

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, AUGUST 20, 2001
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Heilman called the meeting to order at 6:47 P.M.

PLEDGE OF ALLEGIANCE: John Chase 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, City Clerk Russell, and Assistant City Clerk Taylor.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins reported that the meeting convened at 6:00 p.m. and there were no public speakers. Council added one item of threatened litigation. No reportable action was taken and the Closed Session adjourned at 6:45 P.M.

APPROVAL OF AGENDA:

Mayor Pro Tempore Guarriello requested that Item 2.EE. be moved to the Excluded Consent Calendar

Staff requested that Item 3.A. be moved to the Consent Calendar.

Councilmember Martin requested that item 2.O. be tabled.

ACTION: Approve the August 20, 2001 Agenda as amended. **Motion Mayor Pro Tempore Guarriello, seconded by Councilmember Martin and unanimously carried.**

PRESENTATIONS:

Councilmember Prang presented a commendation to Disability Advisory Commissioner Stephen Weltman for his service on the Advisory Board.

Mayor Heilman presented commendations to Boardmembers Innis Bruner, Project Area Committee, Nadine LeGouguec, Women's Advisory Board and Shirley Delovich, Lesbian and Gay Advisory Board for their service.

Mayor Pro Tempore Guarriello presented a commendation to Randy Schecher of the Palm Springs Gay Veterans Chapter for his work on the West Hollywood Veterans Memorial.

Mayor Heilman presented a proclamation to Director Joseph Dunn and Abby Land of the Los Angeles Community Free Clinic declaring Community Clinic week.

Mayor Heilman announced Women's Equality Day and presented a proclamation to Women's Advisory Boardmember Judith Mayo.

Councilmember Martin announced a reward program for those who help catch people illegally cutting trees within the City.

Mayor Heilman requested that Council adjourn in the memory of Peter Feenstra. He also spoke about the last Speaker Series on September 20, 2001 at the Pacific Design Center.

PUBLIC COMMENT:

KORD KRAUS, WEST HOLLYWOOD, thanked the City for the opportunity to serve as Council Intern.

RIC RICKLES, WEST HOLLYWOOD, spoke in support of Item 2.I. declaring September as Prostate Awareness Month. He thanked the Rent Stabilization Commission for the wonderful conference on housing.

ANGIE BECKETT, WEST HOLLYWOOD spoke to the item 2.DD. and thanked Council for their support of the item.

JAMES FURHMAN, WEST HOLLYWOOD, spoke about the rent control conference and felt it was unfair that the City doesn't hold a landlord conference.

JEROME CLEARLY, WEST HOLLYWOOD, spoke to the issue concerning the Sheriff's office not being informed about City projects. He also spoke to the issue concerning what a deputy can write on a police report.

TOM DEMILLE, WEST HOLLYWOOD, spoke to the issue of the Democratic Party and how big business is running the City.

RICHARD MAGGIO, WEST HOLLYWOOD, thanked everyone for his or her help on the Rent Stabilization conference.

KATHRINE THULIN, WEST HOLLYWOOD, spoke to the appeal of the Planning Commission decision of the Jumbotron at 8410 Sunset Boulevard and asked when would it be heard before Council.

ROSLYN KRAUSE, WEST HOLLYWOOD, spoke to the issue of a hedge at Rugby Drive and Westbourne Drive and hoped that City would fix the problem.

JAMES KAZAKOS, WEST HOLLYWOOD, congratulated the City on the wonderful Santa Monica Boulevard ceremony.

COLIN BOOKER, WEST HOLLYWOOD, spoke to the issue of a crosswalk at Santa Monica Boulevard and Hancock Avenue.

JUDITH RESELL, WEST HOLLYWOOD, gave a brief report of the National Organization of Women Conference.

STEVE KAFFEN, WEST HOLLYWOOD, spoke to the issue of the Westbourne Drive and Santa Monica Boulevard crosswalk and suggested that it be looked at again.

REGINA VILLALPANDO, WEST HOLLYWOOD, spoke to the issue of Adelpia Cable and how she has been treated by the cable company.

PAUL BROWN, WEST HOLLYWOOD, spoke to the issue of Adelpia Cable and how he has been treated by the cable company.

COUNCILMEMBER COMMENTS:

Mayor Heilman asked the City Manager to report back to Council on the status of the Jumbotron appeal. He also asked the Director of Public Information and Adjudication to investigate claims made against Adelpia Cable and report back to Council.

Mayor Pro Tempore Guarriello spoke regarding the tremendous success of National Night Out activities. He also spoke regarding reflective curb addresses and asked the City Manager to look into the problem.

Councilmember Prang acknowledged Los Angeles Councilmember Jack Wiess and thanked him for being present. He stated that he had met with Councilmember Weiss and worked on various issues concerning both Cities. He addressed traffic concerns at Westbourne Drive and Santa Monica Boulevard and asked staff to report back to Council regarding the issue. He congratulated the Russian Art players and thanked them for a wonderful concert. He thanked everyone for the hard work on the Santa Monica Boulevard celebration. He thanked the Kings Road association for inviting him to their meeting. He requested that Council adjourn in memory of Charles Hayden and David Klodnicke.

