

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, OCTOBER 5, 1998
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Martin called the meeting to order at 7:20 P.M.

PLEDGE OF ALLEGIANCE: Councilmember Koretz led the Pledge.

ROLL CALL:

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

ABSENT: Councilmembers - None.

ALSO PRESENT: City Manager Makinney, City Attorney Jenkins, City Clerk Thompson and Deputy Clerk Lucero.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at 6:00 P.M. the City Council called the meeting to order. One item was added to the Closed Session Agenda by a 5/5 vote under Conference with Real Property Negotiator: lease allowing for a possible antenna location at 8300 Santa Monica Blvd. The Council then recessed into Closed Session to discuss items on the Closed Session Agenda. The Closed Session adjourned at 7:05 P.M. and no reportable actions were taken.

APPROVAL OF AGENDA:

Councilmember Prang requested that Item 5.E, Resolution Supporting the MTA's Decision to Purchase New Buses and Urging Them to Purchase Clean Fuel Buses, be continued to a date uncertain.

ACTION: Approve the Agenda of October 5, 1998, as amended.

Motion Councilmember Guarriello seconded by Mayor Martin and unanimously carried.

PRESENTATIONS:

Mayor Martin presented a plaque to Eddie's Pharmacy.

Councilmember Prang declared October, Disabilities Awareness Month.

Tom Pavich, member of the Disabilities Advisory Board, accepted the commendation in commemoration of Disabilities Awareness Month.

Councilmember Koretz requested that the meeting be adjourned in memory of former Los Angeles Mayor, Tom Bradley.

Mayor Pro Tem Heilman requested that the meeting be adjourned in memory of former West Hollywood Transportation Commissioner, Dunny Cashion.

Mayor Pro Tem Heilman also declared October, Breast Cancer Awareness Month.

Barbara Hamaker announced that free mammograms will be offered at 8969 Santa Monica Blvd. and at Plummer Park, 7377 Santa Monica Blvd.

Mayor Pro Tem Heilman commended the volleyball team who participated in the recent Gay Games in Amsterdam.

Councilmember Prang presented a commendation to the soccer team that participated in the Gay Games.

Councilmembers Koretz and Guarriello presented commendations to the swim team that participated in the Gay Games.

Mayor Pro Tem Heilman presented a commendation to the organizers of AIDSWatch an organization that broadcasts the names of victims of AIDS.

Mayor Martin presented commendations to the West Hollywood Cheerleaders.

1. PUBLIC COMMENT:

DAVID STEINBERG, LOS ANGELES, spoke in support of Item 2.V, Report from the Fine Arts Commission Regarding Its Role & Activities and Item 2.W, Resolution to Adopt Recommendations of the Fine Arts Commission Regarding the Percent for Art Program.

ROSLYN KRAUSE, WEST HOLLYWOOD, commented that very little of the Council's time and energy is spent concentrating on the West Hollywood Library.

JACOB HALE, LOS ANGELES, commended Mayor Pro Tem Heilman and the Council for adopting the ordinance protecting the transgender community from discrimination.

TALIA BETTCHER, WEST HOLLYWOOD, also spoke in support of the transgender ordinance.

SHIRLEY BUSHNELL, WEST HOLLYWOOD, also supports the transgender ordinance and stated that the transgender community should be able to use restrooms allocated to their adopted sex.

RUTH WILLIAMS, WEST HOLLYWOOD, spoke in support of Item 5.B, Transportation Communication Systems.

CRAIG RITCHIE, WEST HOLLYWOOD, also supports Item 5.B. He also reiterated the comments of Ms. Bushnell regarding bathroom usage for the transgender community.

CAROL RODRIGUEZ, WEST HOLLYWOOD, spoke in support of Breast Cancer Awareness Month.

HOWARD ARMISTEAD, WEST HOLLYWOOD, urged residents to vote for Democratic Party candidates in the upcoming election.

SABATO FIORELLO, WEST HOLLYWOOD, reiterated Mr. Steinberg's comments and also supports Items 2.V and 2.W.

