

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JUNE 15, 1998
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Martin called the meeting to order at 7:18 P.M.

PLEDGE OF ALLEGIANCE: Gene Smith led the Pledge.

ROLL CALL:

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

ABSENT: Councilmembers - Guarriello.

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 approximately 6:15 P.M. the City Council recessed into a Closed Session to discuss Items on the Closed Session Agenda. The Mayor called the meeting to order and by a 4/4 vote, the following Items were added to the Closed Session Agenda: One item under Employee Discipline/Dismissal/Release and another under Real Estate Negotiations, regarding the California Department of Transportation and the acquisition of Santa Monica Blvd. The Council adjourned at approximately 7:00 P.M. No reportable actions were taken.

APPROVAL OF AGENDA:

City Clerk Thompson announced that staff has requested Item 2.X be tabled to July 6, 1998.

Councilmember Koretz has requested that Item 2.L be removed from the Consent Calendar for separate discussion.

ACTION: Approve the June 15, 1998 Agenda as amended. Motion Mayor Pro Tem Heilman, seconded by Councilmember Prang and unanimously carried.

PRESENTATIONS:

Mayor Pro Tem Heilman announced the upcoming Christopher Street West Domestic Partnership Commitment Ceremony on June 27, 1998 at 2:00 P.M.

Councilmember Prang requested that the meeting be adjourned in memory of Emil Roberti.

Mayor Martin announced the upcoming Sheriff's bar walk.

Mayor Martin presented a proclamation to Scott Imler of the L.A. Cannabis Resource Center.

1. CITIZEN COMMENTS:

MARK LEHMAN, WEST HOLLYWOOD, thanked the Council and staff for their work on Item 2.Y, regarding 828 Westbourne Drive.

HOWARD ARMISTEAD, WEST HOLLYWOOD, stated that he has been involved in AIDS research for fourteen years and calls on the Council to endorse a resolution supporting aspirin as a treatment for HIV.

HARRIET SEGAL, WEST HOLLYWOOD, commented on public comment made by a West Hollywood library staff member at the May 18th Council Meeting and a Councilmember's resulting letter regarding that staff member.

BENJAMIN CLAVAN, WEST HOLLYWOOD, stated that Catherine Hahn and the entire Public Facilities Commission supports the Kings Road Park Final Plan.

KEN SAVAGE, WEST HOLLYWOOD, supports holiday lighting and feels that it should be funded from the business license tax.

CAROL RODRIGUEZ, WEST HOLLYWOOD, thanked Warner Brothers Studio for organizing disaster preparedness classes.

JOHN DURAN, WEST HOLLYWOOD, thanked the Council for adopting the Ordinance prohibiting mobile advertising vehicles and supports the efforts of the Cannabis Buyer's Club. He also supports funding for the library.

BUD SIEGEL, WEST HOLLYWOOD, stated that there are many erroneous decisions being made due to the ROMA streetscape plan, specifically with regard to the planting of deciduous trees.

BOB SCHURR, CALABASAS, representing Metropolitan Community Church, announced its 30th anniversary.

GREY LEGUYER WEST HOLLYWOOD, complained about the potential noise from the new fire station on San Vicente Boulevard and Cynthia Street.

SALLY ROISMAN, WEST HOLLYWOOD, spoke against an increase in property taxes.

MARIANGELA MALESPIN, WEST HOLLYWOOD, has attended the first two Summer Sounds Concerts and stated that they have been a tremendous success. She requested that future Summer Sounds Concerts be cablecasted.

COUNCILMEMBER COMMENTS:

Councilmember Koretz stated that it was inappropriate for the library staff member to have criticized the City Council before the Council had had an opportunity to discuss the future budget.

Councilmember Prang stated that he was not a member of the City Council when the San Vicente/Cynthia site was chosen for the new fire station. He also agreed that the library staff member's comments at the May 18th Council Meeting were inappropriate.

Mayor Pro Tem Heilman stated that he did not agree with the San Vicente/Cynthia site for the new fire station. He also stated that we must move forward in a positive manner for the benefit of the West Hollywood Library.

Mayor Martin stated that Nancy Greenstein, the former Public Safety Coordinator went through a tremendous effort to reach out to the community regarding the fire station. He also stated that the City does not have \$100,000 in construction funds for the library and feels that this may be the most challenging of capital improvements project.

CITY MANAGER'S REPORT: City Manager Makinney stated the fire station at San Vicente and Cynthia was a very extensively researched public project. He also announced that at the June 1, 1998 Council Meeting former City Clerk Vivian Love was appointed to the position of Director of Management Services and Jay Thompson was appointed City Clerk.

FISCAL IMPACT ON CONSENT CALENDAR: City Clerk Thompson stated the Fiscal Impact of the Consent Calendar is \$1,780,363 in expenditures and \$281,385 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J., K., M., N., O., P., Q., R., S., T., U., V., W., Y., Z., AA., BB., CC., DD., and EE. Motion Councilmember Prang, seconded by Mayor Pro Tem Heilman and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, June 15, 1998 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, June 11, 1998.

