

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY OCTOBER 7, 1996
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Koretz called the meeting to order at 7:04 p.m.

PLEDGE OF ALLEGIANCE: Stan Lothridge led the Pledge.

ROLL CALL:

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

ABSENT: None.

ALSO PRESENT: Interim City Manager Makinney, City Attorney Jenkins, City Clerk Love, Assistant City Clerk Thompson.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at approximately 6:00 p.m. the City Council called the meeting to order, then recessed into a closed session for discussion of the items on the Closed Session Agenda. The closed session adjourned at 6:35 p.m. City Attorney Jenkins stated that no reportable actions were taken.

APPROVAL OF AGENDA:

Assistant City Clerk Thompson asked the City Council to add an Urgency Item as Item 5.C. "PROPOSED RESOLUTION IN OPPOSITION TO APPROVAL OF A CUP AT 8210 SUNSET BOULEVARD, LOS ANGELES, FOR UNION RESTAURANT AND SUPPER CLUB." Motion by Land, seconded by Heilman, and unanimously carried.

Mayor Koretz pulled item 2.J and 2.L. and revised Item 2.D. to remove the claim from Toy Foods, Inc. from the Claims Administration. These items were pulled from the Consent Calendar to be heard under Excluded Consent Calendar Items.

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

PRESENTATIONS:

Mayor Pro Tem Guarriello indicated that there was a long deserved presentation to Budd Kops from the Fire Department.

Councilmember Land presented a Proclamation designating October, 1996 as National Disabilities Awareness Month to Tom Hamlett to take to the Disabilities Advisory Council at their Special Meeting on Wednesday, October 9, 1996 from 6:00 p.m. to 8:00 p.m. in Hall A at Plummer Park. Tom Hamlett thanked the Council for continuing support of the Disabilities Advisory Council.

Councilmember Land also presented a Certificate of Commendation to Deputy Bill Lynch who rescued a resident from a burning house. Deputy Lynch thanked the City Council for the commendation.

Mayor Koretz proclaimed October, 1996 as Crime Prevention Month urging all citizens, government agencies, and businesses to increase participation in the community's crime prevention efforts.

Mayor Koretz recognized Rochelle Causly, Public Safety Division; Guy Vespoint, Rent Stabilization Department; and Nancy Greenstein, Public Safety Division for 10 years of service to the City and gave each employee their 10 year pin with congratulations and thanks.

Councilmember Martin presented a Proclamation designating October 7 - 11, 1996 as California Rideshare Week and encouraged everyone to participate.

Councilmember Heilman announced today is the last day for voter registration to vote in the November 5 election and stated the City Clerk has forms available at Council Chambers this evening.

Councilmember Heilman presented a proclamation to Dr. Bill Griffin designating October, 1996 as Spinal Health Month.

1. CITIZEN COMMENTS:

STEVE BERNHARDT, LOS ANGELES, stated his opposition to the Star Walk Project.

JERRY NEWTON, LOS ANGELES, stated his opposition to the Star Walk Project.

STEVE SMITH, WEST HOLLYWOOD, thanked the Council for the presentation by Nancy Greenstein before the Planning Commission regarding the Fire Station.

HOWARD ARMISTEAD, WEST HOLLYWOOD, spoke about the Freedom of Marriage Act and the rights of gay and lesbian citizens.

DAMON GERMANIDES, LOS ANGELES, representing Mirabelle Restaurant, spoke in favor of the Star Walk Project.

DON SAVOIE, LOS ANGELES, representing the West Hollywood Chamber of Commerce, echoed the comments made by Budd Kops regarding the fine job Nancy Greenstein did on the Fire Station. He also announced the Halloween event on October 31, 1996, and asked the City Council to participate in judging the costume contest.

SANDRA KING, EXEC. DIRECTOR OF JEWISH FAMILY SERVICES, spoke about the operation of a Citizenship Assistance Center, and stated her support for Item 2.L.

