

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, JULY 16, 2001  
WEST HOLLYWOOD PARK**

**CALL TO ORDER:** Mayor Heilman called the meeting to order at 7:05 P.M.

**PLEDGE OF ALLEGIANCE:** Ivy Bottini 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, Assistant City Clerk Taylor, and Administrative Assistant Bell.

**REPORT OF CLOSED SESSION AGENDA:**

City Attorney Jenkins reported that the meeting convened at 6:00 p.m., no public speakers, and one item of threatened litigation was added to the agenda. City Attorney Jenkins stated that there were no reportable actions taken and the meeting was adjourned at 6:40 P.M.

Staff requested that Items 3.D. and 5.A. be added to the Consent Calendar as 2.P. and 2.Q.

**APPROVAL OF AGENDA:**

**ACTION:** Approve the July 16, 2001 Agenda as amended. **Motion Mayor Pro Tem Guarriello, seconded by Councilmember Martin and unanimously carried.**

**PRESENTATIONS:**

Councilmember Martin presented a check for \$10,000 to the Friends of West Hollywood Library.

Councilmember Martin also made a presentation to Robin Tyler for her "Stop Dr. Laura Campaign."

Councilmember Prang made a presentation to Deputy Gregg Gossett for his rescue of an elderly woman in a burning apartment.

Mayor Heilman recognized the following outgoing commissioners of the Public Safety Commission: Bronwen McGarva, Frances L. Diaz and Bradley Sullivan.

Mayor Heilman announced the annual National Night Out celebration on August 7, 2001.

Mayor Heilman presented a proclamation declaring the Month of August as Lesbian Visibility Month and presenting commendations to the members of the Lesbian Visibility Planning Committee.

Councilmember Prang congratulated Captain Lynda Castro for receiving the Lifetime Achievement Award for Women in Policing.

Mayor Heilman presented a plaque to Karin Quimby for her years of service on the Lesbian and Gay Advisory Board.

**PUBLIC COMMENT:**

JEROME CLEARY, WEST HOLLYWOOD, spoke about Deputy Gossett and his hands on approach to his work. He also spoke about the noise on Sunset Boulevard and he suggested rerouting the traffic and close the eastbound lane after 12:00 a.m.

DAVID NASH, WEST HOLLYWOOD, spoke in support of the Sheriff's Department, thanked Joel Hecht, Mediator, for a professional presentation at his resident; he spoke about a dog poop container on Palm Avenue that should be emptied more often; and he invited people to come to Crescent Heights United Methodist Church.

TOM DEMILLE, WEST HOLLYWOOD, spoke about West Hollywood standing up for injustice and the anniversary of the death of John Kennedy Jr.

RUTH WILLIAMS, WEST HOLLYWOOD, thanked everyone who helped with "Good Neighbors".

DONNY CACY, LOS ANGELES, spoke about offsite beverage retailers and the cost incurred because the City of West Hollywood does not have their own recycle convenient zone.

EDWARD G. GARREN, WEST HOLLYWOOD, spoke about not having a pet shelter and the Gateway Project.

COLLEEN CLOHERTY, WEST HOLLYWOOD, spoke about the need of a pet shelter in West Hollywood and the increase in traffic at Laurel and Sunset Boulevard.

AMY HABERLAND, WEST HOLLYWOOD, spoke about homeless people, young people drinking, and prostitution in the parking lot next to her home.

ALAN WEBER, WEST HOLLYWOOD, spoke about cell phones.

GRACIELLA IPAGURRER, WEST HOLLYWOOD, spoke in opposition of the videotron proposed in the Gateway Project.

**COUNCILMEMBER COMMENTS:**

Mayor Pro Tem Guarriello spoke to a citizen's comment about the City's recycling program.

Councilmember Prang addressed public comment regarding the pet shelter and he wished Donald Deluccio happy birthday. He addressed a citizen's comment regarding the dog poop container. He also spoke about gum on the sidewalks and a tree being trimmed on the public right of way near Tower Records.