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

2.B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the Regular Meeting and the Budget Study Session of May 18, 1998; and the Regular Meeting of June 1, 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 Vincent Tittle; Deborah E. Taylor; and Steward S. Mitchell and refer them to the City's Claims Adjuster for action.
Approved as part of the Consent Calendar.
- 2.E. DEMAND REGISTER NO. 368, RESOLUTION NO. 98-1917:**
RECOMMENDATION: Approve Demand Register No. 368 and adopt Resolution No. 98-1917, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 368." **Approved as part of the Consent Calendar.**
- 2.F. ORDINANCE NO. 98-517 (2nd Reading) AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING MOBILE ADVERTISING:**
RECOMMENDATION: Waive further reading and adopt Ordinance No. 98-515, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING MOBILE ADVERTISING." **Approved as part of the Consent Calendar.**
- 2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**
RECOMMENDATION: Receive and file action reports from the Fine Arts Commission of May 28, 1998; Cultural Heritage Commission of June 8, 1998; Planning Commission of June 4, 1998; the Project Area Committee of June 2, 1998; and the Rent Stabilization Commission of May 28, 1998. **Approved as part of the Consent Calendar.**
- 2.H. SUPPLEMENTAL PROFESSIONAL SERVICE AGREEMENT WITH M.C.E. CORPORATION TO PROVIDE STREET MAINTENANCE SERVICES FOR FY 98-99:**
RECOMMENDATION: 1) Authorize the City Manager to enter into a supplemental professional services contract with M.C.E. Corporation for street maintenance services for FY 98-99, in an amount not to exceed \$555,000 for routine street maintenance services; and, 2) Authorize the City Engineer to manage service requests for changes in the work program for street maintenance in an amount not to exceed 25% of the contract for FY 98-99. **Approved as part of the Consent Calendar.**

- 2.I. AGREEMENT EXTENSION FOR TAXI COUPON/LIFT VAN SUBSIDY PROGRAM WITH JEWISH FAMILY SERVICES (JFS):**
RECOMMENDATION: Approve the two year agreement extension with Jewish Family Services (JFS) for an amount not to exceed \$1,202,000 effective July 1, 1998 through June 30, 2000, and; 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**
- 2.J. 1998 SUMMER SOUNDS PERFORMANCE CONTRACT:**
RECOMMENDATION: 1) Accept the performance of Les Brown and the Band of Renown scheduled for August 23, 1998; and, 2) Authorize the City Manager to enter into a contract with Les Brown and the Band of Renown in the amount of \$6,150 for their August 23, 1998 performance. **Approved as part of the Consent Calendar.**
- 2.K. AWARD OF BID TO RYDIN DECAL, INC. FOR FABRICATION OF PERMIT PARKING MATERIALS:**
RECOMMENDATION: Approve the issuance of a purchase order in an amount not to exceed \$32,990 to Rydin Decal for the production of parking permits. **Approved as part of the Consent Calendar.**
- 2.L. AGREEMENT FOR PARKING CITATION PROCESSING SERVICES:**
This item appears under Excluded Consent Calendar.
- 2.M. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 FOR THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT:**
RECOMMENDATION: 1) Adopt Resolution No. 98-1918, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 1998-99 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT"; 2) Adopt Resolution No. 98-1919, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 1998-99 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT"; and, 3) Adopt Resolution No. 98-1920, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AN ASSESSMENT AGAINST BUSINESSES WITHIN THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 1998-99 AND SETTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO." **Approved as part of the Consent Calendar.**

2.N. TRANSPORTATION COMMISSION RESIGNATION:

RECOMMENDATION: Accept with regret the resignation of Stephanie Hart.
Approved as part of the Consent Calendar.

2.O. ADOPTION OF A RESOLUTION FOR TRANSFER OF PROPERTY TAXES RELATED TO THE DETACHMENT OF PROPERTY IN THE VICINITY OF 417 WESTMOUNT DRIVE:

RECOMMENDATION: 1) Adopt Resolution No. 98-1921, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ANGELES, THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AND THE BOARD OF SUPERVISORS OF LOS ANGELES COUNTY APPROVING AND ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE RESULTING FROM DETACHMENT NO. 97-1 (DETACHMENT FROM THE CITY OF WEST HOLLYWOOD, ANNEX TO THE CITY OF LOS ANGELES)"; and, 2) Direct the City Clerk to submit seven certified copies of Resolution No. 98-1921 to the Los Angeles County Local Agency Formation Commission (LAFCO). **Approved as part of the Consent Calendar.**

2.P. WEST HOLLYWOOD PARK RESTROOM RENOVATION PROJECT:

RECOMMENDATION: 1) Accept the bid dated May 5, 1998 submitted by Guy Construction Company of Agoura Hills, California, in the amount of \$35,597 for the West Hollywood Park Restroom Renovation Project CIP #5050-98-01; 2) Authorize the City Manager to sign the associated contract agreement; and, 3) Reject all other bids. **Approved as part of the Consent Calendar.**

2.Q. STREET TREE PLANTING CONTRACT:

RECOMMENDATION: Authorize the City Manager to sign a contract agreement with the Los Angeles Conservation Corps in an amount not to exceed \$86,300 for the planting of residential street trees. **Approved as part of the Consent Calendar.**

2.R. SUPPLEMENTAL PROFESSIONAL SERVICE CONTRACT WITH CONSOLIDATED WASTE INDUSTRIES, INC. TO PROVIDE EMERGENCY CLEAN-UP AND DISPOSAL SERVICES OF HAZARDOUS WASTE MATERIALS:

RECOMMENDATION: Authorize the City Manager to enter into a supplemental professional services contract with Consolidated Waste Industries, Inc. in an amount not to exceed \$7,500 for emergency clean-up and disposal of hazardous waste materials for the City of West Hollywood. **Approved as part of the Consent Calendar.**

2.S. SUPPLEMENTAL PROFESSIONAL SERVICES CONTRACT WITH JOHN L. HUNTER AND ASSOCIATES TO ENSURE COMPLIANCE

WITH THE REQUIREMENTS OF THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT:

RECOMMENDATION: Authorize the City Manager to enter into a supplemental professional services contract with John L. Hunter and Associates, Inc. in an amount not to exceed \$28,069, to ensure compliance with the requirements of the National Pollution Discharge Elimination System permit for the City of West Hollywood. **Approved as part of the Consent Calendar.**

2.T. APPROVAL OF SUPPLEMENTAL AGREEMENT FOR USED OIL RECYCLING CONSULTANT:

RECOMMENDATION: Direct the City Manager to sign the Supplemental Agreement for Used Oil Recycling Consulting Services between the City of West Hollywood and Shannon Quigley in an amount not to exceed \$36,094. **Approved as part of the Consent Calendar.**

2.U. PROFESSIONAL SERVICES CONTRACT WITH SOCIAL VOCATIONAL SERVICES TO PROVIDE OFFICE RECYCLING SERVICES AT CITY FACILITIES:

RECOMMENDATION: Authorize the City Manager to execute a professional services agreement with Social Vocational Services, not to exceed \$3,563.04 per year, to operate an office recycling program at City Hall and the CATV offices for FY 98-99. **Approved as part of the Consent Calendar.**

2.V. CALENDAR A STUDY SESSION TO ADDRESS THE MORATORIUM ON BED AND BREAKFASTS IN RESIDENTIAL ZONES:

RECOMMENDATION: 1) Direct the City Clerk to schedule a study session prior to the City Council regular meeting on Monday, July 20, 1998 from 5:00 P.M. to 7:00 P.M.; and, 2) Direct the Community Development staff to notify the Housing Conversion Task Force of the study session. **Approved as part of the Consent Calendar.**

2.W. WEST HOLLYWOOD CONVENTION AND VISITORS BUREAU, THIRD QUARTER REPORT:

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

2.X. AWARD OF CONSTRUCTION CONTRACT FOR CIP 9903, CONCRETE REPAIR PROGRAM:

This item was tabled to July 6, 1998.

2.Y. ADOPTION OF RESOLUTIONS APPROVING THE APPEAL OF PLANNING COMMISSION'S DENIAL OF DEVELOPMENT PERMIT 97-64; VARIANCE PERMIT 98-02; MODIFICATION PERMIT 98-02; CONDITIONAL USE PERMIT 98-02 AND TENTATIVE TRACT MAP 98-02 FOR TWO SINGLE FAMILY HOMES LOCATED AT 828 WESTBOURNE DRIVE:

RECOMMENDATION: 1) Adopt Resolution No. 98-1922, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE APPEAL OF JOHN R. PACE AND OVERTURNING THE PLANNING COMMISSION'S DENIAL, AND CONDITIONALLY APPROVING DEVELOPMENT PERMIT 97-64, VARIANCE 98-02, MODIFICATION PERMIT 98-02 AND CONDITIONAL USE PERMIT 98-02 ON AN APPLICATION BY MANFRED SCHLOSSER LOCATED AT 828 WESTBOURNE DRIVE, WEST HOLLYWOOD"; and, 2) Adopt Resolution No. 98-1923, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE APPEAL OF JOHN R. PACE AND OVERTURNING THE PLANNING COMMISSION'S DENIAL, AND CONDITIONALLY APPROVING TENTATIVE PARCEL MAP 25029 (TENTATIVE TRACT MAP 98-02) ON AN APPLICATION BY MANFRED SCHLOSSER, LOCATED AT 828 WESTBOURNE DRIVE, WEST HOLLYWOOD." **Approved as part of the Consent Calendar.**

