

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

CALL TO ORDER: Mayor Prang called the meeting to order at 7:04 PM.

PLEDGE OF ALLEGIANCE: Roger Donovan led the Pledge.

ROLL CALL:

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

ABSENT: Guarriello

ALSO PRESENT: City Attorney Jenkins, Acting City Manager English, 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 one item of initiated litigation was added to the agenda, there were no public comments and the Closed Session ended at 6:45 P.M. with no reportable actions taken.

Mayor Prang requested that an Urgency Item be added to the agenda, RESOLUTION REQUESTING A POSTPONEMENT BY THE PERS HEALTH BENEFITS COMMITTEE ON THE CONSIDERATION OF THE "ALTERNATIVE HMO BENEFIT PLAN" as Item 2.CC.

ACTION: Make the finding that the Item came to the attention to the City after the posting of the Agenda, there is an immediate need to hear the Item and add the Item to the Consent Calendar as Item 2.CC. **Motion Mayor Pro Tem Heilman, seconded by Councilmember Martin and unanimously carried.**

Councilmember Duran requested that Item 2.V. be moved to the Excluded Consent Calendar.

Mayor Prang noted his Abstention on Item 2.I.

APPROVAL OF AGENDA:

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

PRESENTATIONS:

Mayor Pro Tem Heilman presented a plaque to Rae Mitchell for her outstanding service to the community and to celebrate her 80th birthday.

Councilmember Martin made a presentation to Lorri Jean, the former Executive Director of the Gay and Lesbian Center for her service to the community.

Mayor Prang presented a proclamation in recognition of "Denim Day" and "Sexual Assault Awareness Month in West Hollywood."

Mayor Prang introduced Lisa Padilla, of Zimmer Gunsul Frasca, who presented a plaque to the City of West Hollywood, on behalf of the Los Angeles Business Council for the Master Plan of Santa Monica Boulevard, with special recognition to Ray Reynolds, John Chase and Hassan Haghani. Also receiving certificates were Shawnee Corporation and Patricia Smith of Zimmer Gunsul Frasca.

Mayor Prang gave presentations in recognition of "Earth Day, on April 22, 2001 to the West Hollywood Tree Preservation Society and Holloway Cleaners won the Green Business Award.

John Jakupcak announced a Computer/Office Equipment Recycle Day on Saturday, April 21, 2001 in the back of City Hall.

Mayor Pro Tem Heilman announced Yom Hashoa Remembrance Event taking place at 7:00 p.m. on Sunday, April 22, 2001 at Plummer Park and the West Hollywood Orchestra performance on Saturday, April 21, 2001.

Councilmember Martin made a presentation to the members of the Film West Hollywood Task Force. Darryl Seif presented Councilmember Martin with a plaque for his concept to create the Film West Hollywood Task Force.

PUBLIC COMMENT:

JAMES FUHRMAN, WEST HOLLYWOOD, spoke about spray painting the blue trashcans and he spoke about the National League of Cities party at Spago. He also mentioned the rates of media going up and he spoke about a payment to the Pacific Design Center.

JEROME CLEARY, WEST HOLLYWOOD, spoke about the parcel adjacent to Spagos and his concern that it would be great for greenspace, low income housing and open space.

NATALIE KAPLAN, WEST HOLLYWOOD, spoke in opposition to lowering any hedges.

MICHAEL FREEMAN, WEST HOLLYWOOD, spoke in opposition to lowering any hedges and losing his privacy.

LOREN MEISTER, WEST HOLLYWOOD, spoke in opposition to lowering any hedges.

SHARON O'ROURKE, LOS ANGELES, spoke in support of item 6.A.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the residents on Horn Avenue and spoke about the need for a transportation study and more greenspace.

BYRON LOHMAN, WEST HOLLYWOOD, resident of the Norma Triangle spoke in opposition of lowering hedges.

JAMES HANCOCK, WEST HOLLYWOOD, spoke about his concern on the hedge issue.

KIM SCHNEIDER, WEST HOLLYWOOD, West Hollywood North spoke in opposition of hedge restriction and she spoke in support of item 2.P.

RICHARD ANDERSON, WEST HOLLYWOOD, spoke in support of more open space on Horn Avenue.