Councilmember Duran spoke to the issue of the Westbourne Drive and Santa Monica Boulevard left hand turn. He reported to the Council about his lobbying effort in Washington D.C. concerning Section 8 housing. He spoke about a series of hate crimes that have been happening across the City.

Councilmember Martin spoke about the Westbourne Drive and Santa Monica Boulevard intersection and stated that it had been referred to the Transportation Commission. He also spoke regarding an upcoming event to be held at the House of Blues on August 23, 2001 supporting AIDS Los Angeles and encouraged everyone to attend.

CITY MANAGER'S REPORT: City Manager Arevalo introduced Mark Persico, the new Community Development Director. Staff will report back to Council on the Westbourne Drive and Santa Monica Boulevard crosswalk and he also reported that staff would also look into the Alta Loma Road signal and the Hancock Avenue signal and cul-de-sac.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Russell stated that the fiscal impact on the Consent Calendar for August 20, 2001 as amended is \$552,062 in expenditures and \$392,206 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J., K., L., M., N., P., Q., R., S., T., U., V., W., X., Y., Z., AA., BB., CC., DD., 2FF(Item 3.A.). Motion Mayor Pro Tempore Gaurriello, seconded by Councilmember Prang and carried, noting a NO vote on Items 2.G., 2.H. and 2.Z. by Councilmember Prang.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, August 20, 2001 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 16, 2001.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of June 4, 2001, July 9, 2001, July 15, 2001, July 16, 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. 443, RESOLUTION NO. 01-2552 AND DEMAND REGISTER NO. 444, RESOLUTION NO. 01-2553:**
ACTION: 1) Approve Demand Register No. 443 and adopt Resolution No. 01-2552, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 443;" and, 2) Approve Demand Register No. 444 and adopt Resolution No. 01-2553, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO 444." **Approved as part of the Consent Calendar.**
- 2.E. CLAIMS ADMINISTRATION:**
ACTION: Deny the claims of Chubb Group, Megan Carter, Hans Christoph, Marlene Hoffman, Joey Dedio, Daniel Curran, Kevin Phillips, John C. Walker and Edna Collins and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**
- 2.F. ORDINANCE NO. 00-580 (2ND READING) IMPLEMENTING PREFERENTIAL PARKING DISTRICT 9 REGULATIONS ON ROMAINE STREET BETWEEN SWEETZER AND HARPER AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:**
ACTION: Waive further reading and adopt Ordinance No.00-580, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.240, SECTION C OF THE WEST HOLLYWOOD MUNICIPAL CODE, IMPLEMENTING PREFERENTIAL PARKING DISTRICT 9 REGULATIONS ON ROMAINE STREET BETWEEN SWEETZER AND HARPER AVENUES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**
- 2.G. ORDINANCE NO. 01-604 (2ND READING) ADOPTING ZONING MAP AMENDMENT 99-06; TO CHANGE THE ZONING DESIGNATIONS OF THE SITE 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 ON THE NORTH, LA BREA AVENUE ON THE EAST, ROMAINE STREET ON THE SOUTH, AND FORMOSA AVENUE ON THE WEST:**
ACTION: Waive further reading and adopt Ordinance No. 01-604, " AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING MAP AMENDMENT 99-06; TO CHANGE THE ZONING DESIGNATIONS OF THE SITE 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 ON THE NORTH, LA BREA AVENUE ON THE EAST, ROMAINE STREET ON THE SOUTH, AND FORMOSA AVENUE ON THE WEST." **Approved as part of the Consent Calendar. Noting a NO vote by Councilmember Prang.**

2.H. ORDINANCE NO. 01-605 (2ND READING) AMENDING PROVISIONS RELATING TO APPROVAL OF CONTRACTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

ACTION: Waive further reading and adopt 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." **Approved as part of the Consent Calendar. Noting a NO vote by Councilmember Prang.**

2.I. PROPOSED RESOLUTION DECLARING THE MONTH OF SEPTEMBER AS "PROSTATE CANCER AWARENESS MONTH":

ACTION: Adopt resolution No. 01-2554, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING SEPTEMBER 2001 AS "PROSTATE CANCER AWARENESS MONTH;" 2) Send signed copies of the resolution to appropriate individuals and groups; and, 3) Direct City residents and staff to observe the month appropriately, and coordinate possible programs to inform the public and encourage men susceptible to prostate cancer to consult with medical professionals. **Approved as part of the Consent Calendar.**

2.J. PROFESSIONAL SERVICES CONTRACT WITH SOCIAL VOCATIONAL SERVICES TO PROVIDE OFFICE RECYCLING SERVICES AT CITY FACILITIES:

ACTION: 1) Authorize the City Manager to execute a professional services agreement with Social Vocational Services, not to exceed \$11,000 per year, to operate a city facilities recycling program at City Hall, the CATV office, and Plummer Park for three years (FY 01-02, FY 02-03, and FY 03-04); and, 2) Direct the Interim Finance Director to appropriate \$7,126.08 from unallocated reserves to be deposited into account #100-8040-8520. **Approved as part of the Consent Calendar.**

2.K. RESIGNATION OF SHIRLEY DELOVICH FROM THE LESBIAN AND GAY ADVISORY BOARD:

ACTION: Accept with regret the resignation of Shirley Delovich from the Lesbian and Gay Advisory Board. **Approved as part of the Consent Calendar.**

2.L. COUNTY HIV PREVENTION FUNDING:

ACTION: 1) Approve a subcontract with AIDS Project Los Angeles for \$30,586 effective July 1, 2001 through June 30, 2002 to complete the evaluation component of the grant; and, 2) Authorize the City Manager to sign the addendum. **Approved as part of the Consent Calendar.**

2.M. PROPOSED RESOLUTION IN OPPOSITION TO THE FAITH BASED INITIATIVE OF THE COMMUNITY SOLUTIONS ACT OF 2001, H.R. 7 (WATTS):

ACTION: 1) Adopt resolution No. 01-2555, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE FAITH BASED INITIATIVE OF THE COMMUNITY SOLUTIONS ACT OF 2001, HR 7 (WATTS);" and, 2) Forward a copy of this resolution to Senate Majority Leader Tom Daschle and Senators Barbara Boxer and Dianne Feinstein. **Approved as part of the Consent Calendar.**

2.N. EXPENDITURE PLAN FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS (LLEBG):

ACTION: 1) Authorize the acceptance of funding from the Justice Department's Bureau of Justice Assistance's Funding FY 2001 Local Law Enforcement Block Grant program in the amount of \$123,842; 2) Authorize the Interim Director of Finance to allocate \$13,760 from unallocated reserves in the general fund for the required matching funds and increase budgeted expenditures by \$137,602 (\$123,842 grant funds/ \$13,760 matching funds) in account 204-4000-8425 and budgeted revenues by \$123,842 in account 100-0000-5115; 3) Authorize the expenditure of LLBEG funds and matching City funds for the continuation of the City Parks Security Officer Patrol Program; 4) Authorize the expenditure of remaining grant funds (not to exceed \$50,000) to be used for special foot patrols as necessary with the approval of the City Manager, the Public Safety Manager, and the Sheriff's Captain; and, 5) Authorize the City Manager to reprogram all savings and interest earnings towards special foot patrols. **Approved as part of the Consent Calendar.**

2.O. ESTABLISHMENT OF A DISABLED PARKING ENFORCEMENT TASK FORCE:

Tabled to September 4, 2001.

2.P. PROPOSED RESOLUTION IN SUPPORT OF S.B.780 (ORTIZ), WHICH ESTABLISHED THE CALIFORNIA FACE ACT (FREEDOM OF ACCESS TO CLINIC ENTRANCES) AND MAKES IT A CRIME TO HARASS, INTIMIDATE OR INTERFERE WITH ABORTION CLINIC WORKERS, PATIENTS, AND ASSISTANTS:

ACTION: 1) Adopt Resolution No. 01-2556, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S.B. 780 (ORTIZ), WHICH ESTABLISHES THE CALIFORNIA FACE ACT (FREEDOM OF ACCESS TO CLINIC ENTRANCES) AND MAKES IT A CRIME TO HARASS, INTIMIDATE OR INTERFERE WITH ABORTION CLINIC WORKERS, PATIENTS, AND ASSISTANTS;" and, 2) Send signed copies of the resolution to Senator Ortiz and appropriate legislators. **Approved as part of the Consent Calendar.**

2.Q. PROPOSED RESOLUTION IN SUPPORT OF DEBT CANCELLATION FOR ALL AFRICAN NATIONS IN ORDER THAT THEY MAY BETTER DEVOTE RESOURCES TO FIGHTING HIV/AIDS:

ACTION: 1) Adopt Resolution No.01-2557, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF DEBT CANCELLATION FOR ALL AFRICAN NATIONS IN ORDER THAT THEY MAY BETTER DEVOTE RESOURCES TO FIGHTING HIV/AIDS;" and, 2) Send signed copies to appropriate legislators and interest groups. **Approved as part of the Consent Calendar.**

2.R. PROPOSED RESOLUTION TO FORMALLY MARK THE TEN-YEAR ANNIVERSARY OF THE AB 101 DEMONSTRATIONS:

ACTION: 1) Adopt resolution No. 01-2558, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FORMALLY MARKING THE TEN-YEAR ANNIVERSARY OF THE AB 101 DEMONSTRATIONS;" and, 2) Staff shall plan and organize the following series of activities: a) a memorial march on Saturday, September 29, 2001 marking the ten year anniversary; b) Council at the October 1, 2001 meeting shall make acknowledgement and recognize those who played a memorable role in the day's events; c) On Tuesday, October 2, 2001 a town hall meeting shall be convened at which time a brief documentary shall be screened and a discussion held about the historic events and the long-term implications of the demonstrations; d) Wednesday, October 3, 2001 the City will mark the anniversary of Mathew Shepard's murder; and, e) All of which will culminate with National Coming Out Day, which takes place on October 11, 2001. **Approved as part of the Consent Calendar.**

