

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, DECEMBER 6, 1999
WEST HOLLYWOOD PARK**

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

PLEDGE OF ALLEGIANCE: Deanna Stevenson 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.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at 6:00 P.M. the City Council called the meeting to order. The Council then recessed into Closed Session to discuss items on the Closed Session Agenda and added two potential litigation items which arose after the agenda was posted and one item regarding personnel. The City Council took one reportable action, to join a League of California sponsored Amicus brief titled Golland v. City of Clovis.

REPORT ON SANTA MONICA BOULEVARD REHABILITATION PROJECT: Sharon Pearlstein, City Engineer, and Joan English, Director of Transportation and Public Works, gave an update on the current construction of Santa Monica Boulevard and increased parking spaces.

APPROVAL OF AGENDA:

Councilmember Guarriello pulled Item 2.O. for separate discussion and noted his NO vote on Item 2.M.

Councilmember Koretz and Councilmember Martin requested that Item 2.R. be heard concurrently with Item 3.A.

ACTION: Approve the December 6, 1999 Agenda as amended. **Motion Mayor Pro Tem Prang, seconded by Councilmember Martin and unanimously carried.**

PRESENTATIONS:

Councilman Guarriello presented a plaque to Raymond Sylvester and Robaire Boisvart for their business, Trash with Class.

Mayor Pro Tem Prang presented a proclamation for Rotary Club Awareness Month which was accepted by Neil Zaslow and Inna Bliss.

Mayor Pro Tem Prang presented a commendation to Donna Feinstein.

Mayor Heilman presented a commendation to Nancy Cohen, Constance Kaplan, Stephanie Small and Jacquelin Welter for Wendy's Hope, an auxiliary of the City of Hope National Medical Center.

Mayor Pro Tem Prang and Mayor Heilman presented a commendation to the West Hollywood Orchestra Steering Committee.

PUBLIC COMMENT:

MARVIN GREENHOUSE, WEST HOLLYWOOD, complained about noise from the Harley Davidson motorcycles at Thunder Roadhouse on Poinsettia and Santa Monica Boulevard.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about the commitment of the City to it's mission statement to improve government and community service.

ANNE DRISCOLL, WEST HOLLYWOOD, spoke about the reconstruction at Crescent Heights and Santa Monica Boulevard.

HANK MCCANN, LOS ANGELES, spoke about the revitalization of Sunset Boulevard.

DR. MARK H. DAVIS, LOS ANGELES, Dental Director for AIDS Los Angeles, thanked the City Council for the reallocation of funds.

ROSLYN KRAUSS, WEST HOLLYWOOD, spoke about the blocked view due to the hedges at the intersection at Rugby Drive and Westbourne Drive.

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke about campaign contributions.

INNIS K. BRUNNER, WEST HOLLYWOOD, representing the West Hollywood Business Alliance, spoke about the City Council's promise to suspend construction during the holiday season.

RICHARD MAGGIO, WEST HOLLYWOOD, reported on the Rent Stabilization Conference.

DON BRUHNKE, WEST HOLLYWOOD, spoke about the structural soil problems on Santa Monica Boulevard and the addition of parking meters on the Eastside. He also spoke about Sheriffs directing traffic on San Vicente Boulevard and Santa Monica Boulevard on the weekends.

GAIL SILVERMAN, LOS ANGELES, representing the Red Cross, thanked the City Council for their support on Item 2.Q.

GAIL ROLF, PASADENA, representing Friends of Project 10, spoke in support of Item 2.J.

J.W. MOORE, IV, WEST HOLLYWOOD, spoke in support of 2.M., 4.A. and Community Development Commission items, 5.B., and 7.A., and 3.A.

KATHRYN TULANE, WEST HOLLYWOOD, spoke about the Argyle Hotel.

ROD MCDONALD, WEST HOLLYWOOD, spoke about parking and storm drainage problems on Hancock Drive.