JEANNE DOBRIN, WEST HOLLYWOOD, came to speak about the renovations which are happening in West Hollywood Park Auditorium.

GEORGE NAKANO, WEST HOLLYWOOD, spoke about the problems with the parking meters near his small business on Santa Monica Boulevard.

JAMES NORVOLD, WEST HOLLYWOOD, spoke about the 3 parking meters which were installed in front of Mr. Nakano's business and has indicated his business has dropped 30%. He suggested moving the 3 meters near Warner Brothers Studios.

HYLAN KUNERTH, WEST HOLLYWOOD, spoke about the eradication of HIV due to treatments at Cedars Sinai Hospital.

JEFFREY PRANG, WEST HOLLYWOOD, commended the Council for repealing the 10:00 p.m. parking meter decision. He spoke about the Star Walk Project and indicated that the project is moving to fast and should be carried over.

CHANDLER VOSE, WESTLAKE VILLAGE, spoke in support of the Star Walk Project.

BRETTA KNOCK, spoke in favor of the Star Walk Project.

NANCY FIRESTONE, WEST HOLLYWOOD, stated her support of the Star Walk Project.

KEVIN KOLANOWSKI, WEST HOLLYWOOD, stated his opposition to the Star Walk Project.

BETTY WAGNER, LOS ANGELES, asked the people that are opposed to the Star Walk Project to please stand, stated her opposition to the Star Walk Project.

MICHELE MC GRATH, WEST HOLLYWOOD, stated her support for Urgency Item 5.C.

COUNCILMEMBER COMMENTS: None.

CITY MANAGER'S REPORT: Interim City Manager Makinney asked Paul Arevalo, Director of Finance to clarify an item which is on the agenda. Director Arevalo provided an overview of the proposed Street Assessment District clarifying that this assessment would replace the Lighting and Landscaping Assessment on next years tax rolls.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Thompson stated the fiscal impact on the Consent Calendar for Monday, October 7, 1996 as amended, is \$317,209. in expenditures and zero dollars in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve items 2.A, B, C, D (as revised), E, F, G, H, I, K, M, N, and O.
Motion by Councilmember Land, seconded by Councilmember Heilman and unanimously carried.

A. POSTING OF AGENDA:

The agenda for the meeting of Monday, October 7, 1996 was posted at City Hall, Plummer Park, the West Hollywood Sheriff's Station and at the West Hollywood Library on Friday, October 4, 1996.

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

B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of September 16, 1996. **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. CLAIMS ADMINISTRATION:

RECOMMENDATION: Deny the claims of Yuriy Rakach, Todd M. Sziladi, Toy Food Inc., Joy Schollenbarger, Jim Berland, Brenda Berland, Marina Garcia, Gertrude Cohen, Bettie Henderson, David Yamamoto, Christopher Grigg, Martin C. Goldstone, Rene Averseng, State Farm Insurance: subrogee Anthony Del Aguila, and deny application for leave to present late claim for Dean Yacalis and refer to the City's claims adjuster. **Removed the claim from Toy Food, Inc. and approved as part of the Consent Calendar.**

E. DEMAND REGISTER NO. 327, RESOLUTION NO. 96-1646:

RECOMMENDATION: Approve Demand Register No. 327 and adopt Resolution No. 96-1646, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 327." **Approved as part of the Consent Calendar.**

F. SEPARATION AGREEMENT WITH CITY MANAGER PAUL BROTZMAN:

RECOMMENDATION: (1) Approve the separation agreement with Paul Brotzman; and (2) Authorize the Mayor to execute the agreement. **Approved as part of the Consent Calendar.**

