

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, SEPTEMBER 2, 1997
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Guarriello called the meeting to order at 7:30 p.m. and announced immediately prior to this meeting was a Joint Meeting with the City Council and the Public Facilities Commission. He requested we adjourn in memory of Princess Diana and Adele Martinez, City employee in the Rent Stabilization Department.

Mayor Pro Tem Martin commented on the untimely death of Princess Diana as a humanitarian.

Councilmember Koretz indicated that this is a great unnecessary tragedy of this century.

Councilmember Prang indicated that she had many admirers.

Councilmember Heilman thanked the Mayor for bringing this forward and especially for acknowledged her work with those afflicted with AIDS.

PLEDGE OF ALLEGIANCE: Public Facilities Commissioner Sibyl Zaden 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.

APPROVAL OF AGENDA:

Councilmember Prang asked that Item 2.E. Ordinance Changing the Name of the Fine Arts Advisory Board be removed from the agenda and tabled for two weeks.

Staff asked that Item 2.N and 6.A, both be heard under 6.A and considered with an ordinance, which was distributed, and incorporates both the payment of a living wage restriction and Myanmar restriction along with reorganizing the Municipal Code to place all of the contracting and purchasing provisions in one location.

Councilmember Heilman requested the removal of Item 2.K. from the Consent Calendar to be heard under Excluded Consent Calendar immediately following New Business.

ACTION: Motion to approve agenda as amended by Councilmember Heilman, seconded by Councilmember Prang and unanimously carried.

PRESENTATIONS:

Mayor Guarriello presented a commendation and plaque to former Commissioner Margot Siegel for her service to the City on the Transportation Commission.

Councilmember Heilman presented a Commendation to Dr. Kerry Sieh for all his work and education on Emergency Preparedness for Earthquakes.

Dr. Sieh thanked the City Council for the commendation and for their acceptance of diversity.

Mayor Pro Tem Martin presented a Proclamation for Coastal Clean-Up Day on September 20, 1997.

The City Council presented commendations to the Neighborhood Watch Captains and Co-Captains for their assistance and participation in National Night Out. Charlotte and Dick Banta, Donny Cacy, Donald Deluccio, Esther Baum, Francis Diaz, Alicia de Soto-Foley, Rev. John VonDouris, Barbara Hamaker, Norma Kemper, Christine Konkol, Roslyn Krause, Stan Lothridge, Marci Miller, J.W. Moore, IV, John Nieto, Rose Quijano, Arleen Ruby, Kim Schneider, Craig Ritchie, Ruth Williams, Sibyl Zaden.

1. CITIZEN COMMENTS

HYLAN KUNERTH, WEST HOLLYWOOD, stated he lost his vehicle and spoke regarding agenda Item 2.O.

SIBYL ZADEN, WEST HOLLYWOOD, thanked the City Council for the words of condolences regarding Princess Diana. She spoke about the distribution of West Hollywood Independent, she indicated that she contacted the City and did receive the paper for about a week and has not gotten in about the month. She also spoke about the traffic signal on Horn and Holloway and indicated there is no left turn arrow.

JOHN DURAN, WEST HOLLYWOOD, spoke in support of Item 5.B. and the Emergency Repair Program. He encouraged approval.

ADELE KLATE, WEST HOLLYWOOD, commented about cruelty to five cats which had Chlorox poured on them which died. A dead cat was left on her doorstep.

LAURENCE ZAKSON, WEST HOLLYWOOD, spoke on the Living Wage Ordinance. The membership of the West Hollywood Democratic Club unanimously urged support of this ordinance.

JACQUELINE BALOGH, WEST HOLLYWOOD, spoke in support of Item 5.B the Emergency Repair Program. She also spoke in support of the Alcohol and Drug Center and would like to see additional monetary support for them as well.

NORMA KEMPER, WEST HOLLYWOOD, spoke on the West Hollywood Drug and Alcohol Center. She stated that as a neighborhood they support the Center but they do not support the reduction of parking. She stated that permit parking will go into effect in that area at the end of September to beginning of October.

SIEMEN VAN DER WOUDE, WEST HOLLYWOOD, thanked the City Council for repaving the street. He stated he has complained about the leash law and the "pooper scooper" ordinance and to no avail.

REV. JOHN VON DOURIS, WEST HOLLYWOOD, he thanked the City Council for acknowledging the death of Princess Diana.

ROGER DAVIS, WEST HOLLYWOOD, spoke in favor of Item 5.B. the proposed ordinance of Emergency Repair and thanked the City Council for all the service.

