

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, DECEMBER 15, 1997
PLUMMER PARK MULTI-PURPOSE ROOM**

CALL TO ORDER: Mayor Guarriello called the meeting to order at 6:15 p.m.

PLEDGE OF ALLEGIANCE: Tisha Sutherland led the pledge of allegiance.

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.

APPROVAL OF AGENDA:

Staff requested an Urgency Item be added to the Consent Calendar as Item 2.M. Proposed Resolution to include the murder of Mr. Timothy C. Taylor in the City of West Hollywood Crime Tips Program and declaring the urgency thereof.

ACTION: Add the Item to the Consent Calendar as Item 2.M.

Motion Councilmember Heilman, seconded by Mayor Guarriello and unanimously carried.

Councilmember Martin removed Item 2.L from the Consent Calendar for separate discussion.

Councilmember Prang asked the City Council adjourn in memory of Eddie Garetti.

ACTION: Approve the December 15, 1997 Agenda as amended.

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

1. CITIZEN COMMENTS:

CAROL RODRIQUEZ, WEST HOLLYWOOD, wished everyone Happy Holidays and announced the installation of the pooper scooper in her neighborhood. She thanked City Manager Makinney and David Gardener. She indicated that she had been told it would be emptied three times per week and it has not been emptied since December 3. She indicated that the speed humps are going in tomorrow.

ROSLYN KRAUSE, WEST HOLLYWOOD, indicated that she did not know the meeting was held at Plummer Park instead of West Hollywood Park. She provided an overview of an accident which occurred on Saturday night.

FRANCES DIAZ, WEST HOLLYWOOD, reminded the public to fill out the Budget 2000 survey.

COUNCILMEMBER COMMENTS:

Councilmember Prang thanked Frances Diaz for her comments. He indicated that over the weekend Century Cable was off the air for many residents and requested that residents be given credit for the three days.

Mayor Guarriello indicated he had been in contact with Public Information Officer and CATV Manager Helen Goss and Century Cable who have indicated they will credit all West Hollywood subscribers for the three days.

Mayor Pro Tem Martin thanked the Pacific Design Center, the businesses and the volunteers for the "Divine Design" event.

Mayor Guarriello encouraged people to get involved in the Budget 2000 survey.

CITY MANAGER'S REPORT: City Manager Makinney stated there was no report.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Thompson stated the Fiscal Impact of the Consent Calendar for December 15, 1997, as amended, is \$61,765 in expenditures.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J., K., and M.

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

A. POSTING OF AGENDA:

The agenda for the meeting of Monday, December 15, 1997 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on December 12, 1997.

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

B. 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.**

- C. DEMAND REGISTER NO. 356, RESOLUTION NO. 97-1823:**
RECOMMENDATION: Approve Demand Register No. 356 and adopt Resolution No. 97-1823, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 356." **Approved as part of the Consent Calendar.**
- D. TREASURER'S REPORT:**
RECOMMENDATION: Receive and file the Treasurer's Report of August, 1997. **Approved as part of the Consent Calendar.**
- E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**
RECOMMENDATION: Receive and file Action Reports from the Fine Arts Advisory Board of November 21, 1997; Project Area Committee of December 2, 1997; Planning Commission of December 4, 1997; Disabilities Advisory Board of November 12, 1997; and Business License Commission of December 2, 1997. **Approved as part of the Consent Calendar.**
- F. UPDATE ON CITY COUNCIL DIRECTION ON JOINT PLANNING COMMISSION/TRANSPORTATION COMMISSION STUDY SESSION:**
RECOMMENDATION: Receive and file. **Approved as part of the Consent Calendar.**
- G. PROPOSED RESOLUTION DESIGNATING THE INTERSECTION OF DOHENY ROAD AND SIERRA ALTA WAY AS AN ALL-WAY STOP CONTROLLED INTERSECTION:**
RECOMMENDATION: Adopt Resolution No. 97-1824, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE INTERSECTION OF DOHENY ROAD AND SIERRA ALTA WAY AS AN ALL-WAY STOP CONTROLLED INTERSECTION, INCLUDING IT IN THE CITY'S ALL-WAY STOP CONTROL PILOT PROJECT AND DIRECTING STAFF TO ERECT APPROPRIATE SIGNS AND MARKINGS." **Approved as part of the Consent Calendar.**
- H. APPROVAL OF AN AMENDED CONTRACT WITH BING YEN AND ASSOCIATES FOR CONSULTING SERVICES:**
RECOMMENDATION: 1) Approve the amended contract with Bing Yen and Associates; and, 2) Authorize the City Manager to execute the agreement amendment. **Approved as part of the Consent Calendar.**
- I. CHANGE ORDER NO. 1 WITH BRW CONTRACTORS; WAIVE SECTION 2705 OF ORDINANCE 97-505 AND APPROVE PURCHASE ORDER WITH HYDREL FOR PLUMMER PARK TREE LIGHTING**

