CITY COUNCIL CITY OF WEST HOLLYWOOD MINUTES MONDAY, MARCH 2, 1998 WEST HOLLYWOOD PARK

CALL TO ORDER: Mayor Guarriello called the meeting to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE: Morris Kight led the Pledge.

ROLL CALL:

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

ABSENT: Councilmembers - None.

ALSO PRESENT: City Manager Makinney, City Attorney Jenkins, City Clerk Love and

Assistant City Clerk Thompson.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at 6:40 p.m. the City Council called the meeting to order. The City Council recessed into Closed Session to discuss items contained on the Closed Session Agenda. The Closed Session adjourned at 7:00 p.m. and no reportable actions were taken.

APPROVAL OF AGENDA:

Councilmember Heilman removed Items 2.I., 2.J. and 2. M. from the Consent Calendar for separate discussion.

ACTION: Approve the March 2, 1998 Agenda as amended. Motion Mayor Pro Tem Martin, seconded by Councilmember Heilman and unanimously carried.

PRESENTATIONS:

Mayor Guarriello proclaimed March 16 through 21 as Poison Prevention Week in West Hollywood and called upon all residents to observe this important event by education their families and promoting ways to prevent childhood lead poisoning.

Mayor Guarriello proclaimed March as Women's History Month and Councilmember Heilman also proclaimed that the year 1998 will be widely recognized and celebrated as the 150th Anniversary of the Women's Rights Movement under the national theme, "Living the Legacy: Women's Rights Movement 1848-1998." He noted the numerous activities planned for Women's History Month and acknowledge Jeff Suji who was the graphic artist who designed the banners.

Councilmember Heilman presented a plaque to Lynn Hoopingarner for her work on the Women's Advisory Board and advocacy on behalf of the City.

Councilmember Heilman presented commendations to Deputies Don Mueller, Richard Diliberti Randy Tuinistra and Sean Collinsworth, who were responsible for saving the puppies during the recent heavy rains and flooding in West Hollywood.

Mayor Pro Tem Martin recognized Betty Wagner, Patri Lucy-Romollo and Lorri L. Jean in honor of Women's History Month and their contributions to the community.

Mayor Pro Tem Martin presented a plaque to Dr. Bill Griffin for his work and dedication as Chair to the Project Area Committee.

1. CITIZEN COMMENTS:

JAMES LITZ, WEST HOLLYWOOD, representing the Association of Realtors, spoke in support of agenda Item 2.P. He would like to see the City go one step further and require every property to have this shut-off valve installed.

SIBYL ZADEN, WEST HOLLYWOOD, spoke about problems being caused by Tower Records in her area. There needs to be more communication with the neighborhood.

KIPUKAI KUALII, WEST HOLLYWOOD, spoke regarding Women's History Month and acknowledged Grace Rosales and Larissa Fooks and their hard work in putting up the display in City Hall. He also spoke against agenda Item 5.A.

JUDY MAYO, WEST HOLLYWOOD, Vice-Chair of the Women's Advisory Board, spoke regarding women in performance and announced a number of those performances.

BARBARA HAMAKER, WEST HOLLYWOOD, thanked many women who have put together the Women's History Month program especially Linda Choi and Larissa Fooks. She also announced a number of events and encouraged those interested to pick up a calendar. Specifically she announced the community forum on Wednesday, March 25th which will be moderated by former Mayor and City Councilmember Abbe Land.

PATRI LUCY-ROMOLO, CEDAR SINAI COMPREHENSIVE, mentioned the second Monday in April will be the second session of the make overs for Cancer victims.

WENDY KRUEGER, WEST HOLLYWOOD, provided information about the Women In Business Awards Reception for Women's History Month, on Wednesday, March 4, 1998 from 6:30 to 8:00 p.m.

KEVIN NOTRE, WEST HOLLYWOOD, spoke about community meeting rooms. He strongly suggested that community meeting rooms be added to the La Brea Gateway Project.

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DEANNA STEVENSON, WEST HOLLYWOOD, spoke about Women's History Month and the Women's movement.

KATHY WATT, WEST HOLLYWOOD, spoke about the Women's Health Roundtable for Women's History Month and encouraged women in the community to attend on Saturday, March 28, 1998.

LINDA FEINHOLT, WEST HOLLYWOOD, mentioned a number of other Women's History Month events.

EFFIE RAVANEY, WEST HOLLYWOOD, spoke against agenda item 2.K. regarding the flags which will be installed in the Santa Monica Boulevard median.

