

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, AUGUST 21, 1995
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD
7:00 P.M. - REGULAR MEETING**

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:14 p.m.

PLEDGE OF ALLEGIANCE: Norma Kemper led the pledge.

ROLL CALL:

PRESENT: Councilmembers Guarriello, Land, Martin, Koretz and Mayor Heilman.
ALSO PRESENT: City Manager Brotzman, City Attorney Jenkins, City Clerk Love and
Assistant City Clerk Thompson

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at approximately 6:00 p.m. the Mayor called the meeting to order and the City Council recessed into a Closed Session to discuss the items on the Closed Session Agenda. There are no items of action to report.

APPROVAL OF AGENDA: Councilmember Land indicated that item 6.A. will be tabled to a date uncertain, at the request of staff. Hearing no other changes, the Agenda was approved by a consensus of the City Council.

Councilmember Martin requested the meeting be adjourned in memory of Bruce Boland of the West Hollywood Sheriffs Department. Councilmember Land requested the meeting be adjourned in memory of Tom Anderson, Mayor Heilman requested the meeting be adjourned in memory of Rob Eichberg and Cal Anderson. Mr. Peter Mackler spoke in memory of Mr. Eichberg.

PRESENTATIONS:

Mayor Heilman presented a commendation to Gus Gardner who was involved in the City for the last 23 years. He stated he has been an active member of the Senior Advisory Council. Beth and Gus are celebrating their 66th wedding anniversary and the City Council recognized Gus on his 90th birthday.

Mr. Gardner thanked the Council for the wonderful surprise. He also added that he became a great grandfather for the fourth time last Thursday.

Mayor Heilman presented commendations for those who participated in National Night Out. He began by commending Nancy Greenstein and Susan Duenas for their efforts. He also thanked the members of the Public Safety Commission for their participation including John Altschul, Norma Kemper and Ruth Kemper who were present. The commendations were presented to

Alexandra Drobac, Stanley Watch, Sibyl Zaden, Shoreham Heights Residents Association, Roslyn Kraus, Sherman Community Watch, Stan Lothridge, Sherman Community Watch, John Nieto, Center City Alliance, Marty Strudler, West Hollywood West, Rosemarie Zaffina, West Hollywood West, Charlotte Banta, West Hollywood West, Tom Burrows, La Jolla Neighborhood Association, Norma Kemper, La Jolla Neighborhood Association, Ruth Williams, A.C.E.S. & Lexington Area Watch, Craig Ritchie, A.C.E.S. & Curson Area Watch, Gerda Spiegler, A.C.E.S., Michelle McGrath, Havenhurst Watch, Rose Quijano, Larrabee/Palm/Harratt/Cynthia Watch, and Sandy Rupprecht, Sunset/Larrabee Watch.

Councilmember Land presented a plaque to David Etezadi for his service on the Rent Stabilization Commission. She stated he served on the Rent Stabilization Commission from July 1, 1991 to July 24, 1995. She thanked him for serving for the length of time and his commitment to the City.

1. CITIZEN COMMENTS:

NINA WONG, EMPIRE FIRE AND MARINA INSURANCE COMPANY, she stated that Bijan Enterprises filed bankruptcy last Thursday. She stated that she wanted the Council to be aware of their interest in the Item 3.B.

CITY MANAGER'S REPORT: City Manager Brotzman stated he had two items to report. The first is on the Fire Station. He indicated that the debt issuance will be for the full cost of the fire station and in turn the City would be reimbursed for 1/2 of the total cost. The City has opted to move forward otherwise the project may be delayed another year to year and one-half. The City is taking a strong position on this issue. The second item is related to the library service that the City is currently receiving. The County is considering implementing a supplemental assessment and is also considering cutting back services in certain cities. Only the cities that have indicated they would approve the assessment, will be levied the assessment if the Board should levy an assessment. West Hollywood as previously authorized the approval of an assessment, if the Board should levy it. The decision is likely to occur in mid September. Should the Board levy the assessment this would mean that the services would be expanded from six days per week to seven days per week, and there would be some funds left for future improvements and capital improvements for the library. The City is negotiating that if the Board should levy the assessment there is some assurance that the funds would be set aside and any service cuts would be negotiated with the City.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Thompson stated that the fiscal impact of the August 21, 1995 Consent Calendar was \$27,050. in expenditures and zero in potential revenues.