PROJECT:

RECOMMENDATION: 1) Approve Change Order No. 1 to the construction contract with BRW Electrical in an amount not to exceed \$14,500 for the Plummer Park Tree Lighting Project; 2) Waive Section 2705 of Ordinance No. 97-505; and, 3) Approve a purchase order with Hydrel to purchase 22 light fixtures at a cost of \$11,264.50. **Approved as part of the Consent Calendar.**

J. PROPOSED AGREEMENT FOR PROFESSIONAL SERVICES WITH SHERMAN AND LE VINE TO PROVIDE PARKING ADJUDICATION SERVICES:

RECOMMENDATION: 1) Approve the one-year agreement with Sherman and Le Vine for an amount not to exceed \$25,000 to provide parking adjudication services beginning January 1, 1998 through December 31, 1998; and, 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

K. GROUNDWATER RE-USE PROJECT WITH CITY OF BEVERLY HILLS:

RECOMMENDATION: 1) Direct staff to investigate the feasibility of reusing groundwater for irrigation of parks, parkways and other public greenspaces cooperatively with the City of Beverly Hills; and, 2) Report its findings no later than March 1, 1998. **Approved as part of the Consent Calendar.**

L. HOLIDAY ENFORCEMENT OF PARKING METERS:

This item was removed for separate discussion and appears under Excluded Consent Calendar immediately following Discussion Items.

M. URGENCY ITEM. PROPOSED RESOLUTION TO INCLUDE THE MURDER OF MR. TIMOTHY C. TAYLOR IN THE CITY OF WEST HOLLYWOOD CRIME TIPS PROGRAM AND DECLARING THE URGENCY THEREOF:

RECOMMENDATION: 1) Adopt Resolution No. 97-1825, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD TO INCLUDE THE MURDER OF MR. TIMOTHY C. TAYLOR IN THE CITY OF WEST HOLLYWOOD CRIME TIPS PROGRAM AND DECLARING THE URGENCY THEREOF"; 2) Direct City staff to publicize the offer of reward in the community, and to work with the Los Angeles County Sheriff's Department in an effort to locate the perpetrators of this crime; and 3) Direct City staff to appropriate out of the General Fund \$10,000. For anyone fulfilling the qualification of West Hollywood's Crime Tips program leading to the arrest and conviction of the perpetrators of this crime. **Approved as part of the Consent Calendar.**

3. UNFINISHED BUSINESS:

A. URGENCY ORDINANCE DECLARING SHELTER CRISIS AND PROVIDING FOR EMERGENCY HOUSING:

Councilmember Prang provided background information as outlined in the staff report dated December 15, 1997.

FRANK PARADISE, FOUNDATION HOUSE, provided an overview of the lease agreement.

CAROL RODRIGUEZ, WEST HOLLYWOOD, stated she doesn't think that West Hollywood should fund this all alone and the County should also participate. She also indicated she would like to see a roster of those participating in the program. Ms. Rodriguez also provided information about a FEMA program which is run by her church.