AMY ANDERSON, WEST HOLLYWOOD, spoke on the bed and breakfast moratorium and requested that the City Council allow this moratorium to expire.

BENJAMIN CLAVAN, WEST HOLLYWOOD, ask the City Council to support the Public Facilities Commission request to be part of the RFP team for the Pacific Bell site.

COUNCILMEMBER COMMENTS:

Councilmember Prang responded to Ms. Kemper's request for a modification of hours and asked Ms. English to look into it. He gave credit to Ms. Jeanne Dobrin for the snack machines. He also commented on the item he brought forth regarding Item 2.O. the proposed resolution opposing the MTA proposal to convert ethanol buses back to diesel fuel.

Councilmember Heilman requested Joan English, Director of Transportation or City Manager Makinney look into the signal at Horn and Holloway and to report back at the next meeting. He also requested that staff find out why they have not been issued a citation regarding Mr. Van der Woude complaints on "pooper scooper."

Councilmember Koretz responded that he believes a person cannot be cited because they haven't been caught.

City Attorney Jenkins stated that staff could speak to the Sheriff's Department about utilizing witnesses to issue citations.

Mayor Pro Tem Martin asked staff to look into enforcement procedures. He stated that out of the top 400 hotel performers in Los Angeles County, four were West Hollywood Hotels.

Mayor Guarriello concurred with Councilmembers comments on the signal at Holloway and Horn. He asked Ray Reynolds, Director of Community Development, to contact the people affected by the 1145 Horn property with an update.

CITY MANAGER'S REPORT: City Manager Makinney asked Hassan Haghani, Associate Planner, and Community Development Director Reynolds to come up and give a brief report on the visioning project for Santa Monica Boulevard. The workshops are scheduled for Tuesday, September 30 for the Mid City at City Hall, second workshop for the West Side on Wednesday, October 8 at West Hollywood Park and East Side on Wednesday October 22nd at Plummer Park. City Manager Makinney asked Captain Odenthal to provide a report. He provided a report about an unsolved murder and the shootings of two young women which was solved by the cooperation of a number of agencies including the Los Angeles Police Department, the Sheriff's Department and the Federal Government.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Thompson stated the Fiscal Impact on the Consent Calendar of September 2, 1997, as amended, is \$104,000 in expenditures and \$1,700 in potential lost revenues.

2. CONSENT CALENDAR:

ACTION: Approve items 2.A, B, C, D, F, G, H, I, J, L, M, and O. Motion Councilmember Heilman, seconded by Councilmember Prang and unanimously carried.

A. POSTING OF AGENDA:

The agenda for the meeting of Tuesday, September 2, 1997 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 28, 1997.

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

B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of Monday, August 18, 1997. **Approved as part of the Consent Calendar.**

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.**

D. DEMAND REGISTER NO. 349, RESOLUTION NO. 97-1790:

RECOMMENDATION: Approve Demand Register No. 349 and adopt Resolution No. 97-1790, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE

PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 349.” Approved as part of the Consent Calendar.

E. ORDINANCE NO. 97-504 (2nd Reading), CHANGE NAME OF FINE ARTS ADVISORY BOARD TO THE FINE ARTS COMMISSION:

This item was tabled to September 15, 1997.

F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

RECOMMENDATION: Receive and file Action Reports from the Human Services Commission, Lesbian & Gay Advisory Council, and the Transportation Commission. **Approved as part of the Consent Calendar.**

G. ADVISORY BOARDS AND COMMISSIONS APPRECIATION DINNER:

RECOMMENDATION: (1) Direct staff to coordinate the Annual Board and Commission’s Appreciation Dinner on September 25, 1997; and (2) Authorize the expenditure in an amount not to exceed \$14,000. **Approved as part of the Consent Calendar.**

H. 1997 HALLOWEEN CARNAVAL:

RECOMMENDATION: (1) Approve the closure of Santa Monica Boulevard between La Cienega and Doheny Drive from 4:00 PM, Friday, October 31 through 6:00 AM, Saturday, November 1, 1997; (2) Approve the closure of Robertson Boulevard between Melrose and Santa Monica Boulevard from 6:00 PM, Friday, October 31 through 6:00 AM, Saturday, November 1, 1997; (3) Approve the closure of San Vicente Boulevard between Cynthia and Melrose from 6:00 PM, Friday, October 31 through 6:00 AM, Saturday, November 1, 1997; (4) Direct staff to notify Cal Trans that the City accepts liability for traffic re-routing caused by the closure of Santa Monica Boulevard; (5) Direct staff to request that the Pacific Design Center parking structure remain open until 4:00 AM; (6) Waive permit parking between the hours of 7:00 PM, October 31 through 7:00 AM, November 1, 1997; (7) Authorize the City Manager to enter into agreements with the various suppliers and vendors (including vendor, magazine and costume contest coordinators, sponsorship consultant, photographer and media co-sponsor); (8) Authorize the use of twenty (20) parking spaces in the Hancock lot for VIP and vendor parking; and (9) Waive all City fees associated with this City sponsored event. **Approved as part of the Consent Calendar.**

I. LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT COMPETITIVE GRANT PROGRAM:

RECOMMENDATION: (1) Adopt Resolution No. 97-1791, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARKS AND OPEN SPACE DISTRICT

AT-RISK YOUTH RECREATION AND SERVICE FACILITIES COMPETITIVE GRANT PROGRAM FOR THE PLUMMER PARK COMMUNITY / SENIOR / TEEN CENTER PROJECT;" and (2) Adopt Resolution No. 97-1792, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARKS AND OPEN SPACE DISTRICT SENIOR CENTER AND RECREATION FACILITIES COMPETITIVE GRANT PROGRAM FOR THE PLUMMER PARK COMMUNITY / SENIOR / TEEN CENTER PROJECT." **Approved as part of the Consent Calendar.**

J. RESIGNATION FROM THE LESBIAN AND GAY ADVISORY COUNCIL:

RECOMMENDATION: Accept with regret the resignation of Renee Rosenfeld.
Approved as part of the Consent Calendar.

K. REPORT ON PROPOSED EXTENSION OF MORATORIUM ON THE ESTABLISHMENT OF BED AND BREAKFAST INNS IN RESIDENTIAL ZONES:

This item was removed and appears under Excluded Consent Calendar.

L. PROPOSED RESOLUTION SUPPORTING THE EMPLOYMENT NON-DISCRIMINATION ACT:

RECOMMENDATION: (1) Adopt Resolution No. 97-1793, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE 105TH CONGRESS TO TAKE ACTION IN PROTECTING GAYS AND LESBIANS FROM DISCRIMINATION IN THE WORKPLACE BY PASSING THE EMPLOYMENT NON-DISCRIMINATION ACT." **Approved as part of the Consent Calendar.**

M. PROPOSITION A DISCRETIONARY INCENTIVE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING:

RECOMMENDATION: Authorize the City Manager to execute a Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transit Authority (MTA) for a Proposition A Incentive Grant to coordinate transit services, for the period of July 1, 1997 through June 30, 1998, which will provide the City 25% reimbursement of net operating expense of the taxi coupon/lift van subsidy program. **Approved as part of the Consent Calendar.**

N. PROPOSED ORDINANCE ESTABLISHING GUIDELINES FOR ECONOMIC SANCTIONS AGAINST MYANMAR:

This item was removed and appears in conjunction with Item 6.A. under Legislative.

O. PROPOSED RESOLUTION OPPOSING THE LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY PROPOSAL TO CONVERT ETHANOL FUELED BUSES BACK TO DIESEL FUEL:

RECOMMENDATION: (1) Adopt Resolution No. 97-1794, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD STRONGLY OPPOSING ANY LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY DECISION TO CONVERT ITS ETHANOL FLEET OF BUSES TO DIESEL FUEL." **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

A. RESOLUTION ON COMPLIANCE WITH LOS ANGELES COUNTY TRANSPORTATION COMMISSION CONGESTION MANAGEMENT PLAN:

Assistant City Clerk Thompson stated a Notice of Public Hearing was published in the Beverly Press on August 21, 1997 and in the West Hollywood Independent on August 27, 1997 and posted on August 20, 1997 in all places as required by W.H.M.C. Section 2300.

Dennis Woods, Associate Transportation Planner, provided background information as outlined in the staff report dated September 2, 1997.

Mayor Guarriello opened the Public Hearing, and no speakers coming forward the public hearing was closed.

ACTION: Adopt Resolution No. 97-1795, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN COMPLIANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089."

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

4. UNFINISHED BUSINESS:

A. LESBIAN AND GAY ADVISORY COUNCIL APPOINTMENT:

Sandra Rubio was nominated to the Lesbian and Gay Advisory Council by Councilmember Heilman.

ACTION: Appoint Sandra Rubio to the Lesbian and Gay Advisory Council for a term ending May 31, 1998, as an "at-large" appointment.

