

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, DECEMBER 20, 1999  
WEST HOLLYWOOD PARK**

**CALL TO ORDER:** Mayor Heilman called the meeting to order at 7:05 P.M.

**PLEDGE OF ALLEGIANCE:** Shirley Bushnell led the Pledge.

**ROLL CALL:**

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

ABSENT: Councilmember Koretz arrived at 7:10 P.M.

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

**APPROVAL OF AGENDA:**

Mayor Heilman indicated his ABSTENTION on Items 2.G., Ordinance No. 99-556 (2<sup>nd</sup> Reading) Adopting Zone Text Amendment 99-03 to Amend Provisions of the Zoning Ordinance to Permit Certain Signage on Pedestrian Footbridges Over the Public Right-Of-Way in the Sunset Specific Plan Zone and Item 2.H., Ordinance No. 99-557 (2<sup>nd</sup> Reading) Approving a Development Agreement Between the City and Sunset Millennium Associates for the Sunset Millennium Project.

Councilmember Guarriello requested that Item 2.Q. be pulled from the Consent Calendar for separate discussion.

Staff requested that Item 2.S., Ordinance No. 99-555 (2<sup>nd</sup> Reading) Bid Award, West Hollywood Park Swimming Pool Renovation Project, C.I.P. # 5050-99-06 be tabled to January 3, 2000.

Mayor Pro Tem Prang indicated his NO vote on Item 2.G. Ordinance No. 99-556 (2<sup>nd</sup> Reading) Adopting Zone Text Amendment 99-03 to Amend Provisions of the Zoning Ordinance to Permit Certain Signage on Pedestrian Footbridges Over the Public Right-Of-Way in the Sunset Specific Plan Zone and his ABSTENTION on Item 2.L., A Proposed Resolution Calling on Governor Davis to Grant Parole to Robert Rosenkrantz.

Interim City Manager Arevalo requested that Item 5.C., Expenditure Plan for the Local Law Enforcement Block Grant Funds (LLEBG) be moved to the Consent Calendar as 2.W. with the direction to discuss the funding options during the regular budget cycle.

**ACTION:** Approve the December 20, 1999 Agenda as amended. **Motion Councilmember Guarriello, seconded by Councilmember Martin and unanimously carried.**

**PUBLIC COMMENT:**

JOHN PAUL DRAYER, WEST HOLLYWOOD, thanked the City Council for their support during the year.

SHIRLEY BUSHNELL, WEST HOLLYWOOD, thanked Don Bruhnke for the brochures regarding transexual awareness.

JULIE SUMMERS, WEST HOLLYWOOD, spoke in support of 5.B.

SABATO FIORELLI, WEST HOLLYWOOD, thanked the contributors for the Good Neighbors Food Drive.

RIC RICKLES, WEST HOLLYWOOD, spoke about the senior concert and the Rent Control Conference.

DON BRUHNKE, WEST HOLLYWOOD, spoke about the changes in the City during the year.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about verbal attacks on the City Council.

JOHN DURAN, WEST HOLLYWOOD, spoke in support of Item 5.A.

**COUNCILMEMBER COMMENTS:**

Councilmember Guarriello commented on the senior concert, debris in the parking lot of Bank of America and teenagers panhandling in front of the ATM machine.

Councilmember Martin commended contributors and volunteers who worked on the Good Neighbors Food Drive.

Mayor Pro Tem Prang requested that the City Council adjourn in memory of Michael Licome and Crescentia Freehill and he requested a report from Interim City Manager Arevalo regarding the status of the Fire Station and the MTA.

Mayor Heilman requested that the meeting be adjourned in memory of Dorothy Adler Routh and he gave direction to Interim City Manager Arevalo to develop a plan for next year's New Year celebration.

**CITY MANAGER'S REPORT:** Interim City Manager Arevalo reported on Fire Station 7 construction, parking on Santa Monica Boulevard during the holidays and on the upcoming report to the Project Area Committee on the status of the structural soil.

**FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk Thompson stated the fiscal impact on the Consent Calendar of December 20, 1999, as amended is \$5,305,200 in expenditures and \$5,287,000 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., R., T., U., V. and W. Motion Councilmember Guarriello, seconded by Councilmember Martin and unanimously carried.

**2.A. POSTING OF AGENDA:**

The agenda for the meeting of Monday, December 20, 1999 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, December 16, 1999.

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

**2.B. APPROVAL OF MINUTES:**

**ACTION:** Approve the Study Session minutes of November 29, 1999 and the Council Retreat minutes of December 8, 1999. **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 William Varela and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

**2.E. DEMAND REGISTER NO. 404, RESOLUTION NO. 99-2202:**

**ACTION:** Approve Demand Register No. 404 and adopt Resolution No. 99-2202, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 404." **Approved as part of the Consent Calendar.**

**2.F. ORDINANCE NO. 99-555 (2<sup>nd</sup> Reading) PROPOSED TWO (2) HOUR TIME LIMIT ON CAROL DRIVE:**

Tabled to January 3, 2000.

**2.G. ORDINANCE NO. 99-556 (2<sup>nd</sup> Reading) ADOPTING ZONE TEXT AMENDMENT 99-03 TO AMEND PROVISIONS OF THE ZONING ORDINANCE TO PERMIT CERTAIN SIGNAGE ON PEDESTRIAN FOOTBRIDGES OVER THE PUBLIC RIGHT-OF-WAY IN THE SUNSET SPECIFIC PLAN ZONE:**

**ACTION:** Waive further reading and adopt Ordinance No. 99-556, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONE TEXT AMENDMENT 99-03 TO AMEND PROVISIONS OF THE ZONING ORDINANCE TO PERMIT CERTAIN SIGNAGE ON PEDESTRIAN FOOTBRIDGES OVER THE PUBLIC RIGHT-OF-WAY IN THE SUNSET SPECIFIC PLAN ZONE." **Approved as part of the Consent Calendar, noting the ABSTENTION of Mayor Heilman.**

**2.H. ORDINANCE NO. 99-557 (2<sup>nd</sup> Reading) APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND SUNSET MILLENNIUM ASSOCIATES FOR THE SUNSET MILLENNIUM PROJECT:**

**ACTION:** Waive further reading and adopt Ordinance No. 99-557, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND SUNSET MILLENNIUM ASSOCIATES FOR THE SUNSET MILLENNIUM PROJECT." **Approved as part of the Consent Calendar, noting the ABSTENTION of Mayor Heilman.**

**2.I. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**

**ACTION:** Receive and file Action Reports from the November 17, 1999 meeting of the Transportation Commission. **Approved as part of the Consent Calendar.**

**2.J. BAN ON CITY PURCHASE OF TEMPERATE WOOD PRODUCTS:**

**ACTION:** 1) Direct staff and the City Attorney to prepare and present an ordinance establishing a 10% purchase price preference for wood materials and products, including lumber, that is certified by person who is accredited by the Forest Stewardship Council or its successor organization as having been sustainable produced; 2) Prohibit the purchase of wood and wood products that are produced from old-growth temperate trees except when such wood and wood products are certified by that is accredited by the Forest Stewardship Council or its successor organization as having been sustainable produced; 3) Declare that it is the intent of the Council to include reused / reclaimed wood and wood products in the City's existing recycled product purchasing preference program; 4) Instruct all City departments to substitute certified wood,

underutilized species, reused / reclaimed wood, lesser grades of wood, and recycled-content non-wood products whenever feasible; and, 5) Declare that these requirements shall apply in all City purchases and City construction specifications for buildings and tenant improvements. **Approved as part of the Consent Calendar.**