- G. APPOINTMENT OF INTERIM CITY MANAGER:**
RECOMMENDATION: (1) Appoint Charlie Makinney as Interim City Manager; and (2) Authorize a 10% salary differential to current salary in recognition of additional duties and responsibilities. **Approved as part of the Consent Calendar.**
- H. REPORT ON LIGHTS ON CRIME PROGRAM AND APPROVAL OF NEIGHBORHOOD IMPROVEMENT PROGRAM FOR THE CITY'S EAST SIDE:**
RECOMMENDATION: Approve the Neighborhood Improvement Program for the City's East Side using Community Development Block Grant funds. **Approved as part of the Consent Calendar.**
- I. ACCEPTANCE OF PROPOSAL FROM MARTIN AND CHAPMAN COMPANY FOR ELECTION SERVICES:**
RECOMMENDATION: (1) Accept the proposal from Martin and Chapman Company for Election Services in an amount not to exceed \$28,000. for the General Municipal Election to be held on March 4, 1997; and (2) Authorize the City Manager to sign. **Approved as part of the Consent Calendar.**
- J. BUS SHELTER LICENSE AGREEMENT:**
This item was removed from the Consent Calendar and appears under Excluded Consent Calendar, immediately following New Business.
- K. REQUEST TO CONDUCT PARKING STUDY IN CLINTON AVENUE NEIGHBORHOOD:**
RECOMMENDATION: (1) Approve tentative permit district boundaries for Clinton Avenue petition as follows: La Cienega Boulevard, Rosewood Avenue, the City of Los Angeles/West Hollywood boundary south of Melrose Avenue and Flores Street; and (2) Direct staff to perform a study of streets within 500' of the area affected. **Approved as part of the Consent Calendar.**
- L. APPROVAL OF SOCIAL SERVICES CONTRACT WITH JEWISH FAMILY SERVICES TO OPERATE A CITIZENSHIP ASSISTANCE CENTER:**
This item was removed from the Consent Calendar and appears under Excluded Consent Calendar, following New Business.
- M. AUTHORIZATION TO EXECUTE PURCHASE AGREEMENT WITH INTERSOLVE COMPANY:**

RECOMMENDATION: (1) Authorize a purchase order to Intersolve Inc. for the purchase of a 25 user license ODBC software in an amount not to exceed \$13,000. **Approved as part of the Consent Calendar.**

N. PURCHASE OF EDUCATIONAL MATERIALS FOR PROJECT 10 AT FAIRFAX HIGH SCHOOL:

RECOMMENDATION: Authorize a grant for purchase of educational materials and books by Project 10 at Fairfax High School in an amount not to exceed \$2,500. **Approved as part of the Consent Calendar.**

O. NOTICE OF COMPLETION FOR CIP 9606, DOHENY DRIVE STREET IMPROVEMENT PROJECT:

RECOMMENDATION: Accept the work and authorize the following: (1) Filing a Notice of Completion by the City Engineer; (2) Final payment to the contractor at the end of the 35 day lien period; (3) Release of the Performance Bond and Payment Bond; (4) Submittal of an invoice to the City of Beverly Hills for \$122,326.93 for their share of project construction costs. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

A. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE) AND APPROVAL OF CONTRACT WITH THE WEST HOLLYWOOD CONVENTION AND VISITORS BUREAU TO ADMINISTER THE 1996-97 CONTRACT:

Assistant City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood Independent on September 25, 1996. The City Clerks Office received no letters of protest to the assessment.

Rhonda Sherman, Economic Development Specialist, provided background information as outlined in the staff report dated October 7, 1996.

Mayor Koretz opened the public hearing and following addressed the City Council:

ELAINE MUTCHNIK, EXECUTIVE DIRECTOR WEST HOLLYWOOD CONVENTION AND VISITORS BUREAU, outlined the contributions by the Convention and Visitors Bureau and stated her support for the 1996-97 contract.

DON SAVOIE, WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke in support of the Convention and Visitors Bureau.

JEFFREY PRANG, WEST HOLLYWOOD, spoke in favor of the Convention and Visitors Bureau.

JEANNE DOBRIN, WEST HOLLYWOOD, complained about the unfairness of the parking enforcement policies especially related to Le Montrose Hotel.