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

B. PROPOSED INTERIM ALLOCATION OF CITY FUNDS FOR THE LANDSCAPE AND LIGHTING DISTRICT:

City Manager Makinney provided background information as outlined in the staff report dated September 2, 1997.

SHARON O'ROURKE, CHAMBER OF COMMERCE, indicated that she was on vacation on the 18th as were a number of people. She stated that she felt there was an expectation that the Chamber of Commerce raise the \$32,000, which is a sizable amount of money. This would need a well thought out marketing program and she requested additional time.

DON SAVOIE, CHAMBER OF COMMERCE, stated he committed to phone calls. He indicated that a number of people were on vacation, there was an enormous amount of education.

EFFIE REUVENI, WEST HOLLYWOOD, spoke against the City Council spending \$30,000 on holiday lights.

CAROL RODRIGUEZ, WEST HOLLYWOOD, stated that she hopes that most of the focus, for holiday decorations, will be on the corner of Santa Monica and Doheny. She also suggested contacting some individuals on banners which were up on Beverly.

BRUCE TRAUB, WEST HOLLYWOOD, stated his support for lighting at the two gateways to the City in an amount of \$7,000.

Councilmember Martin asked Don Savoie about the amount of the commitment.

Mr. Savoie stated the amount was approximately \$5,000.

Ms. English stated that the contractor has indicated that the later the decision the later the lights go up.

Mayor Pro Tem Martin indicated last year we received lots of positive input on the holiday decorations. He would propose partial funding of \$16,000.

Mayor Guarriello stated his displeasure with the Chamber for the flyer asking for donations for the district, which he felt bashed the City Council.

Councilmember Koretz stated the City could not play a role in the district.

Councilmember Prang stated there was confusion on Prop. 218, and nobody was at fault. No one thought what Prop. 218 would do to the City. The business community was not prepared for this type of election, and now it's up to both the City and the businesses to work out a proposal.

Councilmember Heilman indicated that perhaps the staff should be directed to prepare a report on exactly what has happened by the business people and staff with this election. He indicated that many of the business owners were not eligible to vote. He is willing to go for the \$16,000 but agrees there should be some commitment from the Chamber.

Councilmember Koretz proposed partial funding with a dollar for dollar match with contributions raised by the Chamber.

Councilmember Heilman stated that he prefers not doing any lighting than to do it only halfway. He suggested that the City commit to the \$31,900. and then match dollar for dollar.

ACTION: (1) Increase the General Fund contribution to the 1991 Landscape and Lighting Assessment District by up to \$16,000. on a matching basis with the Chamber of Commerce, with a minimum guarantee of \$10,000., to fund partial holiday lighting and banners; (2) Postpone trash receptacle and bench refurbishing as detailed in option one on the staff report dated September 2, 1997; (3) Authorize the City Manager to enter into a contract with Event Technical Services for Holiday Lighting; and (4) Authorize the City Manager to approve change orders up to the \$16,000.

Motion Mayor Pro Tem Martin, seconded by Councilmember Prang and amended by Councilmember Koretz (for the dollar for dollar matching basis) and carried on a roll call vote:

AYES: Councilmembers - Koretz, Prang, Martin.

NOES: Councilmembers - Heilman, Mayor Guarriello.

The City Council recessed at 9:15 p.m.

The City Council reconvene at 9:30 p.m.

- C. CONDITIONS OF APPROVAL FOR PARKING USE PERMIT 95-09 FOR OFF-SITE PARKING AND REQUEST FOR REDUCTION OF PARKING REQUIREMENTS FOR THE WEST HOLLYWOOD ALCOHOL AND DRUG CENTER LOCATED AT 8206-08 SANTA MONICA BOULEVARD:** Tim Foy, Associate Planner, provided background information as outlined in the staff report dated September 2, 1997.

Councilmember Prang asked if there has been any kind of analysis about the impact of the two-hour free parking on the leased spaces.

Mr. Foy responded that the Center did a very good job of entering into leases with properties within close proximity of the Center, so it is hard to discern what impact, if any, the two-hour free parking would have.

JACQUELINE BALOUGH, WEST HOLLYWOOD, stated her support for the Center.

CHARLES JONES, PRESIDENT OF WEST HOLLYWOOD ALCOHOL AND DRUG CENTER, provided an overview of the number of people that visit the center. He requested that the City Council deem the 55 spaces as exorbitant. He stated the Center does not want to be accountable for anymore expenses and would like the number reduced.

PETER ACOSTA, encouraged the support of the City Council for the Alcohol and Drug Center. He referred to other agencies which are receiving funds from the City.