2. CONSENT CALENDAR:

ACTION: Approve items 2A, B, C, D, E, F, G, H, and I. Motion Councilmember Guarriello, seconded by Councilmember Land and unanimously carried.

- A. POSTING OF AGENDA:** The agenda for the meeting of Monday, August 21, 1995 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 17, 1995.
RECOMMENDATION: Receive and file. Approved as part of the Consent Calendar.
- B. APPROVAL OF MINUTES:**
RECOMMENDATION: Approve the minutes of Monday, August 7, 1995.
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. 300, RESOLUTION NO. 95-1480:**
RECOMMENDATION: Approve Demand Register No. 300 and adopt Resolution No. 95-1480, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 300." Approved as part of the Consent Calendar.
- E. ORDINANCE NO. 95-444 (2nd Reading), PROPOSED ORDINANCE AMENDING THE PAY TELEPHONE REGULATIONS:**
RECOMMENDATION: Waive further reading and adopt Ordinance No. 95-444, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE CITY'S PAY TELEPHONE REGULATION ORDINANCE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Approved as part of the Consent Calendar.
- F. AWARD OF CONTRACT FOR ELECTRICAL AND LIGHTING RENOVATION PROJECT:**
RECOMMENDATION: (1) Accept the bid dated July 18, 1995 by Hartono, Inc. of Culver City, California in the amount of \$11,900., for Hart House Electrical and Lighting Renovation Project; and (2) Authorize the City Manager to sign the agreement. Approved as part of the Consent Calendar.
- G. PROPOSED INSTALLATION OF NIGHTTIME TAXICAB STANDS AT SPECIFIED LOCATIONS IN THE CITY:**
RECOMMENDATION: Adopt Resolution No. 95-1481, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING NIGHTTIME TAXICAB STANDS AT SPECIFIED LOCATIONS IN THE CITY, SUPERSEDING RESOLUTION NO. 94-1353." Approved as part of the Consent Calendar.

H. AWARD CONTRACT FOR PERFORMANCE AUDIT OF CODE ENFORCEMENT FUNCTIONS AND APPROPRIATING FUNDS:

RECOMMENDATION: (1) Accept the bid from Arroyo Associates; (2) Authorize the City Manager to negotiate and sign a contract with Arroyo Associates for the conduct of the Performance Audit; (3) Direct the Finance Director to appropriate 1994-95 Community Development salary savings (Unobligated Reserve Funds) to the City Manager's Professional Services budget in the amount of \$15,000. Approved as part of the Consent Calendar.

I. TREASURER'S REPORT, JUNE 1995:

RECOMMENDATION: Receive and file the June 1995 Treasurer's Report. Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS:

A. IMPLEMENTATION OF PREFERENTIAL PARKING REGULATIONS ON FOUNTAIN AVENUE BETWEEN LA CIENEGA BOULEVARD AND SWEETZER AVENUE:

Assistant City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood Independent on August 9 and August 16, 1995, and a notice was mailed to residents within a 500' radius of the proposed district on August 9, 1995.

Donald Korotsky, Associate Transportation Planner, provided background information as outlined in the staff report dated August 21, 1995.

Mayor Heilman asked if the residents on Fountain were going to be able to purchase in either district six or seven, and if they could park on either side of the street.

Mr. Korotsky indicated that both were true and people could park on either side of the street, or they could purchase either district six or seven permits.

Councilmember Martin asked if it would be easier to make it all district six.

Mr. Korotsky responded that initially staff wanted these two districts to be similar. However, a line had to be drawn as the two areas had different aspects which affected them.

Councilmember Martin stated that the source of the traffic should not have an impact on the reasoning for having two different districts. He stated this defeats the purpose of having the district.

Councilmember Guarriello asked if residents have a parking permit for district six then can they park in district seven or if they have a parking permit for district seven can they park in district 6?

Mr. Korotsky responded that this is not true, only on Fountain Avenue will both of the permits be valid.

