

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JANUARY 3, 2000
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:15 P.M.

PLEDGE OF ALLEGIANCE: Carol Rodriguez led the Pledge.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: City Attorney Jenkins, Interim City Manager Arevalo, City Clerk Thompson and Assistant City Clerk Bell.

CLOSED SESSION REPORT: City Attorney Jenkins reported that one item was added to the Closed Session Agenda by a unanimous vote titled, Conference With Real Property Negotiator, with Ellis Group, Inc. for the property and Joan English, Director of Transportation and Public Works for the City of West Hollywood, for the terms of Carney's, 8351 Sunset Boulevard. One reportable action to initiate a matter of litigation, however the party will not be disclosed until service is processed.

REPORT ON SANTA MONICA BOULEVARD REHABILITATION PROJECT: Sharon Perlstein, City Engineer, provided an update to the City Council on the reconstruction of Santa Monica Boulevard.

APPROVAL OF AGENDA:

Staff requested that Item 4.A., Social Services Funding Process be tabled to January 18, 2000.

City Clerk Thompson stated the recommendation for Item 2.H. be revised to Adopt Resolution No. 00-2210 "A Resolution Of The City Council Of The City Of West Hollywood Giving Notice Of The City's Intent To Commence Reporting The Value Of Employer Paid Member Contributions To The Public Employees Retirement Systems (PERS) Compensation For All PERS Miscellaneous Members."

City Clerk Thompson stated that Item 2.O. the Resolution title and text should reflect the year 2000.

Councilmember Koretz requested that Item 6.A. be heard after Public Hearings portion of the Agenda. Motion died for lack of second.

ACTION: Approve the January 3, 2000 Agenda as amended. **Motion Councilmember Guarriello, seconded by Mayor Pro Tem Prang and unanimously carried.**

PRESENTATIONS:

Councilmember Guarriello presented a commendation to Richard Maggio for his work on the Rent Stabilization Commission and the Rent Control Conference.

Mayor Pro Tem Prang presented a commendation to Everett Alexander for Never Alone Again.

Mayor Heilman presented a proclamation in honor of Martin Luther King Jr. Day on January 17, 2000.

PUBLIC COMMENT:

RUTH WILLIAMS, WEST HOLLYWOOD, spoke in support of more education instead of more condom distribution.

CRAIG RITCHIE, WEST HOLLYWOOD, spoke against mandatory condom distribution.

DONNY CACY, WEST HOLLYWOOD, 7 ELEVEN, spoke against mandatory condom distribution.

ROYCE MATHEW, WEST HOLLYWOOD, spoke about Alternative Living for the Aging

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke in support of Item 2.I. and volunteers for schools.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about Y2K preparation and in opposition of mandatory condom distribution.

LIZ BAR EL, LOS ANGELES, thanked the City Council for their support of Item 2.G., 2.H., and 2.Q.

CAROL RODRIGUEZ, WEST HOLLYWOOD, thanked the West Hollywood Good Neighbors for a care package sent to her home bound friend.

BARRY GREENFIELD, WEST HOLLYWOOD, spoke in support of voluntary condom distribution.

RUTH CISLOWSKI, WEST HOLLYWOOD, representing the Human Services Commission, spoke against mandatory condom distribution.

MICHAEL MAHURUN, WEST HOLLYWOOD, spoke about rent control problems with his landlord.

NORMAN CHRAMOFF, WEST HOLLYWOOD, spoke about the Alcohol Free Dance.

DON BRUNHKE, WEST HOLLYWOOD, gave predictions for the new year.

RICH RYAN, WEST HOLLYWOOD, announced a Townhall Meeting on "Partner Abuse the Quiet Crisis" on Tuesday, January 25, 2000 at 7 P.M.

COUNCILMEMBER COMMENTS:

Councilmember Koretz thanked Durex Company for their donation of 20,000 condoms and WET Company for 20,000 packets of lubrication.

Mayor Pro Tem Prang thanked Tom West and staff for the Alcohol Free Dance and he wished everyone a Happy New Year.

Councilmember Guarriello wished everyone a Happy New Year and he commented on the New Year's Eve Dance.