JEANNE DOBRIN, WEST HOLLYWOOD, feels that the Keith Haring sculptures are a wonderful addition to the City. However, she also commented that the streets and sidewalks are filthy.

DON BRUHNKE, WEST HOLLYWOOD, congratulated the Council on a successful appeal of the Saturday Night Special Ordinance. He also commented that the commercial space in Municipal Parking Structure No. One is still not leased resulting in lost revenue to the City.

COUNCILMEMBER COMMENTS:

Councilmember Koretz announced the appointment of his new deputy Scott Svonkin.

Councilmember Prang stated that he could not attend the library reception due to illness. He expressed a desire to lease the commercial space at the parking structure as soon as possible.

Mayor Pro Tem Heilman stressed the importance of breast cancer awareness. He also announced the Unity Project and the job training program on November 2nd through 6th and thanked members of the transgender community for their support.

Councilmember Guarriello stated that all public comments at Council Meetings are taken very seriously and are followed up by City staff. He also requested that City Manager Makinney report on street cleaning.

Mayor Martin commented on the success of his recent trip to New York City with the West Hollywood Convention & Visitors Bureau.

CITY MANAGER'S REPORT: City Manager Makinney stated that steam cleaning has increased on Santa Monica Blvd. He also announced that transgender individuals have been included, for eight months, in the sheriff's efforts to target hate crimes.

FISCAL IMPACT ON CONSENT CALENDAR: City Clerk Thompson stated the Fiscal Impact on the Consent Calendar for October 5, 1998 is \$96,850 in expenditures and \$0 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A, B., C., D., E., F., G., H., I., J., K., L., M., N., O., P., Q., R., S., T., U., V., and W.

Motion Councilmember Prang seconded by Mayor Pro Tem Heilman and unanimously carried.

2.A. POSTING OF AGENDA:

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

2.B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the Regular Meeting of September 8, 1998; and, the minutes of the Special Meeting of September 14, 1998. **Approved as part of the Consent Calendar.**

2.C. WAIVER OF FURTHER READING:

RECOMMENDATION: 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:

RECOMMENDATION: Deny the claims of Mark P. Meijer, Perry Meek, Greg Roberts, Lanny Sher and Jon Sidel, and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. DEMAND REGISTER NO. 374, RESOLUTION NO. 98-1963:

RECOMMENDATION: Approve Demand Register No. 374 and adopt Resolution No. 98-1963, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 374." **Approved as part of the Consent Calendar.**

2.F. DEMAND REGISTER NO. 375, RESOLUTION NO. 98-1964:

RECOMMENDATION: Approve Demand Register No. 375 and adopt Resolution No. 98-1964, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 375." **Approved as part of the Consent Calendar.**

2.G. TREASURER'S REPORT:

RECOMMENDATION: Receive and file the Treasurer's Report of August, 1998. **Approved as part of the Consent Calendar.**

2.H. ORDINANCE NO. 98-525 (2nd Reading), AMENDING THE PROVISION RELATING TO THE AUTHORITY OF CITY PERSONNEL TO ENFORCE PROVISIONS OF THE MUNICIPAL CODE TO INCLUDE L.A. COUNTY SECURITY OFFICERS:

RECOMMENDATION: Waive further reading and adopt Ordinance No. 98-525, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING A PROVISION RELATING TO THE AUTHORITY OF CITY PERSONNEL TO ENFORCE PROVISIONS OF THE MUNICIPAL CODE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.I. ORDINANCE NO. 98-526 (2nd Reading), AMENDING ARTICLE III, CHAPTER 11, OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING THE REGULATION OF TAXICABS:

RECOMMENDATION: Waive further reading and adopt Ordinance No. 98-526, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ARTICLE III OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING THE REGULATION OF TAXICABS." **Approved as part of the Consent Calendar.**

2.J. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

RECOMMENDATION: Receive and file Action Reports from the Rent Stabilization Commission of September 10, 1998; the Public Facilities Commission of August 12, 1998 and September 9, 1998; the Transportation Commission of September 16, 1998; the Lesbian & Gay Advisory Board of September 10, 1998; and, the Disabilities Advisory Board of September 9, 1998. **Approved as part of the Consent Calendar.**