- 2.S. RESIGNATION OF KARIN QUIMBY FROM THE LESBIAN AND GAY ADVISORY BOARD:**
ACTION: Accept with regret the resignation of Karin Quimby from the Lesbian and Gay Advisory Board. **Approved as part of the Consent Calendar.**
- 2.T. RECOMMENDATION TO WAIVE PERMIT FEES FOR INSTALLATION OF ENERGY-EFFICIENT EQUIPMENT AND APPLIANCES:**
ACTION: 1) Upon approval of the Community Development Director, waive building permit fees and zone clearance permit fees for projects involving the installation of energy efficient equipment and appliances during Fiscal Year 2001-2002, retroactive to July 1, 2001; and, 2) Authorize the Interim Finance Director to reduce budgeted revenues in the general fund by \$3,000 for zone clearances and \$6,000 for building permits. **Approved as part of the Consent Calendar.**
- 2.U. AWARD OF CONSTRUCTION CONTRACT FOR CIP 0103, SLURRY SEAL CONSTRUCTION PROJECT:**
ACTION: 1) Accept the bid dated August 7, 2001 submitted by American Asphalt Repair and Resurfacing Company, Inc; 2) Authorize the City Manager to enter into a contract with American Asphalt Repair and Resurfacing Company, Inc. in the amount of \$84,510.05 for the construction of CIP0103, Slurry Seal Construction Project; and, 3) Authorize the City Engineer to manage Change Order 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.V. APPOINTMENT OF CITY CLERK:**
ACTION: Adopt resolution No. 01-2559, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING TONY R. RUSSELL AS CITY CLERK." **Approved as part of the Consent Calendar.**
- 2.W. APPROVE AGREEMENTS FOR MICROSOFT SOFTWARE PURCHASES UNDER THE CALIFORNIA MULTIPLE AWARDS SCHEDULE:**
ACTION: 1) Approve the agreements with SoftChoice and CompUSA allowing enrollment in the CMAS Microsoft software purchasing program; and, 2) Authorize the City Manager to execute the contracts. **Approved as part of the Consent Calendar.**

2.X. APPROVE AN AGREEMENT WITH COMPAQ COMPUTER CORPORATION FOR THE PURCHASE OF NETWORK SERVER COMPUTERS:

ACTION: 1) Approve the agreement with Compaq Computer Corporation allowing the purchase of network server computer systems and related peripherals and software for a period of three years, with two optional one-year extensions; and, 2) Authorize the City Manager to execute the contract. **Approved as part of the Consent Calendar.**

2.Y. RECEIPT OF AB2928 TRAFFIC CONGESTION RELIEF GRANT FUNDS FOR ROADWAY MAINTENANCE:

ACTION: 1) Accept the AB2928 Traffic Congestion Relief Funds in the amount of \$277,364.16 and authorize the City Manager to sign documents; and, 2) Authorize the Interim Director of Finance to increase the total budget expenditures and revenues in the Miscellaneous Grants Fund by \$277,364.16; and, 3) Authorize the Interim Director of Finance to increase budgeted revenues and expenditures for Traffic Congestion Relief Funds for accumulated interest earnings. **Approved as part of the Consent Calendar.**

2.Z. AMENDMENT OF CONTRACT WITH MCDONALD MEDIA SERVICES FOR THE PROMOTION OF THE GRAND RE-OPENING OF SANTA MONICA BOULEVARD:

ACTION: 1) Approve an amendment in an amount not to exceed \$5,000 with McDonald Media Services to assist in the promotion and publicity services for the Santa Monica Boulevard Reconstruction Project and Grand Re-Opening; and, 2) Authorize the City Manager to execute the amendment. **Approved as part of the Consent Calendar. Noting a NO vote by Councilmember Prang.**

2.AA. RESIGNATION OF STEPHEN WELTMAN FROM THE DISABILITIES ADVISORY BOARD:

ACTION: Accept with regret the resignation of Stephen Weltman from the Disabilities Advisory Board. **Approved as part of the Consent Calendar.**

2.BB. COMMISSION AND ADVISORY BOARD ACTION:

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

2.CC. ADJUSTMENT OF RENTS AND INCOME GUIDELINES FOR INCLUSIONARY HOUSING UNITS:

ACTION: 1) Adopt Resolution No. 01-2560, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE RENT LEVELS, INCOME REQUIREMENTS AND UNIT SALES PRICE FOR THE INCLUSIONARY HOUSING PROGRAM;" and, 2) Direct staff to change Inclusionary Housing Program policy so that tenants

annual aggregate adjusted gross income must exceed fifty percent (50%) of the maximum allowable income, as determined annually by City Council, for two consecutive years before the tenant can be evicted based on income increases. **Approved as part of the Consent Calendar.**

2.DD. PROPOSED RESOLUTION CALLING FOR THE ESTABLISHMENT OF A \$500 REWARD LEADING TO THE ARREST AND CONVICTION OF ILLEGAL TREE TRIMMERS AND AN INCREASE IN FINES FOR COMPANIES CAUGHT ILLEGALLY CUTTING THE PUBLIC'S TREES AND THOSE TREES LOCATED IN THE PUBLIC RIGHT-OF-WAY:

ACTION: 1) Adopt resolution No. 01-2561, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING FOR THE ESTABLISHMENT OF A \$500 REWARD LEADING TO THE ARREST AND CONVICTION OF ILLEGAL TREE TRIMMERS AND AN INCREASE IN FINES FOR COMPANIES CAUGHT ILLEGALLY CUTTING THE PUBLIC'S TREES AND THOSE TREES LOCATED IN THE PUBLIC RIGHT-OF-WAY;" 2) Staff will report back with a plan to increase administrative citation fees for those companies caught trimming the public's trees illegally, develop a restitution program to fix the damaged trees, and explore the development of a mechanism to penalize those that hire tree trimmers for illegal purposes; 3) A copy of this resolution shall be forwarded to the City Prosecutor; and, 4) Information about the reward shall be posted at public locations with the Sheriff Department's phone number listed. **Approved as part of the Consent Calendar.**

2.EE. PROPOSED RESOLUTION CALLING ON VICE-PRESIDENT CHENEY TO PAY HIS OWN ELECTRICITY BILLS:

Moved to the Excluded Consent.

