

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, FEBRUARY 7, 2000
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:04 P.M.

PLEDGE OF ALLEGIANCE: Steve Afriat 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, Assistant City Clerk Bell and Administrative Staff Assistant Bursztin.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins reported that there were no reportable actions.

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. Joan English, Director of Transportation and Public Works, provided additional information on parking at night during the construction period and restricted parking hours. Ray Reynolds, Community Development Director, provided additional information on signage during the construction period.

APPROVAL OF AGENDA:

City Clerk Thompson noted that Item 2.B.B. had a typographical error and the correct date is March 30, 2000.

Staff requested that an Urgency Item be added to the Agenda titled "APPROVAL OF A PROFESSION SERVICES CONTRACT WITH BUZ DESIGN GROUP as Item 2.J.J.

ACTION: 1) Make the finding that the Item came to the attention to the City after the posting of the Agenda and that there is an immediate need to take action on the Item; and 2) Add Urgency Item 2.J.J. **By Consensus of the City Council.**

Staff requested that Item 4.E.; Recreation Needs Assessment be moved to the Consent Calendar as Item 2.K.K.

Staff requested that Item 5.A.; Addendum to Agreement with Turbo Date be moved to the Consent Calendar as Item 2.L.L.

Councilmember Guarriello requested Item 2.N. be removed from the Consent Calendar for separate discussion.

Councilmember Martin requested Item 2.I.I. be removed from the Consent Calendar for separate discussion.

The City Council requested that Item 5.C. and Item 5.D. be heard out of order immediately following Public Hearings.

Mayor Heilman noted his NO vote on Item 2.H.H.

Mayor Pro Tempore Prang requested to have the January 18, 2000 City Council Minutes amended with a spelling correction. The correct last name is Brewster.

ACTION: Approve the February 7, 2000 Agenda as amended. **Motion Mayor Pro Tempore Prang, seconded by Councilmember Martin and unanimously carried.**

PRESENTATIONS:

Councilmember Guarriello presented a Seniors Are Special Award to Frank Milewski.

Commendations were presented to the following people: Yelena Olshanskaya, Jessica Roland, Eric Hatcher, and Michael Carrier.

Mayor Pro Tem Prang with the assistance of the members of the Gay and Lesbian Advisory Board presented the Rainbow Key to Sky Johnson. Mayor Pro Tempore Prang also presented an accommodation to Lawrence Zakson for his work as the President of the West Hollywood Democratic Club.

Councilmember Guarriello presented a commendation to Paul Martinez and Corrine Lafayette of Adelante For Hair and the Ramada Inn for its overall quality and service .

Councilmember Koretz presented a commendation to George Khoury of Whole Foods Markets welcoming them to the City and to Tom De Mille of the Artist Alliance for a Day of Love and Compassion for artistic expression on February 14, 2000.

Mayor Heilman presented certifications to the Community Emergency Response Team or as it is commonly referred to as "CERT" and Carl Cronin, Chair, was introduced. The certifications were presented to the following: Kevin Trudeau, Nancy Mathews, Kathy Bonagofsky, Robert Green, Sandra Jacoby Klein, Don McCallum, Odette Miranda, and Judith Plummer.

Those who were unable to attend but were also recognized included: Ingrid Hipp, John Eddy, and Luke Stallings.

Residents who assisted in the 24-hour Y2K Information Help Line and were recognized included: Brad Sullivan and Carol Rodriguez.

Those who were unable to attend but were also recognized included: Larry Marinell, Elizabeth Wold, Bernice Lipsky, and Esther Baum.

Mayor Heilman recognized The Lot (Formerly Warner Hollywood Studios) with the introduction of Greg Harless as the new owner of the studio.

Mitchell Dawson candidate for Beverly Hills Court was mentioned a being in the audience.

PUBLIC COMMENT:

CHARLOTTE BANTA, WEST HOLLYWOOD, member of the Community Advisory Committee spoke in support of Item 2.P.

LAURA FRAKES, LOS ANGELES, Community Manager of the West Hollywood Library, spoke in support of Item 2.P.

JOHN LAZAR, LOS ANGELES, Co-Chair of the Gay and Lesbian Advisory Board spoke in support of Item 2.L.

LESLIE SCOTT, PASADENA, spoke in support of Items 2.A.A. and 2.B.B.

MICHAEL MAHURIN, WEST HOLLYWOOD, spoke about recent articles published.

CAROL ANDERSON, LOS ANGELES, California Alliance for Equality, spoke in support of Item 2.M.

JEAN HARRIS, LONG BEACH, introduced herself as part of the California Alliance for Equality and spoke about anti-gay legislation.

CAROLYN RACE, LOS ANGELES, Lesbian and Gay Community Center, spoke in support of Item 2.M.

RITA NORTON, WEST HOLLYWOOD, spoke about the City Calendar, Veteran's Day and Christmas.

CATHERINE HAHN, WEST HOLLYWOOD, spoke in support of Item 2.P.