**2.K. EXECUTION OF LACMTA CALL FOR PROJECTS GRANT MEMORANDUMS OF UNDERSTANDING:**

**ACTION:** 1) Approve an MOU with MTA in the amount of \$1.125 million for the Westside North-South Arterial Corridor Project; 2) Approve an MOU with the Los Angeles County Metropolitan Transportation Authority (MTA) in the amount of \$4.1 million for Santa Monica Boulevard Pedestrian and Bicycle Facilities Improvements; 3) Approve an MOU with MTA in the amount of \$62,000 for Fairfax Avenue at Santa Monica Boulevard Bus Stop Improvements; 4) Approve an MOU with the City of Santa Monica in the amount of \$15,000 (\$5,000 annually for three years) for the Walkable Westside Campaign. The City of Santa Monica being the lead agency in the joint project for a joint grant with MTA; 5) Authorize the City Manager to execute the MOU's and any related forms; and, 6) Authorize the Director of Finance to appropriate \$5,000 from the AQMD Unallocated Reserves to the expenditure account in the Transportation Division. **Approved as part of the Consent Calendar.**

**2.L. A PROPOSED RESOLUTION CALLING ON GOVERNOR DAVIS TO GRANT PAROLE TO ROBERT ROSENKRANTZ:**

**ACTION:** 1) Adopt Resolution 99-2203, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD CITY COUNCIL CALLING ON GOVERNOR DAVIS TO GRANT PAROLE TO ROBERT ROSENKRANTZ"; and, 2) Direct Staff to send a copy of this Resolution to the State's Board of Prison Terms and to Governor Davis. **Approved as part of the Consent Calendar, noting the ABSTENTION OF Mayor Pro Tem Prang.**

**2.M. MODIFICATION OF UNIT DESIGNATION – PAYROLL AND BENEFITS ANALYST:**

**ACTION:** Designate position grading for Payroll and Benefits Analyst from ACE-11 to ACE-11 Supervisory Unit. **Approved as part of the Consent Calendar.**

**2.N. ADJUSTMENT OF CITY COUNCILMEMBER FLEXIBLE BENEFIT ALLOWANCE:**

**ACTION:** Modify the flexible benefit allowance for Councilmembers as outlined in the staff report. **Approved as part of the Consent Calendar.**

- 2.O. VENDOR INSURANCE REQUIREMENTS AND AUTHORIZATION OF WAIVER OF INSURANCE PROCEDURES:**  
**ACTION:** 1) Approve the Contracts Template Handbook procedures and its use by all City staff in working with contractors and vendors; and, 2) Approve the policy to waive or reduce insurance requirements for contractors and vendors under special circumstances. **Approved as part of the Consent Calendar.**
- 2.P. LEGISLATIVE TRACKING:**  
**ACTION:** Receive and file. **Approved as part of the Consent Calendar.**
- 2.Q. PROPOSED RESOLUTION SUPPORTING THE CITIES OF SAN FRANCISCO AND SANTA MONICA IN THEIR LEGAL EFFORTS TO PROHIBIT BANK SURCHARGES TO NON-CUSTOMERS AT AUTOMATED TELLER MACHINES (ATM):**  
**Moved to Excluded Consent Calendar for separate discussion.**
- 2.R. DEVELOPMENT OF A SATURDAY'S IN THE PARK FAMILY AND CHILDREN'S PROGRAM FOR PLUMMER PARK:**  
**ACTION:** Sponsor a series of "Saturday's in the Park" events at our parks for local parents and children to promote city services as well as the Healthy Families Medical Insurance Program. **Approved as part of the Consent Calendar.**
- 2.S. BID AWARD, WEST HOLLYWOOD PARK SWIMMING POOL RENOVATION PROJECT, C.I.P. # 5050-99-06:**  
**Tabled to January 3, 2000.**
- 2.T. ADOPTION OF NEW CLASSIFICATION SPECIFICATION FOR SPECIALIST – SOCIAL SERVICES RECLASSIFICATION OF ADMINISTRATIVE STAFF ASSISTANT, SOCIAL SERVICES DIVISION:**  
**ACTION:** 1) Adopt the modified classification specifications for Specialist – Social Services (GE – 09, salary range \$38,856 to \$47,040 annually); and, 2) Reclassify the incumbent to new specifications and salary grade. **Approved as part of the Consent Calendar.**
- 2.U. PROPOSED RESOLUTION IN SUPPORT OF THE CITY OF WEST HOLLYWOOD INITIATING A NATURAL GAS VEHICLE (NGV) MODEL CITY PROGRAM:**  
**ACTION:** 1) Adopt Resolution No. 99-2205, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE CITY OF WEST HOLLYWOOD INITIATING A NATURAL GAS VEHICLE (NGV) MODEL CITY PROGRAM"; and, 2) Direct staff to inform