2.Z. CONTRACT WITH ATTHOWE FINE ART SERVICES FOR SHIPPING AND INSTALLATION IN CONNECTION WITH KEITH HARING SCULPTURE INSTALLATION:

RECOMMENDATION: 1) Approve a professional services agreement with Atthowe Fine Arts Services in an amount not to exceed \$70,000 for wrapping, shipping and installation of ten (10) sculptures by Keith Haring; and, 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.A.A. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH KFA SERVICES FOR A FRANCHISE FEE REVIEW OF CENTURY COMMUNICATIONS CORPORATION:

RECOMMENDATION: Authorize the City Manager to enter into a professional services agreement with Mike Katz, KFA Services, in an amount not to exceed \$12,000 for a 3-year franchise fee calculations and payment review of Century Communications Corporation. **Approved as part of the Consent Calendar.**

2.B.B. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH MUNICOM FOR CABLE TELEVISION FRANCHISE RENEWAL CONSULTATION:

RECOMMENDATION: Authorize the City Manager to enter into a professional services agreement with MuniCom in an amount not to exceed \$21,600 for cable television franchise renewal consultation. **Approved as part of the Consent Calendar.**

2.C.C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING AUGUST 26, 1998 AS "WOMEN'S EQUALITY DAY" IN THE CITY OF WEST HOLLYWOOD:

RECOMMENDATION: 1) Adopt Resolution No. 98-1924, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING AUGUST 26, 1998 AS 'WOMEN'S EQUALITY DAY' IN THE CITY OF WEST HOLLYWOOD"; and, 2) Direct staff to discuss potential programming for Women's Equality Day with the City of West Hollywood's Women's Advisory Board. **Approved as part of the Consent Calendar.**

2.D.D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 1998-99 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 1998-99 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982, CHAPTER 6.4 OF PART 1 OF DIVISION 2 OF TITLE 5 OF THE CALIFORNIA GOVERNMENT CODE:

RECOMMENDATION: Adopt Resolution No. 98-1925, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DETERMINING THE COST OF STREET MAINTENANCE FOR FISCAL YEAR 1998-99 AND DETERMINING AND IMPOSING A STREET MAINTENANCE ASSESSMENT WITHIN 1996 STREET MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 1998-99 PURSUANT TO THE PROVISIONS OF THE BENEFIT ASSESSMENT ACT OF 1982, CHAPTER 6.4 OF PART 1 OF DIVISION 2 OF TITLE 5 OF THE CALIFORNIA GOVERNMENT CODE." **Approved as part of the Consent Calendar.**

2.E.E. CALENDAR A STUDY SESSION TO REVIEW THE PROPOSED URBAN DESIGN CONCEPTS FOR THE SANTA MONICA BOULEVARD REHABILITATION PROJECT:

RECOMMENDATION: Direct the City Clerk to schedule a Study Session prior to the Regular City Council Meeting on Monday, July 6, 1998 from 6 PM to 7:30 PM. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. PROPOSED FEE RESOLUTION FOR FY 1998-99:

City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood *Independent* on June 3, and June 10, 1998.

Paul Arevalo, Director of Finance, provided background information as outlined in the staff report dated June 15, 1998.

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

Mayor Pro Tem Heilman inquired regarding the Cityline transit fees.

Mr. Arevalo stated that last year's change has been formalized.

Mayor Pro Tem Heilman also inquired regarding in-lieu fees that should be charged for the construction of housing and the automatic inflationary increase.

Allyne Winderman, Housing and Economic Development Manager, stated when the fees were adopted, the Council had requested that an automatic annual inflator be inserted in the fee schedule.

Mayor Pro Tem Heilman would like the in-lieu fees to remain at the current level.

ACTION: Adopt Resolution No. 98-1926, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING FEES AND CHARGES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF WEST HOLLYWOOD AND REPEALING RESOLUTION NO. 97-1763;" as amended by maintaining in-lieu fees for housing services at the current level.

Motion Mayor Pro Tem Heilman seconded by Mayor Martin and unanimously carried.

MAYOR MARTIN LEFT THE DAIS AT THIS TIME.

3.B. PUBLIC HEARING TO REVIEW THE CITY SEWER SERVICE CHARGE FOR FISCAL YEAR 1998-99:

City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood *Independent* on May 20 and May 27, 1998.

City Clerk Thompson announced that no letters of protest were received by the City Clerk's Office.

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated June 15, 1998.

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

ACTION: 1) Make a finding that there is no majority protest by property owners within the assessment area; and, 2) Order the Director of Finance to place the City sewer service charge on the property tax bill for Fiscal Year 1998-99.