Mayor Heilman asked staff to insure the proper signage on Fountain Avenue to indicate both districts would be valid. He added he shares the concerns of Councilmember Martin. He stated that the Council has asked staff to evaluate the boundaries of the different districts.

Janis Rhodes, Parking Manager, responded that at the next meeting there will be an item which will ask for approval of a consultant to review all permit parking.

Mayor Pro Tem Koretz stated he also concurs with Councilmember Martin. He stated that for this purpose the Council should move forward.

Mayor Heilman opened the public hearing and also stated he and Councilmember Land live on Fountain.

MARLENE HANDLER, WEST HOLLYWOOD, stated she was in support of this item. She added that the opening of the House of Blues has impacted Fountain residents with both parking, noise and trash.

JAY MENDES, WEST HOLLYWOOD, thanked Marlene Handler for being instrumental in bringing this forward. He is representing his roommate who is on vacation and often cannot find a parking space. He stated his support for this item.

BOB BRODSKY, WEST HOLLYWOOD, also thanked Marlene Handler and stated his support for this item.

PAULA STEWART, WEST HOLLYWOOD, stated she lives on La Cienega, and there is no parking in the area, and her area is not being considered. She stated the House of Blues should have to pay for half of the parking permit in that area.

BETTY OLWEN, WEST HOLLYWOOD, stated she has nowhere to park her car and suggested that because the House of Blues is causing the parking problem, perhaps guests could park in their facilities.

KAREN KLINE, WEST HOLLYWOOD, on the corner of Kings Road and Fountain, stated that if she is not home by 7:00 p.m. then she cannot park on the street.

HERB LEWIS, WEST HOLLYWOOD, stated that these parking problems emanate from the House of Blues. He stated he feels these parking permits will cause problems for the residents in the Fountainview Building which houses 94 units, most of whom are senior citizens.

Mayor Heilman asked if residents who live on La Cienega may purchase a permit and inquired as to the cost of the permit.

Mayor Heilman asked if the corner of Kings and Fountain is in the district.

Mr. Korotsky responded that if the people on Kings Road wanted the regulations enforced then they could begin the petition process.

Councilmember Land asked Janis Rhodes to make sure that if someone gets a ticket within the time frame which it would take to get into the building and back to get a permit that the ticket be forgiven or at least taken in to consideration. She added that she lives on Fountain and personally does not like permit parking but it is necessary in this area.

Councilmember Martin stated that the cost to the residents should not be taken lightly. Staff should look at ways of keeping the cost down. He is still concerned about the mechanics of having both a district six and seven.

Mayor Heilman stated he might agree if we were starting from scratch. However, these districts are already formed and it does not make sense to start all over again.

RECOMMENDATION: Introduce on first reading Ordinance No. 95-445, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE BY IMPLEMENTING PREFERENTIAL PARKING REGULATIONS ON FOUNTAIN AVENUE BETWEEN LA CIENEGA BOULEVARD AND SWEETZER AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

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

B. CONTINUATION OF THE APPEAL OF THE TRANSPORTATION COMMISSION'S DECISION TO DENY A TAXICAB OPERATORS LICENSE TO BIJAN ENTERPRISES, INC.:

Assistant City Clerk Thompson, stated a Notice of Continuance for this public hearing was posted on August 8, 1995 in all places as required by law.

Mike Jenkins, City Attorney, provided background information as outlined in the staff report dated August 21, 1995. He stated that at the August 7th meeting the City Council continued the Public Hearing and directed staff to work with Bijan to develop a settlement of the various issues in dispute including the filing of a lawsuit against the City. He indicated that tonight the City Council may proceed to approve staff's recommendation and the decision of the Transportation Commission, approve the appeal of Bijan or the City Council may simply continue the item to a date specific to further study the consequences of the recent voluntary bankruptcy filing.

ANDREW ALENICK, REPRESENTING BIJAN ENTERPRISES, INC. submitted a form for dismissal of the lawsuit against the City of West Hollywood to City Attorney Jenkins. He thanked City Attorney Jenkins and the Transportation Department staff for all their work in the last two weeks. He indicated it is their intention to live up to their part of the settlement agreement although there is not a signed document. He respectfully requested a continuance to move forward as negotiated in the settlement agreement and Bijan would be able to voluntarily take themselves off the road.

