

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
TUESDAY, SEPTEMBER 8, 1998  
WEST HOLLYWOOD PARK**

**CALL TO ORDER:** Mayor Martin called the meeting to order at 7:03P.M.

**PLEDGE OF ALLEGIANCE:** Steven Davis 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.

**APPROVAL OF AGENDA:**

**ACTION:** Approve the September 8, 1998 Agenda. **Motion Councilmember Guarriello seconded by Councilmember Prang and unanimously carried.**

**PRESENTATIONS:**

Mayor Martin presented a commendation and plaque to *Nightlife* Magazine.

Mayor Martin also presented a plaque to Sal's Pharmacy, which just closed due to the owner's retirement.

**1. PUBLIC COMMENT:**

STEVEN DAVIS, WEST HOLLYWOOD, spoke in favor of funding for the Youth Program at the Lesbian & Gay Center.

URSULA BOWER, WEST HOLLYWOOD, spoke in favor of continued permit parking on La Jolla Avenue, Item 3.A, Review of Preferential Parking District 9.

**COUNCILMEMBER COMMENTS:**

Councilmember Prang announced that the application deadline for the Community Library Advisory Committee has been extended to September 23, 1998. He also directed the City Manager to investigate whether more trash receptacles are necessary on Santa Monica Blvd.

Mayor Martin announced that City Clerk Thompson's birthday is tomorrow.

**CITY MANAGER'S REPORT:** City Manager Makinney also announced that the application deadline for submission of applications for the Community Library Advisory Committee has been extended to September 23<sup>rd</sup>.

**FISCAL IMPACT ON CONSENT CALENDAR:** City Clerk Thompson stated the Fiscal Impact on the Consent Calendar is \$273,310 in expenditures and \$100,000 in potential revenue.

**2. CONSENT CALENDAR:**

**ACTION:** Approve Items 2.A, B, C, D, E, F, G, H, I, J, and K. **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 Special Meeting of August 31, 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. DEMAND REGISTER NO. 373, RESOLUTION NO. 98-1961:**

**RECOMMENDATION:** Approve Demand Register No. 373 and adopt Resolution No. 98-1961, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 373." **Approved as part of the Consent Calendar.**

**2.E. ORDINANCE NO. 98-524 (2nd Reading), AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE RELATIVE TO MOTION PICTURE, TELEVISION AND PHOTOGRAPHIC PRODUCTION:**

**RECOMMENDATION:** Waive further reading and adopt Ordinance No. 98-524, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE RELATIVE TO MOTION PICTURE, TELEVISION AND PHOTOGRAPHIC PRODUCTION." **Approved as part of the Consent Calendar.**

- 2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**  
RECOMMENDATION: Receive and file Action Report from the Fine Arts Commission meeting of August 27, 1998. **Approved as part of the Consent Calendar.**
- 2.G. APPROVAL FOR PROFESSIONAL SERVICES CONSULTANT AGREEMENTS FOR INITIATIVES IN THE SCHOOLS:**  
RECOMMENDATION: Approve a consultant contract with Steinberg & Associates not to exceed \$10,000 for dispute resolution and peer mediation training at local schools and development of curriculum materials; and approve a consultant contract with Berger-Kaye & Associates not to exceed \$15,000 to establish service learning and community service programs at local schools, assist in implementing the workplan of the Healthy West Hollywood Project in the schools, and contribute to publications related to the projects. **Approved as part of the Consent Calendar.**
- 2.H. APPROVAL OF GRANT AGREEMENT NO. PVEA 07-97(04) BETWEEN THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CITY OF WEST HOLLYWOOD TO RECEIVE \$100,000 FROM THE PETROLEUM VIOLATION ESCROW ACCOUNT (PVEA) TO IMPLEMENT NEW TRAFFIC SIGNAL TECHNOLOGY:**  
RECOMMENDATION: Authorize the City Manager to enter into an agreement with the State of California Department of Transportation (Caltrans) for the receipt of a \$100,000 grant funded by the Petroleum Violation Escrow Account (PVEA). **Approved as part of the Consent Calendar.**
- 2.I. AGREEMENT FOR VARIOUS SERVICES FOR THE 1998 HALLOWEEN CARNAVAL EVENT:**  
RECOMMENDATION: 1) Approve an agreement with 4 Finn in the amount of \$17,170. for stages lighting and audio; an agreement with Aggreko in the amount of \$7,405 for power; and an agreement with Towards 2000 Inc. in the amount of \$6,000 for video equipment; 2) Authorize the City Manager to execute the contracts; 3) Authorize the City Manager to execute Halloween contracts under \$5,000. and 4) Authorize the Festival and Event Specialist to manage change orders on this project in an amount not to exceed 20% of the contracts. **Approved as part of the Consent Calendar.**
- 2.J. AWARD OF CONTRACT FOR DECORATIVE LIGHTING ON SANTA MONICA BOULEVARD FOR 1998 HOLIDAY SEASON:**  
RECOMMENDATION: Approve an agreement for Event Technical Services, Inc. in the amount of \$82,000 for the 1998 Holiday Lighting Program and authorize the City Manager to sign. **Approved as part of the Consent Calendar.**