Councilmember Martin thanked Carol Rodriguez for her community service and he commented on complaints he received regarding signing the petition.

Mayor Heilman commented on the Angel Amidst Program within the City and he thanked Tom West and staff for the successful New Year's Eve Dance.

CITY MANAGER'S REPORT: Interim City Manager Arevalo reported that there were no Y2K issues.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Thompson stated the fiscal impact on the Consent Calendar of January 3, 2000, is \$170,903 in expenditures and \$23,301 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E, F., G., H., I., J., K., L., M., N., O., P., Q., R., S., T., and U. Motion Councilmember Guarriello, seconded by Councilmember Martin and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, January 3, 1999 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, December 30, 1999.

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

2.B. WAIVER OF FURTHER READING:

ACTION: After the City Attorney has read the title of any ordinance on tonight's agenda, the further reading thereof shall be waived. **Approved as part of the Consent Calendar.**

2.C. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of David Kushkyan, Binah Leibe, Abraham Gorshtein, Dwight Wigfall and Hanna King and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.D. DEMAND REGISTER NO. 405, RESOLUTION NO. 00-2209:

ACTION: Approve Demand Register No. 405 and adopt Resolution No. 00-2209, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 405." **Approved as part of the Consent Calendar.**

2.E. TREASURER'S REPORT:

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

2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

ACTION: Receive and file Action Reports from the December 15, 1999 meeting of the Transportation Commission and the November 11, 1999 and December 6, 1999 meetings of the Rent Stabilization Commission. **Approved as part of the Consent Calendar.**

2.G. AMEND MEMORANDA OF UNDERSTANDING AND EMPLOYMENT AGREEMENTS WITH ALL EMPLOYEES WHO ARE COVERED BY THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS) TO INCLUDE ADDITIONAL RETIREMENT BENEFITS:

ACTION: 1) Approve the amendment to Section 8.05 of the West Hollywood Municipal Employees, AFSCME Local 3339 MOU as contained in the Tentative Agreement Package; 2) Approve the amendment to Section 7.07 of the Association of Confidential Employees Supervisory and Non-Supervisory Units MOU as contained in the Tentative Agreement Package; 3) Approve the amendment to Section 7.07 of the Association of Council Deputies MOU as contained in the Tentative Agreement Package; 4) Approve the amendment to Section 7.07 of the West Hollywood Management Association MOU as contained in the Tentative Agreement Package; 5) Approve the amendment of Section 4c of the Employment Agreements of Paul Arevalo, Hal Cronkite, Joan English, Lloyd Long,

Vivian Love and Ray Reynolds to provide the same PERS amendments as are being extended to bargaining unit members effective March 11, 2000; and, 6) Approve providing these same PERS benefits to all City Councilmembers effective March 11, 2000. **Approved as part of the Consent Calendar.**

2.H. GIVING NOTICE OF THE CITY'S INTENT TO COMMENCE REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS) COMPENSATION FOR ALL PERS MISCELLANEOUS MEMBERS:

REVISED ACTION: Adopt Resolution No. 00-2210, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD GIVING NOTICE OF THE CITY'S INTENT TO COMMENCE REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS) COMPENSATION FOR ALL PERS MISCELLANEOUS MEMBERS."
Approved as part of the Consent Calendar.

2.I. PROPOSED RESOLUTION URGING THE NEWLY FORMED EXXON/MOBIL CORPORATION TO REVERSE ITS POLICY ON ELIMINATING DOMESTIC PARTNERSHIP HEALTHCARE BENEFITS FOR ITS GAY AND LESBIAN EMPLOYEES:

ACTION: 1) Adopt Resolution 00-2211, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE NEWLY MERGED EXXON/MOBIL CORPORATION TO REVERSE ITS POLICY ON ELIMINATING DOMESTIC PARTNERSHIP HEALTHCARE BENEFITS TO THEIR GAY AND LESBIAN EMPLOYEES"; and, 2) Direct staff to forward copies of this resolution to Mr. L. R. Raymond, CEO, Exxon Mobil Corporation, 5959 Las Colinas Blvd., Irving, Texas 75039 and to The Honorable Mark Leno, San Francisco Board of Supervisors.
Approved as part of the Consent Calendar.