Mayor Heilman asked if Council wanted to move forward or continue.

Councilmember Martin asked if they denied the license tonight could they make it go into effect at midnight on Wednesday.

City Attorney Jenkins stated it would be an option to stay the effect of the Council's decision to midnight Wednesday, to give them a couple of days to wind up their affairs. This would be his recommendation if it is the recommendation of the Council.

Councilmember Martin stated he wants to move forward.

Councilmember Guarriello indicated he wants to move forward.

Mayor Pro Tem Koretz stated that he would prefer to do this relatively painlessly and would rather continue the item for two weeks.

Councilmember Land indicated that she would prefer to move forward on the hearing.

Mayor Heilman indicated he also concurs to move forward with the continuation of the hearing. He then asked if Mr. Alenick had any additional information which he could not submit prior to this hearing.

Mr. Alenick stated that since the Council is wishing to move forward he encouraged the Council to listen to the City Attorney and grant Bijan a grace period of several days in order to cleanly end this situation, then litigation will not be necessary. He stated that neither Bijan nor the City want to pursue litigation.

Councilmember Guarriello asked Mr. Alenick what he considers a grace period.

Mr. Alenick responded through Friday at twelve noon.

Mayor Heilman asked Mr. Alenick if he had any additional evidence to present.

Mr. Alenick stated he does not have any additional evidence to present.

Mayor Heilman asked if he had any arguments to present.

Mr. Alenick stated all of the items were minor. He added that none of these small infractions are reasons to take a company out of business. The key issue of insurance maintenance is a non-issue as Bijan was never uninsured.

MR. DYZAK, REPRESENTING BIJAN, stated for the record the City Attorney and staff did a great job. The bankruptcy was prompted by a Burbank judge. If the stay is continued to Friday at noon then there will be a green light to move forward and will allow a smooth transition to Checker.

Mayor Heilman closed the public hearing and turn to City Council discussion.

Councilmember Koretz stated he would like to make a motion to overrule the closing of the public hearing.

Mayor Heilman stated that if Council is supportive the public hearing will remain open. He then asked for clarification from Dennis Woods regarding the arrests.

Mr. Woods gave the status of the arrests as stated in the record and at the public hearing last week.

Councilmember Land stated there is enough evidence to deny the appeal the Council could take the City Attorney's recommendation to deny the license but extend the stay for a period of time and it would be her desire to go until Friday.

Mayor Pro Tem Koretz stated he does not feel he has enough information to deny, and has many unanswered questions, and if this issue does appear in court, these may be unanswered questions for a jury.

Councilmember Martin stated that a license is a privilege and not necessarily a right, and it is a privilege we can give and revoke. He asks if we must find specific grounds for revoking the license.

Mayor Heilman asked City Attorney Jenkins if they must specify the grounds upon which they were relying in upholding the decision or if they simply must find that there is substantial evidence before the Transportation Commission for its findings.

City Attorney Jenkins stated this is not a revocation. The Council must find that the evidence was before the Transportation Commission to support the denial of the license, and that evidence was articulated in a set of findings which demonstrates that the standards for denial contained in the Municipal Code were satisfied. He added that the Council need not go through every finding of the Transportation Commission provided the Council has reviewed the record, the transcript of the proceeding, the resolution of denial, why the Commission heard the evidence presented and the arguments presented during the hearing on appeal, the Council may then adopt a resolution stating the evidence supports the Commission's findings and conclusions.

ACTION: Councilmember Land moved to adopt the staff recommendation which is a resolution upholding the findings of the Transportation Commission and denying the appeal and to extend the stay to August 25, 1995 at noon, seconded by Councilmember Guarriello.

City Attorney Jenkins stated if the motion is to approve the resolution contained in your packet he will now read some changes to that resolution into the record, which are in the intent of the motion: Section 1 through 4 remain as they are written. Section 5 will now read as follows, "The appeal of the decision of the Transportation Commission as memorialized in its Resolution TC95-11 is denied. The effective date of this decision shall be stayed until August 25, 1995 at noon. At which time Bijan shall cease its taxi cab operations in the City." Section 6 remains as written. Section 7 will be added to read as follows, "Bijan shall return all taxicab vehicle permits (stickers) and taxi cab driver permits to the City of West Hollywood Department of Transportation and Public Works by 5:00 p.m. on Monday, August 28, 1995."