Councilmember Duran requested that the meeting be adjourned in memory of Jorge Molina, father of his deputy Hernan Molina. He also requested that the City Council cancel the August 6, 2001 meeting. He also spoke about the retreat of the Councilmembers and the issue of the restaurant/nightclub businesses. Councilmember Duran commented on item 2.G. and he thanked Councilmember Martin for taking the lead on the issue.

Councilmember Martin spoke about the "Good Neighbors" event on July 4, 2001. He spoke about the Harry Hague as one of the (look up the event) He announced the meeting taking place at Fiesta Hall on July 31, 2001 regarding issues on the Eastside of West Hollywood.

Mayor Heilman directed the City Manager to investigate having a Recycling Center in West Hollywood and give a brief overview of the status of the lot at Crescent Heights and Fountain Avenue. He also announced the Summer Sounds, Gospel Concert event on July 22, 2001.

**CITY MANAGER'S REPORT:** City Manager gave a brief report regarding the shooting incident at Fountain Avenue and Crescent Heights Boulevard, which occurred at 4:00 a.m., July 16, 2001. He announced that the City was moving forward on the Santa Monica Boulevard Reopening event on August 19, 2001. He also gave a report on a fight on Sunset Boulevard over the weekend.

**FISCAL IMPACT ON CONSENT CALENDAR:**

Assistant City Clerk Taylor stated that the fiscal impact on the Consent Calendar for July 16, 2001 as amended is \$ 386,715 in expenditures and \$ (3,950) in potential revenue.

**2. CONSENT CALENDAR:**

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

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

*The agenda for the meeting of Monday, July 16, 2001 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, July 12, 2001.*

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

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

**ACTION: Approve the minutes of June 25, 2001 and July 2, 2001 meetings. 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. 442, RESOLUTION NO. 01-2547:**

**ACTION: Approve Demand Register No. 442 and adopt Resolution No. 01-2547, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 442." Approved as part of the Consent Calendar.**

**2.E. CLAIMS ADMINISTRATION:**

**ACTION: Deny the claims of Moore Electrical Contracting, Adam Abraham Bigwood, and Oriana and Valerie Gozlan and refer them to the City's claims adjuster. Approved as part of the Consent Calendar.**

**2.F. SANTA MONICA BOULEVARD RE-OPENING CEREMONY:**

**ACTION: 1) Approve a contract with the West Hollywood Convention and Visitors Bureau for an amount not to exceed \$84,000 for the Santa Monica Boulevard Grand Re-Opening Festival on August 19, 2001; and, 2) Authorize the City Manager to execute the contract. Approved as part of the Consent Calendar.**

**2.G. PROPOSED RESOLUTION CALLING FOR SUPPORT OF SENATE BILL 187 (VASCONECELLOS) REGARDING MEDICINAL MARIJUANA:**

**ACTION: 1) Adopt Resolution No. 01-2548, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING FOR PASSAGE OF CALIFORNIA STATE SENATE BILL 187 IN ITS CURRENT FORM AS PASSED BY THE STATE SENATE ON JUNE 4, 2001;" and, 2) Forward a copy of this resolution to Senator John**

Vasconcellos, Sheila Kuehl and to Governor Davis. **Approved as part of the Consent Calendar.**

**2.H. NATIONAL NIGHT OUT IN WEST HOLLYWOOD:**

**ACTION:** 1) Proclaim August 7, 2001 as "National Night Out" in West Hollywood; 2) Approve all street closures for National Night Out block parties; 3) Approve the City's official sponsorship of all West Hollywood Night Out events and waive all city fees associated with this City sponsored event; and, 4) Approve allocation for reimbursement of up to \$75.00 of costs incurred by National Night Out neighborhood organizers. **Approved as part of the Consent Calendar.**

**2.I. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

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

**2.J. STREET TREES AT PACIFIC DESIGN CENTER:**

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

**2.K. AGREEMENT WITH KATZ, OKITSU & ASSOCIATES FOR TRAFFIC ENGINEERING SERVICES:**

**ACTION:** Authorize the City Manager to enter into a Professional Services Agreement with Katz, Okitsu and Associates in an amount not to exceed \$85,000 for as-needed traffic engineering services for Fiscal Year 2001-2002. **Approved as part of the Consent Calendar.**