BRUCE TRAUB, WEST HOLLYWOOD, spoke against item 2.K. displaying the Israel flags on the Santa Monica Boulevard median.

COUNCILMEMBER COMMENTS:

Councilmember Heilman thanked Larissa Fooks, Linda Choi and Kipukai Kualii for their work on Women's History Month. He also asked that a meeting be set up with Tower Records to discuss the concerns of the neighborhood.

Councilmember Koretz concurred with the acknowledgments on Women's History Month.

Mayor Pro Tem Martin thanked all the people who came out speak on Women's History Month.

Mayor Guarriello thanked Councilmember Prang for the birthday card.

CITY MANAGER'S REPORT:

Captain Odenthal provided an overview of the shooting incident at Jerry's Deli at around 3:00 a.m. on March 2, 1998.

Dave Petersen, Public Safety Administrator, provided an overview of the events of last Thursday which caused a partial evacuation of the residents on Orange Grove.

City Manager Makinney thanked Ruth Williams and Dony Casey for their help in the evacuation.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Thompson stated the fiscal impact on the Consent Calendar for March 2, 1998 as amended is \$68,300. in expenditures and \$5,200 in potential revenues.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., K., L., N., O., and P. Motion Councilmember Prang, seconded by Councilmember Heilman and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, March 2, 1998 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 26, 1998.

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

2.B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of February 17, 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 Diego L. Rodriquez, Pearl Sherman and Ilan Tamir and refer to the City's claims adjuster. Approved as part of the Consent Calendar.

2.E. DEMAND REGISTER NO. 361, RESOLUTION NO. 98-1856:

RECOMMENDATION: Approve Demand Register No. 361 and adopt Resolution No. 98-1856, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 361." Approved as part of the Consent Calendar.

2.F. ORDINANCE NO. 98-514 (2nd Reading), ESTABLISHING REGULATIONS FOR ROMAINE STREET IN PREFERENTIAL PARKING DISTRICT 9:

RECOMMENDATION: Waive further reading and adopt Ordinance No. 98-514, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING PART B OF CHAPTER 2 OF ARTICLE III OF THE WEST HOLLYWOOD MUNICIPAL CODE, ESTABLISHING PARKING REGULATIONS FOR ROMAINE STREET IN PREFERENTIAL PARKING

DISTRICT 9 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Approved as part of the Consent Calendar.

2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

RECOMMENDATION: Receive and file Action Reports from the Human Services Commission of February 7, 1998 and February 10, 1998; the Disability Advisory Board of February 11, 1998; the Transportation Commission of February 18, 1998; the Project Area Committee of February 18, 1998; and, the Planning Commission of February 19, 1998. **Approved as part of the Consent Calendar.**

2.H. PROPOSED RESOLUTION DIRECTING INSTALLATION OF STOP SIGNS PURSUANT TO COUNCIL-INITIATED ALL-WAY STOP PROGRAM:

RECOMMENDATION: Adopt Resolution No. 98-1857, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DIRECTING INSTALLATION OF ALL-WAY STOP CONTROLS IN CERTAIN NEIGHBORHOODS." Approved as part of the Consent Calendar.

2.I. AGREEMENT FOR PROFESSIONAL SERVICES WITH RESEARCH DEVELOPMENT FOR PROFESSIONAL SERVICES TO PROVIDE CITIZEN OPINION SURVEYING AND STRATEGIC ADVISING ON FINANCING OF SANTA MONICA BOULEVARD RELINQUISHMENT: This Item was removed from the Consent Calendar and appears under Excluded Consent Calendar Items following New Business.

2.J. MERGER OF ZAKAROFF RECYCLING SERVICES WITH REPUBLIC INDUSTRIES, INC.:

This Item was removed from the Consent Calendar and appears under Excluded Consent Calendar Items following New Business.

2.K. PROPOSED RESOLUTION IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL:

RECOMMENDATION: 1) Adopt Resolution No. 98-1858, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD COMMEMORATING THE 50TH ANNIVERSARY OF THE FOUNDING OF THE STATE OF ISRAEL"; and, 2) Direct Department of Maintenance and Landscape to place Israel flags interspersed with American flags on the median strip of Santa Monica Boulevard from mid April to mid May. Approved as part of the Consent Calendar.

2.L. RESIGNATION FROM THE DISABILITIES ADVISORY BOARD: RECOMMENDATION: Accept with regret the resignation of David Gold. Approved as part of the Consent Calendar.