Councilmember Land stated that Mr. Jenkins' modifications to the resolution would be part of her motion.

Councilmember Guarriello indicated that those modifications to the resolution would be part of his second to Councilmember Land's motion.

Councilmember Martin suggested that operations should cease by midnight on Friday to avoid inconvenience to constituents.

Councilmember Land and Councilmember Guarriello indicated they would again alter the motion to reflect midnight on Friday.

Mayor Pro Tem Koretz indicated he is not prepared for the discussion of the motion but rather had some other questions.

ACTION: Councilmember Martin moved to call the question, seconded by Councilmember Guarriello.

Mayor Heilman stated that this is very unusual and normally the Council has the opportunity to ask questions. Motion failed on a roll call vote.

ROLL CALL:

AYES: Councilmember - Guarriello, Land, Martin

NOES: Councilmember - Koretz and Heilman

Councilmember Martin stated that the Council must resolve this issue on the part of the City. He supports Councilmember Land's motion.

Councilmember Land stated the record speaks for itself and has no further comments.

Mayor Pro Tem Koretz stated he has many more questions about the record. He indicated he still feels he cannot vote for this as many questions have not been answered. Mayor Pro Tem Koretz stated that there has not been any real discussion and if you look at the record there are a number of issues which are debatable. He states in the staff report it asks that each item on its own is strong enough to support or merit a denial. He purports that each item, is NOT strong enough to support on its own the denial.

Mayor Heilman stated he has read the evidence presented before the Transportation Commission and that it is not only substantial but overwhelming evidence to support the Commission. He reminded the Council that this is not the first time there were problems with this company. There is documentation that the company was operating in the City of Los Angeles without authorization and that they failed to reimburse someone involved in an accident for expenses. This company has a history of avoiding paying judgments and tickets. The avoidance of the creditor of the insurance company was because they were not paying the premium. Also, writing a check to the City against insufficient funds, confusion and constant changes as to who is responsible and who owns this company, and the indications tonight that Bijan has no assets. This company also has 75% of

the complaints in the City although they only operated 25% of the cabs. This is not the kind of company you want in the City. The record before the Commission was extensive and overwhelming and we would be remiss if we did not support the Transportation Commission.

RECOMMENDATION: Adopt Resolution No. 95-1482, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD UPHOLDING THE FINDINGS OF AND DENYING THE APPEAL OF TRANSPORTATION COMMISSION RESOLUTION NO. TC95-11 REGARDING THE TAXICAB OPERATOR'S LICENSE OF BIJAN ENTERPRISES, INC., DBA COMMUNITY-CELEBRITY TAXI COMPANY."

Mayor Heilman closed the public hearing and called for a roll call vote:

AYES: Guarriello, Land, Martin, Heilman
NOES: Koretz

The City Council recessed at 9:15 p.m.
The City Council reconvened at 9:30 p.m.

COUNCILMEMBER COMMENTS:

Mayor Heilman stated that there will be a workshop for first time home buyers on August 26th from 10:00 a.m. to 1:00 p.m. at the Werle Building, 626 N. Robertson, for more information please call City Hall. He added there will also be a public forum on the new rent control law, August 29th at Plummer Park from 6:00 to 8:00 p.m. at Fiesta Hall in Plummer Park, and a subsequent workshop in Russian on September 12th, from 3:00 to 5:00 p.m. again in Plummer Park. The 3rd annual dedication for the West Hollywood Palms Project, the tree grate project on Santa Monica Boulevard, was held at the Pacific Design Center. There was also a construction party for the Lind House, a hospice care facility.

Councilmember Land stated that on August 26th Women's Equality Day will be celebrated on the steps of the Los Angeles City Hall at 9:30 a.m. The Post Office will be unveiling their stamp that commemorates Women Voting for 75 years.

Councilmember Guarriello announced the memorial mass on Thursday at 10:00 a.m. for Bruce Boland.