COUNCILMEMBER COMMENTS:

Councilmember Duran thanked the constituents who came out to speak about the hedges and stated that the issue will be revisited in four to six months. He complimented Mayor Pro Tem Heilman and his staff on the program, "Take Your Daughters to Work Day", on April 24, 2001. He also thanked Rich Ryan and the Public Safety staff for their work on item 2.R.

Councilmember Martin requested that the meeting be adjourned in memory of Jeff Henry, formerly of the Los Angeles Gay and Lesbian Center who passed away on March 22, 2001.

Mayor Pro Tem Heilman suggested that staff could develop a proposal with the explanation of what the issue is regarding the hedges and tree. Background information and what is in the code.

Mayor Prang hoped everyone had a great holiday weekend. He announced that Pam O'Conner from Santa Monica will be the area representative for the MTA board.

Mayor Prang requested that Item 5.C. be heard out of order and before 5.B. He also noted his Abstention on item 2.I.

CITY MANAGER'S REPORT: Acting City Manager English reported that Los Angeles County Library will close on May 14, 2001 and reopen on May 29, 2001 to install new technology.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Taylor stated the fiscal impact on the Consent Calendar of April 16, 2001 as amended, is \$107,692 in expenditures and \$11,192 in 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., T., U., W., X., Y., Z., AA., BB. and CC. Motion Mayor Pro Tem Heilman, seconded by Councilmember Martin and unanimously carried.

2.A. POSTING OF AGENDA:

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

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of April 2, 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. 436, RESOLUTION NO. 01-2478:

ACTION: Approve Demand Register No. 436 and adopt Resolution No. 01-2478, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 436." **Approved as part of the Consent Calendar.**

2.E. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Teri Duncan, Michael Simon, Jennifer Rose, and Marcia Strassman and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 01-597 (2ND READING) MODIFYING THE ADMINISTRATIVE PENALTIES PROGRAM REGARDING DISMISSAL OF CERTAIN APPEALS FROM ADMINISTRATIVE CITATIONS:

ACTION: Waive further reading and adopt Ordinance No. 01-597, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING DISMISSAL OF APPEALS FROM ADMINISTRATIVE CITATIONS WHEN THE CONTESTANT FAILS TO APPEAR OR SUBMIT EVIDENCE IN SUPPORT OF THE CHALLENGE TO THE CITATION, OR WHEN THE CONTESTANT REQUEST THAT THE CHALLENGE TO THE CITATION BE DISMISSED." **Approved as part of the Consent Calendar.**

- 2.G. ORDINANCE NO. 01-598 (2ND READING) MODIFYING THE ADMINISTRATIVE PENALTIES PROGRAM TO INCLUDE THE MOTION PICTURE, TELEVISION, RADIO AND PHOTOGRAPHIC PRODUCTION ORDINANCE AND CLARIFY CIRCUMSTANCES WHEN A FINAL ADMINISTRATIVE ORDER BECOMES A MISDEMEANOR:**
ACTION: Waive further reading and adopt Ordinance No. 01-598, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD MODIFYING THE ADMINISTRATIVE PENALTIES PROGRAM AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**
- 2.H. BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION GRANT:**
ACTION: 1) Adopt Resolution No. 01-2479, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE SUBMITTAL OF THE FUNDING REQUEST FORM TO THE DEPARTMENT OF CONSERVATION'S DIVISION OF RECYCLING TO PROMOTE BEVERAGE CONTAINER AND LITTER REDUCTION"; 2) Authorize the Interim Director of Finance to increase budgeted revenues and expenditures in the General Fund by \$11,192 (line items 204-0000-5005 State Grants and 204-8040-8220 State Recycling Grant) in fiscal year 2001-2002; and, 3) Authorize the City Manager to sign the grant contract. **Approved as part of the Consent Calendar.**
- 2.I. TOPS GRANT APPLICATIONS:**
ACTION: Adopt Resolution No. 01-2473, "AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING AND SUPPORTING AN APPLICATION FOR A TOPS GRANT." **Approved as part of the Consent Calendar, noting the ABSTENTION of Mayor Prang.**
- 2.J. 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: Receive and file. **Approved as part of the Consent Calendar.**
- 2.K. CONTRACT FOR LIBRARY CONSULTANT:**
ACTION: Approve an agreement with Linda Demmers to provide Library consultation services in an amount not to exceed \$25,000 and authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