2.M. PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ASSOCIATES FOR ENGINEERING DESIGN AND PROJECT MANAGEMENT SERVICES FOR THE SANTA MONICA BOULEVARD REHABILITATION PROJECT:

This Item was removed from the Consent Calendar and appears under Excluded Consent Calendar Items following New Business.

2.N. PROFESSIONAL SERVICES WITH DAN BURDEN AND ASSOCIATES FOR SANTA MONICA BOULEVARD PEDESTRIAN SAFETY STUDY:

RECOMMENDATION: 1) Approve a professional services agreement with Dan Burden and Associates in an amount not to exceed \$30,000 for a technical review of pedestrian safety on Santa Monica Boulevard and development of recommendations incorporating community input on pedestrian safety improvements; and, 2) Authorize the City Manager to execute the agreement. Approved as part of the Consent Calendar.

2.O. PROPOSED RESOLUTION IN OPPOSITION TO AB 297, A BILL TO SUSPEND PROHIBITION OF SMOKING IN BARS:

RECOMMENDATION: Adopt Resolution No. 98-1859, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO AB 297, A BILL TO SUSPEND PROHIBITION OF SMOKING IN BARS." Approved as part of the Consent Calendar.

2.P. SEISMIC GAS SHUTOFF VALVES IN NEW CONSTRUCTION AND EXISTING BUILDINGS:

RECOMMENDATION: Direct staff to evaluate the City of Los Angeles Ordinance relating to seismic gas shutoff valves and, if appropriate, bring back a similar ordinance within sixty (60) days. **Approved as part of the Consent Calendar.**

- 3. **PUBLIC HEARINGS**: None.
- 4. UNFINISHED BUSINESS:

4.A. DISABILITIES ADVISORY BOARD APPOINTMENT:

Ruth Cislowski was nominated for appointment to the Disabilities Advisory Board.

ACTION: Appoint Ruth Cislowski as an "at-large" member to the Disabilities Advisory Board for a term expiring May 31, 1999.

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

4.B. PUBLIC FACILITIES COMMISSION DIRECT APPOINTMENT:

ACTION: Mayor Guarriello appointed Sandy Sachs to the Public Facilities Commission, effective March 2, 1998 to fill an unexpired term ending May 31, 1999.

4.C. SECOND QUARTER REPORT FOR FISCAL YEAR 1997-98 SUBMITTED BY WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:

Lester Burg, Development Specialist, provided background information as outlined in the staff report dated March 2, 1998.

ANSON SNYDER, WEST HOLLYWOOD, representing the West Hollywood Housing Corporation, stated there has been tremendous project on the Palm Avenue Project. El Nino has stalled the project by about a week but they are moving forward.

PAUL ZIMMERMAN, WEST HOLLYWOOD HOUSING CORPORATION, representing the West Hollywood Community Housing Corporation provided additional information on the programs of the Corporation. Specifically the new Palm Project and that it is both on target and on budget.

ACTION: Receive and file the Second Quarter Report for Fiscal Year 1997-98 submitted by the West Hollywood Community Housing Corporation ("WHCHC").

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

Councilmembers, Staff and members of the Community wished Mayor Guarriello a Happy Birthday, and presented him with a cake.

THE CITY COUNCIL RECESSED AT 8:10 PM AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION.

THE CITY COUNCIL RECONVENED AT 8:12 PM.

5. NEW BUSINESS:

5.A. PROPOSED CITY HALL SERVICE CENTER CONTRACT:

City Clerk Love provided background information as outlined in the staff report dated March 2, 1998.

KIPUKAI KUALII, WEST HOLLYWOOD, spoke against this Item. He stated he is opposed to non-union contract personnel working in a Union Shop.

JOYCE ROONEY, LOS ANGELES, President AFSCME 3339/WEHOME, thanked City Manager Makinney for signing the tentative agreement with the Union to protect existing Union positions. She stated the Union's main objection was a possible reduction in AFSCME employees, she stated they continue to be concerned about the issue of "contracting out."

LIZ BAR-EL, LOS ANGELES, Vice President AFSCME 3339/WEHOME, she stated the Union does not see this as accepting any kind of contracting out of AFSCME jobs. She stated that this could be done in-house by AFSCME employees.

Councilmember Prang expressed his concerns as a former public employee. He is concerned with the accountability of firms. His past experience had employee unions sitting down and coming up with programs to achieve efficiencies using public employees.