Councilmember Martin stated that the Sheriff has been cracking down on recycling thieves which he witnessed this weekend. He also commented on the award of a contract for a performance audit of Code Enforcement.

Mayor Pro Tem Koretz noted that the Legislative item relative to gun control was pulled for review by the City Attorney and will be back in a few weeks for those who are interested in it.

4. UNFINISHED BUSINESS:

A. EXPANDING THE NUMBER OF MEMBERS OF THE FINE ARTS ADVISORY BOARD:

Richard Ryan, Deputy to Councilmember Martin provided background information as outlined in the staff report dated August 21, 1995.

RECOMMENDATION: Accept public comment and introduce on first reading Ordinance No. 95-446, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD EXPANDING THE NUMBER OF MEMBERS OF THE FINE ARTS ADVISORY BOARD AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

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

B. PLANNING COMMISSION APPOINTMENT:

Mayor Heilman provided background information as outlined in the staff report dated August 21, 1995.

ACTION: Mayor Heilman appointed Jeffrey Lambert to the vacancy of the Planning Commission for a term ending May 31, 1999.

C. LESBIAN AND GAY ADVISORY COUNCIL APPOINTMENTS:

Mayor Heilman provided background information as outlined in the staff report dated August 21, 1995.

RECOMMENDATION: (1) Appoint Roger Davis to the vacancy on the Lesbian and Gay Advisory Council for one gay male for a term ending May 31, 1997; and (2) Appoint Julia Salazar and Nancy Cohen to the vacancies on the Lesbian and Gay Advisory Council for two lesbians for terms ending May 31, 1997.

Approved by consensus of the City Council.

D. DISABILITIES ADVISORY COUNCIL APPOINTMENTS:

Mayor Heilman provided background information as outlined in the staff report dated August 21, 1995.

REV. VON DOURIS, WEST HOLLYWOOD, reported on Section 8 information from L.A. County.

Mayor Heilman asked for nominations to the Advisory Council.

Councilmember Land suggested approving the eight nominations and leave one vacancy open.

ACTION: By consensus the City Council elected to appoint seven (7) people tonight and defer the other two (2) appointments to September 5, 1995.

RECOMMENDATION: (1) Appoint the following seven (7) members to the Disabilities Advisory Council for a two year term expiring May 31, 1997, Tim Taylor, Jeff Enokian, Gary Gradinger, Ruth Brodie, Rev. John Von Douris, Donna Vega, Louis Barrios. Continue to September 5, 1995 the other two appointments; and, (2) Direct the Human Services Commission to appoint two (2) of their Commissioners as ex-officio Commission liaisons to the Disabilities Advisory Council; and (3) Direct the Disabilities Advisory Council to develop a workplan for City Council Approval.

E. CULTURAL HERITAGE ADVISORY BOARD APPOINTMENTS:

Mayor Heilman provided background information as outlined in the staff report dated August 21, 1995.

RECOMMENDATION: Appoint Frances Offenhauser and David Preece to fill the two (2) vacancies on the Cultural Heritage Advisory Board "at large" appointments for terms ending May 31, 1997.

Approved by consensus of the City Council.

5. NEW BUSINESS:

A. APPROVAL OF LOAN AGREEMENT FOR 988 PALM AVENUE WITH THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:

Allyne Winderman, Housing and Economic Development Manager provided background information as outlined in the staff report dated August 21, 1995.

RECOMMENDATION: (1) Approve a loan agreement and related documents in the amount of \$925,000. with the WHCHC to provide for construction and permanent financing for the construction of the 40-unit affordable housing project at 988 Palm Avenue, and authorize the City Manager to execute the agreement; (2) Approve an extension of the existing \$75,000 loan until the new agreement is finalized, up to a period of six months, and authorize the City Manager to execute the agreement; and (3) Direct the Department of Finance to amend the FY 1995-96 budget to properly account for this transaction.

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

B. RESOLUTIONS OF THE CITY COUNCIL APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF CERTAIN LEASE FINANCING DOCUMENTS, APPROVING THE FORM AND AUTHORIZING DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL NOTICE OF SALE AND/OR AN OFFICIAL BID FORM IN CONNECTION WITH THE OFFERING AND SALE OF CERTIFICATES OF PARTICIPATION RELATING THERETO, AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO:

Judith Wright, Budget Officer, provided background information in the staff report dated August 21, 1995.

