy.

JEAN MATHISON, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran.

J.W. MOORE, IV, WEST HOLLYWOOD, spoke in support of items, 2.I., 2.J. and 2.H.

LUIS MARQUIZ, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran.

KAREN OCAMB, WEST HOLLYWOOD, reporter for Frontiers, spoke about Tracy Seibert.

IBERIA COBOS, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello congratulated Mayor Prang and Councilmember Duran on the election and commented that he was looking forward to working with them both. He also congratulated Lisa Heep on her new position and commented that he was sorry to see her leave the City of West Hollywood.

Councilmember Martin addressed a comment which was presented in Public Comment regarding Mayor Pro Tem Heilman's attendance at a League of Cities Conference. He

thanked the community for defeating Proposition 01-A. Councilmember Martin also requested that the meeting be adjourned in memory of Tracy Seibert.

Councilmember Duran thanked everyone who attended the meeting and also congratulated Lisa Heep on her new position.

Mayor Pro Tem Heilman expressed his gratitude to Lisa Heep and wished her well in her new position. He also announced the Women in Leadership Awards Banquet. He also congratulated the City Clerk's office on their hard work during the election.

Mayor Prang congratulated Councilmember Duran, Lisa Heep and all of his supporters. Mayor Prang also requested that the meeting be adjourned in memory of Frank J. Kreysa.

CITY MANAGER'S REPORT: City Manager Arevalo gave a brief update on the electrical stage 3 alert. He also mentioned that Edison was giving no prior warning before the lights go off.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Taylor stated that fiscal impact on the Consent Calendar of March 19, 2001 as amended, is \$604,474 in expenditures and \$ - 23,400 in potential revenues.

1. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J., K., L., M., N., O., P., Q., R., S., T., and U. Motion Councilmember Guarriello, seconded by Mayor Pro Tem Heilman and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, March 19, 2001 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 15, 2000.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of March 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. 434, RESOLUTION NO. 01-2462:

ACTION: Approve Demand Register No. 434 and adopt Resolution No. 01-2462, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT

OF DEMANDS ON DEMAND REGISTER NO. 434." **Approved as part of the Consent Calendar.**

2.E. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Sialic Contractors (2 claims), Bonnie Kay Hague, Lamont Dixon, Steven Davis, Southern California Edison, Craig Williams, Laura Kurban and refer them to the City's Claims Adjuster for action. **Approved as part of the Consent Calendar.**

2.F. AMEND CONTRACT FOR GRAPHIC DESIGN SERVICES:

ACTION: Authorize staff to amend the contract for professional services with Core City, Inc. to increase the amount from \$5,000 to an amount not to exceed \$10,000 and authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

2.G. AUTHORIZATION OF THE SUBMITTAL OF GRANT APPLICATIONS TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD:

ACTION: Adopt Resolution No. 01-2463, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE SUBMITTAL OF A HOUSEHOLD HAZARDOUS WASTE (HHW) GRANT APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD TO ESTABLISH LOCALIZED HHW COLLECTION EVENTS." **Approved as part of the Consent Calendar.**

2.H. PROPOSED RESOLUTION IN OPPOSITION TO H.R. 503 (GRAHAM), THE "UNBORN VICTIMS OF VIOLENCE ACT OF 2001":

ACTION: 1) Adopt Resolution No. 01-2464, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO H.R. 503 (GRAHAM), THE 'UNBORN VICTIMS OF VIOLENCE ACT OF 2001';" and, 2) Send signed copies of the resolution to the California Congressional Delegation. **Approved as part of the Consent Calendar.**

2.I. PROPOSED RESOLUTION IN SUPPORT OF AB 1649 (GOLDBERG), WHICH PROHIBITS DISCRIMINATION BASED ON ACTUAL OR PERCEIVED GENDER:

ACTION: 1) Adopt Resolution No. 01-2465, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1649 (GOLDBERG), WHICH PROHIBITS DISCRIMINATION BASED ON ACTUAL OR PERCEIVED GENDER;" and, 2) Send signed copies of the resolution to Assembly Member Goldberg and appropriate legislators. **Approved as part of the Consent Calendar.**

