

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, NOVEMBER 20, 2000
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Prang called the Meeting to order at 7:12 PM.

PLEDGE OF ALLEGIANCE: Assemblymember elect Paul Koretz led the Pledge.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: City Attorney Jenkins, City Manager Arevalo, Interim City Clerk Love, Assistant City Clerk Taylor, and Administrative Staff Assistant Bursztin.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins reported that the meeting was called to order at 6:00 p.m. and several items were added to the agenda. Two items of initiated litigation one of which he will report on after the City serves process and the other was a participation in an Amicus brief with the League of California Cities. Also added was real estate negotiation of an easement underneath Sunset Boulevard in the general vicinity of the approved Sunset Millennium Project. Two items of pending litigation added were BA Studios vs City of West Hollywood which was served today and Medina vs City of West Hollywood which the City prevailed in a writ of mandamus.

Councilmember Martin requested that the City Council adjourn in memory of Louis Warshaw, husband of Carmen Warshaw and a democratic player in West Hollywood.

Councilmember Guarriello requested that the City Council adjourn in memory of Brad Burlingame's mother.

Mayor Prang requested that the City Council adjourn in memory of Bob Mertz.

Councilmember Heilman requested that item 2.J. be pulled and tabled to Closed Session on December 4, 2000.

Mayor Prang requested that item 2.P. be heard under Excluded Calendar.

APPROVAL OF AGENDA:

ACTION: Approve the Agenda of November 20, 2000 as amended. **Motion Councilmember Guarriello, seconded by Councilmember Heilman and unanimously carried.**

PRESENTATIONS:

Mayor Prang presented a commendation to the Gay/Straight Alliance from El Modena High School.

Mayor Prang presented a plaque to Mayor Pro Tem Koretz on behalf of the City Council.

PUBLIC COMMENT:

J. W. MOORE IV, WEST HOLLYWOOD spoke in support of item 2.N.

SHARON O'ROURKE, LOS ANGELES, representing the Gas Company, congratulated Mayor Pro Tem Koretz and she spoke in support of item 2.N.

HILLARY SELVIN, WEST HOLLYWOOD, Executive Director of West Hollywood Chamber of Commerce, spoke regarding the Sunset Strip Business Council.

JOHN PAUL DRAYER, WEST HOLLYWOOD, congratulated Mayor Pro Tem Koretz.

JEAN MATHISON, WEST HOLLYWOOD, spoke in support of the temporary barrier on Alta Loma. She also spoke about having staff investigate opening the street at night.

RUTH WILLIAMS, WEST HOLLYWOOD, congratulated Mayor Pro Tem Koretz and she spoke in support of affordable healthcare with regards to union issues.

DONNY CACY, WEST HOLLYWOOD, spoke about construction on Santa Monica Boulevard.

JOYCE ROONEY, LOS ANGELES, President of West Hollywood Municipal Employees Union, spoke in support of the union negotiations.

LIZ BAR-EL, LOS ANGELES, Vice President of West Hollywood Municipal employees Union, spoke about union negotiations.

TOM DEMILLE, WEST HOLLYWOOD, congratulated Mayor Pro Tem Koretz and announced his candidacy for City Councilmember.

DAVID NASH, WEST HOLLYWOOD, spoke about the Presidential Election and thanked Councilmember Guarriello.

ALAN ZOVAR, ESTHER SCHILLER, THOUSAND OAKS, representing Smokefree Air For Everyone (SAFE) made a presentation to Mayor Pro Tem Koretz.

HASSAN HAGHANI, WEST HOLLYWOOD, spoke in support of the West Hollywood Municipal Employees Union and negotiations.

EFRIM KUTZ, WEST HOLLYWOOD, representing the Veterans of World War II, congratulated Mayor Pro Tem Koretz.

SAM LUCAS, WEST HOLLYWOOD, employee of Key Club, congratulated Mayor Pro Tem Koretz and spoke in support of the Sunset Business Council.