State Legislators of the Council's decision. **Approved as part of the Consent Calendar.**

**2.V. CONTRACT FOR INTERIM CITY MANAGER ASSIGNMENT:**

**ACTION:** 1) Direct the City Attorney to draft a contract amendment with the Interim City Manager; and, 2) Authorize the Mayor to execute the agreement. **Approved as part of the Consent Calendar.**

**2.W. EXPENDITURE PLAN FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS (LLEBG):**

**ACTION:** 1) Authorize the acceptance of funding from the Justice Department's Bureau of Justice Assistance's 1999/2000 and 2000/2001 Local Law Enforcement Block Grant program in the amount of \$174,886; 2) Direct staff to allocate \$19,432 in City matching funds in the FY2000/2001 City budget as required by the Local Law Enforcement Block Grant program; 3) Authorize expenditure of LLEBG Block Grant and matching City funds for the continuation of the City Parks Security Officer Patrol program; and, 4) Authorize expenditure of grant funds for tuition for four West Hollywood Sheriff's Deputies to attend the Western Regional Hate Crimes Symposium in September 2000. Total cost from grant funding of \$2,780.00. This is fully covered by grant funding with no out-of-pocket cost to City. **Listed on the Agenda as Item 5.C. Moved to and approved as part of the Consent Calendar noting the program funding options will be discussed as part of the regular Budget cycle. Noting the ABSTENTION of Mayor Pro Tem Prang on Recommendations 3 and 4.**

**3. PUBLIC HEARINGS:**

**3.A. CONTINUED PUBLIC HEARING ON ADOPTION OF A POLICY ON OPEN ACCESS:**

City Clerk Thompson stated that a Notice of Continued Public Hearing was posted on Thursday, December 7, 1999.

Helen Goss, PIO/CATV Manager, provided background information as outlined the staff report dated December 20, 1999.

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

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

KERMAN MADDOX, LOS ANGELES, representing Open Access Alliance, spoke in support of making open access a requirement.

TOM DORSEY, SAN PEDRO, spoke in support of making open access a requirement.

BARBARA HAMAKER, WEST HOLLYWOOD, spoke in support of this item.

MICHAEL JOHNSON, LOS ANGELES, spoke in support of open access.

RICK, ZBUN, LONG BEACH representing Latham and Watkins, spoke in support of open access.

GEORGE MILTHSTEIN, LOS ANGELES, Latham and Watkins, representing American On Line, spoke in support of this item.

TIMOTHY WAGER, WEST HOLLYWOOD, spoke in support of open access.

HASSEIN FARMAIN, LOS ANGELES, spoke in support of open access.

STEVEN AFRIAT, LOS ANGELES, representing AT&T, spoke in opposition of open access.

BILL ROSENDAHL, SANTA MONICA, representing Adelpia Communications, spoke in opposition of open access and in support of improved customer service.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the comments of Bill Rosendahl.

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

Ms. Goss stated that the decision of the City Council is to give staff direction to enter into a serious commitment to negotiate open access as part of the franchise agreement.

**ACTION:** Direct staff to include to include Open Access as a material issue in all cable franchise negotiations and reserve the City's right to unilaterally impose Open Access at such time as the courts rule that the City has the authority to do so. **Motion Councilmember Guarriello,**



**seconded by Mayor Heilman and carried noting the NO votes of Councilmember Koretz and Councilmember Martin. Heard concurrently with Item 4.A.**

**4.A. PROPOSED RESOLUTION SUPPORTING AN OPEN ACCESS CONDITION WHERE MERGING CABLE AND TELEPHONE COMPANIES MUST PROVIDE OPEN ACCESS TO INDEPENDENT INTERNET SERVICE PROVIDERS (ISP's) AND ALLOW CONSUMERS FREEDOM OF CHOICE IN INTERNET SERVICE:**