JOHN CALLARI, WEST HOLLYWOOD, spoke in support of Item 5.F.

PAUL DE ANGELIS, WEST HOLLYWOOD, spoke in support of Item 5.F.

MAXINE SONNENBURG, WEST HOLLYWOOD, spoke in support Item 2.P.

ROSLYN KRAUSE, WEST HOLLYWOOD, spoke about the Portland Incident.

MITCHELL DAWSON, BEVERLY HILLS, spoke about the relationships between City Ordinances and the Court System.

JAMES FUHRMAN, WEST HOLLYWOOD, spoke about recent articles published on the Portland Incident, office supplies purchased in City Hall and handicapped parking in the parking lot at West Hollywood Park.

DR. PETER KREYSA, WEST HOLLYWOOD, spoke in support of Item 2.P.

COUNCILMEMBER COMMENTS:

Councilmember Martin requested to adjourn the meeting in memory of Carmen Nava. He reminded everyone that today is the last day to register to vote. He is also still seeking volunteers for the No on Knight Campaign.

Councilmember Guarriello requested to adjourn the meeting in memory of Margaret Ferraro. He also stated that public officials must disclose any money that is being paid out.

Mayor Heilman requested to adjourn the meeting in memory of the crash victims of Alaska Airlines Flight No. 261. He also reminded that the Hollywood Bowl has a Drive-By Register to Vote Program. He also requested that the Interim City Manager look into the holidays listed on the City Calendar.

Mayor Pro Tempore Prang stated that there will be a televised candidate's forum and discussed Veteran's Day. He also requested to adjourn the meeting in memory of Dick Remley and reminded residents to vote with regards to the Beverly Hills Court. He also commented on the Courts enforcement on West Hollywood Ordinances.

CITY MANAGER'S REPORT: No report.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Thompson stated the fiscal impact on the Consent Calendar of February 7, 2000, is \$392,612 in expenditures and \$172,597 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J., K., L., M., O., P., Q., R., S., T., U., V., W., X., Y., Z., AA., BB., CC., DD., EE., FF., GG., HH., Urgency Item 2.JJ., 2.KK and 2.LL. Motion Mayor Pro Tempore Prang, seconded by Councilmember Guarriello and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, February 7, 2000 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 3, 2000.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of the Special Meeting on January 10, 2000, and the minutes of the Joint Meeting and Regular Meeting on January 18, 2000. **Approved as part of the Consent Calendar as AMENDED.**

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 Frank Dipasquale, James Watson, Anthony Fulciniti, Robert Romero and Kate Hulme and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. DEMAND REGISTER NO. 407, RESOLUTION NO. 00-2232:

ACTION: Approve Demand Register No. 407 and adopt Resolution No. 00-2232, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 407." **Approved as part of the Consent Calendar.**

2.F. TREASURER'S REPORT:

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

2.G. ORDINANCE NO. 00-558 (2nd Reading), AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF

THE CITY OF WEST HOLLYWOOD AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM:

ACTION: Waive further reading and adopt Ordinance No. 00-558, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CalPERS)." **Approved as part of the Consent Calendar.**

2.H. ORDINANCE NO. 00-559 (2nd Reading), ADOPTING ZONING MAP AMENDMENT 99-07 REZONING THE PROPERTIES AT 563 ALFRED STREET, 8490 CLINTON STREET AND 8494 MELROSE AVENUE FROM COMMERCIAL (C1A AND C1B) TO PUBLIC ("P") ZONE:

ACTION: Waive further reading and adopt Ordinance No. 00-559, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING MAP AMENDMENT 99-07 REZONING THE PROPERTIES AT 563 ALFRED STREET, 8490 CLINTON STREET AND 8494 MELROSE AVENUE FROM COMMERCIAL (C1A AND C1B) TO PUBLIC ("P") ZONE." **Approved as part of the Consent Calendar.**

2.I. ORDINANCE NO. 00-560 (2nd Reading), REPEALING GUN AND AMMUNITION ORDINANCES:

ACTION: Waive further reading and adopt Ordinance No. 00-560, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REPEALING PROVISIONS OF THE WEST HOLLYWOOD MUNICIPAL CODE PERTAINING TO SALE OF GUNS AND AMMUNITION." **Approved as part of the Consent Calendar.**

2.J. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

ACTION: Receive and file Action Reports from the Transportation Commission meeting on January 19, 2000. **Approved as part of the Consent Calendar.**

2.K. RESOLUTION SUPPORTING THE REAUTHORIZATION OF THE RYAN WHITE C.A.R.E. ACT:

ACTION: 1) Adopt Resolution No. 00-2233, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE REAUTHORIZATION OF THE RYAN WHITE C.A.R.E. ACT"; and, 2) Direct appropriate staff to transmit copies of this resolution to the President and Vice President of the United States, The Senate Majority and Minority Leaders, the Speaker of the House of Representatives and the House Minority Leader, the Chairpersons and Ranking Minority