2.FF. A PUBLIC HEARING ON A PROPOSED RESOLUTION CERTIFYING COMPLIANCE WITH LOS ANGELES COUNTY TRANSPORTATION COMMISSION CONGESTION MANAGEMENT PROGRAM:

ACTION: 1) Conduct a public hearing; and, 2) Adopt resolution No. 01-2562, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN COMPLIANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT, IN ACCORDANCE WITH THE CALIFORNIA GOVERNMENT CODE SECTION 65089." **Approved as part of the Consent Calendar.**

THE CITY COUNCIL WILL RECESS AS THE WEST HOLLYWOOD HOUSING AUTHORITY: 7:55 P.M.

RECONVENE AS THE CITY COUNCIL: 8:00 P.M.

THE CITY COUNCIL WILL RECESS AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION: 8:01P.M.

RECONVENE AS THE CITY COUNCIL: 8:10P.M.

3. PUBLIC HEARINGS:

3.A. A PUBLIC HEARING ON A PROPOSED RESOLUTION CERTIFYING COMPLIANCE WITH LOS ANGELES COUNTY TRANSPORTATION COMMISSION CONGESTION MANAGEMENT PROGRAM:

Item was moved to the Consent Calendar as Item 2.FF.

3.B. A PUBLIC HEARING ON AN APPLICATION BY SUNSET MILLENNIUM ASSOCIATES LLC, REQUESTING APPROVAL OF A ZONING TEXT AMENDMENT 2001-2005, SUNSET SPECIFIC PLAN AMENDMENT 2001-2002, A MODIFICATION TO THE SUNSET MILLENNIUM DEVELOPMENT AGREEMENT, AN APPEAL OF BILLBOARD PERMITS NO. 2001-16, 2001-20, AND 2001-26; AND AN APPEAL OF CREATIVE BILLBOARD-TALL WALL PERMIT 2001-22; AT 8560-8590 SUNSET BOULEVARD:

City Clerk Russell stated that the item was published in the West Hollywood Independent on July 18, 2001.

Mayor Heilman asked Council to consolidate all the Public Hearings.

ACTION: By consensus of the City Council

Jack McGee, Contract Planner provided background information as outlined in the staff report dated August 20, 2001.

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

JACK WEISS, LOS ANGELES CITY COUNCILMEMBER, spoke in opposition to the item.

CARLA RYHAL, CAMARILLO, Appellant for Regency Outdoor spoke to the issue of vested rights of the development agreement. She also spoke about what is an eligible sign. She asked the Council to uphold their appeal.

KAREN FINE, THOUSAND OAKS, Appellant for Regency Outdoor spoke to issue of no billboards in area 5 and she spoke to what the development agreement specifies as an eligible height of a billboard. She asked Council to uphold their appeal.

GREG REGIER, OAK PARK, Appellant for Regency Outdoor, stated that the City should prepare an EIR for the billboards, and that the billboards do not comply with the Sunset Specific Plan.

BONNIE KINGLY, PASADENA, Appellant for Regency Outdoor spoke against this proposal.

MARK SIFFIN, LOS ANGELES, Appellant for Sunset Millennium Associates LLC, requested an amendment to the Sunset Specific Plan. He stated that the amendment would be an economic benefit for the City and those who will work on the project.

CINDY STARRET, ALTA DENA, Appellant for Sunset Millennium Associates LLC, requested that the City approve all permits for the tall walls and the proposed billboard amendments. She gave a brief overview of the signage. She spoke to the issue of the creative sign's permits and how they have created unique signage.

Councilmember Duran asked a specific question concerning the Sunset Specific EIR and whether it had to go back to the original EIR.

Cindy Starrett stated that these signs would have a insignificant impact to other signs and that they would be covered by the negative declaration.

COUNCIL RECESSED AT 9:00 P.M.

COUNCIL RECONVENED AT 9:19 P.M.

MICHELLE HART, WEST HOLLYWOOD, spoke in opposition to the item.

JENNY WORMAN, WEST HOLLYWOOD, spoke regarding the cul-da-sac issue and in support of the item.

LOREN MEISTER, WEST HOLLYWOOD, spoke in opposition to the item.

JAMES FURHMAN, WEST HOLLYWOOD, spoke in opposition to the item.

DAVID KLEIN, WEST HOLLYWOOD, spoke in opposition to the item.

DAVID HILL, WEST HOLLYWOOD, spoke in support of the Millennium Project but in opposition to the item.

JOY NUEL, WEST HOLLYWOOD, spoke in opposition to this item.

KEN SAVAGE, WEST HOLLYWOOD, spoke in opposition to this item.