**2.K. ACCEPTANCE OF PROPOSAL FROM MARTIN AND CHAPMAN COMPANY FOR ELECTION SUPPLIES AND RELATED SERVICES:**

**RECOMMENDATION:** 1) Accept the proposal from Martin and Chapman Company for Election Supplies and related services in an amount not to exceed \$34,000 for the General Municipal Election to be held on March 2, 1999; 2) Authorize the Director of Finance to issue a purchase order; and, 3) Authorize the City Clerk to issue Change Orders not to exceed 15% of the original proposal.  
**Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**

**3.A. REVIEW OF PREFERENTIAL PARKING DISTRICT 9:**

Donald Korotsky, Associate Transportation Planner, provided background information as outlined in the staff report dated September 8, 1998.

City Clerk Thompson announced that Notices of Public Hearing were published in the West Hollywood *Independent* on August 26<sup>th</sup> and September 2, 1998.

Mayor Martin opened the Public Hearing.

As no public speakers came forward, Mayor Martin closed the Public Hearing.

**ACTION:** 1) Receive and file; and, 2) Uphold the recommendation of the Transportation Commission to retain current hours of employment throughout Preferential Parking District 9, (7:00 P.M. to 7:00 A.M., everyday). **Motion Councilmember Prang seconded by Mayor Pro Tem Heilman and unanimously carried.**

**3.B. ZONING TEXT AMENDMENT 98-02; SUNSET SPECIFIC PLAN AMENDMENT 98-01: PROPOSAL TO ALLOW COVERAGE OF WINDOWS AND ALLOWING WINDOW AREA TO BE INCLUDED IN ESTABLISHING MINIMUM REQUIRED AREA FOR "TALL WALL" CREATIVE BILLBOARDS:**

Elizabeth Bar-El, Acting Associate Planner, provided background information as outlined in the staff report dated September 8, 1998.

Mayor Pro Tem Heilman inquired as to what provision of the Zoning Ordinance prohibits covering of windows.

Ms. Bar-El replied that a billboard must adhere to the wall of a building and the Community Development Department's interpretation of the Ordinance is that the term "wall" does not include windows. According to this interpretation, windows

may not be part of the billboard's image area and may not be included in the minimum square footage calculation.

City Clerk Thompson announced that a Notice of Public Hearing was published in the West Hollywood *Independent* on August 12, 1998.

Mayor Martin opened the Public Hearing.

RICK ROBINSON, Outdoor Systems Advertising, spoke in favor of "scrimming" a building's windows in order to enhance tall wall billboards.

STEVE SMITH, WEST HOLLYWOOD, supports further regulation of tall wall billboards.

JEANNE DOBRIN, WEST HOLLYWOOD, also spoke in favor of further regulation of billboards and denying the request of Outdoor Systems Advertising.

ROBERTA SPONSLER, Outdoor Systems Advertising, spoke in favor of the use of incorporating windows in tall wall billboards.

Mayor Pro Tem Heilman suggested limiting the use of windows for tall wall billboard advertising to 15% of the building's surface.

Councilmember Prang inquired if windows are frequently being covered in violation of City regulations.

Mayor Martin commented that no City revenue is currently generated from tall wall billboards and inquired if tall wall billboards attract higher end advertisers and entertainment companies.

