

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, NOVEMBER 6, 2000
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Prang called the Meeting to order at 6:45 PM.

PLEDGE OF ALLEGIANCE: Donna Saur 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 there no reportable actions were taken.

APPROVAL OF AGENDA:

Councilmember Guarriello requested to table Item 2.G.

Staff requested to table Items 2.M. and 5.C.

Staff requested to move Item 6.A. to the Consent Calendar as Item 2.JJ.

Staff announced that a revised staff report for Item 2.FF. was distributed with the correct Geocon Consultants, Inc. contract increase amount as \$3,500.

Councilmember Martin noted his ABSENTION on Item 2.R.

Mayor Prang pulled Item 2.L. for separate discussion under Excluded Consent Calendar.

ACTION: Approve the November 6, 2000 Agenda as amended. **Motion Councilmember Heilman, seconded by Councilmember Guarriello and unanimously carried.**

PRESENTATIONS:

1. Mayor Prang presented a plaque to Reverend Nancy Wilson, leaving MCC.
2. Councilmember Heilman presented a plaque to Dan Saxon, ex-chair of the Avenues of Art and Design and proclaimed November 15, 2000 as America Recycles Day.

3. Councilmember Guarriello presented a Senior Award Plaque to 90 year old Russian Senior Yakov Yura-Goldshteyn and a commendation to Carmen Butler, for her services with Dial-A-Ride and the West Hollywood CityLine.
4. Councilmember Martin presented a commendation to Roberta Sponsor of Infinity Outdoor Systems for promoting Halloween via a free billboard.

PUBLIC COMMENT:

ANDIE CHILDS, HOLLYWOOD, spoke in support of the City of Refuge resolution.

PATRICK MANGTO, LOS ANGELES, Gay Asian Support Network, spoke in support of the City of Refuge resolution and the various immigration policy amendment resolution.

SOPHIE FANELLI, LOS ANGELES, spoke in support of the City of Refuge resolution.

MOLLY SIDES, LOS ANGELES, spoke in support of the Women's March 2000.

MARINA KOZIROVSKAYA and UNA MASLESA, WEST HOLLYWOOD, spoke in support of the Women's March 2000 and thanked the council for sending them to Washington, D.C. to attend the march.

MIKE STAMPLE, MAR VISTA, spoke in support of the various immigration policy amendment resolution.

RON BURKMIRE, Co-Chair of the Los Angeles Chapter of Immigration Quality, spoke in support of the City of Refuge resolution and various immigration policy amendment resolution.

CHRIS HAISS, LOS ANGELES, spoke in support of the various immigration policy amendment resolution.

JAMES FUHRMAN, WEST HOLLYWOOD, spoke about being prevented from filming during the Council Meeting, about employee parking, recent fundraising and campaign contributions.

JEROME CLEARY, WEST HOLLYWOOD, spoke about West Hollywood Sheriff's sting operations.

CAROL RODRIGUEZ, WEST HOLLYWOOD, spoke about the Los Angeles Free Clinic and their sponsorship on a Breast Cancer Awareness Event.

JEANNE DOBRIN, WEST HOLLYWOOD, complimented the staff of Environmental Services Division and Recreation Services Division and the values of Presidential Candidate Albert Gore. She spoke in opposition of the West Hollywood Sting Operation.

TOM DEMILLE, WEST HOLLYWOOD, spoke about the upcoming presidential election and wished Mayor Pro Tempore Koretz success on the upcoming election for State Assembly.

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke about Willoughby Avenue not being paved and a recent article in the West Hollywood Independent on curtailing development on Sunset Boulevard.

JOY DESIMONE, WEST HOLLYWOOD, spoke in support of Animal Rights and a citation that a neighbor had received a citation for a barking dog. She spoke about concerns over people living on a fixed income receiving such citation.

NORMAN CHARMOFF, WEST HOLLYWOOD, spoke in support of Mayor Pro Tempore Koretz's upcoming State Assembly election and urged everyone to get out and vote in tomorrow's presidential election.

DON BRUHNKE, WEST HOLLYWOOD, spoke about empty parking spaces and about the recent success of the Housing Element Task Force Meeting.

GREY LE CUYER, WEST HOLLYWOOD, spoke about a fire in his building and about harassment from his landlord. He also spoke about orange koans along Santa Monica Boulevard and patrons from a local establishment along Sunset Boulevard.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke about the success of the recent Halloween event and the upcoming Veteran's Day holiday and a related fundraising dinner event at Barfly. He also encouraged everyone to vote in tomorrow's presidential election.

Councilmember Martin reminded everyone to vote in tomorrow's presidential election. He spoke in opposition of Proposition 38. He asked for volunteers for the Democratic Headquarters and spoke about the recent success of the Neighbor Green and Clean Event. He also spoke about a recent meeting with President Clinton and presenting him with the Bill Clinton Avenue sign. Councilmember Martin spoke in opposition of the recent West Hollywood Sting operation.

Mayor Pro Tempore Koretz urged everyone to vote in tomorrow's presidential election. He spoke in opposition of Propositions 37 and 38. He also spoke about the Mobil Station located at Kings Road and Santa Monica Boulevard struggling financially during the reconstruction period.

