

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JULY 2, 2001
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE: Mikel Gerle led the Pledge.

ROLL CALL:

PRESENT: Councilmember 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. and there was no public comment. One item of pending litigation was added to the closed session agenda, Beverly Boulevard LLC vs City of West Hollywood. No reportable actions were taken and the meeting was adjourned at 6:30 p.m.

APPROVAL OF AGENDA:

Councilmember Duran requested that item 2.K. be moved to excluded consent calendar.

Councilmember Duran requested that item 2.K. be placed back on the consent calendar.

ACTION: Approve the July 2, 2001 Agenda. . **Motion Mayor Pro Tempore Guarriello, seconded by Councilmember Prang and unanimously carried.**

PRESENTATIONS:

Mayor Heilman presented Joe Polleck a commendation for his service as a Cultural Heritage Commissioner.

Councilmember Prang presented Gretchin Fine a commendation for her service as a Women's Advisory Board member.

1. PUBLIC COMMENT:

JEROME CLEARY, WEST HOLLYWOOD spoke about Sunset Boulevard traffic and noise issues.

DAN SILVER, WEST HOLLYWOOD spoke about Sunset Boulevard traffic and noise issues.

COLLEEN CLOHERTY, WEST HOLLYWOOD spoke to the need of an animal shelter in West Hollywood or in the local vicinity.

CAROL RODRIGUEZ, WEST HOLLYWOOD spoke about illegal advertising of billboards on Beverly Boulevard.

J.W.MOORE IV, WEST HOLLYWOOD spoke in support of item 2.I and to public safety issues on Detroit Avenue, which needs to be addressed. He also spoke to the issue of tree pruning on Santa Monica Boulevard.

RIC RICKLES, WEST HOLLYWOOD spoke to the issue of banning cell phones while driving in West Hollywood.

JEANNE DOBRIN, WEST HOLLYWOOD spoke to the issue of the need of an animal shelter in West Hollywood or in the local vicinity.

COUNCILMEMBER COMMENTS:

Mayor Pro Tempore Guarriello announced that he was appointed to the Los Angeles Community Library Task Force. He also requested the meeting be adjourned in memory of Frankie Capprini, Marcos Italian Restaurant.

Councilmember Martin addressed two public safety issues of noise on Sunset Boulevard and prostitution on the eastside of the City. He announced that on July 31, 2001 there would be a community meeting at Fiesta Hall to address the prostitution issue. He also announced five new officers would be patrolling Sunset Boulevard. He requested that the meeting be adjourned in memory of Jack Lemmon.

Councilmember Prang congratulated the City of Los Angeles on their new mayor. He asked council to address the blue streetlights on Santa Monica Boulevard. He also appealed to Infinity Outdoor Advertising to stop removing ads in New York about AIDS education.

Councilmember Duran spoke to the issue of prostitution on the eastside. He said that most of the prostitutes are transgender and Latina individuals who have no job skills or training and they are in need of a job and better education. He also commented on the need for a regional animal shelter in West Hollywood or a surrounding community. He

addressed the public concern on the issue of banning cell phones and he stated that it was a state issue not a local option. He also spoke to issue of item 2.K. and congratulated staff on the work on this issue to save money and electricity.

Mayor Heilman requested that the City Manager provide an update on the issue of Sunset Boulevard and also requested the City Manager look into the public comment about tree trimmings. He requested that the meeting be adjourned in memory of Michael Maherin.

CITY MANAGER'S REPORT: City Manager Arevalo congratulated Mayor Pro Tempore Guarriello on his appointment to the Los Angeles Community Library Task Force. He gave a brief overview of actions that staff were taking on the noise issues on Sunset Boulevard and asked Richard Odenthal, Director of Public Safety, Lt. Buddy Goldman and Brad Vulker to give a brief overview. Lt. Goldman provided a brief overview of the action plan and deployment on Sunset Boulevard. He stated that with the additional \$40,000.00 for foot patrol, they have increased the number of sheriff's by 5 individuals. Who will be patrolling the Sunset Boulevard as of July 1, 2001. The sheriff's will assist in traffic control and noise reduction on weekends and provide additional visibility to the public.

FISCAL IMPACT ON CONSENT CALENDAR:

Administrative Assistant Bell stated that the fiscal impact on the Consent Calendar for July 2, 2001 is \$521,097 in expenditures and \$242,752 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.,Q.,R.,S. Motion Mayor Pro Tempore Guarriello, seconded by Councilmember Prang,

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, July 2, 2001 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, June 28, 2001.