Members of the Senate Health, Education, Labor and Pensions, Appropriations, and Budget Committees, and to the Chairpersons and Ranking Minority Members of the House Commerce, Appropriations, and Budget Committees, and to each Senator and Representative from California in the Congress of the United States. **Approved as part of the Consent Calendar.**

2.L. RESOLUTION SUPPORTING THE MILLENNIUM MARCH ON WASHINGTON FOR EQUALITY:

ACTION: 1) Adopt Resolution No. 00-2234, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE MILLENNIUM MARCH ON WASHINGTON FOR EQUALITY."; and, 2) Direct Staff to send a copy of this resolution to Rev. Troy Perry, Board Member for the Millennium March on Washington for Equality. **Approved as part of the Consent Calendar.**

2.M. APPROVAL OF ADVOCACY AND GRASS ROOTS TRAINING SERVICES WITH THE CALIFORNIA HIV/AIDS ADVOCACY COALITION (CHAC) AND CALIFORNIA ALLIANCE FOR PRIDE AND EQUALITY (CAPE):

ACTION: 1) Authorize the expenditure of \$2,500 to California Alliance for Pride and Equality (CAPE) for calendar year 2000; and, 2) Authorize the expenditure of \$2,500 to California HIV/AIDS Advocacy Coalition/AIDS Service Center (the fiscal agent for CHAC) for fiscal year 2000. **Approved as part of the Consent Calendar.**

2.N. REVIEW OF THE CITY OF WEST HOLLYWOOD'S HANDBILL AND ADVERTISING ORDINANCE:

Removed for separate discussion to the Excluded Consent Calendar.

2.O. ASSIGNMENT AGREEMENT WITH THE CITY OF WALNUT FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS:

ACTION: 1) Approve a Prop A fund trade agreement with the City of Walnut for \$99,612.50 West Hollywood Fiscal Year 1999-2000 General Funds in exchange for \$153,250 City of Walnut Prop A Funds; and, 2) Authorize the Interim City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.P. RESOLUTION ENDORSING PROPOSITION 14, THE CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000:

ACTION: 1) Adopt Resolution No. 00-2235, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD ENDORSING PROPOSITION 14, THE

CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000.”
Approved as part of the Consent Calendar.

2.Q. PROFESSIONAL SERVICES AGREEMENT WITH GRAPHICS COMPANY TO PREPARE THE GRAPHICS LAYOUT AND COMPOSITION FOR THE SANTA MONICA BOULEVARD MASTER PLAN:

ACTION: 1) Approve a Professional Services Agreement with Southern Graphics in an amount not to exceed \$8,635.00 to prepare the graphic layout for the Santa Monica Boulevard Master Plan, as specified in the proposed contract; and, 2) Authorize the Interim City Manager to execute the contract. **Approved as part of the Consent Calendar.**

2.R. RESIGNATION OF CORRI PLANCK FROM THE LESBIAN AND GAY ADVISORY BOARD:

ACTION: Accept with regret the resignation of Corri Planck from the Lesbian and Gay Advisory Board and Direct the City Clerk to post a notice of vacancy and accept applications. **Approved as part of the Consent Calendar.**

2.S. CONTRACT FOR WRITING SEISMIC SAFETY ELEMENT:

ACTION: 1) Approve an agreement with Bing Yen and Associates in an amount not to exceed \$40,000 for re-writing the Seismic Safety Element of the General Plan; and, 2) Authorize the Interim City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.T. APPROVAL FOR FINAL TRACT MAP NO. 52433 FOR THE CONDOMINIUM PROJECT LOCATED ON HILLDALE AVENUE:

ACTION: 1) Approve Final Tract map No. 52433; 2) Make findings as follows: a) That this project will not violate any of the provisions of Sections 66427.1, 66474, 66474.1, and 55474.6 of the Subdivision Map Act; b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3, Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and, 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 52433 the certificate which embodies the approval of said map. **Approved as part of the Consent Calendar.**

2.U. SUPPLEMENTAL AGREEMENT WITH KATZ, OKITSU & ASSOCIATES FOR TRAFFIC ENGINEERING SERVICES:

ACTION: Authorize the City Manager to execute a Supplemental Agreement with Katz, Okitsu & Associates in an amount not to exceed \$30,000 for traffic engineering services. **Approved as part of the Consent Calendar.**

2.V. COMMISSION AND ADVISORY BOARD ATTENDANCE:

ACTION: Receive and file attendance records from the various appointed bodies for the period of September, October and November of 1999. **Approved as part of the Consent Calendar.**

2.W. INSTALLATION OF A BUS QUEUE JUMP TRAFFIC CONTROL DEVICE AT WESTBOUND SANTA MONICA BOULEVARD/WESTBOURNE:

ACTION: Authorize the implementation of a westbound bus queue jump traffic control device within the intersection of Santa Monica Boulevard at Westbourne Drive. **Approved as part of the Consent Calendar.**

2.X. COUNTY HIV PREVENTION FUNDING:

ACTION: Approve the preparation of the Request for Proposal – HIV Health Education/ Risk Reduction Prevention Services to the County of Los Angeles' Department of Health Services – Office of AIDS Programs and Policy and authorize the Interim City Manager to sign the application. **Approved as part of the Consent Calendar.**

2.Y. SUPPORT FOR FUNDRAISING EFFORT FOR TECHNICAL IMPROVEMENTS TO FIESTA HALL:

ACTION: Endorse private fundraising efforts to raise money for improvements to Fiesta Hall. **Approved as part of the Consent Calendar.**

2.Z. CONTRACT FOR GRAPHIC DESIGN SERVICES:

ACTION: Authorize staff to amend the contract for professional services with Carlisle-Carre Design to increase the amount from \$5,000 to an amount not to exceed \$10,000 and authorize the Interim City Manager to sign. **Approved as part of the Consent Calendar.**

2.A.A. AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT, SECOND QUARTER REPORT:

ACTION: Receive and file the quarterly report for the Avenues of Art and Design Business Improvement District for the quarter ending December 31, 1999. **Approved as part of the Consent Calendar.**

2.B.B. AVENUES OF ART AND DESIGN, DESIGN WALK 2000 PARKING:

ACTION: 1) Waive all City fees associated with the Design Walk 2000; and, 2) Waive permit parking between the hours of 6 p.m. and 10:00 p.m. on Thursday night March 30th 2000 in Permit Parking Zones 1 and 2. **Approved as part of the Consent Calendar AS AMENDED.**

2.C.C. BID AWARD, TWO-WAY RADIO COMMUNICATON SYSTEM, C.I.P. #5050-99-05:

ACTION: 1) Accept the bid dated October 5, 1999 submitted by Radio-Tel Communications, of Los Angeles, California for the Two-Way Radio Communication System Project C.I.P.# 5050-99-05; 2) Authorize the City Manager to sign a Contract Agreement with Radio-Tel Communications in an amount of \$ 24,639.74; and, 3) Authorize the expenditure of an amount not to exceed \$2,400.00 for contingencies as approved by the City Manager. **Approved as part of the Consent Calendar.**

2.D.D. AGREEMENT WITH RON RAKICH & ASSOCIATES TO EVALUATE THE CITY'S RISK FINANCING FOR LIABILITY (TORT) CLAIMS AND CALIFORNIA WORKERS' COMPENSATION EXPOSURES:

ACTION: 1) Approve an agreement in an amount not to exceed \$11,000 with Ron Rakich & Associates to evaluate the City's risk financing for liability (tort) claims and California Workers' Compensation exposures; and, 2) Authorize the Interim City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.E.E. SALE OF FOREIGN COINS AND TOKENS COLLECTED FROM PARKING METERS:

ACTION: Authorize the Parking Services Division to solicit purchase proposals and sell its inventory of foreign coins, slugs and tokens to the highest bidder. **Approved as part of the Consent Calendar.**

2.F.F. NOISE MITIGATION FOR THE SPEED REDUCTION POLICY ON RESIDENTIAL STREETS UTILIZING SPEED HUMPS:

ACTION: Adopt Resolution No. 00-2236, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A PROCEDURE FOR NOISE MITIGATION MEASURES RELATED TO THE INSTALLATION OF SPEED HUMPS." **Approved as part of the Consent Calendar.**

2.G.G. CONTRACT FOR HUMAN RESOURCES MANAGEMENT AUDIT:

ACTION: 1) Authorize staff to enter into a contract agreement with L. B. Hayhurst and Associates to conduct a Human Resources Management Audit; and, 2) Authorize the Interim Director of Finance to appropriate \$14,000 from the unallocated reserves to the Contract Services line item

in the Department of Management Services 100 2000 8501. **Approved as part of the Consent Calendar.**

2.H.H. HISTORIC PRESERVATION FEE REDUCTION INCENTIVE ACT OF 2000:

ACTION: Direct the Director of Community Development to work with the Cultural Heritage Commission to recommend a plan that would reduce and eliminate building permit fees which are associated with repairs and improvements to cultural resources to be brought back to the City Council within 90 days. **Approved as part of the Consent Calendar, noting the NO vote of Mayor Heilman.**

2.I.I. A RESOLUTION CONDEMNING THE HATE SPEECH ANONYMOUSLY POSTED IN SEVERAL WEST HOLLYWOOD BARS:

Removed for separate discussion to the Excluded Consent Calendar.