COUNCILMEMBER COMMENTS:

Mayor Heilman directed the Interim City Manager to follow up on complaints regarding motorcycle noise, parking alternatives on Hancock Drive, hedges on Rugby Drive and Westbourne Drive. He asked that an update be provided on structural soil at the Project Area Committee meeting and gave direction to draft a letter regarding status of the code enforcement progress at the Argyle Hotel.

Mayor Pro Tem Prang requested that the City Council adjourn in memory of Rose Byrd and Nick Zuberbalor. He also congratulated Rent Stabilization and staff.

CITY MANAGER'S REPORT: Interim City Manager Arevalo reported on code compliance investigation of the paint violation and a one stop code compliance complaint site on the first floor beginning at the first of the year. He also stated that the City staff will be reporting an update on Santa Monica Boulevard and the moratorium that is planned for a couple of days before Christmas through New Year's Day.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Thompson stated the fiscal impact on the Consent Calendar of December 6, 1999, as amended, is \$60,310 in expenditures and \$42,915 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J. K., L., M., N., P. and Q. Motion Mayor Pro Tem Prang seconded by Councilmember Guarriello and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, December 6, 1999 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, December 2, 1999.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of November 29, 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 Noushin Motavassel, Michael J. Flores, and Brendalyn Lane and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. DEMAND REGISTER NO. 403, RESOLUTION NO. 99-2197:

ACTION: Approve Demand Register No. 403 and adopt Resolution No. 99-2197, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 403." **Approved as part of the Consent Calendar.**

2.F. TREASURER'S REPORT:

ACTION: Receive and file the Treasurer's Report for the month of October, 1999. **Approved as part of the Consent Calendar.**

2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

ACTION: Receive and file Action Reports from the October 12, 1999 and November 2, 1999 meetings of the Project Area Committee. **Approved as part of the Consent Calendar.**

2.H. ACCEPTANCE OF A GRANT AWARD FROM CALIFORNIA DEPT. OF HEALTH SERVICES – NUTRITION NETWORK:

ACTION: 1) Accept \$42,915 grant from the California Dept. of Health Services – Nutrition Network; and, 2) Authorize the Director of Finance to establish revenue line 100-0000-5021 and expenditure line 100-5030-5021 and fund with \$36,478 for fiscal year 1999-2000 and \$6,437 from 6/30/00-9/30/00. **Approved as part of the Consent Calendar.**

2.I. RESOLUTION OF SUPPORT FOR THE NATIONAL LEAGUE OF CITIES – INSTITUTE FOR YOUTH, EDUCATION AND FAMILIES:

ACTION: Adopt Resolution No. 99-2198, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, SUPPORTING THE NATIONAL LEAGUE OF CITIES' INSTITUTE FOR YOUTH, EDUCATION AND FAMILIES." **Approved as part of the Consent Calendar.**