Mayor Prang noted that \$470 worth of refreshments were purchased and appears on the check register from a vendor that is located outside the City. He reminded that whenever possible, the City should try to use businesses located within the City especially during the reconstruction period. He spoke about recent special events that have proved disruptive to residents and asked that the Council receive the same notifications that the residents receive. He addressed a complaint from a resident

about the placement of a port-a-potty outside his business. He addressed contracts with printing services and stated that it appears to be uncoordinated and recommended that the Public Information and CATV Division oversee this function. He congratulated Councilmember Heilman and Deputy Solomon about the recent success of the Human Rights Speaker Series. He spoke about a visitor from Tel Avi, an openly gay political figure. He urged everyone to vote in tomorrow's election.

CITY MANAGER'S REPORT: City Manager Arevalo reported that this weekend the Cruising Checkpoints will be operating as an enforcement effort to divert traffic along Sunset Boulevard. He addressed Councilmember Martin's concerns over the negative impact of the enforcement. Councilmember Heilman commented on traffic activity between Sunset Boulevard and Fountain Avenue and asked the Sheriff Department to enforce traffic problems in residential areas for problems such as radio noise at 2 AM. The City Council asked the City Manager to report on an assessment on the Cruising Ordinance. City Manager City Arevalo assured the Council that the checkpoints will be as quick as possible and that more officers will be dispatched to residential areas. He also spoke about Sheriff's deployment on the East Side.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Taylor stated the fiscal impact on the Consent Calendar of November 6, 2000 as amended, is \$357,170 in expenditures.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., H., I., J., K., N., O., P., Q., R., S., T., U., V., X., W., Y., Z., AA., BB., CC., DD., EE., FF., GG., HH., II., and JJ. Motion Councilmember Heilman, seconded by Councilmember Martin and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, November 6, 2000 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, November 2, 2000.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of the regular meeting on October 16, 2000 and the Study Session with Rent Stabilization and the Planning Commission on October 16, 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. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Linda Kaufman, Richard F. Maggio, Fred J. Thomas, Dr. Joseph Boodaghi, Renae Plant, Holly Woodlawn, Lyle M. Green, Andy Drap, Teresa Gyenes, and Brian Newman and refer to the City's Claims Adjuster. **Approved as part of the Consent Calendar.**

2.E. DEMAND REGISTER NO. 425, RESOLUTION NO. 00-2403:

ACTION: Approve Demand Register No. 425 and adopt Resolution No. 00-2403, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 425." **Approved as part of the Consent Calendar.**

2.F. TREASURER'S REPORT AUGUST 2000:

ACTION: Receive and file Treasure's Report for August 2000. **Approved as part of the Consent Calendar.**

2.G. COMMISSION AND ADVISORY BOARD ACTION:

Tabled.

2.H. REPORT ON PHOTO ENFORCEMENT PROGRAM AND REQUEST TO AUTHORIZE AN AMENDMENT TO THE AGREEMENT OF THE PHOTO ENFORCEMENT PROGRAM:

ACTION: 1) Receive and file an annual report on the Photo Enforcement Program; 2) Authorize the City Manager to amend the agreement with Lockheed Martin IMS for additional cameras and to extend the length of the agreement; and, 3) Authorize the Interim Finance Director to increase budgeted revenues and expenses by \$13,620 in FY 01 for the additional cameras and approaches. **Approved as part of the Consent Calendar.**

2.I. PROPOSED RESOLUTION OF THE CALIFORNIA COMMUNITIES HOUSING AND FINANCE AGENCY AND APPROVAL OF A JOINT EXERCISE OF POWERS AGREEMENT FOR THE ESTABLISHMENT OF A LEASE-PURCHASE HOMEOWNERSHIP PROGRAM:

ACTION: Adopt Resolution No. 00-2404, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE AGREEMENT BY AND BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CALIFORNIA COMMUNITIES HOUSING AND FINANCE AGENCY, A JOINT POWERS AUTHORITY." **Approved as part of the Consent Calendar.**

2.J. PROPOSED RESOLUTION DECLARING THE CITY OF WEST HOLLYWOOD AS A "CITY OF REFUGE" FOR SAME SEX BINATIONAL COUPLES:

ACTION: 1) Adopt Resolution No. 00-2405, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN

DECLARATION OF THE CITY OF WEST HOLLYWOOD AS A "CITY OF REFUGE" FOR SAME SEX BINATIONAL COUPLES;" and, 2) Send signed copies of the resolution to the Attorney General of the State of California, California State Department and the Immigration and Naturalization Service and the California Congressional Delegation. **Approved as part of the Consent Calendar.**

2.K. DIRECT THE PUBLIC SAFETY DIVISION TO APPLY FOR CRIME VICTIM ASSISTANCE FUNDS AVAILABLE THROUGH THE VICTIMS OF CRIME ACT OF 1984 (VOCA):

ACTION: Direct the Public Safety Division to apply for Crime Victim Assistance Funds available through the Victims of Crime Act of 1984 (VOCA). **Approved as part of the Consent Calendar.**

2.L. APPROVAL OF CONTRACT WITH COLOR PLUS GRAPHICS TO PROVIDE REPRINTING SERVICES FOR THE CITY BUSINESS ATTRACTION AND RETENTION BROCHURE:

Pulled for separate discussion under Excluded Consent Calendar.