TONY MELIA, CHAIR OF THE CONVENTION AND VISITORS BUREAU, outlined the activities of the WHCVB and stated his support for this item.

Councilmember Land thanked the people who came to testify. The report demonstrates the impact of the Convention and Visitors Bureau.

ACTION: (1) Adopt Resolution No. 96-1647, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD LEVYING A CHARGE (ASSESSMENT) IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 1996-97 AND CONFIRMING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 1996-97; (2) Authorize the Interim City Manager to execute a contract with the West Hollywood Marketing Corporation (d. b. a. West Hollywood Convention and Visitors Bureau) to set forth a scope of activities and budget for the 1996-97 fiscal year.

Motion Councilmember Land, seconded by Councilmember Martin and carried by the following vote:

AYES: Councilmembers Heilman, Land, Martin, Mayor Koretz.

NOES: Mayor Pro Tempore Guarriello.

B. PUBLIC MEETING ON THE 1996 STREET MAINTENANCE ASSESSMENT DISTRICT:

Assistant City Clerk Thompson stated a Notice of Public Meeting was published in the West Hollywood Independent on September 4, September 11 and September 18, 1996. A Notice of Public Meeting was mailed to 22,305 registered voters.

Paul Arevalo, Director of Finance, and Rob Brown, Assessment Consultant, provided background information as outlined in the staff report dated October 7, 1996.

Mayor Koretz opened the public hearing/meeting, and no speakers coming forward the public hearing/meeting was closed.

Councilmember Heilman clarified that this assessment would replace the Lighting and Landscaping assessment and is not an overall increase in assessments.

Paul Arevalo responded affirmatively. He also noted that Mayor Pro Tem Guarriello had asked if the condominium assessment could be the same as they were in the Lighting and Landscape district.

ACTION: Direct staff to ensure the assessment is the same for single family owner occupied condominium units; and set the public hearing for October 21, 1996 to receive public comment and take formal action.

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

C. FUNDING REQUEST FOR STATE COPS PROGRAM:

Assistant City Clerk Thompson stated a Notice was posted in all places as required by Section 2300 of the West Hollywood Municipal Code.

Nancy Greenstein, Public Safety Administrator, and Captain Richard Odenthal, provided background information as outlined in the staff report dated October 7, 1996.

Mayor Koretz opened the public hearing, and no speakers coming forward the public hearing was closed.

ACTION: (1) Authorize the use of State funding under the COPS program for local police crime prevention programs; (2) Approve the expenditure request list from Captain Odenthal of the Sheriff's Department for the \$83,071. of COPS funds; and (3) Direct the Finance Department to establish a separate Supplemental Law Enforcement Service Fund (SLESF).

Motion Mayor Pro Tem Guarriello, seconded by Councilmember Land and unanimously carried.

D. THE SUNSET STAR WALK CORPORATION FRANCHISE AGREEMENT:

Assistant City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood Independent on September 18, 1996. The City Clerk's office received 24 valid written protests to the Exclusive Franchise Agreement.

Interim City Manager Makinney provided background information as outlined in the staff report dated October 7, 1996.

Mayor Koretz opened the public hearing, and the following addressed the City Council

ELLEN BERKOWITZ, LOS ANGELES, representing the applicant Star Walk, responded that the funding will come from various entertainment companies. She outlined the companies and community members which support the project. She also noted changes to the agreement and project which they have agreed. First a one-year trial period; the inclusion of the Fine Arts Advisory Board; the gross revenues have been increased from 2% to 5%; the City Council has full control as to the placement of the bronzes which would incorporate a full noticed hearing process to the neighborhood in which the bronze is proposed to be placed; the statues will be paid for by Star Walk Foundation. They also requested that if at the end of the year the City and the Foundation would like to go forward with only the bronzes and not the statues, they would like to have that option.

MIKE MC NEILLY, ARTIST OF STAR WALK PROJECT, outlined the proposed project and the benefits to the area. Addressed the concerns of those who feel this will detract from the community.