2.K. STATEMENT OF THE MAXIMUM ALLOWABLE RENT IN RENT ADJUSTMENT DECISIONS:

RECOMMENDATION: Approve Resolution No. 98-87, "A RESOLUTION OF THE RENT STABILIZATION COMMISSION OF THE CITY OF WEST HOLLYWOOD AMENDING THE RENT STABILIZATION REGULATIONS

REGARDING THE STATEMENT OF THE MAXIMUM ALLOWABLE RENT IN RENT ADJUSTMENT DECISIONS.” **Approved as part of the Consent Calendar.**

2.L. APPROVE CONTRACT WITH JOHNSON’S SUPER SERVICE, INC. FOR TOWING AND STORAGE SERVICES:

RECOMMENDATION: 1) Approve a contract with Johnson’s Super Service, Inc. to provide the City with towing and storage services for a term of five years, with an option to extend the agreement for additional three year periods; and, 2) Authorize the City Manager to sign the contract. **Approved as part of the Consent Calendar.**

2.M. PROFESSIONAL SERVICES AGREEMENT WITH HAUG INTERNATIONAL TO PERFORM AN ECONOMIC IMPACT STUDY FOR THE 1998 HALLOWEEN CARNAVAL EVENT:

RECOMMENDATION: 1) Approve the professional services agreement with Haug International in an amount not to exceed \$7,850. Services provided through the contract will be completed by December 15, 1998; 2) Authorize the City Manager to execute the agreement; and, 3) Authorize the Festival and Event Specialist to manage change orders on this project in an amount not to exceed 20% of the contract. **Approved as part of the Consent Calendar.**

2.N. RESOLUTION CERTIFYING THE SPEED SURVEY FOR FOUNTAIN AVENUE FROM LA BREA AVENUE TO FAIRFAX AVENUE:

RECOMMENDATION: Adopt Resolution No. 98-1965, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CERTIFYING THE SPEED SURVEY FOR FOUNTAIN AVENUE FROM LA BREA AVENUE TO FAIRFAX AVENUE.” **Approved as part of the Consent Calendar.**

2.O. CONFLICT OF INTEREST CODE 1998 BIENNIAL NOTICE:

RECOMMENDATION: 1) Receive and file the 1998 Biennial Notice; 2) Direct the City Clerk to return to the City Council with a resolution adopting a revised Conflict of Interest Code; and, 3) Direct the City Clerk to submit the required documentation to the State of California Fair Political Practices Commission. **Approved as part of the Consent Calendar.**

2.P. PROPOSAL FOR TRANSPORTATION COMMISSION INPUT TO THE PLANNING PROCESS:

RECOMMENDATION: 1) Approve the recommendations from the Planning Commission and Transportation Commission; and direct the Transportation Commission and the Planning Commission to appoint two members from each Commission to serve on an ad hoc committee when a development project reaches

the threshold requiring a traffic study. The ad hoc subcommittee will meet after the completion of the traffic study and before planning consideration of the project. Minutes of the ad hoc subcommittee meeting shall be forwarded to each Commission. Commissioners may comment on the minutes. Transportation Commissioner comments shall be transmitted to the Planning Commission. Every effort shall be made to transmit any comments prior to Planning Commission consideration of the project; 2) Provide the Transportation Commission with the monthly Planning Status Reports; 3) Invite the Transportation Commission to Environmental Impact Report (EIR) Scoping meetings particularly for the traffic and transportation issues; and, 4) Send the Transportation Commission mailings of all neighborhood meetings. **Approved as part of the Consent Calendar.**

2.Q. COMMISSION/ADVISORY BOARD/COMMITTEE ATTENDANCE REPORTS:

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

2.R. PROFESSIONAL SERVICES AGREEMENT WITH ZAP POWER SYSTEMS FOR THE PURCHASE OF ELECTRIC BICYCLES:

RECOMMENDATION: 1) Approve the professional services agreement with Zap Power Systems for the purchase of five (5) electric bicycles in an amount not to exceed \$9,000; and, 2) Authorize the City Manager to sign the contract. **Approved as part of the Consent Calendar.**

2.S. PURCHASE 90 NEW LARGER CAPACITY PARKING METERS TO REPLACE EXISTING WORN OUT SMALLER CAPACITY METERS:

RECOMMENDATION: 1) Authorize the Finance Director to issue a purchase order to Duncan Industries in an amount not to exceed \$20,000 to purchase 90 new ninety series parking meters; 2) Authorize the Finance Director to issue a budget transfer from Account No. 100-8020-8547 (Parking Meter Maintenance) to Account No. 100-8020-9803 (Parking Meter Replacement); 3) Declare 90 used seventy series parking meters as surplus property, serial numbers to be kept on file at the Department of Transportation & Public Works; and, 4) Authorize staff to negotiate the trade-in of the 90 surplus property seventy series parking meters. **Approved as part of the Consent Calendar.**

2.T. PROPOSED RESOLUTIONS RELATIVE TO AND CALLING THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 2, 1999:

RECOMMENDATION:

- 1) Adopt Resolution No. 98-1966, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 2, 1999 FOR THE ELECTION OF CERTAIN OFFICERS OF SAID CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES;"
- 2) Adopt Resolution No. 98-1967, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 2, 1999;"
- 3) Adopt Resolution No. 98-1968, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 2, 1999."

Approved as part of the Consent Calendar.

2.U. PROPOSED RESOLUTION ESTABLISHING A FEE FOR THE PROCESSING OF AN INITIATIVE PETITION FOR ANY MUNICIPAL MEASURE:

RECOMMENDATION: Adopt Resolution No. 98-1969 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A FEE FOR THE PROCESSING OF AN INITIATIVE FOR ANY MUNICIPAL MEASURE." **Approved as part of the Consent Calendar.**

2.V. REPORT FROM THE FINE ARTS COMMISSION REGARDING ITS ROLE AND ACTIVITIES:

RECOMMENDATION: 1) Accept the report of the Fine Arts Commission; and, 2) Direct staff as appropriate regarding the implementation of recommendations. **Approved as part of the Consent Calendar.**

2.W. PROPOSED RESOLUTION TO ADOPT RECOMMENDATIONS OF THE FINE ARTS COMMISSION FOR NEW POLICIES AND GUIDELINES FOR THE PERCENT FOR ART PROGRAM:

RECOMMENDATION: Adopt Resolution No. 98-1970, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING

ADDITIONAL GUIDELINES FOR THE PERCENT FOR ART PROGRAM.”
Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS:

3.A. RESOLUTION DENYING THE APPEAL OF CREATIVE SIGN PERMIT 97-15 FOR THE WHISKY A-GO-GO 8901 SUNSET BOULEVARD, WEST HOLLYWOOD:

City Clerk Thompson stated that a Notice of Public Hearing was published in the West Hollywood *Independent* on September 23, 1998.

John Chase, Urban Designer, provided background information as outlined in the staff report dated October 5, 1998.

Councilmember Koretz announced, due to a conflict of interest, he will not be participating in the discussion or voting on the item.

Mayor Martin opened the Public Hearing and the following addressed the City Council:

MIKEAL MAGLIERI, WEST HOLLYWOOD, stated that he would like to work with the City in an attempt to bring his signage into conformance.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the Planning Commission's decision denying Creative Sign Permit 97-15.

MIKEAL MAGLIERI, WEST HOLLYWOOD, in rebuttal stated that, as a property owner, he is attempting to raise the property value by improving the quality of signage at the Whiskey-a-Go-Go.

Mayor Martin feels that the sign in question is very creative.

Mayor Pro Tem Heilman stated that the owner has made a good faith effort to comply. He also stated that he does not find the proposed sign to be garish.

ACTION: 1) Open the public hearing; 2) Receive testimony; 3) Close the public hearing; and, 4) Direct staff to return on October 19, 1998 to the City Council with a Resolution approving Creative Sign Permit 97-15 for the property located at 8901 Sunset Boulevard.