- 2.L. ADDENDUM TO CONTRACT SUBSIDIZING OFF-STREET PARKING AT THE KOONTZ PARKING LOT LOCATED AT 8914 SANTA MONICA AS A MITIGATION MEASURE FOR THE SANTA MONICA BOULEVARD REHABILITATION PROJECT:**
ACTION: 1) Approve an addendum to the agreement with Ampco System Parking to assist with any operating losses incurred in an amount not to exceed \$9,000; and, 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**
- 2.M. ADDENDUM TO AGREEMENT WITH THE CITY OF GLENDALE TO PROVIDE PARKING METER MAINTENANCE SERVICES:**
ACTION: 1) Approve an addendum to the contract with the City of Glendale in the amount of \$10,000 to provide parking meter maintenance services beyond the current level due to the reconstruction of Santa Monica Boulevard for the 00/01 fiscal year; and, 2) Authorize the City Manager to sign the addendum. **Approved as part of the Consent Calendar.**
- 2.N. COMMISSION AND ADVISORY BOARD ACTION:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.O. TAKE OUR DAUGHTERS TO WORK DAY-APRIL 26, 2001:**
ACTION: 1) Adopt Resolution No. 01-2480, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING APRIL 26, 2001 AS "TAKE YOUR DAUGHTERS TO WORK DAY;" 2) Direct staff to develop and coordinate programming for City of West Hollywood employees; and, 3) Direct staff to work with the West Hollywood Fire and Sheriff's Departments and the Women's Advisory Board to collaborate on programming. **Approved as part of the Consent Calendar.**
- 2.P. DIRECT STAFF TO BRING FORWARD AN ITEM DECLARING 8565 WEST KNOLL A PUBLIC NUISANCE AND ORDERING THE OWNER TO ABATE:**
ACTION: Direct staff to bring forward an item outlining code enforcement issues at 8565 West Knoll Drive and recommending additional enforcement efforts, which might include declaring the property a public nuisance and ordering the owner to abate. **Approved as part of the Consent Calendar.**
- 2.Q. PROPOSED RESOLUTION DECLARING APRIL 25, 2001 AS DENIM DAY IN WEST HOLLYWOOD, IN RESPONSE TO HARMFUL ATTITUDES REGARDING THE REASONS FOR RAPE:**
ACTION: Adopt Resolution No. 01-2481, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING APRIL

25, 2001, AS DENIM DAY IN WEST HOLLYWOOD." **Approved as part of the Consent Calendar.**

- 2.R. PROPOSED RESOLUTION IN SUPPORT OF THE UNITED NATION'S WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE:**
ACTION: Adopt Resolution No. 01-2482, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE UNITED NATIONS' WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA, AND RELATED INTOLERANCE." **Approved as part of the Consent Calendar.**
- 2.S. WEST HOLLYWOOD HEALTH FAIR:**
ACTION: 1) Direct the appropriate staff to coordinate with the Senior Activities/Special Events subcommittee of the Senior Advisory Board to develop a West Hollywood Health Fair that focuses on senior health and safety issues; and, 2) Direct Public Information to publicize this event. **Approved as part of the Consent Calendar.**
- 2.T. PROPOSED RESOLUTION IN SUPPORT OF H.R. 690 (NADLER), THE "PERMANENT PARTNERS IMMIGRATION ACT OF 2001":**
ACTION: 1) Adopt Resolution No. 01-2483, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF H.R. 690 (NADLER), THE "PERMANENT PARTNERS IMMIGRATION ACT OF 2001"; and, 2) Send signed copies of the resolution to the California Congressional Delegation. **Approved as part of the Consent Calendar.**
- 2.U. ENVIRONMENTAL LIVABILITY REPORT:**
ACTION: Receive and file the report. **Approved as part of the Consent Calendar.**
- 2.V. ISSUANCE OF PARKING CITATIONS DURING STREET SWEEPING HOURS:**
Moved to Excluded Consent Calendar for separate discussion.
- 2.W. PROPOSED RESOLUTION IN SUPPORT OF SB 73 (DUNN) WHICH INCREASES FUNDING FOR STATE LOW-INCOME HOUSING TAX CREDIT PROGRAM:**
ACTION: Adopt Resolution No. 01-2484, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 73 (DUNN) BILL WHICH INCREASES FUNDING FOR STATE LOW-INCOME HOUSING TAX CREDIT PROGRAM." **Approved as part of the Consent Calendar.**