2.J. CALIFORNIA HEALTHY CITES PROJECT GRANT:

ACTION: Accept the \$5,000 renewal grant from the CHCP for the Healthy West Hollywood project and authorize the Interim City Manager to sign the contract. **Approved as part of the Consent Calendar.**

2.K. OVERSIZED VEHICLE PARKING ON ROMAINE STREET BETWEEN FULLER AND MARTEL AVENUES:

ACTION: 1) Adopt Resolution No. 00-2212, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING RESOLUTION NO. 97-1690 FOR THE PURPOSE OF INCORPORATING THE COMMERCIAL PORTION OF ROMAINE STREET, BETWEEN FULLER AND MARTEL AVENUES"; and, 2) Direct the Parking Services Division to post signage prohibiting oversized vehicle parking to cover the

residential frontage on Romaine Street east of Martel Avenue.
Approved as part of the Consent Calendar.

2.L. CONTRACT FOR MUSIC PREPARATION SERVICES WITH DE ROCHE MUSIC, INC.:

ACTION: 1) Approve the contract for professional music copying services with Ross Roche Music, Inc. for \$7,703.29; and, 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.M. SUBMITTAL OF THE CITY OF WEST HOLLYWOOD'S COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 1999: ACTION: Receive and file Report.
Approved as part of the Consent Calendar.

2.N. APPROVAL OF CREDIT/DEBIT CARD PILOT PROGRAM:

ACTION: 1) Approve the implementation of a pilot program for accepting credit/debit cards for payment of City services; 2) Authorize the Interim City Manager to execute a Merchant Services Agreement with Bank of America to provide credit/debit card processing services for the City; and, 3) Authorize the Interim Finance Director to implement the pilot program and report back to City Council within one (1) year. **Approved as part of the Consent Calendar.**

2.O. MARTIN LUTHER KING, JR. DAY PROGRAMMING:

ACTION: 1) Direct the City Manager to establish a task force to develop recommendations for an annual celebration of the life and legacy of Dr. Martin Luther King; 2) Direct the Human Services Department to host an invitational luncheon for key community leaders in observance of this year's King Holiday; 3) Direct the City Manager to work with City employees to ensure that the teachings of Dr. Martin Luther King, Jr. are values within the workplace; and 4) Adopt attached Resolution No. 00-2213, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING JANUARY 17, 2000 AS DR. MARTIN LUTHER KING, JR. DAY". **Approved as part of the Consent Calendar.**

2.P. A PROPOSED RESOLUTION SUPPORTING PROPOSITION 12, SAFE NEIGHBORHOODS PARKS, CLEAN WATER, CLEAN AIR AND COASTAL PROTECTION BOND ACT OF 2000:

ACTION: 1) Adopt Resolution No. 00-2214, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING PROPOSITION 12, SAFE NEIGHBORHOODS PARKS, CLEAN WATER, CLEAN AIR AND COASTAL PROTECTION BOND ACT OF 2000"; and, 2) Direct staff to send copies of the resolution to Assembly Member

Antonio Villarigosa and appropriate Environmental Groups who are supporting Proposition 12. **Approved as part of the Consent Calendar.**

2.Q. EXTEND CALPERS DOMESTIC PARTNER ELIGIBILITY TO EACH EMPLOYEE GROUP:

ACTION: Adopt resolutions as follows: 1) Resolution No. 00-2215, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ELECTING TO BE SUBJECT TO SECTION 22873 OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO MEMBERS OF THE ASSOCIATION OF COUNCIL DEPUTIES (ACD)"; 2) Resolution No. 00-2216, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ELECTING TO BE SUBJECT TO SECTION 22873 OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO MEMBERS OF THE ASSOCIATION OF CONFIDENTIAL EMPLOYEES (ACE)"; 3) Resolution No. 00-2217, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ELECTING TO BE SUBJECT TO SECTION 22873 OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO MEMBERS OF THE WEST HOLLYWOOD MUNICIPAL EMPLOYEES, THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), LOCAL UNION NO. 3339"; 4) Resolution No. 00-2218, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ELECTING TO BE SUBJECT TO SECTION 22873 OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO NON-REPRESENTED EMPLOYEES"; and, 5) Resolution No. 00-2219, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ELECTING TO BE SUBJECT TO SECTION 22873 OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO MEMBERS OF THE WEST HOLLYWOOD MANAGEMENT ASSOCIATION (WHMA)". **Approved as part of the Consent Calendar.**