2.J.J. URGENCY ITEM: APPROVAL OF A PROFESSIONAL SERVICES CONTRACT WITH BUZ DESIGN GROUP:

ACTION: Authorize the Interim City Manager to execute a contract with Buz Design Group in the amount not to exceed \$6,000. **Approved as part of the Consent Calendar.**

2.K.K. AGREEMENT FOR PROFESSIONAL SERVICES WITH RJM DESIGN GROUP, INC., TO CONDUCT A RECREATION NEEDS ASSESSMENT FOR THE CITY OF WEST HOLLYWOOD:

ACTION: 1) Authorize the Interim City Manager to execute an agreement with RJM Design Group, Inc., for professional services in an amount not to exceed \$51,325, plus expenses, to conduct a Recreation Needs Assessment for the City of West Hollywood; and, 2) Authorize the Interim Finance Director to transfer \$49,000 from 100-5050-9239, West Hollywood Park Master Plan, to 100-5000-8520, Contract Services. **Moved to and approved as part of the Consent Calendar.**

2.L.L. ADDENDUM TO AGREEMENT WITH TURBO DATA SYSTEMS TO PROVIDE COLLECTION SERVICES FOR DELINQUENT PARKING FINES:

ACTION: 1) Approve an addendum to the agreement for parking citation processing with Turbo Data Systems that would add the collections of delinquent citations to the scope of services on an interim basis, and increase the not to exceed amount of the contract by \$90,000; 2) Authorize the Interim City Manager to sign; 3) Direct staff to proceed with the issuance of a formal Request For Proposal (RFP) for collection of delinquent accounts; and, 4) Authorize the Director of Finance to

appropriate amounts from undesignated reserves to increase expenditure line item 100-8020-8501 by \$90,000 for increased contract services with Turbo Data Systems. **Moved to and approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. APPEAL OF PLANNING COMMISSION'S DENIAL OF VARIANCE 98-13 AND 99-15 TO LEGALIZE THE ENCLOSURE OF A BALCONY AT 915 WETHERLY DRIVE:

City Clerk Thompson stated that a Notice of Public Hearing was published in the West Hollywood Independent on January 26, 2000.

John Keho, Senior Planner, provided background information as outlined in the staff report dated February 7, 2000.

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

RICHARD KOPELLE, WEST HOLLYWOOD, Property Owner, outlined his appeal points and spoke about being the landlord and a tenant at 915 Wetherly Drive. He also spoke about permits and building enhancements.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the denial of the appeal.

RICHARD KOPELLE, WEST HOLLYWOOD, stated that this address is his residence.

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

Mayor Heilman discussed how the construction was completed prior to the application for permits. He would like to approve the variance since the work was not intrusive. He stated that the balcony was pre-existing and it was not an extension.

Councilmember Koretz spoke about a similar incident he had with a contractor on a project. He asked for the reasons that justified the Commission's denial.

Councilmember Guarriello discussed whether or not the individual knew about the project requiring permits.

Mayor Pro Tempore Prang questioned why the work was completed first. He also discussed the consequences of not upholding codes

Councilmember Martin stated that people are jumping to conclusions that staff made an error and that some individuals only provide half the story, which is misleading.

City Attorney Jenkins re-focused the discussion on whether or not there is evidence to issue a variance. There is no way to tell the intent of an individual and the City is not legally responsible for a common casual statement at the Planning Counter.

John Altschul, Planning Commissioner, outlined the discussions that the Planning Commission had when they made their decision.

ACTION: Grant the appeal and grant the variances based on the noise of the parking lot across from the property and placing conditions on the variance to provide common open space at the rear of the property. Direct staff to prepare the necessary resolution and return to the City Council. **Motion Mayor Heilman, seconded by Councilmember Koretz and carried, on a Roll Call Vote.**

AYES: Councilmembers – Koretz, Martin, Prang, and Mayor Heilman.
NOES: Councilmember – Guarriello.

5.C. and 5.D. were heard out of order at this time.

5.C. STUDY SESSION ON OFF-SITE ADVERTISING:

Lisa Heep, Planning Manager, provided background information as outlined in the staff report dated February 7, 2000.

ACTION: Direct the City Clerk to schedule a Joint Study Session with the Planning Commission on an off Monday, and to provide an agenda on staff's issues that they need guidelines on prior to the Study Session. **By Consensus of the City Council.**

5.D. APPEAL OF PLANNING COMMISSION'S DENIAL OF CREATIVE BILLBOARD PERMIT (CBB) 99-38 FOR THE PLACEMENT OF A CREATIVE BILLBOARD (TALL WALL) ON THE EAST-FACING WALL OF A BUILDING LOCATED AT 9229 SUNSET BOULEVARD:

Terry Blount, Assistant Planner, provided background information as outlined in the staff report dated February 7, 2000.

Mayor Heilman inquired on how the image area is defined. He stated if it is defined as the entire wall, then staff's recommendation is correct.

Planning Manager Heep provided additional information on the project concerning percentage of windows on a wall.

Councilmember Guarriello discussed the Hyatt Hotel.

Community Development Director Reynolds provided additional information concerning amendments.

STEVE AFRIAT, HOLLYWOOD, Representative for the Applicant, urged the Council to not do the Study Session and he outlined the points of the appeal.

GENE SMITH, WEST HOLLYWOOD, Representative for the Applicant, spoke in support of approving the appeal and the amount of image area. He also discussed the advantages of Tall Walls to the Sunset Strip

JAMES LITZ, WEST HOLLYWOOD, Representative for the Applicant, spoke in support of approving the appeal and the City's encouragement of creative billboard advertising and requesting equity.