STAN LOTH RIDGE, WEST HOLLYWOOD, spoke in opposition of the Star Walk Foundation.

EFFIE REUVENI, WEST HOLLYWOOD, spoke against the Star Walk Project.

THOMAS JONES, WEST HOLLYWOOD, stated his opposition to this project especially relative to the process, he stated this item should have been brought before the Fine Arts Advisory Board, Transportation Commission, and the Planning Commission.

RICHARD KALEH, WEST HOLLYWOOD, stated he was opposed to the Star Walk Project.

LOIS SYDNEY, WEST HOLLYWOOD, asked for answers to specific questions, such as who is Mike McNeilly. Who is the Star Walk Company and what is their financial background. She stated her vehement opposition to this project.

KEN SAVAGE, WEST HOLLYWOOD, stated his opposition to this project.

BUDD KOPS, WEST HOLLYWOOD, stated his opposition to this project, and felt this project should have gone before the Fine Arts Advisory Board.

PAUL PRICE, WEST HOLLYWOOD, stated his support for the Star Walk Project and Mike's creative work.

JOHN GUARD, WEST HOLLYWOOD stated his opposition to the Star Walk project.

ERRON SILVERSHEIN, WEST HOLLYWOOD, stated his opposition to Star Walk.

DON SAVOIE, WEST HOLLYWOOD CHAMBER OF COMMERCE, indicated that at their most recent board meeting all three perspectives were discussed.

FRANCIS MONTGOMERY, WEST HOLLYWOOD, read an advertisement from the June, LA Magazine and stated his opposition to the project.

MARCI MILLER, WEST HOLLYWOOD, stated her first issue with this project was the lack of notification. She stated her opposition to this project.

MARK MONTGOMERY, MONTGOMERY MANAGEMENT COMPANY, stated his opposition to the Star Walk project. He stated that if the project is approved they would like to have Sunset Plaza excluded.

DIANA GRAHAM, PRESIDENT OF THE CHAMBER OF COMMERCE, indicated that Mr. Montgomery has been opposed to this project from the beginning and has been told it doesn't have to affect his property. She stated she is in full support of this project.

FRAN OFFENHAUSER, WEST HOLLYWOOD, stated she is opposed to this project. She also noted that this is the first time she has heard of this project and it has never been before the Cultural Heritage Advisory Board. Lastly, there is a problem with the sidewalks on Sunset Blvd. She also submitted a letter from David Kermani objecting to the project.

KIM JORGENSEN, stated his opposition to the project.

JOHN STOUT, WEST HOLLYWOOD, stated his support for the project. He added the one year proposal is a great idea and encouraged the Council to approve.

HOWARD ARMISTEAD, WEST HOLLYWOOD, stated his reservations to the project especially relative to the statues. Visual clutter is a potential problem on Sunset Blvd.

SALLY MARR, WEST HOLLYWOOD, stated she just found out about this today. She stated her opposition to the project.

PETER DUDAR, WEST HOLLYWOOD, provided his comments on the project.

INA COLEMAN, LOS ANGELES, stated her concerns about the project are traffic and parking. She indicated she is opposed to the project.

JEFF HABER, LATHAM WATKINS & ASSOC., stated that this project does not comply with CEQA. He indicated that CEQA requires environmental impacts from any proposed project. He requested a thorough environmental review.

NORMAN HAMMER, SUNSET STRIP ASSOCIATION, stated his opposition to the artwork and the project.

The City Council recessed at 9:15 p.m.
The City Council reconvened at 9:36 p.m.

GARY SALT, WEST HOLLYWOOD, stated his opposition. He suggested that the City Attorney investigate the definition of Public Benefit Corporation.

DOROTHY DORBEN, LOS ANGELES, stated she is speaking on behalf of ROAR. There is a deep sense of betrayal relative to the five years spent on the Sunset Specific Plan.