Ms. Bar-El responded that we cannot, for the most part, regulate the content of advertisements as this may be prohibited by the First Amendment.

Mayor Martin commented that the tall walls add to the ambiance of the Sunset Strip.

Councilmember Koretz stated that if the tall walls are to be allowed, then the windows should be allowed to be covered.

Mayor Pro Tem Heilman suggested that a tax be levied in the future on tall wall billboards. He also stated that there are already regulations in place to regulate creative billboards.

**ACTION:** Direct staff to return to Council with a Resolution accepting the proposed Zoning Text Amendment, allowing tall wall billboards to include use of up to 15% of the total measurements to be windows in calculating the minimum 5,000 square-foot image area, and windows may be “scrimmed” with a material that allows one-way vision.

**Motion Mayor Martin seconded by Mayor Pro Tem Heilman and carried on a roll call vote:**

**AYES:** Councilmember Koretz, Mayor Pro Tem Heilman and Mayor Martin.

**NOES:** Councilmembers Guarriello and Prang.

**4. UNFINISHED BUSINESS:**

**4.A. FISCAL STRATEGIES FOR ANTICIPATED PROGRAMS & CAPITAL PROJECTS:**

Paul Arevalo, Director of Finance, provided background information as outlined in the staff report dated September 8, 1998.

Councilmember Guarriello stated that he would not support a utility user’s tax. However, he may support increased parking fees or an increased business license tax.

Councilmember Koretz opposes a utility user’s tax or an increased business license tax.

Councilmember Prang supports an increase in parking meter and citation rates but opposes a utility user’s tax. He further stated that he does not support an increase in the transient occupancy tax or in the business license tax. However, he feels that nightclubs should be more heavily taxed.

Mayor Pro Tem Heilman does not support an increase in the transient occupancy tax or an off-street parking tax. However, he would support a business license tax increase. Additionally, he stated that nightclubs should be taxed more heavily and a tax should be considered on tall wall billboards.

Mayor Martin commented that the City is fiscally very healthy. He opposes a utility users tax and is not enthusiastic about an increase to the transient occupancy tax. He would like to focus on an off-street parking tax and reluctantly on an increase to the business license tax.

JEANNE DOBRIN, WEST HOLLYWOOD, suggested leasing the public right-of-way at market rate and an entertainment tax. She also spoke in support of an off-street parking tax but is opposed to a utility users tax.

Motion Councilmember Prang to: 1) Direct staff to continue its efforts to develop a tax initiative for the March, 1999 General Election; 2) Direct staff to aggressively pursue all possible grant funding sources to support the reconstruction and maintenance of the Boulevard; and, 3) Establish a freeze on additional 1998-99 appropriations and direct staff to develop an appropriation reduction contingency plan that will identify planned reductions to the City's base operating budget to support the Boulevard Program as fallbacks to items 1 & 2. This will result in any newly available resources to be earmarked to support the Boulevard Project and a prohibition on new unfunded programs, seconded by Mayor Martin and failed by the following vote:

**AYES: Councilmember Prang and Mayor Martin.**

**NOES: Councilmember Koretz and Mayor Pro Tem Heilman.**

**ABSTAIN: Councilmember Guarriello.**

**ACTION: 1) Direct staff to continue its efforts to develop a tax initiative for the March, 1999 General Municipal Election; and, 2) Direct staff to aggressively pursue all possible grant funding sources to support the reconstruction and maintenance of Santa Monica Boulevard.**

**Motion Councilmember Prang seconded by Mayor Martin and unanimously carried.**

**4.B. 1998-2000 SOCIAL SERVICES PROGRAMS:**

Daphne Dennis, Social Services Administrator, provided background information as outlined in the staff report dated September 8, 1998.

COLLEEN JOHNSON, LOS ANGELES of AIDS Project Los Angeles (APLA), spoke in support of additional funding for APLA.

MARC HAUPERT, LOS ANGELES, Executive Director of LA Shanti Foundation, suggested that \$25,000 toward his organization's educational programs would be an appropriate level of funding.

JEANNE DOBRIN, WEST HOLLYWOOD, commented that funding for STORE may not be needed if it is being funded by a pharmaceutical company.