BARBARA HAMAKER, WEST HOLLYWOOD, stated her support for this item.

ED GARREN, WEST HOLLYWOOD, stated his support for this item.

EFFIE REUVENI, WEST HOLLYWOOD, commented that the Homeless Shelter has been a problem and encouraged the City Council to hold a public hearing on this item.

CRAIG RITCHIE, WEST HOLLYWOOD, indicated that the PAC had a full hearing on this item and this is the second time the City Council has considered this. He stated his support for this program.

FRANK PARADISE, FOUNDATION HOUSE, this shelter is costing the City of West Hollywood ten dollars. He outlined the funding for the shelter and indicated they had raised over \$90,000 from private businesses in order to keep the shelter open for 24 hours.

Councilmember Heilman commented that he will vote for this item although he does not agree with the Foundation House moving out of the City.

ACTION: Adopt Urgency Ordinance No. 97-512U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD DECLARING A SHELTER CRISIS AND PROVIDING FOR EMERGENCY HOUSING AND DECLARING THE URGENCY THEREOF."

Motion Councilmember Prang, seconded by Councilmember Koretz and

carried, noting the NO vote of Mayor Guarriello.

- B. PROPOSED RESOLUTION ALLOCATING PREVIOUSLY BUDGETED FUNDS TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FOR DEPOSIT INTO THE REDEVELOPMENT REVOLVING FUND FOR EAST SIDE REDEVELOPMENT ACTIVITIES:** Lester Burg, Development Specialist, provided background information as outlined in the staff report dated December 15, 1997.

ACTION: Adopt Resolution No. 97-1826, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOCATING THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION FUNDS FOR DEPOSIT INTO THE REDEVELOPMENT REVOLVING FUND OF THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION."

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

THE CITY COUNCIL RECESSED AT 6:45 P.M. AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION.

THE CITY COUNCIL RECONVEENED AT 6:46 P.M.

4. DISCUSSION ITEMS:

- A. RELINQUISHMENT OF SANTA MONICA BOULEVARD:**
Joan English, Transportation and Public Works Director, introduced members of Cal-Trans.

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated December 15, 1997.

Councilmember Heilman indicated this report was well done but did not reflect the impact of increased sales tax revenue or business license tax revenue.

Hassan Haghani, Associate Planner, provided the City Council with an overview of the Santa Monica Boulevard Visioning process.

BARBARA HAMAKER, WEST HOLLYWOOD, indicated that there have been many discussions at the PAC level and she is supportive of the Santa Monica Boulevard takeover. The crosswalk issue is integral for the Russian community. The idea that the pedestrian safety devices are not in the jurisdiction of the City is

not feasible.

DON SAVOIE, WEST HOLLYWOOD CHAMBER, thanked Hassan Haghani for the meetings which are set up for January, 1998. The number one issue for the business community is the disruption of business during the construction of Santa Monica Boulevard.

Joan English indicated that staff has questions for Cal-Trans which need answering before the discussions take place.

1. What does the City need to do to keep the urban amenities such as sidewalk cafes if we don't do relinquishment?

Rose Casey, representing Cal-Trans, stated the permits will be revoked during the construction process, and it would be the intent of Cal-Trans not to allow sidewalk café permits after the construction.

2. How do we go about working with you to get the SHOPP amended since we cannot make a relinquishment decision until a vote in November.

Ms. Casey indicated that Cal-Trans is the current owner of the highway and they intend to go forward with the project and will coordinate the work with the Holly-Hills Storm Drain, Cal-Trans would have a better idea of time frame in the next 30 days.

Mayor Pro Tem Martin asked if Cal-Trans would take into consideration if the City indicated they would be putting a ballot measure on the November, 1998 ballot.

Ms. Casey indicated that a Ballot Measure in November would be a consideration of Cal-Trans in reference to timing of the proposed project.

3. If the City wants to pay for enhancements in your improvement plans, how does the City go about working with you to get that done?

Ms. Casey indicated that Cal-Trans would be un-likely to incorporate City Plans with the State Plan for improvements.