**2.L. AGREEMENT FOR SERVICES WITH WEST HOLLYWOOD CHAMBER OF COMMERCE:**

**ACTION:** Approve the agreement for services with the West Hollywood Chamber of Commerce in the amount of \$30,000 and authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

**2.M. APPROVAL OF RENT STABILIZATION COMMISSION RESOLUTION NO. 01-152 ESTABLISHING THE AMOUNT OF THE 2001-2002 GENERAL ADJUSTMENT:**

**ACTION:** Approve Rent Stabilization Commission Resolution No. 01-152, "A RESOLUTION OF THE RENT STABILIZATION COMMISSION OF THE CITY OF WEST HOLLYWOOD ESTABLISHING THE AMOUNT OF THE GENERAL ADJUSTMENT FOR THE YEAR 2001-2002." **Approved as part of the Consent Calendar.**

**2.N. BID AWARD, FAIRFAX MEDIAN LANDSCAPE RENOVATION PROJECT, C.I.P. 5050-01-03:**

**ACTION:** 1) Accept the bid submitted by S & M Landscape, Inc., of Azusa, California for the Fairfax Median Landscape Renovation Project; 2) Authorize the City Manager to sign a contract agreement with S & M

Landscape, Inc., in an amount of \$168,965.00; 3) Authorize the expenditure of an amount not to exceed \$18,000 for contingencies as approved by the Director of the Human Services Department; and, 4) Reject all other bids and return associated Bid Bonds. **Approved as part of the Consent Calendar.**

**2.O. TENTATIVE AGREEMENT/ACD UNIT NEGOTIATIONS:**

**ACTION:** 1) Approve tentative agreements with ACD; 2) Approve the extension of the comprehensive MOU package for the period of two years commencing from July 1, 2001 through June 30, 2003; and, 3) Authorize the City Manager to execute the tentative agreement amending the existing MOU. **Approved as part of the Consent Calendar.**

**2.P. This item moved from Public Hearing as Item 3.D.**

**ASSESSMENT OF DELINQUENT SOLID WASTE FEES OWED WEST HOLLYWOOD RECYCLING SERVICES ONTO THE PROPERTY TAX BILL OF FOUR DELINQUENT ACCOUNT HOLDERS:**

**ACTION:** Direct the Interim Director of Finance to submit the required information to the County Tax Assessor for the purpose of assessing the delinquent solid waste amount, plus a \$120.00 administrative fee, onto the property tax bills of the delinquent account holders. **Approved as part of the Consent Calendar.**

**2.Q. This item moved from New Business as Item 5.A.**

**UPDATE ON THE CITY'S STRATEGIC PLAN PROCESS:**

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

**3. PUBLIC HEARINGS:**

**3.A. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING & BUSINESS IMPROVEMENT AREA LAW OF 1979 (HOTEL MARKETING BENEFIT ZONE):**

Assistant City Clerk Taylor stated that the item was published in the West Hollywood Independent on July 4, 2001.

Ray Reynolds, Director of Economic Development and Special Projects, provided background information as outlined in the staff report dated July 16, 2001.

Mayor Heilman opened the Public Hearing and no speakers came forward.

Mayor Heilman closed the Public Hearing.

**ACTION:** 1) Conduct a public hearing; 2) Adopt Resolution No. 01-2549, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST

HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD AND LEVYING A CHARGE (ASSESSMENT) IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2001-2002;" and, 3) Direct the City Manager to prepare and execute an amendment to the 2 year agreement between the West Hollywood Convention and Visitors Bureau and the City to include the 2001-2002 work program and budget. **Motion Mayor Pro Tem Guarriello, seconded by Councilmember Prang, and unanimously carried.**

**3.B. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT:**

Assistant City Clerk Taylor stated that the item was published in the West Hollywood Independent on June 27, 2001.

Ray Reynolds, Director of Economic Development and Special Projects, provided background information as outlined in the staff report dated July 16, 2001.

Mayor Heilman opened the Public Hearing and no speakers came forward.

Mayor Heilman closed the Public Hearing.