SYDNEY SMILOVE, LOS ANGELES, representing 204 homeowners in the area north of Sunset Boulevard. They are in opposition of the Star Walk Project.

ALLAN KATZ, stated his opposition to the project.

JEANNE DOBRIN, WEST HOLLYWOOD, indicated she is in opposition of this project.

BETTY WAGNER, LOS ANGELES, PRESIDENT OF HOMEOWNERS ASSOCIATION, they are very opposed to this project.

JAMIE WOLF, BEVERLY HILLS, indicated she was opposed to the Star Walk project.

SCOTT HARRINGTON, LOS ANGELES, represents Mike McNielly, stated that this project is on a one-year trial basis. If it does not work then things can be returned to the way they are.

JUDY BRUSTMAN, LOS ANGELES, stating she is against this project.

CHARLIE MERCER, SUNSET STRIP ASSOCIATION, indicated that there are only 80 property owners on the Sunset Strip. He read a list of property owners that were vehemently against the Star Walk Project. He asked Council to vote against the project.

Councilmember Heilman asked if the Sunset Strip Association is against both the sculpture and the plaques.

Mayor Pro Tem Guarriello indicated that he is not a politician he is a public official. He stated he is bothered by the composition of the Task Force since there are no residents represented. The contract does not exclude the Sunset Plaza, there is no Environmental Impact Report; there are no releases from the estates of the stars which are going to be memorialized. He asked that it be noted that this plan never appeared before the Planning Commission.

Councilmember Martin stated he indicated there has been work and compromise completed on this project. This project has been around since April and there has been an outreach effort. When the Council holds a public hearing, they listen and learn. It is very clear that there is adamant opposition to the project. The artist came here with a proposal to try and work with the City.

Councilmember Land indicated that when this issue was brought forth in April she had some concerns. Many of those concerns were addressed through the process. The suggestion for a trial basis was a good one.

Councilmember Heilman indicated that he had similar concerns of Councilmember Land. He stated that he had many of the concerns which were expressed tonight. Which is why he suggested a one-year trial. He indicated that there should be some sort of prototype if it goes before the Fine Arts Advisory Board. The plaques and sculptures must be tied into the history of the Sunset Strip. Overall, he stated this idea has a lot of potential. There should be some sort of review process which incorporates some of the people that were vehemently opposed to this project. If staff is going to be given direction, it must be more clear. A prototype is a minimum, connection to the legitimate history of the Sunset Strip, and a public review process.

Mayor Koretz stated this project does have some merit. This proposal is one that is hated. There is no question about it. This did not have much of a process. This project has the potential of a high impact, possibly not at the beginning but perhaps in later years. There is clearly no community support to go forward. He acknowledged the suggestions that were given this night.

ACTION: Reject the franchise agreement and direct the interim City Manager to work with the Fine Arts Advisory Board, business owners, the Nightclub Council, commercial establishments and residents to explore ways to commemorate and celebrate the history of the Sunset Strip.

Motion Councilmember Martin, seconded by Mayor Koretz and unanimously carried.

4. UNFINISHED BUSINESS:

A. FINE ARTS ADVISORY BOARD APPOINTMENTS:

This item was tabled for two weeks by consensus of the City Council.

5. NEW BUSINESS:

A. ESTABLISHING A JOINT CITY COUNCIL AND PLANNING COMMISSION RETREAT ON OCTOBER 28, 1996:

ACTION: Agendize a joint City Council and Planning Commission meeting for Monday, October 28, 1996 at West Hollywood Park Auditorium at 6:00 p.m.

Motion Councilmember Land, seconded by Mayor Pro Tempore Guarriello and unanimously carried.

B. PROPOSED RESOLUTIONS RELATIVE TO THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 4, 1997:

City Clerk Love provided background information as outlined in the staff reported dated October 7, 1996 and reviewed the nomination period schedule.