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

2.B. 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.C. DEMAND REGISTER NO. 441, RESOLUTION NO. 01-2543:

ACTION: Approve Demand Register No. 441 and adopt Resolution No. 01-2543, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 441." **Approved as part of the Consent Calendar.**

- 2.D. ORDINANCE NO. 01-602 (2ND READING) REGARDING THE TIME OF COMMENCEMENT OF CITY COUNCIL MEETINGS:**
ACTION: Waive further reading and adopt Ordinance No. 01-602, " AN ORDINANCE OF THE CITY WEST HOLLYWOOD REGARDING THE TIME OF COMMENCEMENT OF CITY COUNCIL MEETINGS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**
- 2.E. ORDINANCE NO. 01-603 (2ND READING) ESTABLISHING CLAIM FILING REQUIREMENTS:**
ACTION: Waive further reading and adopt Ordinance No. 01-603, " AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING CLAIM FILING REQUIREMENTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**
- 2.F. ORDINANCE NO. 01-601 (2ND READING) AMENDING THE MUNICIPAL CODE TO ADD PROVISIONS RELATED TO THE ABATEMENT OF NUISANCES:**
ACTION: Waive further reading and adopt Ordinance No. 01-601, " AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 1 OF THE MUNICIPAL CODE TO INCLUDE A NEW CHAPTER, 1.32, RELATING TO THE ABATEMENT OF NUISANCES." **Approved as part of the Consent Calendar>**
- 2.G. COMMISSION AND ADVISORY BOARD ATTENDANCE REPORTS:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.H. CONTRACT FOR PROFESSIONAL SERVICES WITH ALICIA DE SOTO-FOLEY:**
ACTION: 1) Approve an agreement with Alicia de Soto-Foley for professional services relative to training in gardening and nutrition education in an amount not to exceed \$18,000 for the Healthy West Hollywood Project; and, 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**
- 2.I. GRANT APPLICATION FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS (LLEBG):**
ACTION: Authorize staff to apply for the US Department of Justice's Bureau of Justice Assistance allocation to the City of West Hollywood of \$123,842 for the Local Law Enforcement Block Grant (LLEBG) program for Federal Fiscal Year 2001. (This grant dictates a \$13,760 match from City funds.) **Approved as part of the Consent Calendar.**

- 2.J. PROPOSED RESOLUTION IN SUPPORT OF THE EARLY TREATMENT FOR HIV ACT OF 2001, HR 2063, S 987:**
ACTION: 1) Adopt Resolution No. 01-2544, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE EARLY TREATMENT FOR HIV ACT OF 2001, HR 2063, S 987;" and, 2) Forward a copy of this resolution to all appropriate federal representatives including the California Congressional Delegation. **Approved as part of the Consent Calendar.**
- 2.K. AWARD OF CONSTRUCTION CONTRACT FOR CIP 0102, TRAFFIC SIGNAL LIGHT EMITTING DIODE (L.E.D.) CONSTRUCTION PROJECT:**
ACTION: 1) Accept the bid dated June 19, 2001 submitted by Steiny and Company, Inc.; 2) Authorize the City Manager to enter into a contract with Steiny and Company, Inc., in the amount of \$259,658.00, for the construction of CIP 0102, Traffic Signal Light Emitting Diode (L.E.D.) Construction Project; 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; 4) Authorize the Interim Director of Finance to increase total budget expenditures and revenues in the Miscellaneous Grant Fund by \$188,278 and to appropriate \$136,294 from the fund balance in the Landscape and Lighting Fund, and increase budgeted expenditures by \$136,294; and, 5) Accept the L.E.D. Edison grant in the amount of \$88,278 and authorize the City Manager to sign grant documents. **Approved as part of the Consent Calendar.**
- 2.L. IVAN DJENEEFF EXHIBIT:**
ACTION: 1) Authorize the City Manager to enter into an contract between the City and the Meridian International Center to secure the exhibit in the amount of \$12,000, not due and payable until May of 2002. **Approved as part of the Consent Calendar.**
- 2.M. REVISIONS TO THE FISCAL YEAR 2001-2002 BUDGET INCREASING REVENUES AND EXPENDITURES AS A RESULT OF RECEIPT OF FUNDS FOR A RESIDENTIAL CODE INCENTIVE PROGRAM GRANT:**
ACTION: Authorize the Interim Director of Finance to increase revenues by \$42,474 and expenditures by \$41,581 in the Miscellaneous Grant Fund. **Approved as part of the Consent Calendar.**
- 2.N. CONTRACT FOR PROFESSIONAL SERVICES WITH CATHY BERGER-KAYE:**
ACTION: 1) Approve an agreement with Cathy Berger-Kaye for professional services relative to educational training, curriculum development, facilitation and writing in amount not to exceed \$18,000; and, 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.O. STAFFING RECEPTION AREA AT THE COMMUNITY CENTER AT PLUMMER PARK:

ACTION: Approve an amendment to the contract with Jewish Family Services in the amount of \$70,000 for staffing reception at the Community Center at Plummer Park and authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.P. AWARD BID TO MANERI SIGN, INC. FOR THE PRODUCTION OF PERMIT PARKING SIGNS:

ACTION: 1) Approve a contract with Maneri Sign, Inc. to provide production of permit parking signs in an amount not to exceed \$20,000; and, 2) Authorize the City Manager to sign the contract. **Approved as part of the Consent Calendar.**

2.Q. PROPOSED RESOLUTION FOR AN END TO ALL EXECUTIONS OF RETARDED INMATES:

ACTION: 1) Adopt Resolution No. 01-2545, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING FOR AN END TO ALL STATE AND FEDERAL EXECUTIONS OF RETARDED INMATES;" and, 2) Forward a copy of this resolution to President Bush, Governor Davis and the Supreme Court Justices. **Approved as part of the Consent Calendar.**

2.R. SUPPLEMENTAL PROFESSIONAL SERVICES CONTRACT WITH HUNTER – KENNEDY AND ASSOCIATES:

ACTION: Authorize the City Manager to enter into a supplemental professional services contract with Hunter-Kennedy and Associates, Inc. in an amount not to exceed \$35,000, to endure compliance with the requirements of the National Pollution Discharge Elimination System permit for the City of West Hollywood. **Approved as part of the Consent Calendar.**

2.S. TENTATIVE AGREEMENT/ACE UNIT NEGOTIATIONS:

ACTION: 1) Approve tentative agreements with ACE; 2) Approve extension of the comprehensive MOU package for the period of one year from July 1, 2001 through June 30, 2002; and, 3) Authorize the City Manager to execute tentative agreements amending the existing ACE MOU. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS: None.

4. UNFINISHED BUSINESS:

4.A. SANTA MONICA BOULEVARD RE-OPENING CEREMONY:

Ray Reynolds, Director of Economic Development/Special Projects, provided background information as outlined in the staff report dated July 2, 2001.

BRAD BURLINGAME, EXECUTIVE DIRECTOR OF WEST HOLLYWOOD CONVENTION VISITORS BUREAU gave a power point presentation of the up coming event.

PUBLIC SPEAKERS:

RAYMOND SYLVESTER, WEST HOLLYWOOD, complimented everyone on how the Boulevard looks and looks forward to the upcoming event.

RITA NORTON, WEST HOLLYWOOD, spoke in support of the event.

J.W. MOORE, WEST HOLLYWOOD, spoke about sponsors to the event and why organized labor was not advised.

RIC RICKLES, WEST HOLLYWOOD, spoke in support of the item.

Councilmember Duran stated that businesses deserve a celebration of the boulevard. He expressed his concerns on who will attend and was not sure about the estimated 30,000-attendance figure. He asked that the fees for the booths and the side walk sale permit fees be waived to show good will and encourage local businesses to participate in the event.

Councilmember Martin spoke to the issue of getting people to the festival. He also wanted the festival to be in the center of town. He was concerned about the constant closure of the Santa Monica Boulevard and possible hardship that it might cause those businesses that are effected.

Mayor Heilman spoke in support of the event and its concept. He felt it was an opportunity to thank the community and use it as a rebuilding event. He requested that the event be extended another two hours and he was in favor of reducing or eliminating the associated fees.

Councilmember Prang spoke in opposition of increasing the hours.