BRAIN KENNEDY, WEST HOLLYWOOD, Regency Outdoor Advertising, spoke in support of approving the appeal.

BRIAN PAUL, WEST HOLLYWOOD, spoke in support of the Tall Wall.

DAN LAWRENCE, GLENDALE, spoke in support of the Tall Wall.

DON BRUHNKE, WEST HOLLYWOOD, spoke in support of the Tall Wall.

STAN LOTHIDGE, WEST HOLLYWOOD, spoke in support of the Tall Wall.

ROSLYN KRAUSE, WEST HOLLYWOOD, spoke in support of the Tall Wall.

CHARLOTTE BANTA, WEST HOLLYWOOD, spoke in opposition of the Tall Wall.

TERRY MORGAN, WEST HOLLYWOOD, spoke in support of the Tall Wall.

PAUL FISHER, WEST HOLLYWOOD, spoke in support of the Tall Wall.

DIANA GRAHAM, LOS ANGELES, business owner in West Hollywood, spoke in support of the Tall Wall.

DAN LEVY, WEST HOLLYWOOD, spoke in support of the Tall Wall.

JEFF SILVER, BEVERLY HILLS, spoke in support of the Tall Wall.

BOB LATTA, WEST HOLLYWOOD, spoke in support of the Tall Wall.

SCOTT FORBES, WEST HOLLYWOOD, spoke in opposition of the Tall Wall.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition of the Tall Wall.

JEROME CLEARY, WEST HOLLYWOOD, spoke in support of the Tall Wall.

STEVE AFRIAT, HOLLWYOOD, Representative for the Applicant, clarified that the project is on the Sunset Strip and provided additional information for the appeal.

Councilmember Martin stated he felt the appeal has some merit. "Tall Walls" is new territory and wants to maintain the Strip's integrity. He stated that the Planning Staff is attempting to raise issues in an intelligence way. He stated that he supports the appeal.

Councilmember Koretz stated that he supports the appeal with regards to the original intent of creative signs and flexibility. He stated that interpreting the image area in regards to the entire wall is misleading. He stated he will vote to uphold the appeal.

Mayor Pro Tempore Prang stated he did not like previous Tall Walls and that staff is not misinterpreting. He stated that the City Council should judge the merits of this case and not wait until the Study Session. He asked Brad Torgan to address concerns. He inquired the impacts on the local residents and if noticing was completed.

Planning Manager Heep explained that it did not require noticing.

Community Development Director Reynolds further explained the noticing.

Mayor Heilman stated he did not feel that the staff should be beat-up. He felt the staff and the Planning Commission disagree with the Council who generally likes the Tall Walls. He stated that he feels that staff has been caught in the middle. He stated that the Council needs to clarify with Commissioners on what the Council wants. He had problems with the language being ambiguous. He stated he was concerned about the applicant and the image area and how it was selected.

BRAD TORGAN, WEST HOLLYWOOD, Planning Commissioner, further explained that the language of the Ordinance was clear and staff interpretation is irrelevant. He suggested alternative language that provided clarity on the surface area. He stated that the Commission addressed this issue.

ACTION: Grant the Appeal and direct staff to prepare the necessary resolution. Subject to conditions placed on lighting.

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

THE CITY COUNCIL RECESSED AT 9:45 P.M.

THE CITY COUNCIL RECONVENED AT 10:02 P.M.

THE CITY COUNCIL RECESSED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION AT 10:02 P.M.

THE CITY COUNCIL RECONVENED AT 10:03 P.M.

4. UNFINISHED BUSINESS:

4.A. PLANNING COMMISSION APPOINTMENTS:

ACTION: Councilmember Guarriello appointed David Behr to the Planning Commission, as his direct appointment, for an un-expired term ending 05/31/2003.

4.B. PUBLIC SAFETY COMMISSION APPOINTMENTS:

ACTION: Appoint Barry Greenfield to the Public Safety Commission, as an at-large appointment, for an un-expired term ending 05/31/2001.
Approved by Consensus of the City Council.

4.C. SECOND QUARTER REPORT OF THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:

Allyne Winderman, Economic Housing and Development Manager, provided background information as outlined in the staff report dated February 7, 2000.

PAUL ZIMMERMAN, President of the West Hollywood Community Housing Corporation, discussed four major accomplishments. He also addressed the value of pets to those affected with disabilities and the concerns of the Palm View Apartment residents on animals being brought into the building now that the policy is being changed. He complimented the Council on the upcoming Study Session.

Mayor Pro Tempore Prang inquired about the pet policy specifically in the Palm View Apartments and the involvement of P.A.W.S., a social service agency contracted with the City.