- 2.J. PURCHASE OF EDUCATIONAL MATERIALS FOR PROJECT 10:**
ACTION: Authorize the Interim City Manager to execute an agreement with Project 10 to provide \$2,500 for the purchase of educational materials. **Approved as part of the Consent Calendar.**
- 2.K. REPORT ON THE WEST HOLLYWOOD ORCHESTRA:**
ACTION: Receive and file report. Direct staff to continue to work with the Orchestra Steering Committee to transition to a separate community entity. **Approved as part of the Consent Calendar.**
- 2.L. UPDATE ON EMPLOYEE SEXUAL HARASSMENT TRAINING:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.M. PROPOSED RESOLUTION APPROVING A LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA:**
ACTION: 1) Adopt Resolution No. 98-2199, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR THE EASTSIDE PROJECT AREA"; and, 2) Authorize the Interim City Manager to execute the Loan Documents. **Approved as part of the Consent Calendar, noting the NO vote of Councilmember Guarriello.**
- 2.N. AUTHORIZATION FOR THE CREATION OF A REGULAR STATUS OVERHIRE POSITION OF ADMINISTRATIVE STAFF ASSISTANT IN THE MANAGEMENT SERVICES DEPARTMENT:**
ACTION: 1) Authorize the creation of a regular status overhire position of Administrative Staff Assistant; 2) Maintain the budgeted position of Management Services Specialist which is temporarily vacant in the Management Services Department; and, 3) Freeze the vacant Management Specialist position from hiring and use the budgeted salary in the Department budget to cover the costs of the Administrative Staff Assistant. **Approved as part of the Consent Calendar.**
- 2.O. DIRECTION TO CITY ATTORNEY TO RESEARCH AND DRAFT AN ORDINANCE PROTECTING SENIOR CITIZENS, DISABLED PERSONS AND PEOPLE LIVING WITH HIV AND AIDS FROM EVICTION FOR OWNING A PET:**
This item removed from the Consent Calendar for separate discussion and listed under Excluded Consent Calendar.
- 2.P. REPROGRAMMING FUNDS RETURNED TO THE CITY BY AIDS PROJECT L.A.:**

ACTION: 1) Allocate \$14,895 to APLA for reprogramming in the 1999-00 grant period for increased dental services as recommended by the Human Services Commission and Human Services staff; and, 2) Authorize the Interim City Manager to sign a contract amendment. **Approved as part of the Consent Calendar.**

2.Q. DIRECT PUBLIC SAFETY MANAGER TO WORK WITH THE PUBLIC SAFETY COMMISSION TO DEVELOP A PUBLIC ACCESS DEFIBRILLATION PROGRAM (PAD):

ACTION: 1) Direct staff in the Public Safety Manager's Office and the Public Safety Commission's office to contact the American Heart Association for further information regarding the implementation of a Public Access Defibrillation (PAD) Program; and, 2) Ask staff to report back to Council in ninety days with an update and proposal for program implementation. Such proposal should include placement of automatic external defibrillators (AED's) and PAD programs and training in places such as city hall, sheriff's department and police cars; and in public parks and other recreation facilities. **Approved as part of the Consent Calendar.**

2.R. PROPOSED RESOLUTION SUPPORTING AN OPEN ACCESS CONDITION WHERE MERGING CABLE AND TELEPHONE COMPANIES MUST PROVIDE OPEN ACCESS TO INDEPENDENT INTERNET SERVICE:

ACTION: Heard concurrently with Item 3.A., later tabled to December 20, 1999.

3. PUBLIC HEARINGS:

2.R. PROPOSED RESOLUTION SUPPORTING AN OPEN ACCESS CONDITION WHERE MERGING CABLE AND TELEPHONE COMPANIES MUST PROVIDE OPEN ACCESS TO INDEPENDENT INTERNET SERVICE:

3.A. ADOPTION OF A POLICY ON OPEN ACCESS:

City Clerk Thompson stated that a Notice of Public Hearing was posted on Thursday, December 2, 1999.

Helen Goss, PIO/CATV Manager, provided background information as outlined in the staff report dated December 6, 1999.

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

RAY POK, LONG BEACH, spoke in support of this item.

RON SALGADO, WEST HOLLYWOOD, representing the Courtyard Association, spoke in support of this item.

KERMAN MADDOX, LOS ANGELES, representing Open Access Alliance, spoke in support of this item.

CRAIG RITCHIE, WEST HOLLYWOOD, spoke in support of this item.

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

HOWARD SUNKIN, representing Adelpia Communications, spoke in opposition of this item and requested that he be given two weeks to come back with a report.

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

Councilmember Martin requested to postpone the item for two weeks and directed Ms. Goss to fax a copy of the staff report to Adelpia Communications.