2.J. PROPOSED RESOLUTION IN SUPPORT OF AB 1338 (KORETZ), A BILL WHICH ALLOWS FOR CIVIL UNIONS FOR SAME SEX COUPLES THAT HAS THE SAME RIGHTS AND RESPONSIBILITIES OF A LEGAL MARRIAGE RECOGNIZED BY THE STATE OF CALIFORNIA:

ACTION: 1) Adopt Resolution No. 01-2466, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1338 (KORETZ), A BILL WHICH ALLOWS FOR CIVIL UNIONS BETWEEN SAME SEX COUPLES THAT HAVE THE SAME RIGHTS AND RESPONSIBILITIES AS MARRIAGE RECOGNIZED BY THE STATE OF CALIFORNIA;" and, 2) Send signed copies of the resolution to Assembly Member Koretz and appropriate legislators. **Approved as part of the Consent Calendar.**

2.K. SANTA MONICA BOULEVARD SPRINGTIME SIDEWALK SALE:

ACTION: 1) Approve, in concept, the Santa Monica Boulevard Springtime Sidewalk Sale on Saturday, May 12, 2001 and Sunday, May 13, 2001; 2) Waive all City permits and permit fees including the special event permit, encroachment permit, and temporary use permit; and, 3) Approve the City absorbing the cost of procuring a special events liability insurance policy and authorize the Interim Finance Director to allocate \$12,000 from the General Fund unobligated reserves to pay for the liability insurance. **Approved as part of the Consent Calendar.**

2.L. NOMINATION OF THE SAVOY PLAZA LOCATED AT 1360 N. CRESCENT HEIGHTS BOULEVARD TO THE CALIFORNIA REGISTER:

ACTION: Adopt Resolution No. 01-2467, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE NOMINATION OF THE SAVOY PLAZA LOCATED AT 1360 CRESCENT HEIGHTS TO THE CALIFORNIA REGISTER (CRD 01-01)." **Approved as part of the Consent Calendar.**

2.M. AGREEMENT FOR GRAPHIC DESIGN SERVICES:

ACTION: 1) Approve the Agreement with Steven Ori Jr., Q Press Graphic Design Studio, which authorized services related to the production of promotion all materials for the Recreation Services Division; and, 2) Authorize the City Manager to sign the Agreement dated March 19, 2001. **Approved as part of the Consent Calendar.**

2.N. ADOPTION OF NEW JOB DESCRIPTION FOR MAINTENANCE WORKER I, MAINTENANCE WORKER II, AND MAINTENANCE CREW LEADER:

ACTION: 1) Adopt the amended job description for Maintenance Worker I (GE-05), Maintenance Worker II (GE-07), and Maintenance Crew Leader (GE-09); and, 2) Approve the salary range for the Maintenance Crew Leader position at GE 09 (\$40,177-\$48,639). **Approved as part of the Consent Calendar.**

2.O. NOTICE OF COMPLETION FOR CIP 2002, CONCRETE REPAIR PROGRAM FY 2000-2001:

ACTION: Accept the work and authorize the following: 1) Filing a Notice of Completion by the City Engineer; 2) Final payment to the contractor at

the end of the 35 day lien period; and, 3) Release of the Performance Bond and Payment Bond. **Approved as part of the Consent Calendar.**

2.P. APPROVAL OF A PURCHASE AGREEMENT CARTÉ GRAPH SYSTEMS PURCHASE OF COMPUTER DATABASE SOFTWARE FOR TRACKING STREET MAINTENANCE SERVICES:

ACTION: Authorize the City Manager to execute a Purchase Agreement with Carté Graph Systems not to exceed \$10,500 for procurement of WORKdirector Software and one year of technical support services. **Approved as part of the Consent Calendar.**