Mayor Heilman discussed residents of the Palm View Apartments concerns about pets being brought into the building. He also asked how are the concerns going to be addressed now that the policy is being changed. He inquired on weight limitations on dogs.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about affordable housing with regards to seniors and those with disabilities. She also spoke about limitations with regards to animal weights and P.A.W.S.

ACTION: Receive and File the Second Quarter Report of the West Hollywood Community Housing Corporation for FY 1999-2000. **Motion Councilmember Mayor Heilman, seconded by Councilmember Martin and carried noting the ABSENTION of Councilmember Guarriello.**

4.D. VOTER AWARENESS PROGRAMS:

Tabled.

4.E. AGREEMENT FOR PROFESSIONAL SERVICES WITH RJM DESIGN GROUP, INC., TO CONDUCT A RECREATION NEEDS ASSESSMENT FOR THE CITY OF WEST HOLLYWOOD:

Moved to the Consent Calendar as Item 2.K.K.

5. NEW BUSINESS:

5.A. ADDENDUM TO AGREEMENT WITH TURBO DATA SYSTEMS TO PROVIDE COLLECTION SERVICES FOR DELINQUENT PARKING FINES:

Moved to the Consent Calendar as Item 2.L.L.

5.B. RECONFIGURATION OF THE CITYHALL PARKING LOT AND APPROVE CONTRACTS WITH MCE CORPORATION, GOLDEN BEAR ARBORISTS, RANDY'S ELECTRIC AND CURCIO ENTERPRISES:

Oscar Delgado, Associate Transportation Planner, provided background information as outlined in the staff report dated February 7, 2000.

Councilmember Martin inquired on the use of the handicapped parking spaces.

Councilmember Koretz discussed the expanded use of the handicapped parking spaces and storm water issues. He expressed concern about the additional expense and ground water.

Mayor Pro Tempore Prang complimented Oscar Delgado on his work. He also addressed handicapped parking spaces and the possibility of eliminating additional parking spaces for residents. He inquired on the non-regulated night use and if the local residents had any complaints.

Vit Vittatoe, Parking Manager, addressed the storm water concerns.

Councilmember Guarriello inquired on the financial aspects of the project.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of Oscar Delgado's work and the Item.

Oscar Delgado, Associate Transportation Planner, provided additional information on the size of the proposed parking spaces and landscaping.

Mayor Heilman complimented Oscar Delgado's work and spoke about the project was being asked for the same requirements that is asked of those from outside developments. He also spoke about the calculation of parking spots and landscaping. He inquired about the flexibility of our projects in comparison with the flexibility with the private entities.

ACTION: 1) Approve the reconfiguration of the City Hall parking lot located at 8300 Santa Monica Boulevard; 2) Approve a contract with MCE Corporation to construct/reconfigure existing parking lot in an amount not to exceed \$26,000.00; 3) Approve a contract with Golden Bear Arborists,

Inc. to provide trees and landscape in an amount not to exceed \$7,500.00; 4) Approve a contract with Randy's Electric to upgrade the existing lighting in an amount not to exceed \$5,000.00; 5) Approve a contract with Curcio Enterprises, Inc. to slurry and restripe the parking lot in an amount not to exceed \$2,500.00; and, 6) Authorize the Interim City Manager to execute the above referenced contracts. **Motion Councilmember Guarriello, seconded by Councilmember Koretz and unanimously carried.**

5.C. STUDY SESSION ON OFF-SITE ADVERTISING:

This Item was heard out of order and is listed following Public Hearings.

5.D. APPEAL OF PLANNING COMMISSION'S DENIAL OF CREATIVE BILLBOARD PERMIT (CBB) 99-38 FOR THE PLACEMENT OF A CREATIVE BILLBOARD (TALL WALL) ON THE EAST-FACING WALL OF A BUILDING LOCATED AT 9229 SUNSET BOULEVARD:

This Item was heard out of order and is listed following Public Hearings.

5.E. COMPREHENSIVE STUDY OF EMPLOYEE CLASSIFICATIONS:

Howard Jacobs, Deputy to Mayor Pro Tempore Prang, provided background information as outlined in the staff report dated February 7, 2000.

Mayor Pro Tempore Prang further explained that the intent of this Item was provide direction to staff.

Mayor Heilman discussed the possibility of the Human Resources Audit being merged with this Item.

Councilmember Koretz supported the merger of Items.

ACTION: Direct staff to include a citywide reclassification review to the 2000-2001 Work Plan and to merge the Human Resources Audit with this item. **Motion Councilmember Guarriello, seconded by Mayor Pro Tempore Prang and unanimously carried.**

5.F. AMENDMENT TO THE HOME BUSINESS ORDINANCE TO BAN THE EXTENSION OF A COMMERCIAL BUSINESS INTO A RESIDENCE LOCATED IN A RESIDENTIAL ZONE WHEN THE COMMERCIAL BUSINESS AND RESIDENCE ARE WITHIN 1000 FEET OF EACH OTHER:

Howard Jacobs, Deputy to Mayor Pro Tempore Prang, provided background information as outlined in the staff report dated February 7, 2000.