ACTION: Continue the Public Hearing and Item 2.R. to December 20, 1999. **Motion Councilmember Martin, seconded by Councilmember Koretz and carried noting the NO vote of Guarriello.**

3.B. PROPOSED TWO (2) HOUR TIME LIMIT ON CAROL DRIVE:

City Clerk Thompson stated that a Notice of Public Hearing was published in the *West Hollywood Independent* on November 24, 1999, and mailed to all properties on Carol Drive. A Notice of Continued Public Hearing was posted on November 29, 1999.

Donald Korotsky, Associate Transportation Planner, provided background information as outlined in the staff report dated December 6, 1999.

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

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

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

ACTION: Introduce on first reading Ordinance No. 99-555, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE BY AMENDING PART B OF CHAPTER 2 OF ARTICLE III OF THE WEST HOLLYWOOD MUNICIPAL CODE BY IMPLEMENTING A TWO HOUR TIME LIMIT ON CAROL DRIVE BETWEEN THE HOURS OF 7 AM AND 7 PM, MONDAY THROUGH FRIDAY, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". **Motion Councilmember Guarriello, seconded by Councilmember Martin and unanimously carried.**

CITY COUNCIL RECESSED AT 8:22 P.M.

CITY COUNCIL RECONVENED AT 8:38 P.M.

3.C. CONTINUED APPEAL OF DEVELOPMENT PERMIT 99-02; DEMOLITION PERMIT 99-01; DEVELOPMENT PERMITS 99-16,99-17, 99-18 FOR OUTDOOR DINING; CREATIVE SIGN PERMIT 99-03; STANDARD BILLBOARD PERMITS 99-01 & 99-02; REQUEST FOR PARKING REDUCTION FOR SECOND USE IN A SINGLE BUILDING; MAJOR CONDITIONAL USE PERMIT 99-01 FOR HOTEL; PARKING USE PERMIT 99-05, VESTING TENTATIVE TRACT MAP 99-01 (52656,52779,52657); ZONING TEXT AMENDMENT 99-03; DEVELOPMENT AGREEMENT 99-01; AND SUBSEQUENT PROJECT UNDER THE SPECIFIC PLAN EIR FOR THE SUNSET MILLENNIUM PROJECT LOCATED FROM 8474 TO 8572 SUNSET BOULEVARD AND INCLUDING 1234 & 1235 LA CIENEGA BOULEVARD AND 1209-1215 ALTA LOMA ROAD (SUNSET MILLENNIUM PROJECT):

City Clerk Thompson stated that the Continued Notice of Public Hearing was posted and Published in the West Hollywood *Independent* on November 29, 1999.

Mayor Heilman recused himself from participating in the discussion or making a decision and left the dias. Mayor Pro Tem Prang presided over the Public Hearing.

Jennifer Davis, Senior Planner was in contact via telephone and e-mail access.

Applicant Rebuttal: Lucinda Sterrit, Attorney for Latham and Watkins, spoke to points brought up by the appellants. Mark Siffin spoke about the impetus of this project.

Appellant Rebuttal: Attorney Joel Moskowitz commented that the Political Reform Act prohibits the Mayor from speaking as a constituent. He also

commented on the unfair proceedings of the item due to the fact that there has been no environmental impact report. He commented on the jumbotron.

Mayor Pro Tem Prang categorized the issues as traffic, parking, signage on the pedestrian bridge and the development agreement.

Councilmember Koretz commented that no major projects have been built during his eleven years on the City Council and it was not anticipated that someone would want to develop three target sites at the same time although this project will dramatically impact traffic flow. He stated that emergency vehicles will be able to communicate with the traffic signals as a result of the developer being able to pay for the technology and the he stated that Friday and Saturday night traffic is not a problem caused by this project. He also suggested anti-cruising ordinances and the possibility of putting in another Fire Station. He also stated his concern about the parking function as a practical matter and his concern regarding construction being on site so as not to disrupt traffic. He spoke about the conflict of interest, the jumbotron and his regarding the use of funds being earmarked for the development of the library.