Motion Councilmember Prang seconded by Mayor Martin and carried noting the abstention of Councilmember Koretz.

4. UNFINISHED BUSINESS:

4.A. FIRST QUARTER REPORT FOR FISCAL YEAR 1998-99 SUBMITTED BY WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:

Lester Burg, Development Specialist III, provided background information as outlined in the staff report dated October 5, 1998.

PAUL ZIMMERMAN, Executive Director of the West Hollywood Community Housing Corporation, elaborated on the report.

TOM MANN, WEST HOLLYWOOD, spoke in support of the report.

ACTION: Receive and file.

Motion Councilmember Guarriello seconded by Mayor Pro Tem Heilman and unanimously carried.

4.B. EXTENSION OF AGREEMENT FOR DIAL-A-RIDE TRANSPORTATION SERVICE SERVING FRAIL, ELDERLY AND DISABLED RESIDENTS:

Lucy Dyke, Transportation Manager, provided background information as outlined in the staff report dated October 5, 1998.

Councilmember Prang is concerned that there have been numerous complaints from residents who have used the service.

Ms. Dyke responded that on-time performance had been a problem but staff has discussed this issue with the operator and dramatic improvements have been made.

ACTION: Authorize the City Manager to enter into an extension agreement with Diversified Paratransit, Inc. (DPI) to operate the dial-a-ride service, for one year, in an amount not to exceed \$159,109.

Motion Councilmember Guarriello seconded by Councilmember Prang and unanimously carried.

THE CITY COUNCIL RECESSED AT 9:01 P.M. AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION.

THE CITY COUNCIL RECONVENED AT 9:02 P.M.

5. NEW BUSINESS:

5.A. REQUEST FOR PROPOSALS FOR AUTOMATED TRAFFIC SIGNAL ENFORCEMENT:

Lucy Dyke, Transportation Manager, provided background information as outlined in the staff report dated October 5, 1998.

Mayor Pro Tem Heilman stated that he would support this item in concept but does not like the idea of cameras in the streets.

ACTION: Direct staff to issue a Request for Proposals for automated signal enforcement equipment and ticket processing services to the City.

Motion Mayor Pro Tem Heilman seconded by Councilmember Koretz and unanimously carried.

5.B. TRANSPORTATION COMMUNICATION SYSTEMS:

Lucy Dyke, Transportation Manager, provided background information as outlined in the staff report dated October 5, 1998.

ACTION: 1) Support the concept of using traffic signal technology to reduce fire vehicle response times; 2) Direct the staff to request funding for this type of system through making applications to the state, the federal government and the Los Angeles County Metropolitan Transportation Authority, as opportunities arise; 3) Direct staff to include this project for funding consideration, with other projects in conjunction with other capital improvement projects during the next capital budget cycle; and, 4) Direct public safety to consider methods to increase driver compliance with the requirement to move out of the way of emergency vehicles responding to emergencies.

Motion Mayor Martin seconded by Councilmember Prang and unanimously carried.

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

Joyce Rooney, Associate Transportation Planner, provided background information as outlined in the staff report dated October 5, 1998.

ACTION: 1) Approve a Proposition A Fund trade agreement with the City of Walnut for \$221,000 West Hollywood General Funds in exchange for \$340,000 City of Walnut Prop A Funds; 2) Authorize the City Manager to execute the agreement; and, 3) Authorize the Finance Director to modify the budget in the following ways: a) Account No. 100-8030-7580; Increase by \$221,000 from

unallocated reserves; and, b) Account No. 218-0000-4800 Prop A Revenue Increase \$340,000. This increases General Fund appropriation for Expenditure for traded funds by \$221,000. This will allow the purchase of an additional \$119,000 Prop A funds for a total of \$340,000.

Motion Mayor Pro Tem Heilman seconded by Councilmember Prang and unanimously carried.

5.D. DESIGNATION OF VOTING DELEGATES FOR NATIONAL LEAGUE OF CITIES ANNUAL BUSINESS MEETING:

City Clerk Thompson provided background information as outlined in the staff report dated October 5, 1998.