Motion Councilmember Prang, seconded by Mayor Pro Tem Heilman and carried, noting the absence of Mayor Martin from the dais.

3.C. PUBLIC HEARING TO REVIEW THE CITY SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE FEE FOR FISCAL YEAR 1998-99:

City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood *Independent* on May 20 and 27, 1998 and a Notice was mailed to all property owners within the assessment area.

City Clerk Thompson stated that 126 letters of protest to the Assessment have been received. In addition a petition was received with 45 names indicating they were against an increased assessment.

City Clerk Thompson clarified that the City Council will not *adopt* the Ordinance they will *introduce* the Ordinance on first reading.

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated June 15, 1998.

Mayor Martin inquired if the number of complaints has decreased since the franchise has been implemented.

John Jakupcak, Environmental Programs Specialist, stated that the number of complaints has decreased over the last year.

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

BARUCH FARKAS, WEST HOLLYWOOD, believes that trash should be collected less frequently in order to conserve funds. However large discarded items should be collected with more frequency and he opposes any increases.

G. BRUCE TRAUB, WEST HOLLYWOOD, spoke against an exclusive franchise and any increased fees.

CAROL RODRIGUEZ, WEST HOLLYWOOD, spoke against increasing collection fees.

JOHN MILBAUER, WEST HOLLYWOOD, feels that fees are more reasonable in the City of Los Angeles than in West Hollywood.

CLAIRE ANDERSON, WEST HOLLYWOOD, feels that it is unfair to exclusively tax property owners.

SHIRLEY RAY, WEST HOLLYWOOD, spoke against an increased assessment.

DICK STEVENSON, WEST HOLLYWOOD, spoke against the assessment because if the economy takes a downturn, rents cannot be raised to cover the proposed increase.

VINCE MANGANELLO, WEST HOLLYWOOD, spoke against an increased assessment and specifically against the automatic adjustment.

JOEL MOGUL, LOS ANGELES, spoke against an exclusive franchise, citing the benefits of competition.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke against the franchise and stated that increased restaurants impacts the sewer infrastructure.

TERRENCE MULL, WEST HOLLYWOOD, stated that exclusively taxing property owners is unfair. He also spoke in favor of competitive waste collection.

As no further speakers came forward, the Public Hearing was closed.

Mayor Martin asked for elaboration on a number of issues that were addressed.

Ms. Perlstein responded that collection for multi-unit buildings may be more frequent.

John Jakupcak, Environmental Programs Specialist, responded that the service provider has up to 72 hours to retrieve large items.

Mayor Pro Tem Heilman requested a written response addressing a number of complaints with regard to the collection service.

Councilmember Koretz stated that the City's rates are very reasonable in comparison to other Westside cities. He favors lower fees for low income residents and opposes the automatic increase.

Councilmember Prang stated that the fee is a reflection of the cost of waste collection. He is also concerned about the automatic adjustment and may support subsidies for low income residents.

Paul Arevalo, Director of Finance, stated that the increase is not automatic but is negotiated with the contractor. The contractual increase provides more administrative flexibility.

Mayor Pro Tem Heilman supports an across the board subsidy as opposed to a subsidy exclusively for low income residents.

Mr. Arevalo requested that the rate be set and then a subsidy be created to avoid a further public noticing requirement.

ACTION: 1) Make a finding that there is no majority protest by property owners within the assessment area; 2) Order the Director of Finance to place the City solid waste and/or recyclable collection and/or disposal service fee on the property tax bill for Fiscal Year 1998-99 but calculate and provide a rebate such that the effective fee for fiscal year 1998-99 is in the amount of \$158.00; and, 3) Introduce for first reading Ordinance No. 98-518, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING A SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE FEE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE," as amended by the effective rate of a \$158.00 fee for fiscal year 1998-99 only.

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

3.D A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ORDERING THE FORMATION OF THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT, CONFIRMING A DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 1998-99, AND ORDERING IMPROVEMENTS PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND

HIGHWAY CODE AND AS PROVIDED BY ARTICLE XIID OF THE CALIFORNIA CONSTITUTION:

City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood *Independent* on June 3 and 10, 1998 and a Notice was mailed to each property owner in the proposed District.

Allyne Winderman, Economic Development and Housing Manager, and Paul Arevalo, Director of Finance, provided background information as outlined in the staff report dated June 15, 1998.

City Clerk Thompson announced the results of the tabulation of the ballots:

| | Calculated Total for District | YES Votes Cast | NO Votes Cast | Status of District |
|----------------------------|--|---------------------------|--------------------------|-------------------------------|
| District One: | \$ 61,798.90 | 57% \$16,646.65 | 43% \$12,476.51 | PASSED |
| District Two: | \$ 24,960.46 | 46% \$5,422.88 | 54% \$6,454.36 | FAILED |
| District Three: | \$ 67,317.47 | 56% \$14,908.97 | 44% \$11,760.31 | PASSED |
| TOTAL: | \$154,076.83 | 54.6% \$36,978.50 | 45.4% \$30,691.48 | ***** |

I.H. MOGUL, WEST HOLLYWOOD, who recently received a parking citation feels that the Council is experimenting with other's money.