2.R. PROPOSED RESOLUTION IN SUPPORT OF PROPOSITION 13, THE SAFE DRINKING WATER, CLEAN WATER, WATERSHED PROTECTION, AND FLOOD PROTECTION BOND ACT:

ACTION: 1) Adopt Resolution No. 00-2220, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 13, THE SAFE DRINKING WATER, CLEAN WATER, WATERSHED PROTECTION, AND FLOOD PROTECTION BOND ACT."; and, 2) Send copies of the signed resolution to Californians for Safe Neighborhood Parks and Clean Water. **Approved as part of the Consent Calendar.**

2.S. AUTHORIZATION TO EXTEND THE CABLE TELEVISION FRANCHISE AGREEMENT WITH ADELPHIA COMMUNICATIONS:

ACTION: 1) Approve the extension of the City's cable television franchise agreement with Adelphia Cable through January 19, 2001; and, 2) Authorize the City Manager to sign the agreement extending Adelphia Cable's franchise agreement through January 19, 2001. **Approved as part of the Consent Calendar.**

2.T. APPROVAL FOR THE CLOSURE OF LARRABEE STREET, SAN VICENTE BOULEVARD AND HILLDALE AVENUE FOR THE 2000 MARDI GRAS CELEBRATION:

ACTION: 1) Authorize the closure of the alleyway between Palm Avenue and Robertson Boulevard on Tuesday, March 7, from 6:00 am until 3:00 am, Wednesday, March 8, 2000; 2) Extend the hours of operation from 7 pm until midnight, to 7 pm - 1 am, to allow the generation of additional revenue through extended sales; 3) Authorize the use of San Vicente Boulevard (between Santa Monica and Cynthia), Hilldale (between Santa Monica and Keith) and Larrabee (between Santa Monica and the alley) on Tuesday, March 7, from 5:00 pm until 1am (based upon event time 7pm until 1am); 4) Direct staff to sweep, clean, empty, and move trash bins to the street from the alleyway on Tuesday, March 7, commencing at 6:00 am; 5) Authorize the Mardi Gras Committee to sell beer and wine, in recyclable cups, during the celebration; 6) Authorize the sale of spirits to include the establishment of a enclosed garden area for the sale of two distilled drinks per person; 7) Waive City permit fees including the temporary event permit, building & safety permit fees, Hancock and Kings Road parking lot, encroachment permit and meter fees; 8) Direct staff to work with the Mardi Gras 2000 Committee to sweep alleys, provide additional street-side containers along Santa Monica Boulevard, service and provide additional dumpsters for the event; 9) Direct staff to leave the Kings Road parking structure open until 2:00 am, Wednesday, March 8, 2000 for event volunteers and participants; 10) Allow event coordinators exclusive use of the City's Hancock parking lot for business employees that usually park in the alley; 11) Operate a City Line shuttle, at no charge, to riders from 7:00 pm, Tuesday, March 7, through 2:00 am, Wednesday, March 8, from La Brea to Robertson on Santa Monica Boulevard; additionally provide shuttle from Kings Road parking structure to San Vicente Boulevard; 12) Direct staff to bill approximately 14 Sheriff's Deputies to the Mardi Gras 1999 Committee at City rates with final number of Sheriffs deployed to be determined upon final review of site plan by Sheriff's Department; 13) Direct staff to work with the Mardi Gras 2000 Committee to develop a noise mitigation plan for the surrounding neighborhoods; and, 14) Authorize 10 metered parking spaces to be reserved for the event (three on Larabee Street, four on Hilldale Avenue, and three on San Vicente Boulevard). Additional meters on Santa Monica

Boulevard may be requested later dependent on the status of the project. Staff will process the appropriate encroachment permit for the meters.
Approved as part of the Consent Calendar.