Mayor Pro Tem Heilman suggested an additional \$25,000 to be allocated between LA Shanti and APLA.

Motion Mayor Martin to allocate \$113,000 in unobligated funds as follows: \$10,000 to APLA, \$15,000 to LA Shanti, \$10,000 to the Gay & Lesbian Center and \$78,000 to Foundation House, seconded by Councilmember Koretz.

**ACTION:** Sever the motion and take individual voice votes on the increases in funding.

**Motion Mayor Pro Tem Heilman, seconded by Councilmember Guarriello and carried on a roll call vote:**

**AYES:** Councilmembers Guarriello & Koretz and Mayor Pro Tem Heilman.

**NOES:** Councilmembers Prang and Mayor Martin.

**ACTION:** Increase staff recommended funding to AIDS Project Los Angeles (APLA) by \$10,000.

**Carried by a consensus of the City Council.**

**ACTION:** Increase staff recommended funding to Shanti Foundation by \$15,000.

**Carried by a consensus of the City Council.**

**ACTION:** Increase L.A. Gay and Lesbian Center - Youth Programs by \$10,000, carried on a roll call vote:

**AYES:** Councilmembers Koretz & Prang and Mayor Martin.

**NOES:** Councilmembers Guarriello and Mayor Pro Tem Heilman.

**ACTION:** Increase staff recommended funding to Foundation House by \$78,000 for year one only, carried on a roll call vote:

**AYES:** Councilmembers Koretz & Prang and Mayor Martin.

**NOES:** Councilmembers Guarriello and Mayor Pro Tem Heilman.

**ACTION:** Approve funding levels and program concepts and authorize staff to negotiate the scopes of services and budgets for Social Services funding for 1998-2000; one year contracts renewable upon satisfactory achievement; and, extend lease as noted:



- 1) AIDS Project Los Angeles for case management; dental services; Necessities of Life Program; insurance and benefits counseling; in-home healthcare for people living with AIDS; and work collaboratively with STORE to provide HIV testing, counseling, a buddy program, support groups and participate in research on program effectiveness. Total funding: \$220,000.
- 2). Los Angeles Shanti Foundation for emotional support services for people living with HIV/AIDS. Total funding: \$71,000.
- 3) Youth Program of the LA Gay & Lesbian Center for outreach, shelter, counseling, AIDS education and material assistance for homeless youth. Total funding: \$50,000.
- 4) Foundation House for emergency and transitional shelter and street outreach to homeless adults and extend lease at 1033 N. La Brea on a month-to-month basis. Total funding: \$378,000 for year one and \$300,000 for year two; and,
- 5) Direct the Finance Director to transfer \$113,000 from unobligated reserve funds to Social Services funding.

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

**5. NEW BUSINESS:** None.

**EXCLUDED CONSENT CALENDAR:** None.

**PUBLIC COMMENT:**

JEANNE DOBRIN, WEST HOLLYWOOD, commented that the Council does not heed the decisions of the Planning Commission.


**6. LEGISLATIVE:** None.

**COUNCILMEMBER COMMENTS:**

Councilmember Prang announced that on September 16, 1998 the City will co-sponsor "Out at Work."

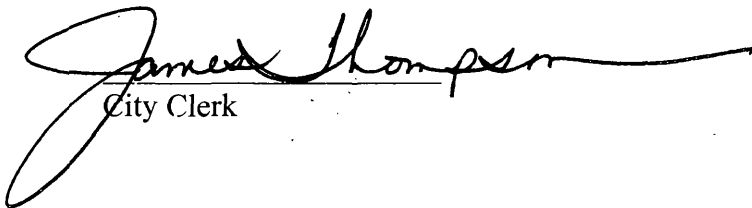
**ADJOURNMENT:** The City Council adjourned at 9:00 P.M. to a Special Meeting on Monday, September 14, 1998 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The Meeting of Monday, September 21, 1998 will be canceled due to lack of a quorum. The next Regular Meeting will be on October 5, 1998.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 5<sup>TH</sup>  
DAY OF OCTOBER, 1998.

A handwritten signature in black ink, appearing to be "G. L.", written over a horizontal line.

MAYOR

ATTEST:

A handwritten signature in black ink, appearing to be "James Thompson", written over a horizontal line.  
City Clerk