2.M. CALIFORNIA LAW ENFORCEMENT EQUIPMENT PROGRAM (CLEEP):

Tabled.

2.N. PROPOSED RESOLUTION DESIGNATING AUTHORIZED CITY AGENTS TO MAKE REQUESTS OF EMERGENCY FINANCIAL ASSISTANCE TO STATE OFFICE OF EMERGENCY SERVICES:

ACTION: Adopt Resolution No. 00-2406, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE CITY MANAGER, THE FINANCE DIRECTOR AND THE PUBLIC SAFETY MANAGER AS OFFICIAL AGENTS OF THE CITY OF WEST HOLLYWOOD FOR THE PURPOSE OF ALL REQUESTS FOR EMERGENCY FINANCIAL ASSISTANCE TO THE STATE OFFICE OF EMERGENCY SERVICES." **Approved as part of the Consent Calendar.**

2.O. ACCEPTANCE OF PROPOSAL FROM MARTIN AND CHAPMAN COMPANY FOR ELECTION SERVICES:

ACTION: 1) Accept the proposal from Martin and Chapman Company for election services in the amount not to exceed \$33,000 for the General Municipal Election to be held on March 6, 2001; 2) Authorize the Interim Director of Finance to issue a purchase order; 3) Authorize the City Clerk to issue Change Orders not to exceed 10% of the original proposal; and, 4) Authorize the City Manager to execute agreement with Martin and Chapman. **Approved as part of the Consent Calendar.**

- 2.P. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MUNICOM INC. FOR EXPANDABLE CABLE TELEVISION CONSULTATION:**
ACTION: 1) Approve an agreement with MuniCom, Inc. in the amount not to exceed \$20,000 to provide cable television franchise consultation; and, 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**
- 2.Q. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH KFA SERVICES, INC. FOR EXPANDED CABLE FINANCIAL CONSULTATION:**
ACTION: 1) Approve an agreement with KFA Services, Inc. in the amount not to exceed \$20,000 to expand cable television franchising financial consultation; 2) Authorize the City Manager to sign the agreement; and, 3) Authorize the Interim Director of Finance to increase budgeted general fund revenues and expenditures in the amount of \$20,000. **Approved as part of the Consent Calendar.**
- 2.R. AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH RAINMAKER AND SUN TO PROMOTE SANTA MONICA BOULEVARD BUSINESSES DURING THE UPCOMING HOLIDAY SEASON:**
ACTION: 1) Approve an agreement with Rainmaker and Sun in the amount not to exceed \$20,000 to implement a consumer marketing and advertising campaign to promote Santa Monica Boulevard businesses during the holiday season; and, 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar noting the ABSESION of Councilmember Martin.**
- 2.S. LEASE AGREEMENT PROVIDING FOR A SIX (6) MONTH EXTENSION FOR SANTA MONICA BOULEVARD RECONSTRUCTION PROJECT OFFICE AT 8270 SANTA MONICA BOULEVARD:**
ACTION: 1) Approve a six-month extension (February 1, 2001 – July 31, 2001) to the lease agreement with John Martin Amiri dated February 1, 1999 for the property located at 8270 Santa Monica Boulevard; and, 2) Authorize City Manager to execute extension as set forth in the original agreement. **Approved as part of the Consent Calendar.**
- 2.T. AUTHORIZATION TO CO-SPONSOR THE 2000 AIDS WATCH:**
ACTION: Approve the City of West Hollywood as co-sponsor of the 2000 AIDS Watch presentations on December 1, 2000; and, 2) Authorize the Public Information/CATV Division to provide support for this project, including use of Channel 10 facilities and broadcast time and Public Information support. **Approved as part of the Consent Calendar.**

2.U. ALL-WAY STOP SIGN INSTALLATION AT DESIGNATED INTERSECTIONS:

ACTION: Adopt Resolution No. 00-2407, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE FOLLOWING INTERSECTIONS AS AN ALL-WAY STOP CONTROL INTERSECTION AND DIRECTING STAFF TO ERECT APPROPRIATE SIGNS AND CROSSWALK MARKINGS." **Approved as part of the Consent Calendar.**

2.V. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE):

ACTION: 1) Adopt Resolution No. 00-2408, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 2000-2001 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA;" 2) Adopt Resolution No. 00-2409, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 2000-2001 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA;" 3) Adopt Resolution No. 00-2410, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY A CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 2000-2001 AND SETTING A TIME AND PLACE OF A HEARING TO CONSIDER SUCH A CHARGE;" 4) Approve a two-year contract between the City and the West Hollywood Marketing Corporation (DBA West Hollywood Convention and Visitors Bureau); 5) Authorize the City Manager to execute the contract; and, 6) Approve an annual amendment to adjust the scope and budget according to changes in the hotel assessment revenue. **Approved as part of the Consent Calendar.**

2.W. AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT, FIRST QUARTER REPORT:

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

2.X. PROPOSED RESOLUTION TO ENDORSE S. 2407 (REID) S. 2912 (KENNEDY), S. 3068 (KENNEDY), S. 3095 (KENNEDY) AND H.R. 4138 (JACKSON-LEE), BILLS THAT AMEND IMMIGRATION POLICY TO ALLOW FOR LAWFUL ADMISSION FOR PERMANENT RESIDENCE FOR CERTAIN ALIENS:

ACTION: 1) Adopt a Resolution No. 00-2411, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ENDORSING

S. 2407, S. 2912, S. 3068, S. 3095 AND H.R. 4138 BILLS THAT AMEND IMMIGRATION POLICY TO ALLOW FOR LAWFUL ADMISSION FOR PERMANENT RESIDENCE FOR CERTAIN ALIENS;" and, 2) Send copies of this resolution to Senator Edward Kennedy, Senator Henry Reid, Representative Sheila Jackson-Lee, the Los Angeles County Congressional delegation and other appropriate legislative officials. **Approved as part of the Consent Calendar.**

2.Y. MILLS ACT FOR THE PROPERTY, THE SAN VICENTE INN LOCATED AT 837, 845, 849 AND 850 SAN VICENTE BOULEVARD (MA 2000-02):
ACTION: Approve a Mills Act Contract for 837, 845, 849 and 850 San Vicente Boulevard; and, 2) Authorize the City Manager to sign the contract. **Approved as part of the Consent Calendar.**

2.Z. ESTABLISHMENT OF ICMA DEFERRED COMPENSATION 401A ACCOUNT & TRUST:
ACTION: 1) Adopt Resolution No. 00-2412, "A RESOLUTION OF ESTABLISHMENT OF ICMA DEFERRED COMPENSATION 401A ACCOUNT AND TRUST;" 2) Adopt ICMA Administrative Services Agreement-Type 401 (Account #7711); and, 3) Authorize the Mayor to execute the agreement. **Approved as part of the Consent Calendar.**

2.AA. APPROVAL FOR THE PURCHASE OF SOFTWARE UPGRADES FOR DOCUMENT IMAGING AND RECORDS MANAGEMENT:
ACTION: Authorize the Interim Director of Finance to approve the purchase of software upgrades for Hummingbird DocsOpen (PC Docs) for document imaging and records management. **Approved as part of the Consent Calendar.**

2.BB. PRINTING BID FOR RECREATION ACTIVITY BROCHURE:
ACTION: 1) Waive any irregularities or informalities in any bid; 2) Accept the bid dated October 23, 2000 submitted by Ben-Wal Printing, Inc. of Pomona, California, in the amount of \$24,438 for the printing of the two (2) issues of the Recreation Activity Brochure; 3) Authorize the City Manager to sign the associated Contract Agreement; and, 4) Reject all other bids. **Approved as part of the Consent Calendar.**

2.CC. CALIFORNIA HEALTHY CITIES PROJECT DIRECT SERVICE GRANT COLLABORATION WITH PSYCHOLOGICAL TRAUMA CENTER:
ACTION: 1) Authorize staff to submit a grant application to CHCC/CWF to continue and expand psychological services for students at Laurel Elementary and Rosewood Elementary, the two local elementary schools with the highest number of West Hollywood Residents; 2) Authorize the City Manager to sign the grant application; 3) If the grant is awarded, authorize the City Manager to sign the grant award/contract document, assuming it is substantially the same as the application; and 4) Authorize

the Interim Director of Finance to increase revenues and expenditures in the appropriate accounts by the approved grant amount should the grant be awarded. **Approved as part of the Consent Calendar.**

2DD. AUTHORIZATION TO EXECUTE AN HISTORICAL PROPERTY PRESERVATION AGREEMENT (MILLS ACT CONTRACT) BETWEEN THE CITY OF WEST HOLLYWOOD AND THE OWNER OF 8914 CYNTHIA STREET, WEST HOLLYWOOD, CALIFORNIA:

ACTION: Authorize the City Manager to execute an Historical Property Preservation Agreement (Mills Act Contract) between the City of West Hollywood and the owner of 8014 Cynthia Street. **Approved as part of the Consent Calendar.**

2EE. UPDATE ON WOMEN'S MARCH 2000:

ACTION: Receive and file update report from staff on the World March for Women 2000. **Approved as part of the Consent Calendar.**

2FF. APPROVE CONTRACT WITH GEOCON CONSULTANTS, INC. FOR ENVIRONMENTALCONSULTING SERVICES FOR THE PROPERTIES LOCATED AT THE LABREA GATEWAY:

ACTION: 1) Approve an agreement with Geocon Consultants, Inc. in an amount not to exceed \$87,222 to be paid from US EPA Brownfields grant; and, 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.GG. APPROVAL FOR THE PURCHASE OF TWO LASER TRAFFIC ENFORCEMENT DEVICES FROM CUSTOM SIGNALS, INC.:

ACTION: 1) Authorize the Interim Director of Finance to transfer \$6,990 from Transportation and Public Works Account #100-8030-7311 and \$2,995 from Public Safety Account #100-1012-7311 into "Radar Equipment" Account #100-4000-8719; and, 2) Authorize the Interim Director of Finance to approve the purchase order for two new lazer traffic control devices for a budgeted amount not exceed \$14,500 including tax and shipping. **Approved as part of the Consent Calendar.**

2.HH. AMENDMENT BETWEEN THE CHAMBER OF COMMERCE AND THE CITY OF WEST HOLLYWOOD:

ACTION: Approve amendment to the agreement for services with the West Hollywood Chamber of Commerce in the amount of \$50,000; and, 2) Authorize the City Manager to execute the amended agreement. **Approved as part of the Consent Calendar.**

2.II. RESOLUTION IN OPPOSITION TO H.R. 3590 (FOLEY), THE "ADA NOTIFICATION ACT:"

ACTION: 1) Adopt Resolution No. 00-2413, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION

TO H.R. 3590 (FOLEY), THE "ADA NOTIFICATION ACT;" and, 2) Send signed copies of the resolution to the California Congressional Delegation.
Approved as part of the Consent Calendar.

2.JJ. URGENCY ORDINANCE AMENDING THE ADMINISTRATIVE REMEDIES PROGRAM TO INCLUDE THE ENTIRETY OF THE BUSINESS LICENSE ORDINANCE AND PROVISIONS OF THE MUNICIPAL CODE RELATING TO STORM WATER AND URBAN RUNOFF:

Moved from the Legislative Item 6.A. to Consent Calendar 2.JJ.

ACTION: Adopt Urgency Ordinance No. 00-587, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PROVISIONS OF THE MUNICIPAL CODE RELATING TO THE CLASSIFICATION OF OFFENSES, ADDING PROVISIONS RELATING TO BUSINESS LICENSE REGULATION AND PERMITS (TITLE 5); AND STORM WATER AND URBAN RUNOFF POLLUTION CONTROL (§§ 15.56060.a-e) AND ESTABLISHING THE URGENCY THEREOF." **Approved as part of the Consent Calendar.**

3. **PUBLIC HEARINGS:** None.

4. **UNFINISHED BUSINESS:**

4.A. SOCIAL SERVICES CONTRACT FOR VOCATIONAL SERVICES WITH WHEST, JEWISH VOCATIONAL SERVICES:

Daphne Dennis, Social Services Administrator, provided background information as outlined in the staff report dated November 6, 2000.

ANNE FACTOR, LOS ANGELES, Program Director for WHEST, spoke in support of this item and cited several recent accomplishments.

Councilmember Martin spoke about budgeting issues.

Councilmember Heilman spoke about the unallocated reserves.

ACTION: 1) Approve a contract in the amount of \$138,375 with Jewish Vocational Services WHEST; and, 2) Authorize the City Manager to sign the contract. **Motion Councilmember Heilman, seconded by Mayor Pro Tempore Koretz and carried noting the NO Votes of Councilmembers Guarriello and Martin.**

4.B. PROPOSED ORDINANCE AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING SMOKING IN RESIDENTIAL RENTAL HOUSING:

Mayor Pro Tempore Koretz provided background information as outlined in the staff report dated November 6, 2000.

ZULEMA SANCHEZ, LOS ANGELES, spoke in support of this Item.

TRISHA ROTH, BEVERLY HILLS, spoke in support of this Item.

INA BLISS, WEST HOLLYWOOD, spoke in support of this Item but expressed concerns over existing laws on vacancies.

SHIRLEY WEBER, SOUTH PASADENA, spoke in support of this Item.

LOU MOENCH, SANTA MONICA, spoke in support of this Item.

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke in support of this Item but expressed concerns over possible discrimination.

MARY REID CUSHIONBURY, PINE MOUNTAIN CLUB, spoke in support of this Item.

ESTHER SCHILLER, THOUSAND OAKS, spoke in support of this Item.

PATRICIA REMICK, BURBANK, spoke in support of this Item.

ALEX KWECHANSKY, LOS ANGELES, spoke in support of this Item.

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

SLYVIA SANCHEZ, LOS ANGELES, spoke in support of this Item.

HARVEY PEARSON, LOS FELIZ, spoke in support of this Item.

ALAN ZOVAR, THOUSAND OAKS, spoke in support of this Item.

MARTY MEZTZER, ENCINO, spoke in support of this Item.

DON BRUHNKE, WEST HOLLYWOOD, spoke in opposition of this Item.

JAMES FUHRMAN, WEST HOLLYWOOD, spoke in support of this Item.

Mayor Pro Tempore Koretz provided clarification on how landlords declare units as "smoke-free". He stressed that the Ordinance would allow landlords to coordinate this with the City's support. He stated that the discrimination and harassment mentioned tonight could happen with or without the Ordinance. He addressed the medical marijuana issue and stated that the Ordinance applies to tobacco drift not the medically necessary marijuana. He spoke in support of smokeless ashtrays. He also spoke about the Russian Community raising complaints about smoking. He spoke about creating a registry of non-smoking residents.