2.U. PROPOSED RESOLUTION IN SUPPORT OF PROPOSITION 15, THE HERTZBERG-POLANCO CRIME LABORATORIES CONSTRUCTION BOND ACT OF 1999:

ACTION: Adopt Resolution No. 00-2221, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 15, THE HERTZBERG-POLANCO CRIME LABORATORIES RECONSTRUCTION BOND ACT OF 1999." **Approved as part of the Consent Calendar.**

ACTION: Hear Item 6.A. out-of-order at this time. **Motion Councilmember Martin, seconded by Councilmember Koretz and carried on a Roll Call vote noting the NO vote by Mayor Heilman.**

3. PUBLIC HEARINGS:

6.A. PROPOSED ORDINANCE WHICH MANDATES THE DISTRIBUTION OF CONDOMS FOR LIQUOR LICENSEES, ADULT BUSINESSES, COFFEE HOUSES AND LOCAL NON PROFIT ORGANIZATIONS WHICH MARKET TO PEOPLE AT HIGHEST RISK FOR HIV INFECTION:

Howard Jacobs, Council Deputy to Mayor Pro Tem Prang and Scott Svonkin, Deputy to Councilmember Koretz, provided background information as outlined in the staff report dated January 3, 2000.

JOHN DURAN, WEST HOLLYWOOD, spoke in support of voluntary condom distribution.

HILLARY SELVIN, LOS ANGELES, CEO of West Hollywood Chamber of Commerce, spoke in support of voluntary condom distribution.

MICHAEL MAHURUN WEST HOLLYWOOD, spoke in support of voluntary condom distribution.

DAVID COOLEY, WEST HOLLYWOOD, The Abbey, spoke in support of voluntary condom distribution.

MICHAEL LECHASSEUR, WEST HOLLYWOOD, Rage, spoke against policing condom distribution and in support of voluntary condom distribution.

VALLERIE WAGNER, LOS ANGELES, representing Los Angeles Gay and Lesbian Center, spoke in support of volunteer condom distribution.

JOHN ST. JARRE, WEST HOLLYWOOD, General Manager of Revolver, spoke in support of voluntary condom distribution.

JEFF BAILEY, LOS ANGELES, Los Angeles Gay and Lesbian Center, spoke in support of voluntary condom distribution.

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke in support of the enhanced voluntary proposal of condom distribution.

HERB K. SCHULTZ, LOS ANGELES, AIDS Project Los Angeles, spoke in support of an enhanced voluntary proposal of condom distribution and public awareness campaigns and media focus.

VITTORIO D'ANGELI, LOS ANGELES, spoke in support of voluntary condom distribution.

RICHARD W. EASTMAN, LOS ANGELES, spoke in support of providing a million condoms in West Hollywood this year.

KATHY WATT, WEST HOLLYWOOD, Van Ness Recovery House, spoke in support of AIDS education.

J.T. ANDERSON, WEST HOLLYWOOD, AIDS Health Foundation, spoke in support of mandatory condom distribution.

TERRI FORD, SANTA MONICA, spoke in support of mandatory condom distribution.

LANN NIEMEYER, LOS ANGELES, Mickey's Nightclub, spoke in support of voluntary condom distribution.

GED KENSLEA, WEST HOLLYWOOD, spoke about putting this issue on the November, 2000 Presidential Election ballot.

MICHAEL WEINSTEIN, LOS ANGELES, spoke in support of mandatory condom distribution.

MIKI JACKSON, LOS ANGELES, spoke in support of mandatory condom distribution for bars and restaurants who make over 50% of their profit from alcohol sales.

MORRIS KIGHT, WEST HOLLYWOOD, spoke in support of mandatory condom distribution.

DON BRUHNKE, WEST HOLLYWOOD, spoke in against mandatory condom distribution and in support of more AIDS education.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about a negotiated agreement with AIDS Health Foundation and in support of voluntary condom distribution.

MARK HEINEMAN, WEST HOLLYWOOD, spoke in support of mandatory condom distribution.

JOSH WELLS, WEST HOLLYWOOD, owner of a club, spoke in support of mandatory condom distribution.

INNIS BRUNNER, WEST HOLLYWOOD, President of the West Hollywood Business Alliance, spoke in opposition of mandatory condom distribution.