City Attorney Jenkins stated this is the first real opportunity the City Council has had to see the ordinance on term limits. He wanted to make sure that it reflected the Council's direction. He also wanted to be sure that the ordinance was consistent with the Council's intent that any person who serves for two years or longer would be considered to have served a full term. If this ordinance is enacted, it is his understanding that the City Council would like the ordinance to take effect before we swear in the new Councilmembers who are elected in the March election. It is the City Attorneys understanding that it is the Council's intention that it applies to those two Councilmembers who are elected or re-elected in March. We may have to make some adjustments on how we implement this, by perhaps postponing the swearing in, even though it is not called for in the elections code, to guarantee that the ordinance took effect before the Councilmembers took office.

ACTION: (1) Adopt Resolution No. 96-1648, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 4, 1997, FOR THE ELECTION OF CERTAIN OFFICERS OF SAID CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND FOR THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO TERM LIMITS;"

(2) Adopt Resolution No. 96-1649, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 4, 1997;"

(3) Adopt Resolution No. 96-1650, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO MATERIAL SUBMITTED TO THE ELECTORATE AND THE COSTS OF THE CANDIDATE'S STATEMENT FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, MARCH 4, 1997.";

(4) Adopt Resolution No. 96-1651, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT THE MUNICIPAL ELECTION, MARCH 4, 1997";

(5) Adopt Resolution No. 96-1652, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS."

Motion Councilmember Land, seconded by Councilmember Heilman and unanimously carried noting the objection to the term limit portion of Resolution No. 96-1648 Section 2, by Councilmember Land and Councilmember Heilman.

C. URGENCY ITEM: PROPOSED RESOLUTION IN OPPOSITION TO APPROVAL OF A CONDITIONAL USE PERMIT THAT WOULD ALLOW UNION RESTAURANT AND SUPPER CLUB, LOCATED AT 8210 SUNSET BOULEVARD, TO EXTEND ITS HOURS OF OPERATION TO 4:00 AM SEVEN NIGHTS AND ALLOW FOR THE OPERATION OF AN OPEN AIR PATIO:

Interim City Manager Makinney, provided background information as outlined in the staff report dated October 7, 1996.

ALAN BAILY, LOS ANGELES, representing the Union Nightclub, stated his opposition to the proposed resolution. He indicated the application by Union has been amended. The intent is only to operate until 2:00 a.m., he also asked the City Council to endorse only those restrictions that West Hollywood would impose on this type of business.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on this item asking that the City Council go on record about the closing time, the amplified music, and the outdoor dining and supported adopting this resolution.

Councilmember Heilman indicated that this application is not before the West Hollywood City Council. The primary concerns are the noise and impacts of the business on the West Hollywood residents. Council should go on record expressing their concerns to the late hours and the outside dining in close proximity to the residents.

ACTION: (1) Adopt Resolution No. 96-1653, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO A CONDITIONAL USER PERMIT, PURSUANT TO THE PROVISION OF SECTIONS 12.24-C33 AND 38 OF THE LOS ANGELES MUNICIPAL CODE TO PERMIT MODIFICATION AND AMENDMENTS TO ZA 90-0772 (CUB)(CUX) TO PERMIT THE EXISTING UNION RESTAURANT AND SUPPER CLUB TO OPERATE BETWEEN THE HOURS OF 11:00 AM AND 4:00 AM SEVEN NIGHTS A WEEK; AMPLIFIED MUSIC WITH A TOTAL OF FOUR MUSICIANS INCLUDING PATRON DANCING; AND OPERATION OF AN OPEN AIR PATIO AND DINING AREA INCLUDING THE SALE AND IN C4-ID ZONE;" and (2) Direct staff to attend the public hearing on Thursday, October 10, 1996 at 1:00 p.m. at Figueroa Plaza, 201 North Figueroa Street, Room 170, Los Angeles, California to present a copy of this Resolution to the City Zoning Administrator.