Councilmember Guarriello stated that the traffic was a problem in the early 60's. He also commented on campaign contributions.

Mayor Pro Tem Prang commented that the project is well designed and fits well with the Sunset Specific Plan. He commented on traffic, the cul-de-sac, intersections such as Sweetzer Avenue and Fountain Avenue, Sweetzer Avenue and Sunset Boulevard and a left hand turn on La Cienega Boulevard. He stated his concern regarding access to the project and the pedestrian bridge advertisement and commented on exploring profit sharing with the developer and his concern about the development agreement as well as the 5.2 million dollars not being enough over the life of the project if it is litigated. He stated that the signage in general needs to be explored by the City Council.

Councilmember Martin stated that the project is fueling the economy in West Hollywood and that it is a good idea to have a study session to look at all traffic issues along Sunset Boulevard and that the issue of the emergency vehicles coming northbound is one thing but the ones traveling east and west should be worked out.

Attorney Sterrit stated that there will be signage to direct comprehensive validation parking program and she explained that if someone inadvertently parks in the wrong space it is very easy to move your car. She commented that the City could also request a first time validation

regardless of where the person parks so that there will not be an extra charge.

Mayor Pro Tem Prang commented on truck delivery to the project and requested delivery not take place during peak hours.

Attorney Jenkins stated that the Municipal Code allows for a city to enter into an agreement with a developer and to receive some value and consideration. He stated that there is nothing in state law or the Municipal Code to prohibit an exchange of value for consideration in a development agreement. He further stated that the city may use the consideration for anything it wishes with regard to public use such as a library.

Attorney Jenkins stated that a Councilmember who abstains from voting may participate to the extent that they are representing the interest of his property located within 2500 ft. of the property site.

Mayor Pro Tem Prang asked staff if there is any way to assure affordable parking. Dennis Woods, Associate Transportation Planner, stated that the developer has applied for shared parking.

Attorney Sterrit commented that the market will dictate the prices and that other businesses will not rent parking spaces that are not affordable.

The intersections of Sweetzer Avenue and Sunset Boulevard; Fountain Avenue and Sweetzer Avenue are proposed as sites to incorporate the automated traffic signals, which anticipate the queues of traffic.

Mayor Pro Tem Prang directed staff to provide which sites would be included to receive the automatic signals.

ACTION: 1) Uphold the Planning Commission decision approving the project and adopt and approve project resolutions 2) Direct staff to draft a plan for overall circulation of parking, review of validation program and giving the City a review date and report back on feasibility of left-hand turn lane on Fountain Avenue. Direct the existing conditions on Sunset Boulevard and work with the Sheriffs Department on issues such as cruising on the weekends, addressing cross walks, create an actual plan on law enforcement and overall circulation, identify spots where traffic backs up to allow traffic to be queued up sufficiently during peak hours. Commit to the automatic signalization on sites proposed and including more if need be.

Conditions which are project conditions which relate to Westview Towers Councilmember Koretz commented that he wanted to mitigate the conditions with some of the homeowners to do various things.

Dennis Woods, suggested that the interested parties in mitigating measures offered by the applicant to step forward and work with the Transportation Department. He further stated that some of the conditions are separate and apart of the present action of the City Council and part of increasing safety on Sunset Boulevard.

Craig Steele, Assistant City Attorney, stated there are some conditions which have been adopted into the conditions of approval and there are some additional agreements which have been reached after the Planning Commission's approval and there are some which we are not aware of and some which have come up tonight.

Attorney Sterrit requested that the Automatic Traffic Control not exceed \$450,000 and she proposed to make a one time payment as opposed to phasing in.

Mayor Pro Tem Prang commented that the cul-de-sac on Alta Loma will be accessible for emergency vehicles as a public right of way.