Councilmember Guarriello expressed concern about speakers from out-of-town speaking on this Item and not West Hollywood Residents. He read an opinion in opposition of the smoke free Ordinance. He mentioned that the Rent Stabilization Commission opposes this Ordinance and recommends further study. He stated that this Ordinance is premature and intrusive unless compelling evidence can be presented. He stated that the alternative ordinance states that it creates a program for mediation and arbitration. He supported this process going through the Rent Stabilization Commission. He spoke about the potential of litigation over privacy rights.

Councilmember Heilman agreed with Mayor Pro Tempore Koretz's initial comments. He stated that the motives are good but the actual Ordinance does absolutely nothing. He stated that current regulations deal with drifting tobacco smoke and this Ordinance is not necessary and doesn't address the real problem, which is the differences between smokers and non-smokers who are living together. He recommended mediation when there is a conflict over smoking and a process where one can file a complaint and have it adjudicated through the Rent Stabilization Commission or the Administrative Remedies process. He mentioned citations as a possible solution.

Councilmember Martin spoke in opposition of this item due to possible discrimination and/or landlord retaliation. He expressed concerns over landlords banning smoking in common areas. He suggested tabling this Item.

Mayor Prang supported Councilmember Heilman's comments.

ACTION: 1) Direct Rent Stabilization and Public Information to let landlords know that they can declare units as being smoke-free; 2) Utilizing the existing Rent Stabilization List, allow landlords to indicate smoking or non-smoking units and/or buildings; 3) The Rent Stabilization Department can be used for mediation for these conflicts; 4) If mediation is refused or unsuccessful, smoking can be declared a nuisance with the existing remedies; and, 5) Direct the Public Information and CATV Manager to determine which process (Rent Stabilization or Administrative Remedies) should handle this and bring back to Council a recommendation. **Motion Councilmember Heilman, seconded by Councilmember Martin and unanimously carried.**

Mayor Prang requested to hear Item 5.D. out-of-order.

5.D. EXPANSION OF TOW-AWAY ENFORCEMENT IN PREFERENTIAL PARKING DISTRICT 6:

Don Korotsky, Associate Transportation Planner, provided background information as outlined in the staff report dated November 6, 2000.

Councilmember Martin discussed the time limits when a car is towed.

Mayor Prang spoke about the percentage represented in the petition and expressed concerns over the process. He discussed marketing and education efforts made to the residents on this issue by the City.

Associate Transportation Planner Korotsky provided additional information on the petition process. He cited problems around Sunset Boulevard regarding parking.

JOHN RYAN, WEST HOLLYWOOD, spoke in support of this Item and detailed problems with patrons leaving clubs at night.

Councilmember Martin asked the speakers to identify the streets on which they reside.

DAVID GROSS, WEST HOLLYWOOD, Delongpre Avenue, spoke about problems with parking and towing warnings.

SANDI MARGOLIS, WEST HOLLYWOOD, Delongpre Avenue, spoke in support of this Item.

TROY BROWNING, WEST HOLLYWOOD, Delongpre Avenue, spoke in opposition of this Item.

TERRY OLESON, WEST HOLLYWOOD, Delongpre Avenue, spoke in opposition of this Item and spoke about the petition process.

KARL SHIRES, WEST HOLLYWOOD, Delongpre Avenue, spoke about the petition process and the requirement of 51% of signatures and spoke in support of this Item.

TERI GUSTAFSON, WEST HOLLYWOOD, Delongpre Avenue, spoke in support of this Item due to ongoing noise problems.

Councilmember Guarriello asked if Friday and Saturday night would be good enough as far as the towing and it was met with negative responses from members of the audience.

CHRISTOPHER COOPER, WEST HOLLYWOOD, Delongpre Avenue, spoke in support of this Item.

WILLIAM SCOTT HUTTON, WEST HOLLYWOOD, Flores Street, spoke in support of this Item.

LEE LA VERNETTE, WEST HOLLYWOOD, Delongpre Avenue, spoke in support of this Item.

GEOFFREY SMITH, WEST HOLLYWOOD, Sweetzer Avenue, spoke in support of this Item.

ROBERT BRADFORD, WEST HOLLWOOD, Sweetzer Avenue, spoke in support of this Item.

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

JIM KINGSLAN, WEST HOLLYWOOD, Fountain Avenue, spoke in support of this Item.

Councilmember Guarriello spoke about Sunset Boulevard patrons parking in the residents due to the fact that they do not want to pay for valet parking.

Councilmember Heilman stated that has some concerns but understands the quality of life of the residents has been negatively impacted. He stated that passing this would not solve the problem based on previous neighborhood experiences. He stated that problems with tow away have been the noise with towing cars away with alarms. He stated that the City needs to do more than what this Ordinance proposes. He suggested the Sheriff's enforcement against disruptive behavior. He stated that he reluctantly supports this Item. He asked those who spoke tonight to let their neighbors know if this is approved. He stressed concerns on Sweetzer Avenue and Delongpre Avenue southside being very dark and difficult to see the signage and suggested increased lighting. He also suggested additional signs, possibly lit signs such as on the one currently in place on Larrabee Street.

Councilmember Martin spoke about people getting out-of-line when their cars are towed. He agreed with Councilmember Heilman's comments. He suggested a plan for parking enforcement to patrol this area and tell those who were towed where they can retrieve their cars.