Councilmember Koretz stated staff has come up with a proposal that is fairly palatable, that he believes the majority of employees feel they can live with. It sets a bad precedence to contract with a non-union employer. He suggested we try to replicate this concept with City staff, perhaps hire a consultant to assist with the set-up.

Councilmember Heilman stated in terms of dollar savings, it is cheaper to just replace the equipment, not taking into consideration the efficiency savings. He would prefer just to replace the equipment. He does not think that we should consider the "contracting out" portion, even though we are a contract city, he feels it does not make sense financially at this time and in relation to our other policies.

Mayor Pro Tem Martin stated there is a difference in contracting service that takes place outside of City Hall. The only service contacted in City Hall is the janitorial service.

ACTION: Direct staff to negotiate a contract with Xerox, in the amount of \$65,160, and a meter rate of .008 for copies over 65,000, on each DC 265, for a 60-month lease agreement which includes four (4) DC 265's and two (2) DC 230C2's including customer service benchmarks and the ability to replace equipment after 36 months.

Motion Councilmember Heilman, seconded by Mayor Pro Tem Martin and carried on a Roll Call vote:

AYES: Councilmembers - Heilman, Martin, Guarriello.

NOES: Councilmembers - Prang, Koretz.

LATER IN THE MEETING COUNCILMEMBER PRANG CHANGED HIS VOTE ON THIS ITEM AS AYE.

Final Roll Call:

AYES: Councilmembers - Heilman, Prang, Martin, Guarriello.

NOES: Councilmembers - Koretz.

5.B. PROPOSED RESOLUTION RESCINDING RESOLUTION NO. 97-1740 ACKNOWLEDGING THE EFFORTS OF COORS:

Councilmember Heilman provided background information as outlined in the staff report dated March 2, 1998.

DR. BILL GRIFFIN, WEST HOLLYWOOD, stated Coors was forced to make changes in their policy by the Lesbian and Gay Community and they should be recognized. He stated he is not in favor of rescinding the Resolution.

PROFESSOR JAMES MAGARY, University of Southern California, spoke about the Coors Family and their intolerable position and supports the rescinding of Resolution No. 97-1740.

MORRIS KIGHT, LOS ANGELES, spoke against the Coors Family and in support of rescinding Resolution No. 97-1740.

PAUL DROOKS, WEST HOLLYWOOD, CO-CHAIR LESBIAN AND GAY ADVISORY BOARD, stated this issue has caused a great deal of dissension not only on the Advisory Board, but in the Community and asked the City Council to rescind its original resolution.

DAVID FRATER, LOS ANGELES, spoke about the Coors issue and supports the rescinding of the Resolution No. 97-1740.

STUART TIMMONS, LOS ANGELES, spoke in support of rescinding Resolution No. 97-1740.

PETER KREYSA, WEST HOLLYWOOD, LESBIAN AND GAY ADVISORY BOARD, he encouraged City Council not to rescind the resolution, he stated we need to keep Coors moving in the right direction.

BARRY GREENFIELD, WEST HOLLYWOOD, acknowledged the efforts made by Coors and encouraged the City Council not to rescind the resolution.

PATRICK BURKE, LOS ANGELES, stated his support for the Council to rescind its original resolution.

JULIA SALAZAR, WEST HOLLYWOOD, stated that Coors have made tremendous efforts to be socially responsible. She asked the City Council not to rescind its original resolution.

FRED ANAWALT, encouraged the City Council to not rescind the resolution, he mentioned Coors efforts on Domestic Partner benefits.

DAVID FISCHER, WEST HOLLYWOOD, he stated the original resolution only acknowledged the efforts of Coors, and was silent on the boycott and other issues. He spoke against the rescission of the resolution and acknowledged the efforts made by the Coors Company.

ERIC BAUMAN, SHERMAN OAKS, representing the Stonewall Democratic Club, he stated the Club has decided to acknowledge and commend Coors for the efforts they have made, but asked members of the Lesbian and Gay community not to purchase Coors products.

KIPUKAI KUALII, WEST HOLLYWOOD, stated his support for the recession of the resolution.

Councilmember Heilman stated that this matter has caused a great deal of faction among the community. He stated he has no fact acknowledging that Coors as a company has made progress as long as we are going to reaffirm that we do not want members of our community purchasing their products, because the money goes to fund activities that are contrary to the issues and the policies that the Council has stood for.

Councilmember Prang stated that the City has never officially addressed the Boycott. He is not certain that as a City, we should be engaged in judging the

value of Corporations unless we can extend the same "yardstick" to all Corporations. The Resolution adopted by the City Council does not address the issue of a Boycott, it does not praise Coors, nor does it advocate for Coors products, all its does is acknowledge the proactive Lesbian and Gay programming by Coors.