MITZI MOGUL, LOS ANGELES, spoke against a special assessment to fund holiday lighting.

JOEL MOGUL, LOS ANGELES, speaking against the assessment, feels that holiday lighting should be funded through a Chamber of Commerce or by some other funding mechanism.

JEANNE DOBRIN, WEST HOLLYWOOD, stated that the Mogul family should be more attentive with regard to the appearance of their property.

ACTION: 1) Make a finding that there is no majority protest by property owners in Districts One and Three; 2) Adopt Resolution No. 98-1927, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ORDERING THE FORMATION OF THE SANTA MONICA BOULEVARD MAINTENANCE DISTRICT, CONFIRMING A DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 1998-99, AND ORDERING IMPROVEMENTS PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAY CODE AND AS PROVIDED BY ARTICLE XIID OF THE CALIFORNIA CONSTITUTION," as amended by not including District Two.

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

4. UNFINISHED BUSINESS:

4.A. TRANSPORTATION COMMISSION APPOINTMENT:

Councilmember Prang nominated Darryl Michael Seif.

Mayor Pro Tem Heilman nominated John Duran.

ACTION: Appoint Darryl Michael Seif at-large, to the Transportation Commission, effective June 15, 1998 to fill an unexpired term ending May 31, 1999.

By consensus of the City Council.

4.B. KINGS ROAD PARK SITE - FINAL PLAN:

Sam Baxter, Landscape and Building Maintenance Manager, provided background information as outlined in the staff report dated June 15, 1998 and introduced Alexis Slafer and Sherman Silvan of Sylvan Design who presented the final design.

JEANNE DOBRIN, WEST HOLLYWOOD, stated that this is a very successful project and praised the efforts of the design firm. However, she would have preferred a more traditional entrance.

Mayor Pro Tem Heilman feels that the chosen furniture is somewhat pedestrian thus does not compliment the design. He commented that the Fine Arts Commission should have been involved in the process.

Ms. Slafer stated that there was a desire for consistency of park furniture throughout the City and the chosen furniture is composed of recycled materials.

ACTION: 1) Approve the Final Plan for the Kings Road Park site located at 1000 Kings Road; and, 2) Authorize preparation of construction documents and bidding of park improvements based on the approved Final Plan.

Motion Councilmember Prang, seconded by Councilmember Koretz and unanimously carried.

THE CITY COUNCIL RECESSED AT 9:20 P.M. AND RECONVENED AT 9:35 P.M.

4.C WEST HOLLYWOOD LIBRARY:

Lloyd Long, Director of Human Services, provided background information as outlined in the staff report dated June 15, 1998.

City Clerk Thompson read a statement from Councilmember Guarriello that he supports recommendation number two of the staff report.

RITA NORTON, WEST HOLLYWOOD, President of Friends of the West Hollywood Library, thanked the Council for rejuvenating the hope for a new library and praised the efforts of Nancy Mattoon.

CHARLOTTE BANTA, WEST HOLLYWOOD, supports the library remaining at West Hollywood Park and suggested creative funding for an improved library.

GREY LEGUYER, WEST HOLLYWOOD, suggested placing the library at the proposed site of the new fire station at San Vicente and Cynthia Street.

STEVE ROSE, WEST HOLLYWOOD, supports option number two as outlined in the staff report. He also feels that the library should be in the center of the City, somewhere between La Cienega and Fairfax.

BARBARA HAMAKER, WEST HOLLYWOOD, suggested the use of redevelopment funds to support a new library. With regard to item 3.C, she commended the collection of large discarded items in her neighborhood.

JEANNE DOBRIN, WEST HOLLYWOOD, supports appointment of an advisory committee comprised of frequent library users.

POLLY BUSINGER, WEST HOLLYWOOD, supports retaining the library at West Hollywood Park. She also supports recommendation number two.

ROSLYN KRAUSE, WEST HOLLYWOOD, supports keeping the library in West Hollywood Park.

STAN LOTHRIDGE, WEST HOLLYWOOD, states that the Library was unanimously in favor of retaining the library at West Hollywood Park. He does not support recommendation number two but supports members of the Task Force being appointed to any new advisory committee.

Mayor Pro Tem Heilman supports the City staying in the County's library system. He is also opposed to building another library on the east side. He is in favor of retaining the library somewhere in West Hollywood Park. He also suggested the drafting of a master plan for the Park. He supports option number one with the addition of a steering committee.

Councilmember Prang supports option number two with an emphasis on more public input. He also suggested appointing Vivian Love, Director of Management Services, as a facilitator.