Mayor Pro Tempore Koretz spoke in support of this Item. He also stated that this does solve all of the problems and creates a few new ones. He spoke in support of additional Sheriff patrols. He mentioned that barriers make it more difficult for people to get into the area. He suggested additional signage on where to find your car when it is towed. He agrees

that early towing would result in visitors being towed and suggested not towing before 9 PM.

Mayor Prang spoke in support of this Item and mentioned that this is a difficult situation and stressed that he wants to provide some relief for those who live in this area. He agreed with Councilmember Heilman's comments and spoke about Havenhurst Drive having a similar situation and how all the problems were not solved. He spoke in support of providing people with the phone number of where they may retrieve their towed car. He spoke about moving forward with a multi-purpose task force to address such problems like this one. Mayor Prang stated that he wanted the Sheriff's Department, parking enforcement and Code Compliance Division to concentrate jointly on this issue.

Councilmember Guarriello suggested a large parking garage on Sunset Boulevard.

Joan English, Director of Transportation and Public Works, provided additional information on lighting and signage.

Associate Transportation Planner Korotsky stated that the Planning Commission recommended a phase-in time period.

ACTION: 1) Adopt Resolution No. 00-2414, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INSTITUTING TOW-AWAY REGULATIONS ON THE PORTIONS OF DELONGPRE AVENUE, FLORES STREET, HARPER AVENUE, AND SWEETZER AVENUE LOCATED WITHIN THE BOUNDARIES OF PREFERENTIAL PARKING DISTRICT 6;" and, 2) Direct staff to form a multi-department Task Force to deal with quality of life issues. This Task Force should consist of members of the Sheriff's Department, Parking Enforcement and the Code Compliance Division. Parking District 6 will be designated as the pilot area project. **Motion Councilmember Guarriello, seconded by Mayor Pro Tempore Koretz and unanimously carried.**

4.C. PROPOSED ORDINANCE AMENDING THE CITY OF WEST HOLLYWOOD MUNICIPAL CODE TO PROHIBIT SELF-SERVICE TOBACCO DISPLAYS IN SPECIFIED BUSINESS:

Mayor Pro Tempore Koretz provided background information as outlined in the staff report dated November 6, 2000.

DON BRUHNKE, WEST HOLLYWOOD, spoke in support of this Item.

City Attorney Jenkins spoke about a time element of six (6) months for businesses to comply.

ACTION: 1) Introduce for first reading, 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;" 2) Direct the Public Safety Division, Public Information Office and Code Compliance to publicize and advise all appropriate businesses of the Ordinance annually; 3) Retail stores in need of new construction or remodeling to comply with the law will have up to six (6) months from the date the law takes effect. If retail stores need to purchase a display case for the tobacco products, then they will be given thirty (30) days from the date the law takes effect; and, 4) Code compliance shall enforce this law based on complaints. **Motion Councilmember Martin, seconded by Mayor Pro Tempore Koretz and carried unanimously carried .**

5. NEW BUSINESS:

5.A. LOCAL BUSINESS EMPLOYEE WAGE STUDY:

Councilmember Heilman provided background information as outlined in the staff report dated November 6, 2000.

DON BRUHNKE, WEST HOLLYWOOD, spoke in opposition of this Item.

Councilmember Martin stated that he didn't see the point to this Item.

Councilmember Heilman stated that point to this Item was to see if the business community could use this information in order to remain competitive.

ACTION: Direct Economic Development Manager to work with the business community to develop a scope of work for a study of wages and benefits paid in the West Hollywood community. **Motion Councilmember Guarriello, seconded by Mayor Pro Tempore Koretz and carried noting the NO Vote of Councilmember Martin.**

5.B. MODIFYING THE CURRENT PROCEDURE OF PRESENTING COMMENDATIONS/PROCLAMATIONS AT REGULAR CITY COUNCIL MEETINGS:

Councilmember Heilman provided background information as outlined in the staff report dated November 6, 2000.

Councilmember Guarriello spoke about the number of Study Sessions and about too many Commendations being presented.

Mayor Pro Tempore Koretz stated that he generally feels that this is a waste of taxpayer money.

Councilmember Martin stated that he feels that this would be opening more the door for more Commendations by designating an entire meeting for this purpose. He suggested that announcements be made on a cable stroll such as Earth Day and Neighborhood Watch and conducting the Senior Recognition Awards at City Hall.

Mayor Prang spoke about his experience when he worked at the City of Los Angeles and how that City has restrictions in place to deal with this situation. He supports a limitation of a number such as one (1) per meeting and to provide a mechanism to the City Clerk's Office if a special need has arisen to provide more than one (1).

Councilmember Heilman recommended referring this to the City Clerk and come back with recommendations. He spoke about people waiting to testify on an agenda item delayed due to the lengthy presentations. He stated that he would work with the City Clerk on how many meetings.

ACTION: Direct the City Clerk to return with recommendations and alternatives. **By Consensus of the City Council.**

**5.C. HANDBILL DISTRIBUTION ON PRIVATE PROPERTY:
Tabled.**

**5.D. EXPANSION OF TOW-AWAY ENFORCEMENT IN PREFERENTIAL
PARKING DISTRICT 6:**

This Item was heard out-of-order and appears above.