JENNIFER RITCHIE, REPRESENTATIVE OF WEST HOLLYWOOD. ALCOHOL AND DRUG CENTER, stated that there are deals in the works with Bank of America relative to parking. She asked for consideration of reduced parking requirements for the center.

JOHN DURAN, WEST HOLLYWOOD, stated his support for the proposal. He outlined the activities of the Center. The Center has shown good faith. He encouraged support of the City Council.

BILL COFFEE, SECRETARY TO THE BOARD, spoke in support of this item.

GINO SANTON, MEMBER OF THE BOARD OF DIRECTORS, indicated they have worked hard to get the required parking spaces. He stated his support.

Councilmember Heilman stated he has been very supportive of the Center. There was City funding in the past and the Center didn't apply for funding. He stated he would like to stick with the 55 spaces.

Mayor Guarriello stated he concurs with Councilmember Heilman.

Mayor Pro Tem stated this item is frustrating because the City Council does recognize the work the Center does.

RECOMMENDATION: Adopt Resolution No. 97-1796, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING IN PART THE APPEAL OF THE WEST HOLLYWOOD ALCOHOL AND DRUG CENTER AND MODIFYING THE PLANNING COMMISSION APPROVAL OF PARKING USE PERMIT 95-09 FOR THE WEST HOLLYWOOD ALCOHOL AND DRUG CENTER LOCATED AT 8206-08 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA."

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

The City Council recessed at 9:50 p.m. and Captain Odenthal cleared Council Chambers due to potential hazardous fumes.

RECESS TO CLOSED SESSION: The City Council recessed at 10:10 p.m. to Closed Session, in the West Hollywood Park parking lot, for discussion of items contained on the Closed Session agenda.

RECONVENE AND REPORT OF CLOSED SESSION: The City Council reconvened at 10:20 p.m. and City Attorney Jenkins stated that no reportable actions were taken at Closed Session.

Due to the continuing investigation of the Fire Department on the fumes the City Council tabled the remaining items on the agenda to Monday, September 15, 1997 and adjourned the meeting at 10:25 p.m. in memory of Princess Diana and Adele Martinez to the next Regular Meeting.

5. NEW BUSINESS:

A. EMERGENCY CONTINGENCY PLAN TO PROVIDE SHELTER FOR CITY'S SENIORS, HOMELESS AND HOMEBOUND IN THE EVENT OF SEVERE WINTER STORMS CAUSED BY THE EXPECTED "EL NINO:"

This Item was tabled to September 15, 1997

B. PROPOSED ORDINANCE ESTABLISHING AN EMERGENCY REPAIR PROGRAM TO CORRECT CRITICAL HABITABILITY PROBLEMS IN RESIDENTIAL RENTAL HOUSING:

This Item was tabled to September 15, 1997.

C. INCLUSION OF A "LEGAL ANALYSIS" SECTION ON SELECTED CITY COUNCIL AGENDA ITEMS:

This Item was tabled to September 15, 1997.

EXCLUDED CONSENT CALENDAR:

2.K. REPORT ON PROPOSED EXTENSION OF MORATORIUM ON THE ESTABLISHMENT OF BED AND BREAKFAST INNS IN RESIDENTIAL ZONES:

This Item was tabled to September 15, 1997.

CITIZEN COMMENTS: None.

6. LEGISLATIVE:


A. PROPOSED ORDINANCE PERTAINING TO PROVISIONS OF LIVING WAGES FOR EMPLOYEES OF CITY CONTRACTORS:

2.N. PROPOSED ORDINANCE ESTABLISHING GUIDELINES FOR ECONOMIC SANCTIONS AGAINST MYANMAR:

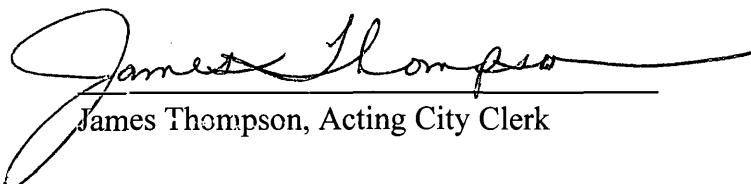
These Items were tabled to September 15, 1997.

ADJOURNMENT: The City Council adjourned at 10:25, at the request of the Fire Department due to potential hazardous fumes, in memory of Princess Diana and Adele Martinez, to their next regular meeting on Monday, September 15, 1997 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 20TH DAY OF OCTOBER, 1997.


MAYOR

ATTEST:


James Thompson, Acting City Clerk