DEREK MEIK, WEST HOLLYWOOD, Business Owner, stated that the condoms should be everywhere and not just in the bars and restaurants.

Mayor Pro Tem Prang stated that he supports a voluntary distribution for twelve months to be reviewed with the social services staff to see if there is a level of compliance. He stated that he did not believe that the political arena is not the place for public health issues. He stated his support for recommendation no. 2 and recommendation no. 4, as in the staff report; rejected recommendation no. 1 and recommendation no. 5, as in the staff report, and stated his support to discuss recommendation no. 3, as in the staff report.

Councilmember Koretz stated that the push for the initiative drew added attention to the need for more condoms. He stated that the highest compliance will be generated by the voluntary condom distribution. He stated his support for recommendation no. 3, as in the staff report, and increasing the number of establishments which distribute condoms.

Councilmember Martin stated his support for a voluntary program and he commented that he thought that it was premature to talk about percentages, but there should be substantial compliance and the evaluate the program in December of 2000.

Councilmember Guarriello spoke about the importance of AIDS education.

Mayor Heilman stated that it would be the City's responsibility to supply the condoms whether the program was mandatory or voluntary. He commented that the issue is to change the behavior of people which is best done when there is a collaborative effort. He commented that mandatory distribution is not the way at this time since it appears that there is cooperation from the bars and establishments for voluntary condom distribution.

ACTION: 1) Accept the donation of 20,000 condoms and packets of lubricant; 2) endorse the continued voluntary program; 3) direct the Human Services staff to develop a compliance evaluation mechanism within 30 days; 4) Develop regular routine reporting on voluntary compliance with the Human Services Commission; 5) Informally brief the City Council on voluntary compliance every 90 days; 6) Return to the City Council in one-year with a comprehensive report on the voluntary program; 7) Purchase 50,000 additional condoms; and 8) Direct staff to contact public health agencies and educational institutions to develop a study which would report on the results of the voluntary program to the furtherance of Public Health. **Motion Mayor Heilman, seconded by Councilmember Martin and unanimously carried.**

CITY COUNCIL RECESSED AT 9:32 P.M.

CITY COUNCIL RECONVENED AT 9:49 P.M.

3.A. APPLICANT'S APPEAL OF CONDITIONS IN PLANNING COMMISSION APPROVAL OF REHABILITATION INCENTIVE 98-01 TO LEGALIZE THE USE OF THE SCHINDLER HOUSE, 835 KINGS ROAD, FOR EXHIBITIONS AND EVENTS:

City Clerk Thompson stated a Notice of the Continuance of the Public Hearing was posted on September 5, 1999.

Ray Reynolds, Director of Community Development, provided background information as outlined in the staff report dated January 3, 2000.

Mayor Heilman opened the Public Hearing and the following speakers addressed the City Council:

JOHN PAUL DRAYER, WEST HOLLYWOOD, Neighborhood Watch Captain, spoke about the Sheriffs Department being notified of the events taking place.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke against high impact meetings and about Code Compliance policing the events.

No further speakers came forward, Mayor Heilman closed the Public Hearing.

ACTION: Grant the appeal in part and adopt Resolution 00-2222: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING REHABILITATION INCENTIVE 98-01 TO LEGALIZE EXHIBITION AND EVENT ACTIVITIES AT THE SCHINDLER HOUSE AT THE PROPERTY LOCATED AT 835 KINGS ROAD, WEST HOLLYWOOD, CALIFORNIA." **Motion Councilmember Guarriello, seconded by Councilmember Koretz and unanimously carried.**

4. UNFINISHED BUSINESS:

4.A. SOCIAL SERVICES FUNDING PROCESS:

Tabled to January 18, 2000.

4.B. WEST HOLLYWOOD CONVENTION AND VISITORS BUREAU, FIRST QUARTER REPORT:

Allyne Winderman, Economic Development and Housing Manager, introduced Brad Burlingame, Executive Director of West Hollywood Visitors and Convention Bureau, provided background information as outlined in the staff report dated January 3, 2000.