PETER MACKLER, WEST HOLLYWOOD, Vice Chair of Human Services Commission and also representing Senator Pro Tem Tom Burton, congratulated Mayor Pro Tem Koretz and he wished Deputy Mayor Jacobs, Happy Birthday.

TOM PAVICH, WEST HOLLYWOOD, Chair of the Disability Advisory Board, thanked Deputy Jacobs for all his support and service on the board. He also congratulated Mayor Pro Tem Koretz.

JEROME CLEARY, WEST HOLLYWOOD, congratulated Mayor Pro Tem Koretz and gave good wishes to the City Council.

ANDRES IRLANDO, LOS ANGELES, Executive Director of the Cesar Chavez Foundation, representing the Chavez family spoke in support of item 2.J.

KELLY LANDAELE, LOS ANGELES, member of the Los Angeles Community College Board of Trustees, spoke in support of item 2.J.

JAY GREENSTEIN, LOS ANGELES, representing David Tokofsky, a member of the the Los Angeles Board of Education, read a letter in support of item 2.J.

JIM KASAKOS, WEST HOLLYWOOD, congratulated Mayor Pro Tem Koretz, offered his services as a member of the Sunset Business Council, apologized for missing the Veteran's Memorial Task Force meeting, and question why his poll location changes for each election.

OLIVIA C. IRLANDO, Cesar Chavez's granddaughter, spoke in support of item 2.J.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello commented on the opening of Bristol Farms Super Market which was the result of community involvement.

Councilmember Martin commented on community involvement and on his disappointment of the tabling of item 2.J.

Councilmember Heilman thanked the people who came out to speak in support of item 2.J and commented further that due to the ongoing negotiations of the Municipal Employee Union this additional holiday should be discussed in Closed Session.

Mayor Pro Tem Koretz thanked everyone for making the meeting a nice outgoing meeting. He also commented on the history of the City's involvement with Cesar Chavez and spoke in support of item 2.J.

Mayor Prang thanked Mayor Pro Tem Koretz for his service and he also thanked the Russian Veteran's Association for inviting him to their event. He noted that December 1, 2000 is World AIDS Day and thanked Tom West for his help. He congratulated

Howard Jacobs on his upcoming birthday and he thanked Scott Svonkin for his services. He commented on a meeting that he had with neighbors on Huntley regarding special events on the rooftop of the Pacific Design Center and a meeting with members of West Hollywood West regarding the Cedar Sinai Parking Structure and abandoned homes.

CITY MANAGER'S REPORT: City Manager Arevalo reported on the stalled negotiations with the City and the West Hollywood Municipal Employees Union.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Taylor stated that the fiscal impact on the Consent Calendar of November 20, 2000 as amended, is \$60,740 in expenditures.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J., K., L., M., N., and O. Motion Councilmember Guarriello, seconded by Councilmember Heilman and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, November 20, 2000 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, November 16, 2000.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of the Study Session on October 30, 2000 and the Regular Meeting of November 6, 2000. **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. 426 RESOLUTION NO. 00-2415:

ACTION: Approve Demand Register No. 426 and adopt Resolution No. 00-2415, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 426." **Approved as part of the Consent Calendar.**

2.E. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Richard Taylor, Alper Cleaners, Ronald W. Wall, Craig Powell, Renee Dupont and Artie Butler and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