SYDNEY SMILORE, LOS ANGELES, spoke in opposition to this item.

ROD MCDONALD, WEST HOLLYWOOD, spoke in opposition to this item.

JEAN MATHISON, WEST HOLLYWOOD, spoke in opposition to this item.

FRANK TAPLIN, LOS ANGELES, spoke in opposition to this item.

COLLIN BOOKER, WEST HOLLYWOOD, spoke in opposition to this item.

JANET COLE, WEST HOLLYWOOD spoke in opposition to this item.

RIC RICKLES WEST HOLLYWOOD, spoke in opposition to this item.

JOAN SATT, spoke in opposition to this item.

HANK MCCAN, WEST HOLLYWOOD, spoke in opposition to this item.

TREVOR BURGESS, WEST HOLLYWOOD, spoke in support of this item.

NEAL ZASLAVSKY, WEST HOLLYWOOD, spoke in support of this item

DAVE GOLDSTEIN, WEST HOLLYWOOD, spoke in opposition to this item.

DAVID SILVERS, LOS ANGELES, spoke in support of this item.

NIKKI HASKELL, WEST HOLLYWOOD, spoke in opposition to this item.

BRUCE RICHLAND, WEST HOLLYWOOD, spoke in support of this item.

NORBY WALTERS, WEST HOLLYWOOD, spoke in support of this item.

RICHARD SLAWSON, LOS ANGELES, spoke in support of this item.

MARVIN ABRAVERMAN, WEST HOLLYWOOD, spoke in support of this item.

DOROTHY LEVINSON, WEST HOLLYWOOD, spoke in support of this item.

RON MURRAY, WEST HOLLYWOOD, spoke in support of this item.

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

JAMES ODOM, LOS ANGELES, spoke in support of this item.

ROSEMARY MINSKY, WEST HOLLYWOOD spoke in support of this item.

KATHY LUCOFF, WEST HOLLYWOOD, spoke in support of this item.

MARTIN SCHAPIRO, WEST HOLLYWOOD, spoke in support of this item.

DR. JEHUDA RENAN, WEST HOLLYWOOD, spoke in support of this item.

JAMES SHOTTS, WEST HOLLYWOOD, spoke in support of this item

BEVERLY HECT, WEST HOLLYWOOD, spoke in support of this item.

G.G. VERONE, LOS ANGELES, spoke in opposition to this item.

DRAKE KENNEDY, PALOS VERDES, spoke in opposition to this item.

BRIAN KENNEDY, SHERMAN OAKS, spoke in opposition to this item.

MARK MONTGOMERY, LOS ANGELES, spoke in opposition to this item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of this item.

GARY SEREBRYANY, WEST HOLLYWOOD, spoke in support of this item.

APRIL GRIEMAN, WEST HOLLYWOOD, spoke in support of this item.

PETER MCLAREN, LOS ANGELES, spoke in opposition to this item.

RICHARD KALEH, WEST HOLLYWOOD, spoke in opposition to this item.

PAMELA ANDERSON, LONG BEACH, spoke in opposition to this item.

LAYNE LAWSON, LOS ANGELES, spoke in support of this item.

BILL CRABTREE, LOS ANGELES, spoke in opposition to this item.

MAXINNE SONNENBERG, WEST HOLLYWOOD, spoke in opposition to this item.

JOHN PHILLIP LAW, LOS ANGELES, spoke in opposition to this item.

GREY LE GUYER, WEST HOLLYWOOD, spoke in opposition to this item.

LYNNE SEGALL, LOS ANGELES, spoke in opposition to this item.

JOHN LEBOUFF, WEST HOLLYWOOD, spoke in opposition to this item.

MARK KRAJEWSKI, WEST HOLLYWOOD, spoke in opposition to this item.

KEITH STEPHENS, WEST HOLLYWOOD, spoke in opposition to this item.

KIERA BYRD, WEST HOLLYWOOD, spoke in support of this item.

MARY BRILL, WEST HOLLYWOOD, spoke in support of this item.

TERRY PIOTROWSKI, WEST HOLLYWOOD, spoke in support of this item.

DON BRUNHKE, WEST HOLLYWOOD, spoke in support of this item.

STEVEN AFRIAT, LOS ANGELES, spoke in support of this item.

DOMINICK RUBALCAVA, LOS ANGELES, spoke in opposition to this item.

JIM HILFENHAUS, LOS ANGELES, spoke in support of this item.

STEVE BEDELL, WEST HOLLYWOOD, spoke in support of this item

CINDY STARRET, LOS ANGELES, Appellant for Sunset Millennium Associates, LLC. provided a rebuttal and an overview of the project and signage. She further stated that this project is subject to economic times and what they are requesting is needed for future incentives to customers of the City.

MARK SIFFIN, LOS ANGELES, Appellant for Sunset Millennium Associates, LLC. thanked council for their support of this project.

CARLA RYHAL, CAMARILLO, Appellant for Regency Outdoor, provided a rebuttal that the project was not approved with a roof top sign and she further stated that this is a lot more than a conversion from on site signage to off site signage. She stated that Council should deny the appeal and look to the Sunset Specific Plan as the rule.