David Oster of Jones, Hall, Hill and White, clarified the Public Facilities Corporation was formed to serve as a sublessor for the property.

The City Council voted conceptually on each item.

Councilmember Guarriello asked why we are funding the entire fire station project.

City Manager Brotzman stated that the County does not have the actual cash to pay and will have to issue debt. However, they do not have the staff in place to move forward at this time and it would delay the project another year to year and one-half.

Councilmember Martin asked if sometime in the future West Hollywood would contract with the City of Los Angeles for fire protection how would this affect us.

City Manager Brotzman responded he had contacted the City of Los Angeles on this issue and it could only be done by a mutually agreed upon arrangement by the County Fire District and the City, because we would have to go to a vote of the people, and if the Fire District did not want us to withdraw it would be very difficult to get that vote.

RECOMMENDATION: (1) Adopt Resolution No. 95-1483, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF CERTAIN LEASE FINANCING DOCUMENTS, APPROVING THE FORM AND AUTHORIZING DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL NOTICE OF SALE AND AN OFFICIAL BID FORM IN CONNECTION WITH THE OFFERING AND SALE OF CERTIFICATES OF PARTICIPATION RELATING THERETO, AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO" Series A,

(2) Adopt Resolution No. 95-1484, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF CERTAIN LEASE FINANCING DOCUMENTS, APPROVING THE FORM AND AUTHORIZING DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL NOTICE OF SALE AND AN OFFICIAL BID FORM IN CONNECTION WITH THE OFFERING AND SALE OF CERTIFICATES OF PARTICIPATION RELATING THERETO, AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO." Series B;

(3) Adopt Resolution No. 95-1485, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF CERTAIN LEASE FINANCING DOCUMENTS, APPROVING THE FORM AND AUTHORIZING DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL NOTICE OF SALE AND AN OFFICIAL BID FORM IN CONNECTION WITH THE OFFERING AND SALE OF CERTIFICATES OF PARTICIPATION RELATING THERETO, AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO." Series C.

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

AYES: Councilmembers -- Koretz, Land, Mayor Heilman
NOES: Councilmembers -- Guarriello, Martin

RECESS TO PUBLIC FACILITIES BOARD: The City Council recessed at 10:25 p.m. to the Public Facilities Board to discuss items posted on the Agenda dated August 21, 1995.

RECONVENE AS THE CITY COUNCIL: The City Council reconvened at 10:30 p.m.

EXCLUDED CONSENT CALENDAR: None.

CITIZEN COMMENTS: None.

6. LEGISLATIVE:

A. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PERTAINING TO THE ISSUANCE OF BUSINESS LICENSES TO GUN DEALERS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

This item was tabled to a date uncertain.

COUNCILMEMBER COMMENTS:

Councilmember Martin announced this week Jeanne Dobrin will be celebrating her 75th birthday.

CLOSED SESSION: The City Council recessed to the Closed Session at 10:30 p.m.

RECONVENE AS CITY COUNCIL: The City Council reconvened at 10:45. City Attorney Jenkins stated no reportable actions were taken in the closed session.

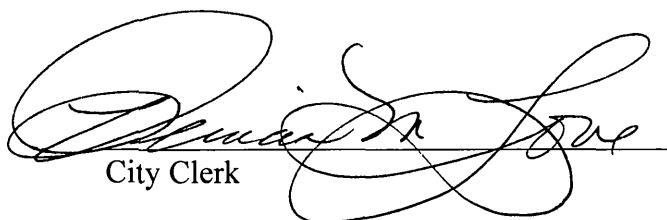
ADJOURNMENT: The City Council adjourned at 10:45 p.m., in memory of Rob Eichberg, Tom Anderson, Bruce Boland, and Cal Anderson, to a Special Study Session for the Sunset Specific Plan on Monday August 28, 1995, at 7:00 P.M. The next regular meeting will be on TUESDAY, September 5, 1995 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 18th DAY OF SEPTEMBER, 1995.



MAYOR

ATTEST:



City Clerk