ACTION: Receive and file the quarterly report for the West Hollywood Convention and Visitors Bureau for the quarter ending September, 1999. **Motion Councilmember Guarriello, seconded by Councilmember Martin and unanimously carried.**

5. NEW BUSINESS:

5.A. BUSINESS LICENSE TAX REBATE PROGRAM FOR BUSINESSES AFFECTED BY THE SANTA MONICA BOULEVARD CONSTRUCTION PROJECT:

Paul Arevalo, Interim City Manager, provided background information as outlined in the staff report dated January 3, 2000.

DON BRUHNKE, WEST HOLLYWOOD, commented that the City should look for new and innovative ways to help business, such as, joint mailers to enable them to get coupons out to the residents.

Councilmember Martin recommended to adopt Option C and continue to promote the businesses on Santa Monica Boulevard.

ACTION: 1) Approve the threshold as indicated in Option C of a Business License Tax Rebate Program; and, 2) Direct Staff to develop the rebate

program to be implemented as part of the 1999 Tax Year, and concluded at the end of the Boulevard Rehabilitation project. **Motion Councilmember Martin, seconded by Mayor Pro Tem Prang and unanimously carried.**

5.B. PROPOSED ORDINANCE IMPOSING VEHICULAR CRUISING CONTROL ON SUNSET BLVD.:

Councilmember Sal Guarriello provided background information as outlined in the staff report dated January 3, 2000.

Interim City Manager Arevalo stated that there has been an effort by the West Hollywood Chamber of Commerce to address some of the traffic issues impacting Sunset Boulevard especially on the weekends and on evenings. He further stated that Councilmember Guarriello has given the Public Safety Commission an ordinance from Pasadena on vehicular cruising and their plans to bring a report back to the City Council on recommendations.

Mayor Heilman stated his support to look at this ordinance in conjunction with other programs.

JEANNE DOBRIN, WEST HOLLYWOOD, stated the importance of this issue and the urgency.

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

ACTION: Direct the City Attorney, the Sheriffs Department and the Public Safety Manager to prepare and present to the City Council within 90 days a report with findings on the feasibility of drafting an ordinance controlling vehicular cruising on Sunset Boulevard. **Motion Councilmember Guarriello, seconded by Councilmember Martin and unanimously carried.**

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE:

6.A. PROPOSED ORDINANCE WHICH MANDATES THE DISTRIBUTION OF CONDOMS FOR LIQUOR LICENSEES, ADULT BUSINESSES, COFFEE HOUSES AND LOCAL NON PROFIT ORGANIZATIONS WHICH MARKET TO PEOPLE AT HIGHEST RISK FOR HIV INFECTION:

Heard out of order under Public Hearing.

COUNCILMEMBER COMMENTS:

Councilmember Martin commented on the condom issue and moving the tables at Plummer Park.

Councilmember Koretz commented on the condom issue and moving the tables at Plummer Park.

The City Council directed the Human Services staff and Public Facilities Commission do more outreach before more implementation is done.

Mayor Pro Tem Prang commented that Los Angeles City Councilmember Feuer will be introducing a motion for the people to lobby against the City of West Hollywood to engage the City in a lawsuit about Sunset Millennium. He commented that Los Angeles Unified School Board Member, Caprice Young has recently assembled a Gay and Lesbian Advisory Committee to advise her in her capacity.

Mayor Heilman thanked the staff who worked over the New Year's Holiday weekend.

ADJOURNMENT: The City Council adjourned at 10:20 P.M. to a Special Closed Session on Monday, January 10, 2000 at 5:30 P.M. at City Hall, 8300 Santa Monica Boulevard.

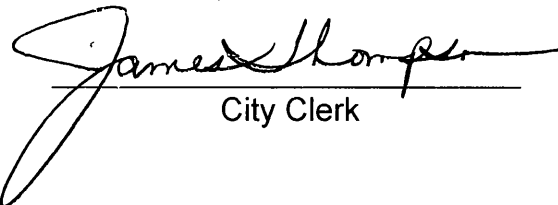
The City Council will hold a Joint Meeting with the Human Services Commission on Tuesday, January 18, 2000 at 6:00 P.M. to be followed by the Regular City Council meeting at 7:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 18th DAY OF JANUARY, 2000.



MAYOR

ATTEST:



City Clerk