PAUL DE ANGELES, WEST HOLLYWOOD, spoke in support of this Item.

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

Councilmember Martin discussed a previous Item on home businesses which was brought forward and the Council did not act on it at that time but a rewrite is forthcoming. He also discussed Rock, Paper, Scissors and banning encroachment permits. He suggested that the City Attorney speak to the Community Development Director to tie-in the Planning Commission on home businesses.

Community Development Director Reynolds addressed the issue of encroachment permits and citations. He also discussed the Planning Commissions involvement.

Planning Manager Lisa Heep discussed the next date of the Planning Commission.

Mayor Heilman asked the City Attorney to develop an ordinance and options to solve this problem. He felt that the Council should not be put in the position of drafting legislation. He felt the current situations must be dealt with.

Mayor Pro Tempore Prang suggested a moratorium. He also discussed Rock, Paper, Scissors.

City Attorney Jenkins confirmed that a moratorium and alternatives can be researched.

ACTION: Direct the City Attorney and staff to investigate the problems with the home business ordinance and return with recommendations.
Approved by Consensus of the City Council.

EXCLUDED CONSENT CALENDAR:

2.N. REVIEW OF THE CITY OF WEST HOLLYWOOD'S HANDBILL AND ADVERTISING ORDINANCE:

Howard Jacobs, Deputy to Mayor Pro Tempore Prang provided background information as outlined in the staff report dated February 7, 2000.

Councilmember Guarriello stated that he felt that this item was previously addressed.

Mayor Heilman requested that the City Attorney provide information on the extent of the regulation and at some point in the future to bring back a report. He also stated that this report should be presented before the City Council asks the Commissioners to evaluate what the City can and can not do.

City Attorney Jenkins stated that there are a number of complicated issues here among them that the City can not distinguish between commercial door hangers and non-commercial door hangers. He stated that the City could enforce the current laws. He stated that he would provide additional updated information on this issue.

Councilmember Martin inquired on whether the Business License Commission had been given a "Sunset Clause" for May or June of 2000.

City Clerk Thompson confirmed that a "Sunset Clause" was given to the Commission.

ACTION: Tabled until the City Attorney provides a report.

2.I.I. A RESOLUTION CONDEMNING THE HATE SPEECH ANONYMOUSLY POSTED IN SEVERAL WEST HOLLYWOOD BARS:

Councilmember Koretz provided background information as outlined in the staff report dated February 7, 2000.

GEA KENSLEA, WEST HOLLYWOOD, spoke in support of this Item.

Councilmember Martin discussed the issues of hate and vandalism and expressed concerns on the resolution. He stated the he does not see the poster as being homophobic or anti-Semitic. He expressed concern on criticizing speech. He was offended that Gays and Lesbians were lost in the shuffle and he felt the resolution should include Gays and Lesbians.

Mayor Pro Tempore Prang discussed his conversations with the various business owners.

Mayor Heilman expressed that the poster was offensive and a political speech. He stated he felt that the resolution was justified. He felt that the poster was clearly anti-Semitic but not necessarily homophobic. He stressed consistency must be maintained when condemning such speech.

The City Council discussed amending the resolution to include Gay and Lesbians and Jewish people.

ACTION: Adopt Resolution No. 00-2237, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING THE HATE SPEECH ANONYMOUSLY POSTED IN SEVERAL WEST HOLLYWOOD BARS." **Motion Councilmember Martin, seconded by Councilmember Koretz and unanimously carried AS AMENDED.**

PUBLIC COMMENT:

DON BRUNTE, WEST HOLLYWOOD, spoke about the Portland Incident.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about the presentations at the Council Meeting and advertising.

MICHAEL MAHURIN, WEST HOLLYWOOD, spoke about the Portland Incident.

6. **LEGISLATIVE:** None.

COUNCILMEMBER COMMENTS:

Councilmember Martin discussed the development of the Los Angeles Farmers Market and asked staff to check into traffic mitigation impact.

CITY COUNCIL RECESSED INTO A CLOSED SESSION AT 11:15 P.M.

CITY COUNCIL RECONVENED AT 11:21 P.M.

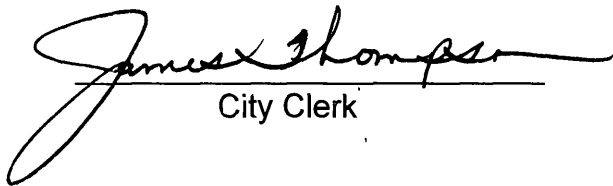
REPORT OF CLOSED SESSION: City Attorney Jenkins reported that there were no reportable actions were taken.

ADJOURNMENT: The City Council adjourned at 11:22 P.M. in memory of Margaret Ferraro, Carmen Nava, Dick Remley and the crash victims of Alaskan Airlines Flight No. 261 to their next regular meeting on Tuesday, February 22, 2000 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 22nd
DAY OF FEBRUARY, 2000.


MAYOR

ATTEST:


City Clerk