- 2.F. ORDINANCE NO. 00-588 (2ND READING) AMENDING THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE TO PROHIBIT SELF-SERVICE TOBACCO DISPLAYS IN SPECIFIED BUSINESS:**
ACTION: Waive further reading and adopt Ordinance No. 00-588, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING SALES OF TOBACCO BY SELF-SERVICE DISPLAYS IN SPECIFIED BUSINESS ESTABLISHMENTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**
- 2.G. COMMUTER CENTER AGREEMENT AND TRANSPORTATION CONSULTANT AGREEMENT:**
ACTION: 1) Authorize the City Manager to execute a two year agreement with the Chamber of Commerce for MTA general public fare media sales in an amount not to exceed \$20,000; and, 2) Authorize the City Manager to execute the agreement with Ms. Leslie Scott TMO services for FY 01 in an amount not to exceed \$10,000. **Approved as part of the Consent Calendar.**
- 2.H. AGREEMENT WITH RON RAKICH & ASSOCIATES TO DEVELOP RECOMMENDATIONS FOR LOSS CONTROL AND TO OBTAIN QUOTES FOR THE CITY'S RISK FINANCING ALTERNATIVES FOR LIABILITY (TORT) CLAIMS AND CALIFORNIA WORKERS' COMPENSATION EXPOSURES:**
ACTION: 1) Approve an agreement in an amount not to exceed \$30,240 with Ron Rakich & Associates to provide technical assistance in developing an enhanced loss control plan and, then, to assist the City in an RFP process to evaluate and recommend the best risk financing program for the City for liability (tort) claims and California Workers' Compensation exposures; and, 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**
- 2.I. STATE LEGISLATURE FINAL STATUS REPORT:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.J. PROPOSED RESOLUTION MARKING CESAR CHAVEZ'S BIRTHDAY AS A RECOGNIZED HOLIDAY FOR WEST HOLLYWOOD EMPLOYEES:**
Tabled and moved to December 4, 2000 Closed Session.
- 2.K. AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS FOR ARCHITECTURAL DESIGN OF NEW WEST HOLLYWOOD LIBRARY:**
ACTION: Authorize staff to issue a request for proposals for architectural design of a new West Hollywood library. **Approved as part of the Consent Calendar.**

- 2.L. PROPOSED RESOLUTION URGING THE FLORIDA ELECTION COMMISSION TO HAVE A FULL AND FAIR VOTE COUNT:**
ACTION: Adopt Resolution No. 00-2417, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE FLORIDA ELECTION COMMISSION TO HAVE A FULL AND FAIR VOTE COUNT." **Approved as part of the Consent Calendar.**
- 2.M. PROPOSED RESOLUTIONS RELATIVE TO THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 6, 2001:**
ACTION: 1) Adopt Resolution No. 00-2418 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, RESCINDING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF A CERTAIN MEASURE RELATING TO AN ORDINANCE WHICH IS REFERRED TO AS THE WEST HOLLYWOOD SAFER SEX ACT 2000, AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, MARCH 6, 2001, AS CALLED BY RESOLUTION NO 00-2397;" and, 2) Adopt Resolution No. 00-2419, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF A CERTAIN MEASURE RELATING TO AN ORDINANCE WHICH IS REFERRED TO AS THE WEST HOLLYWOOD SAFER SEX ACT 2000, AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, MARCH 6, 2001 AS CALLED BY RESOLUTION NO. 00-2397." **Approved as part of the Consent Calendar.**
- 2.N. DIRECT THE CITY ATTORNEY TO DRAFT AN ORDINANCE RELATING TO THE INSTALLATION OF SEISMIC GAS SHUTOFF VALVES IN NEW CONSTRUCTION AND EXISTING BUILDINGS:**
ACTION: Direct the City Attorney to draft an ordinance amending the West Hollywood Municipal Code relating to the installation of seismic gas shutoff valves in new construction and existing buildings, and return to Council with an ordinance within sixty (60) days. **Approved as part of the Consent Calendar.**
- 2.O. CREATION OF THE WEST HOLLYWOOD URBAN TREE POLICY TASK FORCE:**
ACTION: 1) Direct the Director of Community Development to create a Tree Preservation Task Force within sixty (60) days of passage of this item; and, 2) Direct the Task Force to report back with recommendations on municipal tree policy's and issues to the City Council within six (6) months of its first meeting. **Approved as part of the Consent Calendar.**
- 2.P. PROPOSED RESOLUTION CALLING FOR THE DEVELOPMENT OF AN ENTERTAINMENT MANAGEMENT STRATEGY TO ACHIEVE LIVABLE NEIGHBORHOODS AND SUCCESSFUL BUSINESSES IN THE SUNSET STRIP AREA:**
Moved to Excluded Consent Calendar.