2.X. SUBMISSION OF PEDESTRIAN SAFETY GRANT APPLICATIONS:

ACTION: 1) Authorize submission of a Pedestrian Safety Program Grant Application for the implementation of a pedestrian signal on Sunset at Harper and other traffic calming measures to improve pedestrian safety city-wide; 2) Authorize the submission of a Safe Routes to School Application for improvements to sidewalks and other pedestrian enhancements specifically along school routes; 3) Authorize the City Manager to execute MOU's with the State as required for approved grant applications; and, 4) Approve a contract with Transportation Management Services (TMS), in an amount not to exceed \$11,000, to provide assistance in data collection and preparation of grant paperwork for submission to the State. **Approved as part of the Consent Calendar.**

2.Y. AMENDMENT TO THE CITY'S AGREEMENT FOR PROFESSIONAL SERVICES WITH RR BROWN AND ASSOCIATES:

ACTION: Authorize the City Manager to execute an amendment to the agreement with RR Brown and Company in the amount of \$40,000 for professional services related to the analysis of fees-for-service charged by the City and authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

2.Z. SECOND QUARTER REPORT OF THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:

ACTION: Receive and file the Second Quarter Report of the West Hollywood Community Housing Corporation for FY 2000-2001. **Approved as part of the Consent Calendar. Approved as part of the Consent Calendar.**

2.AA. RESIGNATION FROM PROJECT AREA COMMITTEE:

ACTION: 1) Accept with regret the resignation of Amy Anderson from the Project Area Committee; and, 2) Direct the City Clerk to post a notice of vacancy. **Approved as part of the Consent Calendar.**

2.BB. RESIGNATION FROM PUBLIC SAFETY COMMISSION:

ACTION: 1) Accept with regret the resignation of Frances Diaz from the Public Safety Commission; and, 2) Direct the City Clerk to post a notice of vacancy. **Approved as part of the Consent Calendar.**

2.CC. URGENCY ITEM: PROPOSED RESOLUTION REQUESTING A POSTPONEMENT BY THE PERS HEALTH BENEFITS COMMITTEE ON THE CONSIDERATION OF THE "ALTERNATIVE HMO BENEFIT PLAN:"

ACTION: 1) Make the finding that this item came to the attention of staff after the Council Agenda had been posted and there is a need to take action before April 17, 2001. This is an urgency item requiring immediate action; 2) Adopt Resolution No. 01-2485, "A RESOLUTION OF THE CITY

COUNCIL OF THE CITY OF WEST HOLLYWOOD REQUESTING A POSTPONEMENT BY THE PERS HEALTH BENEFITS COMMITTEE OF CONSIDERATION OF THE "ALTERNATIVE HMO BENEFIT PLAN"; and, 3) Send signed copies of the Resolution to PERS Health Benefits Committee. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. ADOPTION OF PLANNING FEES FOR NEW PROCESSES REQUIRED BY THE ZONING ORDINANCE REVISION:

Assistant City Clerk Taylor stated that a Notice of Public Hearing was published in the West Hollywood Independent on March 14, 2001 and March 28, 2001.

Liz Bar-El, Associate Planner and Hassan Haghani, Acting Planning Manager, provided background information as outlined in the staff report dated April 16, 2001.

Mayor Prang opened the Public Hearing and the following persons addressed the City Council:

STEVE AFRIAT, LOS ANGELES, spoke about Conditional Use Permits and whether this is the way to go for tallwalls.

Councilmember Martin spoke about additional work for staff regarding the process for tallwall conditional use permits and suggested holding it off.

Mayor Pro Tem Heilman stated that the fee is the only thing in question and that one would apply for a conditional use permit one time only.