**ACTION:** Adopt Resolution No. 99-2206, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING AN OPEN ACCESS CONDITION WHERE MERGING CABLE AND TELEPHONE COMPANIES MUST PROVIDE OPEN ACCESS TO INDEPENDENT INTERNET SERVICE PROVIDERS (ISP's) AND ALLOW CONSUMERS FREEDOM OF CHOICE IN INTERNET SERVICE."  
**Motion Councilmember Koretz, seconded by Mayor Pro Tem Prang and carried noting the NO vote of Councilmember Guarriello and the ABSTENTION of Councilmember Martin.**

**4. UNFINISHED BUSINESS:**

**4.A. PROPOSED RESOLUTION SUPPORTING AN OPEN ACCESS CONDITION WHERE MERGING CABLE AND TELEPHONE COMPANIES MUST PROVIDE OPEN ACCESS TO INDEPENDENT INTERNET SERVICE PROVIDERS (ISP's) AND ALLOW CONSUMERS FREEDOM OF CHOICE IN INTERNET SERVICE:**

**ACTION:** Heard concurrently with item 3.A.

**4.B. PLUMMER PARK COMPREHENSIVE SERVICES COMMUNITY CENTER PROJECT – CONSTRUCTION PHASE:**

Sam Baxter, Landscape and Building Maintenance Manager, provided background information as outlined the staff report dated December 20, 1999.

BARBARA HAMAKER, WEST HOLLYWOOD, spoke about the silk floss tree which needs to be moved for the project construction.

BENJAMIN CLAVIN, WEST HOLLYWOOD, spoke about a name search for the new Teen Center.

Councilmembers discussed the mitigation of the construction project.

Mayor Heilman discussed replacing the silk floss tree with more trees and his concern with the cost of moving the existing silk floss tree.

**ACTION:** 1) Accept the bid dated October 14, 1999 submitted by Mallcraft, Inc. of Altadena, California, in the amount of \$3,884,529.00 for construction of the Plummer Park Comprehensive Services Community Center Project. C.I.P. # 5050-99-04; 2) Accept the proposal from Dugan and Associates of North Hollywood for construction management and supervision services in the amount of \$150,150; 3) Authorize the expenditure of \$100,400 for: public art (\$40,000), telephone, computer and systems wiring (\$35,000) and relocation of existing specimen size silk floss tree (\$28,900); 4) Authorize the expenditure of an amount not to exceed \$310,000 for contingencies as approved by the Interim City Manager; 5) Appropriate \$369,400 from undesignated reserves of the Debt Funded Capital Projects Fund (340) to increase account 340-5050-9240; 6) Appropriate \$1,000,000 from the designated capital reserve of the General Fund (100) to increase account 100-5050-9240 (\$500,000 from FY 97/98 and \$500,000 from FY 98/99); 7) Accept the Los Angeles County Regional Park and Open Space District Grant of \$350,000, increase revenue account 100-0000-4905 and increase expenditure account 100-5050-9240; 8) Authorize the Interim City Manager to sign all associated Contract Agreements for the above referenced items; and, 9) Reject all other bids and proposals. **Motion Councilmember Guarriello, seconded by Councilmember Koretz. Councilmember Martin and Councilmember Guarriello left the dais at this time. Motion carried noting the ABSENCE of Councilmember Guarriello and Councilmember Martin.**

**Councilmember Martin and Councilmember Guarriello returned to the dais.**

**4.C. TRIAL USE OF HART PARK FOR OFF-LEASH DOG USE:**

Sam Baxter, Landscape and Building Maintenance Manager, provided background information as outlined the staff report dated December 20, 1999.

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke about making this use of the park temporary.

JIM KINGSLAN, WEST HOLLYWOOD, spoke in support of this item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of this item and fencing in the area.

Mayor Heilman stated that this item is on a trial basis only and that this does not create a dog park.

Mayor Pro Tem Prang stated his concern regarding the health considerations involved in using this small space.

Councilmember Martin stated his concern regarding enforcement.