THE CITY COUNCIL WILL RECESSED TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION AT 8:45 PM.

RECONVENED AS THE CITY COUNCIL AT 9:24 PM.

THE CITY COUNCIL WILL RECESSED TO THE PUBLIC FACILITIES CORPORATION AT 9:25 PM.

RECONVENED AS THE CITY COUNCIL AT 9:30 PM.

PUBLIC HEARINGS:

3.A. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING & BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE):

Assistant City Clerk Taylor stated that a Notice of Public Hearing was published on November 18, 2000, in the West Hollywood Independent.

Ray Reynolds, Director of Community Development, provided background information as outlined in the staff report dated November 20, 2000.

Mayor Prang opened the Public Hearing and no speakers addressed the City Council.

Mayor Prang closed the Public Hearing.

ACTION: Adopt a Resolution No. 00-2419, "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 2000-2001." **Motion Councilmember Guarriello, seconded by Councilmember Heilman and unanimously carried.**

4. UNFINISHED BUSINESS:

4.A. PROPOSED URGENCY ORDINANCE RELATIVE TO DIRECT APPOINTMENTS UPON CITY COUNCIL VACANCY:

City Attorney Jenkins, provided background information as outlined in the staff report dated November 20, 2000.

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke in support of the item.

J.W. MOORE, IV, WEST HOLLYWOOD, spoke in opposition of the item and about an appeal process for the commission member.

Councilmember Guarriello commented that he could not vote in support of the item.

Councilmember Heilman commented that the commission member appointed by the Councilmember who is leaving should leave with him, however if the commissioner should remain the item is making that person accountable to the City Council as a whole.

Councilmember Martin offered an amendment that the commissioners would tender their resignations when the Councilmember leaves.

Mayor Prang stated that the ordinance should endure no matter who is sitting in the office and no matter who the commissioners are and not adopting the ordinance there is no mechanism in place to make the appointees of Mayor Pro Tem Koretz accountable to anyone.

ACTION: 1) Adopt Urgency Ordinance No. 00-589U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING TERMS OF APPOINTIVE OFFICERS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF;"

Motion Councilmember Heilman, seconded by Mayor Prang and carried on a roll call vote:

NOES: Guarriello.

YES: Heilman, Martin, Koretz, Prang.

and, 2) Introduce for first reading Ordinance No. 00-590, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING TERMS OF APPOINTIVE OFFICERS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Motion Councilmember Heilman, seconded by Mayor Pro Tem Koretz and carried on a roll call vote:**

NOES: Guarriello.

YES: Heilman, Martin, Koretz, Prang.

5. **NEW BUSINESS:** None.

EXCLUDED CONSENT CALENDAR:

2.P. PROPOSED RESOLUTION CALLING FOR THE DEVELOPMENT OF AN ENTERTAINMENT MANAGEMENT STRATEGY TO ACHIEVE LIVABLE NEIGHBORHOODS AND SUCCESSFUL BUSINESSES IN THE SUNSET STRIP AREA:

ACTION: 1) Adopt a Resolution No. 00-2420, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING FOR THE DEVELOPMENT OF AN ENTERTAINMENT MANAGEMENT STRATEGY TO ACHIEVE LIVABLE NEIGHBORHOODS AND SUCCESSFUL BUSINESSES IN THE SUNSET STRIP AREA;" 2) Direct

staff to convene a public meeting concerning Sunset Boulevard issues inviting residence and community leaders and other representatives as outlined in the staff report; 3) Develop a working group consisting of City staff, business representatives and residences, to report back to Council within ninety (90) days to identify all issues of concern to neighbors and businesses on or adjacent to the Sunset Strip and recommend solutions. Residents must comprise no less than 1/3 of this body; 4) In conjunction with the working group direct the Public Safety Manager to review all deployment of safety officers including possible increased deployment, use of "community resource officers," and possible BID sponsored security efforts; 5) Direct Staff to develop a plan and timetable for a Sunset Boulevard Business Improvement District; and, 6) Direct staff to report where the parking structure will be located and on any additional efforts to deal with day and evening employee, residential and visitor parking; and, 7) Direct staff to review and evaluate the Sunset Noise and Mitigation workplan previously adopted by Council on May 21, 2000 (see staff report). Also develop a budget and funding proposal including the BID participation.