5.E. CITY COUNCILMEMBER DIRECT COMMISSION APPOINTMENTS:

Vivian M. Love, Interim City Clerk, provided background information as outlined in the staff report dated November 6, 2000.

Councilmember Guarriello spoke about how he re-appoints.

City Attorney Jenkins stated that a new Councilmember has to wait a period of ninety (90) days. He spoke about vacancies that may have taken place prior to the Councilmember taking office.

DON BRUHNKE, WEST HOLLYWOOD, suggested a letter of resignation from the appointed board members at the time that the Councilmember leaves and the incoming Councilmember could accept or reject it.

Mayor Pro Tempore Koretz spoke about the Commissioners being accountable when there is a vacancy. He recommended alternative number four (4) that drafts a change to the ordinance that makes an

individual appointees at-large. The new Councilmember could appoint new people if they choose and have them serve at-large.

Mayor Prang supported Mayor Pro Tempore Koretz's comments and recommendation.

Councilmember Martin spoke of a previous situation with former Councilmember Abbe Land. Interim City Clerk Love provided additional information on the problems with this scenario. She suggested that she work with City Attorney Jenkins on cleaning up this language.

Councilmember Heilman spoke in opposition of transitioning to at-large in the recommendation. He stated that it is difficult to oversee the Commissioners. He preferred that it states that they continue to serve until replaced by an appointee from the new Councilmember. He asked the City Clerk to place the vacancy on the agenda for the December 4, 2000 City Council Meeting.

City Attorney Jenkins stated that the Council would have thirty (30) days to make a new appointment.

ACTION: 1) Direct appointees of a City Councilmember who vacates at the pleasure of the City Council majority; and, 2) Direct the City Clerk to place the vacancy on the agenda of the December 4, 2000 City Council Meeting. **Motion Mayor Prang, seconded by Mayor Pro Tempore Koretz and carried noting the No Votes of Councilmembers Guarriello and Heilman.**

EXCLUDED CONSENT CALENDAR:

2.L. APPROVAL OF A CONTRACT WITH OLOR PLUS GRAPHICS TO PROVIDE REPRINTING SERVICES FOR THE CITY BUSINESS ATTRACTION AND RETENTION BROCHURE:

No staff report was provided.

ACTION: 1) Approve a contract with Color Plus Graphics in an amount not to exceed \$11,090 for printing 10,000 Business Retention and Attraction brochures; and, 2) Authorize the City Manager to execute the contract. **Motion Councilmember Heilman, seconded by Mayor Pro Tempore Koretz and unanimously carried.**

PUBLIC COMMENT:

JEFF CHRISTIAN, WEST HOLLYWOOD, spoke about a problem with the Sheriff's Department and alleged murders.

NICK SHAFFER, WEST HOLLYWOOD, spoke about the towing decision made for the residents on Delongpre but noted that it did create new problems.

6. LEGISLATIVE:

6.A. URGENCY ORDINANCE AMENDING THE ADMINISTRATIVE REMEDIES PROGRAM TO INCLUDE THE ENTIRETY OF THE BUSINESS LICENSE ORDINANCE AND PROVISIONS OF THE MUNICIPAL CODE RELATING TO STORM WATER AND URBAN RUNOFF:

Moved from the Legislative Item 6.A. to Consent Calendar 2.JJ.

COUNCILMEMBER COMMENTS:

Councilmember Martin spoke about contacting Van Ness House for people with substance abuse problems.

ADJOURNMENT: The City Council adjourned at 10:51 PM in memory of Councilmember Martin's Grandmother, Frances Wolter to their next regular meeting, which will be on Monday, November 20, 2000 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

| UPCOMING MEETING SCHEDULE | | | | |
|----------------------------------|------------|-------------|---------------------------------------------------------------------------------------------------------|-----------------------|
| Date | Day | Time | Meeting Type | Location |
| November 20 | Monday | 7:00 p.m. | Regular Meeting | W.H. Park Aud. |
| December 4 | Monday | 6:00 p.m. | Sp. Mtg - Study Session on Housing Element followed by Regular Meeting | W.H. Park Aud. |
| December 11 | Monday | 6:00 p.m. | Sp. Mtg. – Zoning Ordinance | W.H. Park Aud. |
| December 16 | Saturday | 10:00 a.m. | Closed Session | City Hall – Comm. Rm. |
| December 18 | Monday | 6:00 p.m. | Sp. Mtg. – Study Session on Parks and Recreation Needs Assessment Followed by Regular Meeting | W.H. Park Aud. |
| January 2 | | | NO REGULAR MEETING | |
| January 8 | Monday | 7:00 p.m. | Regular Meeting | W.H. Park Aud. |
| January 16 | Tuesday | 7:00 p.m. | Regular Meeting | W.H. Park Aud. |

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL
 THIS 20TH DAY OF NOVEMBER, 2000.



 MAYOR

ATTEST:


 VIVIAN LOVE, INTERIM CITY CLERK