BRIAN KENNEDY, WESTLAKE VILLAGE, Appellant for Regency Outdoor, stated that billboards are not allowed in 5 C. as specified in the EIR.

Mayor Heilman closed the Public Hearing.

COUNCIL RECESSED AT 11:10 P.M.

COUNCIL RECONVENED AT 11:20 P.M.

Mayor Heilman requested that height of the Playboy building be approved.
ACTION: Approved by consensus of Council.

Councilmember Martin spoke in support of the changes to the requested changes. He stated that the signs were smaller than the signs that were previously approved. He also stated that it seemed that the same people who opposed the project are the same ones who were opposed to the project from the beginning.

Councilmember Duran spoke about some major points that were presented: creating new parking spaces, new jobs and a brand new building. He commented that the billboard, which is on the top of the Playboy building, was troublesome for him and it could be setting a bad precedent for the community. He commented that the benefits did not outweigh the cost and he would not support the item.

Councilmember Prang stated that a change for on-site signage to off-site signage is a major concern. He stated that this project will provide many benefits to the City, including funding for City services and Parking. He recommended the following list of concessions to the developer.

- 1) One sign face to be dedicated for City use 50% of the time.
- 2) City indemnification from lawsuits based on this decision.
- 3) Dedication of land for the City to construct a right hand turn lane on Alta Loma without impacting the hotel's FAR.
- 4) Guaranteed payment of \$5.2 million to be given to the City at the time the hotel is scheduled to be completed based on the Development Agreement regardless of whether or not the hotel or office building are completed.
- 5) A 5 year commitment to the Sunset Bid, of \$100,000 per year starting this fiscal year, above and beyond the individual BID assessment.

- 6) All City legal bills to be paid in full and an agreement to be current with future bills before changes in applications are to be made.
- 7) Money from billboards to used to pay down debt for the middle parcel. No further encumbrances of middle parcel. The middle parcel to be restricted to the development of the hotel.
- 8) If hotel is not built, the City retains the right to lease or build parking on the east parcel.
- 9) If hotel is not built, the City retains the right to utilize 119 additional parking spaces on the west parcel.
- 10) Installation of the emergency green light vehicles systems.

He stated that he would like to include the conditions in any resolutions brought forward. He further stated that he would not accept anymore calls or letters from anyone about billboards on top of buildings, nor would he accept or support anymore changes to the project concerning billboards or advertisements.

Mayor Pro Tempore Guarriello spoke regarding that many benefits that this project would provide to the City. He stated that he agrees with Councilmember Prangs recommendations and that if the concessions are satisfactory with the developer, he could support the requested changes.

Mayor Heilman stated that the Council should take a step back and look at what's good for the City. He recommended that the City insure that the public benefits are achieved. He also stated that a billboard on to of the Playboy building would set a very bad precedent. He stated that he would be amenable to some off-site signage and that consideration should be given to existing property owners. He stated that he could not support the requested height or size of the billboards.

Cindy Starrett stated that the Sunset Millennium Associates is working with staff on many of the suggested concessions.

ACTION: 1) Consolidate the public hearing on the Zoning Text Amendment, Sunset Specific Plan Amendment, modification to the Sunset Millennium Development Agreement, Appeal by Sunset Millennium, and appeal by Regency Outdoor Advertising; 2) Deny the Zoning Text Amendment, Sunset Specific Plan Amendment, and modification of Sunset Millennium Development Agreement; except for the portion of the Specific Plan Amendment that corrects the height of the Playboy Building; 3) Approve the portion of the Sunset Specific Plan Amendment that corrects the height of the Playboy Building; 4) Deny the appeal of the billboard permits (which will deny the billboards); 5) Deny the appeal of the Creative Billboard-Tall Wall (which will approve the Tall Wall sign); 6) Introduce on first reading Ordinance No.01-606, " AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A PORTION OF AN APPLICATION BY SUNSET MILLENNIUM ASSOCIATES LLC, FOR SUNSET SPECIFIC PLAN AMENDMENT 2001-2002; AMENDING THE SUNSET SPECIFIC PLAN TO CORRECT THE LISTED HEIGHT OF AN EXISTING BUILDING AT 8560-8590 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;" 7) Adopt Resolution No. 01-2563, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING AN APPLICATION BY SUNSET MILLENNIUM ASSOCIATED LLC, FOR ZONING TEXT AMENDMENT 2001-05, SUNSET SPECIFIC PLAN AMENDMENT 2001-02, AND MODIFICATION TO THE SUNSET MILLENNIUM DEVELOPMENT AGREEMENT, THE PROPOSAL REQUESTED TO AMEND THE WEST HOLLYWOOD MUNICIPAL CODE/ ZONING ORDINANCE TO ALLOW V-SHAPE BILLBOARDS WITHIN DESIGNATED PORTIONS OF THE SUNSET SPECIFIC PLAN, AMEND THE SUNSET SPECIFIC PLAN TO ALLOW NEW BILLBOARDS AND AN INCREASE IN HEIGHT IN AREA 5-C, AND MODIFY THE SUNSET MILLENNIUM DEVELOPMENT AGREEMENT TO ALLOW BILLBOARDS, AT 8560-8590 SUNSET BOULEVARD;" 8) Adopt Resolution No. 01-2564, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING AN APPEAL BY SUNSET MILLENNIUM ASSOCIATES LLC, FOR BILLBOARD PERMITS 2001-16, 2001-20 AND 2001-26, REQUESTING THREE NEW V-SHAPE BILLBOARD STRUCTURES FOR A TOTAL OF SIX NEW BILLBOARDS FACES AT 8560-8590 SUNSET BOULEVARD;" and, 9) Adopt Resolution No. 01-2565, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL BY REGENCY OUTDOOR ADVERTISING OF AN APPLICATION BY SUNSET MILLENNIUM ASSOCIATES LLC, REQUESTING APPROVAL OF CREATIVE BILLBOARD PERMIT 2001-22, TO ALLOW ONE NEW CREATIVE BILLBOARD - TALL WALL AT 8560-8590 SUNSET BOULEVARD."