2.Q. AWARD OF CONSTRUCTION CONTRACT FOR CIP 0101 ANNUAL MAINTENANCE AND REPAIR OF STREETS AND ALLEYS:

ACTION: 1) Accept the bid dated February 21, 2001 submitted by Sequel Contractors, Inc.; 2) Authorize the City Manager to enter into a contract with Sequel Contractors, Inc., in the amount of \$445,550 for the construction of CIP 0101, Annual Maintenance and Repair of Street and Alleys; and, 3) Authorize the City Engineer to manage Change Orders for work on the construction contract in an amount not to exceed 25% of the contract amount. **Approved as part of the Consent Calendar.**

2.R. RESIGNATION OF NADINE LEGOUGUEC FROM THE WOMEN'S ADVISORY BOARD:

ACTION: Accept with regret the resignation of Nadine LeGouguec from the Women's Advisory Board. **Approved as part of the Consent Calendar.**

2.S. RESIGNATION OF TERRANCE MORGAN FROM THE BUSINESS LICENSE COMMISSION:

ACTION: Accept with regret the resignation of Terrance Morgan from the Business License Commission. **Approved as part of the Consent Calendar.**

2.T. APPEAL OF PLANNING COMMISSION APPROVAL OF: DEVELOPMENT PERMIT 99-58; DEMOLITION PERMIT 99-18; CONDITIONAL USE PERMIT 99-37 REQUEST FOR REDUCTION OF PARKING (VARIANCE 99-23); PACIFIC HILLS SCHOOL 8628 HOLLOWAY DRIVE:

ACTION: Reschedule the item to the meeting of April 16, 2001. **Approved as part of the Consent Calendar.**

2.U. FURNITURE PURCHASE FOR THE PLUMMER PARK COMMUNITY CENTER BUILDING:

ACTION: 1) Accept the bid in the amount of \$67,762.93 submitted by System Source, Incorporated of Los Angeles, California for purchase of furniture for the Plummer Park Community Center building; 2) Authorize issuance of a purchase order to System Source, incorporated in an

amount not to exceed \$70,750 which includes the bid amount of \$67,762.93 plus a contingency amount of \$2,987.07; and, 3) Reject all other bids. **Approved as part of the Consent Calendar.**

- 2.V. APPROVE AN AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. FOR THE LICENSING OF GEOGRAPHIC INFORMATION SYSTEMS SOFTWARE:**
Tabled to April 2, 2001.

THE CITY COUNCIL RECESSED AS THE WEST HOLLYWOOD HOUSING AUTHORITY AT 8:21 PM.

RECONVENED AS THE CITY COUNCIL AT 8:27 PM.

3. PUBLIC HEARINGS: None.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. CITY COUNCIL VOTING RULES:

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

Mayor Pro Tem Heilman commented that there was sufficient argument for repealing the section of the code.

Councilmember Guarriello spoke in opposition of repealing the code. He commented that three (3) votes is a majority of the City Council.

Councilmember Duran supported repealing the section of the code since it could potentially hamstring the Council when making decisions regarding resolutions and contracts.

Councilmember Martin spoke in support of repealing Section 2.08.050 of the Municipal Code.

Mayor Prang spoke in opposition of repealing the section.

ACTION: Repeal Section 2.08.050 by introducing the attached ordinance on first reading. **Motion Councilmember Martin, seconded Mayor Pro Tem Heilman and carried on a Roll Call vote:**

AYES: Martin, Duran and Heilman.

NOES: Guarriello and Prang.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

NEAL ZASLAVSKY, WEST HOLLYWOOD, congratulated Mayor Prang and Councilmember Duran. He also thanked Mayor Pro Tem Heilman on his participation with the National League of Cities since it brings great visibility to the City.

6. **LEGISLATIVE:** None.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned in memory of Tracy Siebert and Frank J. Kreysa at 8:35 P.M. to their next regular meeting, which will be on Monday, April 2, 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 2ND DAY OF APRIL, 2001.



MAYOR

ATTEST:



VIVIAN LOVE, INTERIM CITY CLERK