Mayor Pro Tem Martin stated the Resolution acknowledged the Coors Company in an era of change. The Corporation is on the cutting edge. He would like to take this off the agenda. The City Council has simply acknowledged that the Coors Corporation has done the right thing for the Lesbian and Gay Community. We have to recognize the work they have done.

Councilmember Koretz stated this is one of the most divisive issues that has faced the City in 13 years. This has become one of the worst lose/lose issues that we have seen. The primary goal is to find a way to resolve this issue in the least divisive way.

ACTION: 1) Adopt Resolution No. 98-____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD RESCINDING RESOLUTION NO. 97-1740 WHICH ACKNOWLEDGED THE EFFORTS OF COORS"; and, 2) Direct staff to send copies of this resolution to the Chairman of the Board of Coors Brewing Company, to local and national gay press organizations, the National Association of Gay and Lesbian Festivals and to members of the International Network of Lesbian and Gay Officials with the additional direction that there is no quarrel with company policy but also recognize that corporate profit funds Coors family activities. This is too divisive for the West Hollywood Community.

Motion Councilmember Heilman, seconded by Councilmember Koretz.

ACTION: A substitute motion to remand this back to the Lesbian and Gay Advisory Board and return to the City Council in approximately 60 days.

Substitute Motion by Councilmember Prang, seconded by Mayor Pro Tem Martin and carried on a Roll Call vote:

AYES: Councilmembers - Prang, Koretz, Martin. NOES: Councilmembers - Heilman, Guarriello.

EXCLUDED CONSENT CALENDAR:

2.I. AGREEMENT FOR PROFESSIONAL SERVICES WITH DECISION RESEARCH FOR PROFESSIONAL SERVICES TO PROVIDE CITIZEN

OPINION SURVEYING AND STRATEGIC ADVISING ON FINANCING OF SANTA MONICA BOULEVARD RELINQUISHMENT:

Councilmember Heilman indicated that the report did not state whether proposals were solicited.

Paul Arevalo, Director of Finance, stated that no RFP was issued. The City has used this vendor in the past with exceptional results, and that the City was on a "fast track" for the project.

ACTION: 1) Approve the agreement with Decision Research for an amount not to exceed \$18,500, as budgeted in the mid-year budget beginning February, 1998 and not to extend beyond June 30, 1998; and, 2) Authorize the City Manager to execute the agreement.

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

AYES: Councilmembers - Prang, Martin, Guarriello.

NOES: Councilmembers - Heilman, Koretz.

2.J. MERGER OF ZAKAROFF RECYCLING SERVICES WITH REPUBLIC INDUSTRIES, INC.:

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated March 3, 1998.

Councilmember Heilman indicated that his concerned with this company is that the company is Chaired by and individual who is well known for his discriminatory activities. We entered into an agreement with Zakaroff partly because of their community activities, and he is concerned we will lose that.

ACTION: Approve the merger of Zakaroff Recycling Services, doing business as West Hollywood Recycling Services, with Republic Industries, Inc.

Motion Councilmember Prang, seconded Councilmember Koretz and carried noting the NO vote of Councilmember Heilman.

2.M. PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ASSOCIATES FOR ENGINEERING DESIGN AND PROJECT MANAGEMENT SERVICES FOR THE SANTA MONICA BOULEVARD REHABILITATION PROJECT:

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated March 3, 1998.

Councilmember Heilman asked if the contract could include the uplighting of the trees and be coordinated with the activities of the Economic Development Division and the Art in the Median project with Lester Burg.

ACTION: Authorize the City Manager to enter into a professional services agreement with Willdan Associates in an amount not to exceed \$475,000 to provide engineering design and project management services for the Santa Monica Boulevard Rehabilitation Project.

Motion Councilmember Heilman, seconded Councilmember Prang and unanimously carried.

CITIZEN COMMENTS: None.

6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS:

Councilmember Prang asked to change his vote on Item 5.A as mentioned above.

Councilmember Heilman stated we had some guests this evening, Journalism students from California State University Northridge, and wished them good luck.

Mayor Pro Tem Martin wished Mayor Guarriello a Happy Birthday.

ADJOURNMENT: The City Council adjourned at 9:48 p.m. to their next regular meeting on Monday, March 16, 1998 at 6:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 16TH DAY OF MARCH, 1998.

MAYOR

ATTEST:

City Clerk