ACTION: 1) Approve expenditures up to the amount of \$124,200 from undesignated reserves for the Santa Monica Boulevard re-opening ceremony and festival; 2) Consider and give direction for an add on package in the amount of \$29,000 from undesignated reserves for a comfort packet to accommodate the elderly and the typical heat in August;

3) Approve the closure of Santa Monica Boulevard and the diagonal transition lane from Crescent Heights onto Santa Monica Boulevard for the re-opening festival on Sunday, August 19, 2001: a) From 3:00 am to 11:00 am for event load-in and preparation; b) From 11:00 am to 6:00 pm for the festival; c) From 6:00 pm to 1:00 am to strike festival and perform necessary street cleaning; 4) Additionally approve the following closures from 12:00 am to 8:00 am on Sunday, August 19, 2001 in support of the Santa Monica Boulevard festival: a) Closure of Harper Avenue for the first 100 feet north of Santa Monica Boulevard; b) Closure of Croft Avenue for the first 100 feet south of Santa Monica Boulevard; c) Closure of Kings Road from the first 100 feet north of Santa Monica Boulevard; d) Approve the posting of Santa Monica Boulevard for no parking from 11:00 pm, Saturday, August 18, to 12:00 am, Monday August 20, from La Cienega to Crescent Heights; 5) Approve the addition of a beer garden that is fiscally self sustaining, with proceeds to be used to offset general fund expenditures.

ACTION: To increase the event time to 11:00 a.m. to 8:00 p.m. Motion Councilmember Duran, seconded by Mayor Heilman and carried on a roll call vote:

AYES: Councilmember Duran, Martin and Mayor Heilman
NOES: Councilmember Prang and Mayor Pro Tempore Guarriello

ACTION: 1) Council gave direction to event staff giving them the ability to increase closure of Santa Monica Boulevard if the event needs to be increased; and, 2) Council also gave direction to event staff to waive permit fees for Saturday and Sunday for sidewalk sale permits on Santa Monica Boulevard.

Moved by consensus of the council noting a NO vote on recommendation number 5 by Councilmember Prang.

NEW BUSINESS:

5.A. DISCUSSION REGARDING INCREASING THE PENALTIES FOR VIOLATIONS OF THE OFF-SITE SIGNS ORDINANCE OR, IN THE ALTERNATIVE, AMENDING SECTION 1.080.010 OF THE MUNICIPAL CODE RELATING TO THE CLASSIFICATION OF OFFENSES:

Mike Jenkins, City Attorney, provided background information as outlined in the staff report dated, July 2, 2001.

PUBLIC SPEAKERS:

JEANNE DOBRIN, WEST HOLLYWOOD, requested whom the fines would go against and how it would be administered.

HILLARY SELVIN, LOS ANGELES, requested that fines be incremental and reasonable.

Councilmember Duran supported the item of increasing the penalties for those who violated the law. He also stated that the City should go after all of the offenders, property owners, media agents and the advertiser.

Mayor Heilman agreed with increasing the penalty fees and going after all the individuals who violate the law, not just the property owner. He further stated that the City should go after the generator of the sign, sign company and anyone who is making a profit from the illegal billboards.

ACTION: Council to discuss two alternative regarding penalties for violations off-site signs: Adopt a resolution increasing the penalties for violations of the off-site signs ordinance to \$10,000.00 for the first offense, \$20,000.00 for the second offense and \$30,000.00 for the third offense.
Motion Councilmember Duran, seconded by Councilmember Prang and carried noting the abstention of Mayor Pro Tempore Guarriello.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

LEGISLATIVE: None.

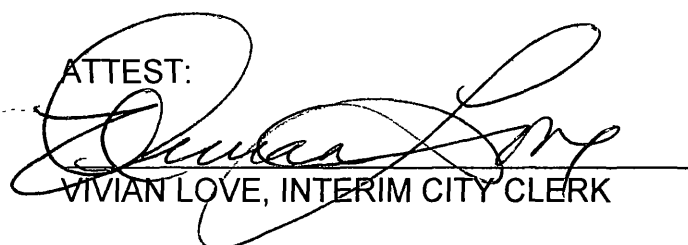
COUNCILMEMBER COMMENTS:

Councilmember Martin expressed his gratitude for all the cards and support for his partners recent illness.

ADJOURNMENT: The City Council adjourned at 9:44 P.M. in the memory of Michael Maherin, Frankie Cappriani, and Jack Lemmon. The City Council will hold a special study session, which will be on Monday, July 9, 2001 at 6:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The next regular meeting will be on Monday, July 16, 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 16TH DAY OF JULY, 2001.


MAYOR

ATTEST:

VIVIAN LOVE, INTERIM CITY CLERK