Councilmember Koretz asked City Attorney Jenkins if the City had any legal basis against the actions of Cal-Trans.

City Attorney Jenkins responded that he could return to the City Council with some analysis.

Councilmember Heilman indicated that the condition of the pavement has been horrible for over 13 years so the argument of urgency does not ring true. Based on the comments given this evening it seems that Cal Trans wants to get rid of Santa Monica Boulevard and that should be stated.

Ms. Casey indicated that it would be the preference of Cal-Trans to relinquish Santa Monica Boulevard to the City.

Councilmember Koretz indicated that he does not feel that Cal-Trans had negotiated in good faith. He indicated that the additional elements of the Cal-Trans improvement plan, that Cal-Trans themselves are recommending in their proposal, should be added to the current funding and reflected in the proposed money of \$8.3 million.

Mayor Pro Tem Martin stated it is important to listen to the business community about this issue.

ACTION: 1) Tentatively give the City's intent to accept relinquishment of Santa Monica Boulevard with the current funding provisions held until December, 1998; 2) Continue to negotiate over the base funding amount for additional concrete and sidewalk enhancements; 3) Direct staff to do an outreach and education campaign to the business community targeting the "plan," the cost, and the coordination with other projects and jurisdictions; and 4) Direct staff to return to the City Council in January, 1998.

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

EXCLUDED CONSENT CALENDAR:

2. L. HOLIDAY ENFORCEMENT OF PARKING METERS:

Mayor Pro Tem Martin asked what measures are being taken to let people know they do not have to feed the parking meters.

Councilmember Heilman stated that unless people have heard the announcement they will feed the meters. It seems there should be an educational campaign for the business and the meters should be covered.

ACTION: 1) Direct parking enforcement personnel to waive enforcement of parking meter regulations on Tuesday, December 23, 1997 and Wednesday, December 24, 1997 at all metered parking spaces throughout the City; 2) Direct staff that the City Council would like a different approach to this program next

year and ask staff to bring this item back earlier in the year.

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

CITIZEN COMMENTS:

CARA MARKS, BEVERLY HILLS, provided the City Council with information regarding her eviction from the City of West Hollywood.

JULIE SOMMERS, WEST HOLLYWOOD, thanked the City Council for allowing the cold, wet weather shelter to exist. She also thanked Paul Koretz, Eastside PAC and the City Council for their support.

DON SAVOIE, WEST HOLLYWOOD, representing the West Hollywood Chamber of Commerce, commented on the Santa Monica Boulevard relinquishment and indicated the education campaign will go far in helping the business community.

COUNCILMEMBER COMMENTS:

Councilmember Prang asked John Polak to provide an update on Ms. Marks. He also announced the free parking on December 23, 24 and 25th.


John Polak, Senior Hearings Examiner, provided the City Council with information regarding Ms. Marks.

Mayor Guarriello asked Don Savoie to get with the business community so we have lights on the Boulevard next year during the holidays.

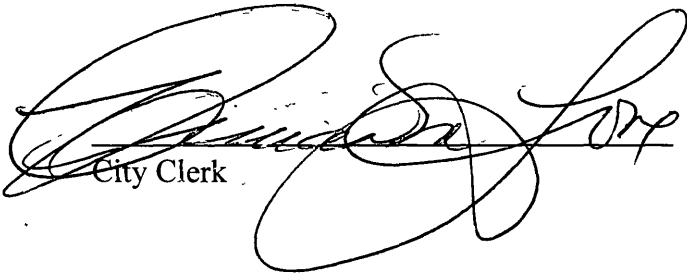
Councilmember Koretz indicated that the business community should be more supportive of the City taking over the boulevard versus if Cal-Trans continues ownership.

ADJOURNMENT: The City Council adjourned at 8:22 p.m., in memory of Eddie Garetti, to their next regular meeting on Monday, January 5, 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 5th DAY OF JANUARY, 1998.


MAYOR

ATTEST:



City Clerk