Adopt Resolution No. 99-2201, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT PERMIT 99-02; DEMOLITION PERMIT 99-01; DEVELOPMENT PERMITS 99-16, 99-17, 99-18 FOR OUTDOOR DINING; CREATIVE SIGN 99-03; STANDARD BILLBOARD PERMITS 99-01 & 99-02; MAJOR CONDITIONAL USE PERMIT 99-01 FOR HOTEL; MAJOR CONDITIONAL USE PERMIT 99-14 FOR THEATRE; MINOR CONDITIONAL USE PERMIT 99-01 FOR ALCOHOL SERVICE AT HOTEL; PARKING USE PERMIT 99-05, PARKING REDUCTION FOR SECOND USES; ALTERNATIVE PROPOSAL FOR TWO BILLBOARDS ON ONE SITE; ALTERNATIVE PROPOSAL TO ALLOW VARIED HEIGHT DISTRIBUTION ON SITE 4D; ZONING TEXT AMENDMENT 99-03; ADOPTING FINDINGS FOR A SUBSEQUENT PROJECT UNDER THE SUNSET SPECIFIC PLAN MASTER ENVIRONMENTAL IMPACT REPORT, AND MITIGATION MONITORING PLAN FOR THE SUNSET MILLENNIUM PROJECT LOCATED AT 8474 TO 8572 SUNSET BOULEVARD AND INCLUDING 1234 & 1235 LA CIENEGA BOULEVARD AND 1209-1215 ALTA LOMA ROAD, WEST HOLLYWOOD." **Motion Councilmember Martin seconded by Councilmember Guarriello and unanimously carried, noting the ABSTENTION of Mayor Heilman.**

Adopt Resolution No. 99-2202, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING VESTING TENTATIVE TRACT MAP 99-01 (52656,52779,52657) FOR THE SUNSET MILLENNIUM PROJECT LOCATED AT 8474 TO 8572 SUNSET BOULEVARD AND INCLUDING 1234 & 1235 LA CIENEGA BOULEVARD AND 1209-1215 ALTA LOMA ROAD, WEST HOLLYWOOD." **Motion Councilmember Guarriello, seconded by Councilmember Martin and unanimously carried, noting the ABSTENTION of Mayor Heilman.**

Mayor Pro Tem Prang stated that he does not support the signage over the bridge and trading the public right way.

Councilmember Martin suggested that the City Council impose a tax on the jumbotron.

Ray Reynolds stated that the agreement would only extend for ten years, the term of the agreement.

Attorney Sterrit stated that the bridge is for pedestrians and public safety.

2) Introduce for first reading 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." **Motion Councilmember Martin, seconded by Councilmember Guarriello and carried noting the NO vote of Prang and the ABSTENTION of Mayor Heilman.**

Mayor Pro Tem Prang commented that the 5.2 million dollars is a lesser amount over 10 years.

Councilmember Martin commented that the developer is absorbing all the costs of the project and that the City is not contributing.

Councilmember Martin commented that interest would be charged if the project is assigned.

3) Introduce for first reading 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." as amended by adding the requirement that allows the City 10% of the proceeds of the jumbotron signage installed on the pedestrian bridge, if a

subsequent tax is enacted by the City for this business purpose this fee will be credited toward such a tax. **Motion Councilmember Martin, seconded by Councilmember Guarriello and unanimously carried noting the ABSTENTION of Mayor Heilman.**

4. UNFINISHED BUSINESS:

4.A. VARIOUS ACTIONS REGARDING THE DETROIT/LEXINGTON FAMILY HOUSING PROJECT:

Allyne Winderman, Economic Development and Housing Manager, provided background information as outlined in the staff report dated December 6, 1999.