Councilmember Koretz also supports option number two and would like to see more public input on the issue.

Mayor Martin is very open to where the library may ultimately be placed. He would like all of the options explored, including whether to stay in the County's system. However, he supports option number two in the staff report incorporating a citizens' committee headed by representatives from the Public Facilities Commission.

Mayor Pro Tem Heilman suggested that the issues of whether to stay within the County's system and further site selection should be deleted from further discussion.

Mayor Martin feels that there should be further discussion on all issues with regard to the library.

ACTION: 1) Create a Community Library Advisory Committee and authorize staff to implement Work Plan #2 and amend the Preliminary FY 98-00 City of West Hollywood Budget to appropriate \$50,000 in the first year and \$50,000 in the second year to finance Library Development Activities; and, 2) Direct staff to return to City Council in July with a revised proposal for appointments to the committee and further direction on a work program.

Motion Mayor Martin, seconded by Councilmember Koretz and carried, noting the No vote of Mayor Pro Tem Heilman.

4.D CITY OF WEST HOLLYWOOD'S 1997-98 PRELIMINARY BUDGET - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE BUDGET FOR FISCAL YEAR 1998-99:

Paul Arevalo, Director of Finance, provided background information as outlined in the staff report dated June 15, 1998.

CAROL RODRIGUEZ, WEST HOLLYWOOD, spoke in favor of increased funding for disaster preparedness and stated that the City of West Hollywood's disaster preparedness efforts are obsolete when compared to other jurisdictions.

JEANNE DOBRIN, WEST HOLLYWOOD, would like increased funding for Building & Safety and Code Compliance.

Councilmember Koretz supports increasing funding for the janitorial contract in order to raise the janitorial staff to a level compatible with the City's Living Wage Ordinance.

Mayor Pro Tem Heilman does not support pursuing placement of a tax on the March 1999 ballot. He also does not support the purchase of additional City vehicles.

Sam Baxter, Landscape & Building Maintenance Manager stated that the bulk of funding is for replacement vehicles.

Mayor Pro Tem Heilman inquired regarding the requested new vehicle for the Public Safety Division and requested staff to return with a complete analysis of new and replacement vehicles.

Mayor Pro Tem Heilman also stated that there is no need for a City sponsored Academy Awards party. The City should just act as a facilitator with regard to parties sponsored by other entities.

Mayor Pro Tem Heilman does not agree with the proposed degree of funding for the pool at West Hollywood Park.

Lloyd Long stated that there is excessive wear and tear on the pool due to year round usage.

Mayor Pro Tem Heilman suggests implementation of a park master plan before funding improvements to the pool's pump room.

Mayor Martin would like to evaluate whether to implement the living wage ordinance with regard to the janitorial contract in year one or year two.

Mayor Pro Tem Heilman does not support adopting the budget until the following issues have been resolved: On p. 21, two sites on the east side targeted for redevelopment; p. 24 service tracking request system; Year 2000 Celebration should be under Special Events; staff support for Women's Advisory & Lesbian & Gay Advisory Board; funding increase for Information Systems; Residential Rental Inspection Program; liability and maintenance problems of flower baskets on Santa Monica Blvd.; City Hall improvements; and, deferral of Plummer Park Senior/Teen Center furniture.

City Manager Makinney stated that the hanging baskets on Santa Monica Boulevard would be deferred until after improvements are made to the Boulevard.

Councilmembers Prang and Koretz do not feel that City Hall improvements are a high priority.

ACTION: 1) Tabled to July 6, 1998; 2) Direct staff and the Budget Subcommittee to analyze the following issues: Living Wage compliance for the janitorial staff; Year 2000 Celebration; City sponsored Academy Awards party; West Hollywood Park master plan; redevelopment of surface lots; service tracking request systems; staff support for the Lesbian & Gay and Women's Advisory Boards; consulting services for the Information Systems Division; Residential Rental Program; hanging flower baskets on Santa Monica Boulevard; City Hall lobby improvements; and, Plummer Park Senior/Teen Center furnishings.

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

THE CITY COUNCIL RECESSED AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION AT 11:24 P.M.

THE CITY COUNCIL RECONVENED AT 11:25 P.M.

5. NEW BUSINESS:

5.A. SCHEDULING OF SPECIAL COUNCIL MEETING:

Mayor Pro Tem Heilman provided background information as outlined in the staff report dated June 15, 1998.

Mayor Martin suggested the first City Council Meeting in August be held in Plummer Park as a special study session in conjunction with the Public Facilities Commission.

Councilmember Prang stated that one meeting is not adequate and suggested regular meetings on the east side.

Allyne Winderman, Housing and Economic Development Manager, suggested late August or early September so the La Brea Gateway project may also be discussed.

ACTION: 1) Table the item. 2) Direct the City Clerk and City Staff to schedule a City Council Meeting and place the item on a future City Council Consent Calendar.