ACTION: Adopt Ordinance No. 01-606 as amended, Deny Resolution No. 01-2563 and Adopt Resolution No. 01-2564 and Resolution No. 01-2565 as amended. Grant the other rights and direct staff to return to the City Council for final approval incorporating the conditions that Councilmember Prang recommended. Motion Councilmember Prang, seconded by Councilmember Martin, and carried on a Roll Call Vote:

**AYES: Councilmember Martin, Prang and Mayor Pro Tem Guarriello.
NOES: Councilmember Duran, and Mayor Heilman.**

4. UNFINISHED BUSINESS:

4.A. ACQUISITION OF THE PROPERTY LOCATED AT 7530 SANTA MONICA BOULEVARD (VIP TIRES):

ACTION: 1) Approve the acquisition of the property located at 7530 Santa Monica Boulevard (VIP TIRES) from Claude and Harlene Husereau for the sum of \$1,200,000; 2) Authorize the City Manager to take actions necessary to implement the acquisition; and, 3) Authorize the Interim Director of Finance to increase expenditures in the Capital Projects Fund by \$1,200,000 (340-5050-9247). Motion Councilmember Prang, seconded by Councilmember Martin, and unanimously carried.

5. NEW BUSINESS:

5.A. SANTA MONICA BOULEVARD HOLIDAY DECORATIONS:

Allison Maxwell, Development Specialist, provided background information as outlined in the staff report dated August 20, 2001.

PUBLIC SPEAKERS:

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of changing holiday lights over time.

Councilmember Martin requested that future lights be energy efficient and that the new designs should be looked at over the next year. He recommended option three in the staff report.

Councilmember Duran spoke in support of the third option.

ACTION: Option 3. No change: keep the existing holiday lights as they are. This would continue the existing use of 330 watts per unit. These holiday lights have been popular and except for the energy crisis there would be no suggestion that there should be a change.

Motion Councilmember Duran, seconded by Mayor Pro Tempore Guarriello, noting a No vote by Councilmember Prang

5.B. PROFESSIONAL SERVICE CONTRACT WITH CONVENTIONS SPORTS & LEISURE, INTERNATIONAL (CSL) TO DEVELOP A FEASIBILITY STUDY FOR A MULTI-PURPOSE MEETING AND CONFERENCE CENTER IN WEST HOLLYWOOD:

Mildred Ramos-Majoros, Development Specialist, provided background information as outlined in the staff report dated August 20, 2001.

ACTION: 1) Authorize the City Manager to execute an Agreement for Services with Conventions Sports & Leisure, International for a sum not to exceed \$73,500; and, 2) Authorize the Director of Finance to transfer \$25,000 from the Unallocated General Fund Reserves to account 100-1040-8501. **Motion Councilmember Martin, seconded by Councilmember Prang, and unanimously carried.**

5.C. DESIGNATION OF VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE:

Tony Russell, City Clerk provided background information as outlined in the staff report dated August 20, 2001.

ACTION: 1) Appoint a voting delegate and a voting alternate for the League of California Cities 2001 Conference; and, 2) Direct the City Clerk to submit the required forms to the League. **Appointed Councilmember Duran as the delegate and Councilmember Martin as the alternate.**

EXCLUDED CONSENT CALENDAR:

2.EE. PROPOSED RESOLUTION CALLING ON VICE-PRESIDENT CHENEY TO PAY FOR OWN ELECTRICITY BILLS:

ACTION: 1) Adopt resolution No. 01-_____, "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING ON VICE-PRESIDENT CHENEY TO PAY HIS OWN ELECTRICITY BILLS;" and, 2) Forward a copy of this resolution to Vice-President Cheney.

Motion Councilmember Martin, seconded by Councilmember Duran, and failed on a Roll Call Vote:

AYES: Councilmember Duran and Martin.

NOES: Mayor Pro Tem Guarriello and Mayor Heilman.

ABSTAINED: Councilmember Prang.

PUBLIC COMMENT:

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about citizen's etiquette in public meetings and spoke about how beautiful the Santa Monica Boulevard looked.

6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS: None.


ADJOURNMENT: The City Council adjourned at 12.25 A.M. in memory of Peter Feenstra, Charles Hayden and David Klodnicke. The next regular meeting, which will be on Tuesday, September 4, 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 4TH DAY OF SEPTEMBER, 2001.



MAYOR

ATTEST:



TONY RUSSELL, CITY CLERK