**ACTION:** 1) Authorize the trial use of Hart Park for limited off leash dog use as outlined in this staff report; and, 2) Direct staff to report back to Council at the end of a 90-day, trial use monitoring period for further consideration of the use of Hart Park for off-leash dog purposes. **Motion Councilmember Koretz, seconded by Mayor Pro Tempore Prang and unanimously carried.**

**4.D. REDUCTION OF SPEED LIMITS ON THE STREETS OF LARRABEE STREET, PALM AVENUE, OLIVE DRIVE AND SWEETZER AVENUE:**

Terri Slimmer, Transportation Manager, provided background information as outlined the staff report dated December 20, 1999.

JIM KINGSLAN, WEST HOLLYWOOD, expressed concern over policing of the current and proposed speed limits.

CRAIG TAYLOR, WEST HOLLYWOOD, spoke in support of the item and expressed concern over enforcement.

LORRIE MARLOW, WEST HOLLYWOOD, spoke in support of this item and expressed concerns of enforcement.

Councilmembers discussed the various speed limits throughout the City and enforcement issues.

**ACTION:** 1) Adopt Resolution No. 99-2207, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING SPEED LIMITS FOR THE STREETS OF LARRABEE STREET, PALM AVENUE, OLIVE DRIVE AND SWEETZER AVENUE." 2) Direct staff to have the Traffic Division return with enforcement issues. **Motion Councilmember Koretz, seconded by Mayor Pro Tem Prang and unanimously carried.**

**THE CITY COUNCIL RECESSED AT 9:15 PM.**

**THE CITY COUNCIL RECONVENED at 9:25 PM.**

**5. NEW BUSINESS:**

**5.A. A PROPOSED AMENDMENT TO THE RENT STABILIZATION CODE OF THE CITY OF WEST HOLLYWOOD CREATING THE "TENANTS PROTECTION ACT OF 2000":**

Sarah Bradshaw, Deputy to Councilmember Martin, provided background information as outlined the staff report dated December 20, 1999.

Mayor Heilman expressed concern about setting up an escrow account at City Hall and a public education campaign for tenants.

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

JEANNE DORBIN, WEST HOLLYWOOD, spoke in support of this item.

**ACTION:** 1) Direct the City Attorney and staff to research these issues and come back with recommendations for policy changes to the Rent Stabilization code of the City of West Hollywood. **Motion Councilmember Martin, seconded by Councilmember Koretz and unanimously carried.**

**5.B. A PROPOSED RESOLUTION TO ACCEPT IN CONCEPT THE CREATION OF A DOMESTIC VIOLENCE SHELTER/TRANSITIONAL HOUSING SERVING THE NEEDS OF THE LESBIAN, GAY AND TRANSGENDERED COMMUNITY:**

Sarah Bradshaw, Deputy to Councilmember Martin, provided background information as outlined the staff report dated December 20, 1999.

Mayor Heilman reported that there were a total number of 64 domestic violence reports and expressed concerns about the legality about creating this shelter.

SHIRLEY BUSHNELL, WEST HOLLYWOOD, spoke in support of this item and expressed concern about transgender community's involvement in the needs assessment.

NORMAN LEVITAN, LOS ANGELES, spoke in support of this item and provided statistics on domestic violence.

EMILIA LOMBARDI, WEST HOLLYWOOD, Co-Chair of the LA County Transgender Task Force and spoke in support of this item.

BOYD WILLAT, WEST HOLLYWOOD, spoke in support of this item.

DAN LEVY, WEST HOLLYWOOD, spoke in support of this item.

RIC ZBUR, LONG BEACH, spoke in support of this item.

Mayor Heilman requested the number of domestic violence cases in West Hollywood and how many are same-sex and transgender. Mayor Heilman stated that the shelters should be proportion to the caseload in West Hollywood.

Councilmembers expressed concerns about the number of reported incidents in West Hollywood and how the gay, lesbian and transgender community is treated in shelters outside West Hollywood. Councilmembers also expressed concern regarding funding and construction of a shelter as proposed in staff recommendation no. 4.