**ACTION:** 1) Conduct a public hearing; 2) Adopt Resolution No. 01-2550, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD, AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 2001-2002 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT;" 3) Authorize the City Manager to enter into a agreement with either the West Hollywood Chamber of Commerce or the West Hollywood Convention and Visitors Bureau to administer the 2001-2002 Avenues of Art and Design Business Improvement District assessment funds; and, 4) Approve the scope of services for the 2001-2002 agreement. **Motion Councilmember Prang, seconded by Councilmember Martin, and unanimously carried.**

**3.C. CONSIDERATION OF PHASE I OF THE WEST HOLLYWOOD GATEWAY PROJECT:**

Assistant City Clerk Taylor stated that the item was published in the West Hollywood Independent on July 4, 2001 and on July 5, 2001 in the Beverly Press.

Hassan Haghani, Senior Planner, provided background information as outlined in the staff report dated July 16, 2001.

Milton Swimmer, Developer, thanked the City Council, the Project Area Committee, staff, Allyne Winderman and Hassan Haghani.

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

BARBARA HAMAKER, WEST HOLLYWOOD, spoke in support of the project, the architecture and the jumbotron.

STEVE WAYLAND, WEST HOLLYWOOD, spoke in support of the item.

ESTHER BAUM, WEST HOLLYWOOD, spoke about onsite advertising and/or public service advertisements.

CHAD BLOUIN, WEST HOLLYWOOD, spoke in support of the item.

STEVE SMITH, WEST HOLLYWOOD, spoke in support of the item, staff and the developer.

AMY ANDERSON, WEST HOLLYWOOD, voiced her support and praised the developer.

Mayor Heilman closed the Public Hearing.

Councilmember Duran spoke in support of waiving the parking in lieu fees but on the public open space fee and transportation fee which totals \$600,000 he proposed that the money be loaned by the redevelopment agency. He further commented that he had no objection to the video screen since it announces to someone traveling on Santa Monica Boulevard that you have entered West Hollywood.

Mayor Heilman commented that before a concrete decision is made the council should have the benefit of the city attorney looking into what is involved in waiving the fees. He commended the architects in creating a project within the vision of West Hollywood. He stated that the signage makes the project happen financially and that it is fully integrated with the design. Mayor Heilman said that the language must be ironclad to prevent the billboard companies and others from putting a video screen on Doheny Boulevard or the rest of Santa Monica Boulevard. He further stated that the office portion may not work and he stated his support of housing instead.

Councilmember Duran stated his support of the videotron.

Councilmember Prang stated his concern regarding setting precedence and opening up the chance for more video screens in the City.



Councilmember Martin spoke in support of the video screen and partnership participation in the profit, with the revenues being credited towards any tax.

Mayor Pro Tem Guarriello spoke in support of the suggestion.

Councilmember Martin requested that there be an allowance to monitor the technology and be able to maintain it and update it if technology changes.

**ACTION: Consensus of the City Council, regarding the videotron.**

Mayor Heilman stated that the next contentious issue was the fees.

City Manager Arevalo stated that waiving the fees would be in the best interest of the developer but it would be up to the negotiation of the redevelopment corporation to discuss consideration with the advertising and potential increase participation from the redevelopment agency to help cover the cost of any of the fees. He stated that staff recommends not waiving any of the fees at this time which would establish a poor precedence and any financial discussion should be deferred to a later time.

Councilmember Prang commented that the City has driven the project and some consideration should be given to the developer regarding the fees.

**ACTION:** 1) Adopt proposed Resolution No. 01-2551, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT AND STATE OF OVERRIDING CONSIDERATIONS; ADOPTING GENERAL PLAN MAP AMENDMENT 99-07 TO CHANGE GENERAL PLAN DESIGNATIONS OF THE SITE TO "C-4"; ADOPTING GENERAL PLAN AMENDMENT 99-03 TO ALLOW LARGE SCREEN VIDEO SIGNS IN THE "C4" DESIGNATION; APPROVING GENERAL PLAN AMENDMENT 99-06 TO BE CONSISTENT WITH ZONING CODE REQUIREMENTS; WAIVING THE PARKING IN-LIEU FEE; AND DENYING THE REQUEST TO WAIVE OR REDUCE THE TRANSPORTATION FACILITIES AND PROGRAMS FEE AND THE PUBLIC OPEN SPACE FEE ON PHASE ONE OF THE "GATEWAY PROJECT" LOCATED AT THE SITE GENERALLY REFERRED TO AS 7100 SANTA MONICA BOULEVARD BOUNDED BY SANTA MONICA BOULEVARD ON THE NORTH, LA BREA AVENUE ON THE EAST, ROMAINE STREET ON THE SOUTH, AND FORMOSA AVENUE ON THE WEST.