Councilmember Martin provided background information as outlined in the staff report dated November 20, 2000.

TERI GUSTAFSON, WEST HOLLYWOOD, spoke in support of the item.

JULIE SUMMERS, WEST HOLLYWOOD, spoke in support of the item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the item and offered to become a member.

CHUCK TOVAR, LOS ANGELES, owner of Dublins, spoke in support of the concept of this item and he questioned the process of choosing the members of the committee.

Councilmember Heilman commented that the City has not responded as effectively as they could. He commented that there should be an update of what currently is being done, from the businesses and the community. He stated his concern regarding creating a new working group which may not be the best way to get things done.

Councilmember Guarriello stated his agreement with Councilmember Heilman's comments.

Mayor Prang stated his agreement with the content of the item and agreed that there are ongoing mitigations that are in place which have not been reported on. He stated that businesses along Santa Monica Boulevard were not included, but create another level of participation.

City Manager Arevalo stated that staff would return to Council at the second meeting in December to report on the success of the mitigations

that have been in place. He also proposed a study session at the second weekend in December to talk about what entertainment destination management is and give some examples of what other cities are doing and bring in some experts to talk about some solutions and tools to use upon Sunset Boulevard and ultimately on Santa Monica Boulevard.

Councilmember Martin commented that there should be a couple of hours to make sure that all of the appropriate bodies are heard.

City Manager commented that the report would be given on December 18, 2000 on the current strategies that are in place and schedule the study session for sometime in January and possibly a Saturday.

Councilmember Martin commented that Public Safety should have give an update in September on the status of mitigations in place on Sunset Boulevard and frustration is growing amongst the community.

Councilmember Guarriello commented to include the residents on Wetherly and call it a townhall meeting and advertise it on cable to invite all who are interested.

By a consensus of the City Council.

PUBLIC COMMENT:

SYBIL ZADEN, WEST HOLLYWOOD, addressed the traffic on Sunset Boulevard and the timing of the light at Horn Avenue.

J.W. MOORE, IV, WEST HOLLYWOOD, spoke about the vacancy created by Mayor Pro Tem Koretz leaving and the parking problem on Detroit Avenue.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about Sunset Boulevard.

6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS:

Councilmember Martin stated that he spoke to Wade Davenport regarding more code compliance on Sunset Boulevard.

Councilmember Guarriello commented that he received a call regarding trees in poor condition and the issuance of permits.

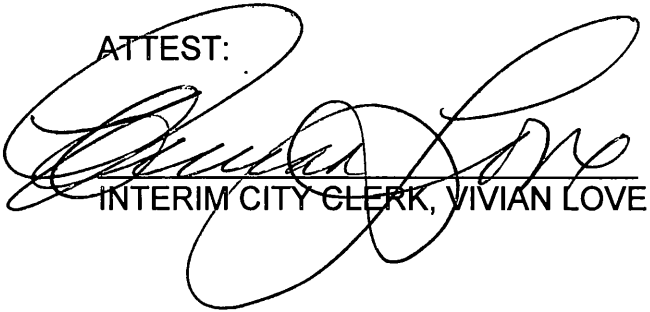
ADJOURNMENT: The City Council adjourned at 10:05 P.M. in memory of Brad Burlingame's mother, Lewis Warshaw, and Bob Mertz to a Study Session on Monday, December 4, 2000 at 6:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The Regular City Council Meeting will begin immediately after the Study Session.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 5TH
DAY OF MARCH, 2001.



MAYOR

ATTEST:



INTERIM CITY CLERK, VIVIAN LOVE