**ACTION:** 1) Adopt Resolution 99-2208, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO ACCEPT IN CONCEPT THE CREATION OF A DOMESTIC VIOLENCE SHELTER/TRANSITIONAL HOUSING SERVING THE NEEDS OF THE LESBIAN, GAY AND TRANSGENDERED COMMUNITY"; 2) Direct Staff to work on developing a need assessment feasibility study and a comprehensive plan to aid in implementing this effort; 3) Send this resolution to the West Hollywood Partner Abuse Education Task Force, to the Gay and Lesbian Advisory Board, to the Women's Advisory Board, and the Human Services Commission. **Motion Councilmember Guarriello, seconded by Mayor Pro Tem Prang and unanimously carried.**

**5.C. EXPENDITURE PLAN FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS (LLEBG):**

**Moved to the Consent Calendar as Item 2.W.**

**EXCLUDED CONSENT CALENDAR:**

**2.Q. PROPOSED RESOLUTION SUPPORTING THE CITIES OF SAN FRANCISCO AND SANTA MONICA IN THEIR LEGAL EFFORTS TO PROHIBIT BANK SURCHARGES TO NON-CUSTOMERS AT AUTOMATED TELLER MACHINES (ATM):**

Councilmember Koretz provided background information as outlined in the staff report dated December 20, 1999.

JANINE BENNER, LOS ANGELES representing CALPIRG, spoke in support of this item.

Mayor Heilman expressed concern about the fiscal impact and his support for spending up to \$5,000 for the amicus brief.

City Attorney Boga reported that the League of Cities will not support an amicus brief.

**ACTION:** 1) Adopt Resolution No. 99-2204, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE CITIES OF SAN FRANCISCO IN THEIR LEGAL EFFORTS TO PROHIBIT BANK SURCHARGES TO NON-CUSTOMERS AT AUTOMATED TELLER MACHINES (ATM)"; 2) Direct City Attorney to write a Limited Friends of the Court Amicus brief on behalf of Santa Monica and San Francisco, City costs not exceed \$2,500. **Motion Mayor Heilman, seconded by Councilmember Martin. Noting the NO vote of Councilmember Guarriello.**

**PUBLIC COMMENT:**

FRANCIS PARK, LOS ANGELES, Latham and Watkins, asked the City Council to reconsider their decision regarding public access, Item 3.A.

AURELIA FREEMAN, LOS ANGELES, representing PACBELL, spoke in opposition of public access.

STEVEN AFRIAT, LOS ANGELES, spoke in support of the City Council's decision regarding public access, Item 3.A.

**6. LEGISLATIVE:** None.

**COUNCILMEMBER COMMENTS:**

Councilmember Martin commented that he respectfully disagrees with the vote of the City Council on Item 3.A. He also announced the Clean and Sober New Year's Eve Party and extended invitations to all.

Councilmember Guarriello expressed concern about litigation on item 3.A. and therefore would not reconsider his motion.

Councilmember Koretz stated that the legality was not a great concern in Item 3.A.

Mayor Pro Tempore Prang wished everyone happy holidays.

Mayor Heilman expressed happy holidays to everyone.

**CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 10:45 P.M.**

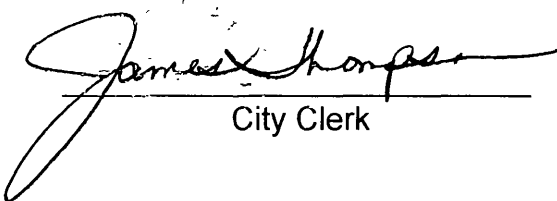
**REPORT OF THE CLOSED SESSION:** Mayor Heilman stated that the City Council recessed into Closed Session to discuss one item of personnel. No reportable actions were taken, however, the City Council set a Special Closed Session on Monday, January 10, 1999 at 5:30 P.M. City Hall for a Special Closed Session for the purpose of providing a performance review of the Interim City Manager.

**ADJOURNMENT:** The City Council adjourned at 10:50 P.M. in memory of Michael Licome, Crescentia Freehill and Dorothy Adler Routh to their next regular meeting on Monday, January 3, 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 18<sup>th</sup> DAY OF JANUARY, 2000.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
City Clerk