**ACTION:** Amendments to the conditions are, 1) Maintenance of signage, lighting and technology; 2) Allowing construction on Saturdays subject to complying with the provisions in the Municipal Code; Remainder of the items included in the resolution, and deferring the request to waive fees subject to further negotiation. Motion Mayor Pro Tem Guarriello, seconded by Councilmember Martin and unanimously carried, noting Councilmember Prang's objection on creative signs.

2) Introduce on first reading Ordinance No. 01-604, " AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING MAP AMENDMENT 99-06; TO CHANGE THE ZONING DESIGNATIONS OF THE CITE TO "CR"; ADOPTING ZONING TEXT AMENDMENT 99-04 TO ALLOW, WITH CERTAIN RESTRICTIONS, LARGE SCREEN VIDEO SIGNS IN THE "CR" ZONE; ON THE PROPERTIES LOCATED AT THE SITE GENERALLY REFERRED TO AS 7100 SANTA MONICA BOULEVARD BOUNDED BY SANTA MONICA BOULEVARD ON THE NORTH, LA BREA AVENUE ON THE EAST, ROMAINE STREET ON THE SOUTH, AND FORMOSA AVENUE ON THE WEST."

**ACTION:** Amending Section 19.34.080(H) of the West Hollywood Zoning Ordinance as follows: Large Screen video signs may be approved along Sunset Boulevard (remove the comma) on parcels within Geographic Areas Three, Four, Six or Seven in the Sunset Specific Plan or when the signs are located in the CR zone and meet all of the following criteria. Motion Councilmember Duran, seconded by Councilmember Martin, and carried, noting the NO vote of Councilmember Prang.

3.D. ASSESSMENT OF DELINQUENT SOLID WASTE FEES OWED WEST HOLLYWOOD RECYCLING SERVICES ONTO THE PROPERTY TAX BILL OF FOUR DELINQUENT ACCOUNT HOLDERS:  
Moved to the Consent Calendar as 2.P.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS:

5.A. UPDATE ON THE CITY'S STRATEGIC PLAN PROCESS:  
Moved to the Consent Calendar as 2.Q.

EXCLUDED CONSENT CALENDAR:

PUBLIC COMMENT: None.

6. LEGISLATIVE:

**6.A. PROPOSED ORDINANCE AMENDING PROVISIONS RELATING TO APPROVAL OF CONTRACTS:**

City Attorney Jenkins, provided background information as outlined in the staff report dated July 16, 2001.

**PUBLIC SPEAKERS:** None.

Councilmember Prang suggested that a regular report of contracts be submitted to the City Council. He further commented that it is an important policy to narrow the number of contractors used in the City to receive the benefits of the best economy of scale.

John Adams, Acting Accounting Services Manager, stated that staff would submit a report of contracts on a quarterly basis.

**ACTION:** 1) Introduce on first reading Ordinance No. 01-605, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PROVISIONS RELATING TO APPROVAL OF CONTRACTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE;" 2) **Make quarterly reports to City Council. Motion Councilmember Martin, seconded by Councilmember Duran, and carried noting the NO vote of Councilmember Prang.**


**COUNCILMEMBER COMMENTS:** None.

**ADJOURNMENT:** The City Council adjourned at 9:35 P.M., in memory of Jorge Molina. The next regular meeting, which will be on Monday, August 20, 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 20<sup>TH</sup> DAY OF AUGUST, 2001.

  
MAYOR

ATTEST:

  
TONY RUSSELL, CITY CLERK