ACTION: 1) Approve the proposed fees and adopt Resolution No. 01-2486, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING FEES AND CHARGES FOR CERTAIN SERVICES PROVIDED BY THE PLANNING DIVISION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT;" 2) Direct staff to return with explanations as to why the conditional use permit process should remain for tall walls; and, 3) Waive the fees for hedges. **Motion Councilmember Duran, seconded by Councilmember Martin and unanimously carried.**

4. UNFINISHED BUSINESS:

4.A. REPORT ON THE CITY'S STREET MAINTENANCE PROGRAM:

ACTION: 1) Approve the establishment of an in-house street maintenance program and labor force outlined in the staff report; and, 2) Authorize the City Manager to execute a Rental Agreement with United Rentals in an

amount not to exceed \$8,000 for two pick-up trucks. **Motion Councilmember Duran, seconded by Councilmember Martin and unanimously carried.**

4.B. ADOPTION OF THE AD HOC FILM WEST HOLLYWOOD TASK FORCE RECOMMENDATIONS:

Terry House, Film Liaison, provided background information as outlined the staff report, dated April 16, 2001.

J.W. MOORE, IV, WEST HOLLYWOOD, stated that the recommendation does not do anything to combat runaway production.

ACTION: 1) Adopt the recommendations of the Film West Hollywood Task Force; and, 2) Direct staff to implement the Film West Hollywood Task Force recommendations. **Motion Mayor Pro Tem Heilman, seconded by Councilmember Duran and unanimously carried.**

5. NEW BUSINESS:

5.A. NOTIFICATION REQUIREMENTS FOR DEVELOPMENT PROJECTS:

Mayor Prang provided background information as outlined in the staff report dated, April 16, 2001.

HILLARY SELVIN, LOS ANGELES, Director of the West Hollywood Chamber of Commerce spoke about the requirements of the smaller businesses and she commented regarding her knowledge of additional notification being sent out.

J.W. MOORE IV, WEST HOLLYWOOD, spoke in support of this item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of not making this a blanket number of feet of noticing but giving staff the opportunity to develop a flexible way of noticing.

ACTION: Direct staff and the Planning Commission to review and make recommendations on policies and procedures to increase our legal noticing requirements. **Motion Mayor Pro Tem Heilman, seconded by Councilmember Martin and unanimously carried.**

Item 5.C heard at this time.

Item 5.D. heard at this time.

CITY COUNCIL RECESSED AT 9:05 P.M.

CITY COUNCIL RECONVENED AT 9:16 P.M.

5.B. APPEAL BY ELLER MEDIA OF DETERMINATION BY THE PLANNING COMMISSION TO GRANT THE APPEALS OF REGENCY OUTDOOR AND MONTGOMERY MANAGEMENT CO. AND OVERTURN AN ADMINISTRATIVE DECISION TO APPROVE CREATIVE BILLBOARD PERMIT NO. 99-52 (CBB 99-52) FOR ELLER MEDIA AT 8730 SUNSET BOULEVARD (EAST WALL):

Jack McGhee, Planner and Hassan Haghani, Acting Planning Manager provided background information as outlined in the staff report dated, April 16, 2001.

Paul Jacobs, Attorney representing Eller Media provided the argument in support of their appeal.

Mark Montgomery, Montgomery Management Company provided a presentation illustrating why the tall wall does not qualify.

Steve Afriat, representing Regency Outdoor Advertising, spoke in opposition of approving a tall wall on separate plans 45 ft. apart and in support of upholding the decision of the Planning Commission.

BRIAN KENNEDY, SHERMAN OAKS, representing Regency Outdoor Advertising, confusion, clutter and creating cheapness on Sunset Blvd. spoke in support of this item.

BONNIE GINGRY, PASADENA, representing Regency Outdoor Advertising, spoke in support of the staff recommendation.

LANE LAWSON, HUNTINGTON BEACH, representing Eller Media, spoke about the process to apply for the conditional use permit.

LYNN DAVIS, CENTURY CITY, on behalf of Tony Vincent, owner of 8730 Sunset Blvd., spoke in support of Eller Media's appeal.