By consensus of the City Council.

EXCLUDED CONSENT CALENDAR:

2.L. AGREEMENT FOR PARKING CITATION PROCESSING SERVICES:

Donald Korotsky, Associate Transportation Planner, provided background information as outlined in the staff report dated June 15, 1998.

Councilmember Koretz inquired if this contract represents a reduction in cost.

Mr. Korotsky responded that there is roughly a five percent reduction from the prior contract term.

Councilmember Koretz was hoping for a more substantial reduction.

RECOMMENDATION: 1) Approve a five (5) year agreement with Turbo Data Systems, Inc. to provide parking citation processing services for the period beginning July 1, 1998 through June 30, 2003 for an amount not to exceed \$425,000 for Fiscal Years 1998-99, 1999-00 and 2000-01; \$450,000 for Fiscal Year 2001-02; and \$480,000 for Fiscal Year 2002-03; and, 2) Authorize the City Manager to execute the agreement.

Motion Mayor Pro Tem Heilman, seconded Mayor Martin and unanimously approved.

CITIZEN COMMENTS:

STAN LOTH RIDGE, WEST HOLLYWOOD, stated that the Library Task Force analyzed every possible site in the City for a library over a three year period and concluded that the best possible site is West Hollywood Park.

ROSLYN KRAUSE, WEST HOLLYWOOD, commented that certain members of the Council have delayed plans for a new library.

POLLY BUSINGER, WEST HOLLYWOOD, stated that the Library Task Force's decisions should stand.

JEANNE DOBRIN, WEST HOLLYWOOD, called for an end to the east side, west side distinction drawn by so many West Hollywood residents.

6. LEGISLATIVE:

6.A. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PROVISIONS PROHIBITING DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION AND ADDING GENDER IDENTITY AS A PROTECTED CATEGORY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

Councilmember Heilman provided background information as outlined in the staff report dated June 15, 1998.

JAMES BOTTOMS, WEST HOLLYWOOD, cited several aspects of the proposed ordinance as vague with regard to definitions and further stated that the ordinance contains several non-substantive typographical errors.

City Attorney Jenkins commented that Sections 4203 through 4205 of the proposed ordinance reiterate existing sections of the Municipal Code. However, the language, "and/or gender identity" was added to extend prohibitions on discrimination.

ACTION: Table to July 6, 1998; and, 2) Direct the City Attorney to review and revise the proposed ordinance in accordance with the public comment.

By consensus of the City Council.

6.B. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING A TELECOMMUNICATIONS REGULATORY ORDINANCE AND AMENDING ARTICLE VI OF THE WEST HOLLYWOOD MUNICIPAL CODE BY ADDING A NEW CHAPTER X:

Helen Goss, Public Information Officer/CATV Manager, provided background information as outlined in the staff report dated June 15, 1998.

JAIME VALLADARES of Pacific Bell, stated that p. 22, Section 61033(c)(2) of the proposed ordinance does not provide flexibility or exceptions for emergency situations.

LARRY SANGIORGIO of Pacific Bell stated that the City Council should be concerned with major construction projects and excavations.

Mayor Pro Tem Heilman commented that it appears as if the public speakers are requesting a complete exemption for Pacific Bell.

Ms. Goss stated that the ordinance merely allows for a level playing field for all telecommunications providers.

JEANNE DOBRIN, WEST HOLLYWOOD, praised Ms. Goss's analysis of the issues and stated that she (Ms. Dobrin) has had very negative experiences with Pacific Bell.

Councilmember Koretz inquired if the ordinance impedes Pacific Bell's ability to provide services.

City Attorney Jenkins stated that the ordinance, as drafted, does not impede the utility's ability to provide services. The ordinance merely delegates certain duties to the City Manager.

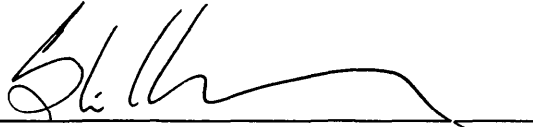
RECOMMENDATION: Introduce on first reading Ordinance No. 98-519, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING A TELECOMMUNICATIONS REGULATORY ORDINANCE AND AMENDING ARTICLE VI OF THE WEST HOLLYWOOD MUNICIPAL CODE BY ADDING A NEW CHAPTER X."

Motion Mayor Pro Tem Heilman, seconded by Mayor Martin and unanimously carried.

COUNCILMEMBER COMMENTS: None.


ADJOURNMENT: The City Council adjourned at 12:16 A.M. in memory of Emil Roberti to their next regular meeting scheduled for July 6, 1998 at approximately 8:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard, which will be preceded by a study session at 6:00 P.M. regarding Santa Monica Boulevard and a budget study session at 7:30 P.M.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS
6TH DAY OF JULY, 1998.



MAYOR

ATTEST:



City Clerk