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

EXCLUDED CONSENT CALENDAR:

2.J. BUS SHELTER LICENSE AGREEMENT:

Sam Baxter, Building and Landscape Manager, provided background information as outlined in the staff report dated October 7, 1996.

Councilmember Heilman clarified that Gannett has been acquired by another company. The current contract gives the City Council authority to approve the assignment of the licensing. Is that the first part of the recommendation.

Mr. Baxter responded that it is true.

DENNIS KUHL, OUTDOOR SYSTEMS ADVERTISING, INC., indicated that the renewal of the contract was approved in concept by the staff. He is not in favor of staff recommendation.

Councilmember Heilman asked if Outdoor Systems had other franchise agreements in other cities and was he aware that no contract is approved unless approved by the City Council.

Mr. Kuhl responded that they did have contracts with other government entities and yes he did understand the process.

JEANNE DOBRIN, WEST HOLLYWOOD, stated she supports staff recommendations.

The City Council discussed at length whether or not the process was fair and why the contract was not brought forth to the City Council.

ACTION: (1) Approve assignment of the bus shelter License Agreement dated August 21, 1986 to Outdoor Systems Advertising; (2) Reject a five (5) year extension of the existing License Agreement as requested by Outdoor Systems Advertising; and (3) Authorize the preparation and issuance of a Request for Proposal for streetscape furnishings and authorize a month to month extension of the current License Agreement until such time that a vendor is selected through the Request for Proposal process.

Motion Councilmember Land, seconded by Councilmember Heilman and failed on a roll call vote:

AYES: Councilmember - Heilman, Land.

NOES: Councilmember - Martin, Guarriello, Mayor Koretz.

ACTION: Renegotiate a contract extension before the expiration of the current contract which ends in December, 1996 and return to the City Council the with options of extending the current contract or opening the RFP process.

Motion Councilmember Martin, seconded by Mayor Koretz and carried on a roll call vote:

AYES: Councilmember - Martin, Guarriello, Mayor Koretz.

NOES: Councilmember - Heilman, Land.

2.L. APPROVAL OF SOCIAL SERVICES CONTRACT WITH JEWISH FAMILY SERVICES TO OPERATE A CITIZENSHIP ASSISTANCE CENTER:

Jodi Curlee, Social Services Administrator, provided background information as outlined in the staff report dated October 7, 1996.

Mayor Koretz asked Ms. Curlee how all the agencies in West Hollywood are coordinating or working on this project.

Ms. Curlee indicated that all appropriate agencies are working on programs for citizenship assistance due to the Welfare Reform Act, and the Social Services Division is coordinating all the different players.

ACTION: (1) Approve funding of up to \$20,000. for program year beginning October 15, 1996 through June 30, 1997 for Jewish Family Service to provide Citizenship Assistance Center services in Plummer Park including application assistance, test preparation, information and referral and actual testing and authorize staff to negotiate the budget and scope of services; and (2) Transfer \$20,000. from unobligated reserve to Social Services contracts line item 100-5030-8173.

Motion Councilmember Land, seconded Councilmember Heilman and unanimously carried.

CITIZEN COMMENTS: None.

6. LEGISLATIVE: None.

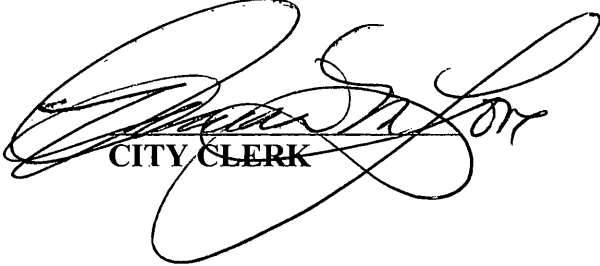
COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 11:25 PM to their next regular meeting on Monday, October 21, 1996 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

**APPROVED BY MOTION OF THE CITY COUNCIL THIS 21ST DAY OF OCTOBER,
1996.**

Paul Kretz
MAYOR

ATTEST:


CITY CLERK