CLAIRE BRONOFSKY, Land Use Attorney representing Tony Vincent, owner of 8730 Sunset Blvd. , spoke in support of Eller Media's appeal.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of staff's recommendation to deny the appeal.

Rebuttal, Paul Jacobs, Attorney representing Eller Media provided more argument stating why the appeal should be granted and stated that Eller Media would be willing to indemnify the City for any damage.

Rebuttal, Mark Montgomery urged the City Council to uphold the decision of the Planning Commission.

Rebuttal, Steve Afrait, stated that the calculations and the building in front of the tall wall are the legal issues. If the tall wall is approved the light will invade private property.

Councilmember Duran stated that separate planes have been allowed in other instances and the City has been creative in the past and that the 45 ft. is not a bad idea. He stated his focus is the code and that the walls should be well integrated with other existing signs and this wall is not well integrated since it is Sunset properly cited and well integrated to avoid clutter.

Mayor Pro Tem Heilman spoke in support of upholding staff's recommendation.

Councilmember Martin stated that he did not want to rule the 45 ft. difference spoke in support of upholding the staff recommendation.

Mayor Prang concurred with Councilmember Duran and Mayor Pro Tem Heilman and spoke about exercising a more conservative approach by staff in making determinations regarding tall walls.

ACTION: 1) Deny the appeal of Eller Media; and, 2) Direct staff to return with a proper resolution. **Motion Mayor Pro Tem Heilman, seconded by Mayor Prang and unanimously carried.**

5.C. DIRECT APPOINTMENTS TO VARIOUS COMMISSIONS BY MAYOR PRANG:

ACTION: Mayor Prang appointed the following:

Stanley Stafford-Business License Commission; Teresa Decrescenzo-Human Services Commission; Donald Deluccio - Planning Commission; David Gold-Public Facilities Commission; Sophia Komskaya-Public Safety Commission; Ina Nuell Bliss-Rent Stabilization Commission; and Elaine Mutchnik -Transportation Commission.

5.D. DIRECT APPOINTMENTS TO VARIOUS COMMISSIONS BY COUNCILMEMBER DURAN:

ACTION: Councilmember Duran appointed Roberta Sue Buckner to the Rent Stabilization Commission.

**5.E. WOMEN'S ADVISORY BOARD APPOINTMENT:
Table to May 7, 2001.**

EXCLUDED CONSENT CALENDAR:

2.V. ISSUANCE OF PARKING CITATIONS DURING STREET SWEEPING HOURS:

Mayor Prang provided background information as outlined in the staff report, dated April 16, 2001.

Mayor Pro Tem Heilman questioned merit of the issue but shared the concern that people get tickets all the time for incidental reasons and he stated that if the street maintenance are not sweeping that day then a ticket should not be issued.

Councilmember Duran stated that he has received tickets in the past and it has forced him to modify his behavior and not park when street sweeping is scheduled.

Acting City Manager English stated that the policy is that, if for some reason the street sweeper is not coming that day, the company calls Parking Enforcement so that they will not ticket and she suggested that the issue go before the Transportation Commission.

ACTION: Table to a date uncertain.

PUBLIC COMMENT: None.

6 LEGISLATIVE:

6.A. PROPOSED ORDINANCE ESTABLISHING EXCEPTIONS TO THE TRENCH CUT MORATORIUM ON SANTA MONICA BOULEVARD:

ACTION: Introduce on first reading Ordinance No. 01-600, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO. 00-586 AND ESTABLISHING EXCEPTIONS TO THE TRENCH CUT MORATORIUM ON SANTA MONICA BOULEVARD."

Motion Mayor Pro Tem Heilman, seconded by Councilmember Martin and unanimously carried.

COUNCILMEMBER COMMENTS:

Councilmember Martin commented that this is the last meeting for Mayor Prang and thanked him for his service.

ADJOURNMENT: The City Council adjourned in memory of Jeff Henry at 10:28 P.M. to a Special Meeting on Monday, April 23, 2001 at 6:00 P.M. and their next regular meeting, which will be held on Monday, May 7, 2001 at 6:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 7TH DAY OF MAY, 2001.


MAYOR

ATTEST:


VIVIAN LOVE, INTERIM CITY CLERK