ACTION: 1) Appoint Mayor Martin as a voting delegate and Mayor Pro Tem Heilman as an alternate for the 1998 National League of Cities' Annual Business Meeting; and, 2) Direct the City Clerk to submit the required forms to the League offices.

Motion Mayor Pro Tem Heilman seconded by Councilmember Guarriello and unanimously carried.

5.E. PROPOSED RESOLUTION SUPPORTING THE MTA'S DECISION TO PURCHASE NEW BUSES AND URGING THEM TO PURCHASE CLEAN FUEL BUSES:

ACTION: By consensus of the City Council, this item was continued to a date uncertain.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE:

6.A. TOBACCO BILLBOARDS:

Councilmember Koretz provided background information as outlined in the staff report dated October 5, 1998.

SCOTT SCHMIDT, WEST HOLLYWOOD, spoke in favor of limiting advertising of tobacco products.

LAYNE LAWSON, HUNTINGTON BEACH, of Eller Media, feels that the proposed ordinance is unnecessary but requested a 365 day grace period if the ordinance is adopted.

CHARLES SMITH, LOS ANGELES, speaking in support of the item, stated that tobacco is the most heavily advertised product. He also commented that tobacco companies have admitted that their advertising is designed to specifically target youth. He also urged the Council to abandon the Sunset Boulevard exemption in the proposed ordinance.

ALAN ZOHAR, AGOURA, spoke in support of the ordinance and also supports restrictions on Sunset Boulevard.

BRUCE TRAUB, WEST HOLLYWOOD, would also like to include alcohol restrictions on billboard advertising.

B. JAMES BOTTOMS, WEST HOLLYWOOD, spoke against the proposed ordinance citing that businesses also have constitutional rights.

Mayor Pro Tem Heilman is concerned with Section 5504 e of the proposed ordinance.

City Attorney Jenkins suggested deleting Section 5504 e.

ACTION: 1) Modify the Ordinance as presented by deleting Section 5504 e, and 2) Introduce on first reading Ordinance No. 98-527, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING THE OFF-SITE ADVERTISING OF TOBACCO PRODUCTS."

Motion Councilmember Prang seconded by Mayor Martin and unanimously carried.

6.B. PROPOSED ORDINANCE REGARDING LATE CONTRIBUTIONS AND INDEPENDENT EXPENDITURES IN CONNECTION WITH ELECTION CAMPAIGNS IN THE CITY OF WEST HOLLYWOOD:

City Clerk Thompson provided background information as outlined in the staff report dated October 5, 1998.

Mayor Martin requested that a letter of explanation to all potential City Council candidates be sent regarding the proposed ordinance.

B. JAMES BOTTOMS, WEST HOLLYWOOD, inquired as to why the City feels it is necessary to go beyond the parameters of the California Government Code.

ACTION: 1) Modify the Ordinance as presented by changing the first sentence of Section 220008(a) to read, "Notwithstanding the provisions of Sections 82036 and 82036.5 of the California Government Code, any contribution received or independent expenditure made of \$1,000..."; and, 2) Introduce for first reading Ordinance No. 98-528, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING LATE CONTRIBUTIONS AND INDEPENDENT EXPENDITURES IN CONNECTION WITH ELECTION CAMPAIGNS IN THE CITY OF WEST HOLLYWOOD AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Motion Councilmember Guarriello seconded by Councilmember Prang and unanimously carried.


COUNCILMEMBER COMMENTS:

Mayor Pro Tem Heilman requested a status report on prior City Council direction that a revised Conditional Use Permit (CUP) process be developed for businesses that sell tobacco products.

City Attorney Jenkins replied that staff is awaiting the Zoning portion of the Municipal Code.


ADJOURNMENT: The City Council adjourned at 10:06 P.M. in memory of Tom Bradley and Dony Cashion to their next regular meeting on Monday, October 19, 1998 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 19th DAY OF OCTOBER, 1998.



MAYOR

ATTEST:



City Clerk