ACTION: 1) Approve a loan in the amount of \$373,000 from the Housing Trust fund to the West Hollywood Redevelopment Agency to lend to the West Hollywood Community Housing Corporation for the Detroit/Lexington Family Housing project located at 1151-1155 Detroit Street; 2) Take back ownership of the property by approving a deed in lieu of foreclosure on the property at 1151-1153 Detroit Street; 3) Approve a lease with the West Hollywood Community Housing Corporation for the property at 1151-1153 Detroit Street for \$1 per year; and, 4) Authorize the Interim City Manager to execute these and related documents necessary to facilitate the transaction. **Motion Councilmember Martin, seconded by Mayor Pro Tem Prang and unanimously carried noting the ABSENCE of Councilmember Guarriello.**

4.B. EXTENSION OF AGREEMENT AND PROMISSORY WITH 1320 ASSOCIATES FOR PAYMENT OF AFFORDABLE HOUSING IN-LIEU FEES FOR THE CONDOMINIUM PROJECT LOCATED AT 1320 NORTH HARPER AVENUE:

Allyne Winderman, Economic Development and Housing Manager, provided background information as outlined in the staff report dated December 6, 1999.

DAVID CARVAT, WEST HOLLYWOOD, spoke in opposition of this item.

ACTION: 1) Take no action. **Motion Mayor Pro Tem Prang, seconded by Councilmember Guarriello and carried noting the NO vote of Councilmember Koretz.**

NO ACTION TAKEN ON THIS ITEM BY A SUBSTITUTE MOTION by Mayor Pro Tem Prang, seconded by Councilmember Martin and carried noting the NO vote by Councilmember Koretz.

4.C. RENT STABILIZATION COMMISSION APPOINTMENTS:

City Clerk Thompson provided background information as outlined in the staff report dated December 6, 1999.

ACTION: Councilmember Koretz appointed John Duran to the Rent Stabilization Commission, as his direct appointment, for an un-expired term ending 05/31/2001.

THE CITY COUNCIL RECESSED AT 12:54 A.M. AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION.

THE CITY COUNCIL RECONVENED AT 12:57 P.M.

5. NEW BUSINESS: None.

EXCLUDED CONSENT CALENDAR:

2.0. DIRECTION TO CITY ATTORNEY TO RESEARCH AND DRAFT AN ORDINANCE PROTECTING SENIOR CITIZENS, DISABLED PERSONS AND PEOPLE LIVING WITH HIV AND AIDS FROM EVICTION FOR OWNING A PET:

Councilmember Guarriello stated his concern regarding this item since two seniors have been knocked down in his building by dogs and sustained injuries. He also questioned who takes care of the pet when the owner dies.

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

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

Mayor Heilman stated his concern that some of the housing projects in the City for people with AIDS could be turned into a building where anyone could have a pet. He further stated that some people living with chronic illnesses do not want to be around pets.

ACTION: Direct the City Attorney to draft an ordinance and present it to Council at the next meeting, which will protect senior citizens, persons with disabilities and people living with HIV and AIDS from eviction for owning a pet. This ordinance is designed to exempt all above persons from a provision in rental agreements/leases that would prohibit them from owning a pet. **By a consensus of the City Council, noting the NO vote of Councilmember Guarriello.**

PUBLIC COMMENT:

6. **LEGISLATIVE:** None.

COUNCILMEMBER COMMENTS: None.

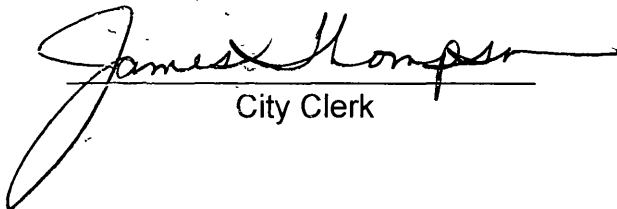
ADJOURNMENT: The City Council adjourned at 1:04 A.M. in memory of Rose Bird and Nick Zuberbauer to a Study Session/Retreat on Wednesday, December 8, 1999 at 5:30 P.M. at the Bel Age Hotel, 1020 N. San Vicente Boulevard. The next regular meeting will be on Monday, December 20, 1999 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

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



MAYOR

ATTEST:



City Clerk