

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
WEDNESDAY, JULY 5, 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 7:09 p.m.

PLEDGE OF ALLEGIANCE: The pledge was led by Helen Goss, PIO/CATV Manager.

ROLL CALL:

PRESENT: Councilmembers - Guarriello, Land, Martin, Koretz and Mayor Heilman
ALSO PRESENT: City Manager Brotzman and City Attorney Jenkins

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that the City Council meeting was called to order at 6:00 p.m. for the purpose of discussing those items on the Closed Session agenda. The City Council reconvened to the public portion of the meeting at 7:00 p.m. and at the close of the public meeting the City Council will recess to their Closed Session to complete the agenda. At this time there was no action taken.

APPROVAL OF AGENDA:

City Manager Brotzman indicated there was an item which arose after the posting of the agenda. The City Council added the Urgency Item as Item 2 O. under the Consent Calendar. Councilmember Land requested that Item 2.F. be tabled to the next regular meeting. The City Council approved the agenda as amended by consensus.

PRESENTATIONS: None

1. CITIZEN COMMENTS:

LONNIE HEINEMANN, WEST HOLLYWOOD, stated that they won their case and thanked CES for their help. She commented on the lack of trust with City Government.

TAI LINDEMOEN, WEST HOLLYWOOD, indicated that they were asked to be here and didn't know why.

MARK HEINEMANN, WEST HOLLYWOOD, also thanked CES for their help in their case. He indicated he lost over \$1,000 in the case and the landlord continues to harass them.

CITY MANAGER'S REPORT: There was no report.

FISCAL IMPACT ON CONSENT CALENDAR: City Clerk Love stated that the Fiscal Impact of the July 5, 1995 Consent Calendar, as amended, is \$195,840 in expenditures and zero in potential revenues.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A, B, C, D, E, G, H, I, J, K, L, M, N and O. Motion Councilmember Guarriello, seconded by Mayor Pro Tem Koretz and unanimously carried.

A. POSTING OF AGENDA: The agenda for the meeting of Wednesday, July 5, 1995 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Friday, June 30, 1995.

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

B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of June 19, 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. 297, RESOLUTION NO. 95-1463:

RECOMMENDATION: Approve Demand Register No. 297 and adopt Resolution No. 95-1463. Approved as part of the Consent Calendar

E. APPROVAL OF RENT STABILIZATION COMMISSION RESOLUTION NO. 95-10 ESTABLISHING THE AMOUNT OF THE GENERAL ADJUSTMENT FOR THE YEAR 1995-96:

RECOMMENDATION: Approve Rent Stabilization Commission Resolution 95-10: "A RESOLUTION OF THE RENT STABILIZATION COMMISSION OF THE CITY WEST HOLLYWOOD ESTABLISHING THE AMOUNT OF THE GENERAL ADJUSTMENT FOR THE YEAR 1995-96." Approved as part of the Consent Calendar

F. VACATED OFFICE OF A CULTURAL HERITAGE ADVISORY BOARD MEMBER:

This item was tabled to the next regular meeting on July 24, 1995.

G. RESOLUTION IN SUPPORT OF CONGRESS TO CONTINUE TO FUND STUDENT AID:

RECOMMENDATION: (1) Adopt Resolution No. 95-1464, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CALLING UPON CONGRESS TO CONTINUE TO FUND STUDENT AID AT ITS

PRESENT LEVEL AND TO INCREASE SUPPORT FOR STUDENT AID IN THE FUTURE;" (2) Direct staff to send a copy of this resolution to members of the California delegation in Congress and to members of the Congressional Appropriations Committee; and (3) Direct the City's lobbyist to advocate for continued funding to student aid programs. Approved as part of the Consent Calendar

- H. RESOLUTION IN SUPPORT OF CONTINUED FUNDING FOR THE CALIFORNIA COMMISSION ON THE STATUS OF WOMEN:**
RECOMMENDATION: (1) Adopt Resolution No. 95-1465, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF CONTINUED FUNDING FOR THE STATE COMMISSION ON WOMEN;" (2) Direct the City's lobbyist in Sacramento to advocate for continued funding for the Commission; and (3) Direct staff to send a copy of this resolution to the City's representatives in the Assembly and Senate, to the Commission on the Status of Women, and to the members of the Joint Senate Assembly Budget Conference Committee. Approved as part of the Consent Calendar
- I. PROPOSED RESOLUTION IN OPPOSITION TO SB28 TO RENEW SPORT HUNTING OF MOUNTAIN LIONS:**
RECOMMENDATION: (1) Adopt Resolution No. 95-1466, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO SB28, A BILL TO RENEW SPORT HUNTING OF MOUNTAIN LIONS;" and (2) Forward copies of this resolution to the appropriate members of the California State Assembly. Approved as part of the Consent Calendar
- J. WOMEN'S EQUALITY DAY:**
RECOMMENDATION: (1) Agree that the City will co-sponsor Women's Equality Day Activities (August 26); (2) Direct the appropriate staff to assist in publicizing the event; (3) Agree that the City will be the permanent repository for the Flame of Equality, which will be created for Equality Day ceremonies (4) Provide \$500.00 toward the creation of the symbolic Flame of Equality. Approved as part of the Consent Calendar
- K. APPROVAL OF THE RENEWAL CONTRACT FOR LEGAL ADVERTISING:**
RECOMMENDATION: (1) Approve the contract extension with the Los Angeles Independent Newspaper for legal and display advertising until June 30, 1996; and authorize the City Manager to execute the extension agreement. Approved as part of the Consent Calendar
- L. FISCAL YEAR 1995-96 SEWER REPAIR AND REHABILITATION PROJECT CONTRACT FOR PROFESSIONAL SERVICES:**

RECOMMENDATION: (1) Approve the professional services agreement with Robert Bein, William Frost & Associates in the amount of \$20,340., for preparation of a Conceptual Report on sewer rehabilitation and repair methods; and (2) authorize the City Manager to sign the agreement. Approved as part of the Consent Calendar

M. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH COLLECTECH SYSTEMS, INC. TO PROVIDE COLLECTION SERVICES FOR OUTSTANDING PARKING CITATIONS:

RECOMMENDATION: (1) Approve a professional services agreement with Collectech Systems, Inc. in an amount not to exceed \$175,000., for services to collect outstanding parking citations; and (2) Authorize the City Manager to approve the agreement. Approved as part of the Consent Calendar

N. TREASURER'S REPORT:

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

O. AUTHORIZATION FOR CITY MANAGER TO EXECUTE THE "CUERVOTIVITY" CONTRACT:

RECOMMENDATION: Approve the agreement and authorize City Manager to sign. Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS:

A. REPORT ESTABLISHING THE SOLID WASTE AND/OR RECYCLABLE COLLECTION AND/OR DISPOSAL SERVICE FEE:

David Hare, Environmental Services Manager, provided background information as outlined in the staff report dated July 5, 1995.

City Clerk Love indicated the notice of public hearing was published in the *West Hollywood Independent* on June 21 and June 28, 1995.

Mayor Heilman opened the public hearing.

As there were no speakers on this item, the public hearing was closed.

RECOMMENDATION: (1) Make a finding that there is no majority protest by property owners within the assessment area; and (2) Order the Director of Finance to place the City Solid Waste and/or Recyclable Collection and/or Disposal Service fee on the property tax bill for fiscal year 1995-96.

Motion Land, seconded by Koretz and unanimously carried.

B. REPORT ESTABLISHING THE ANNUAL SEWER SERVICE CHARGE FOR FISCAL YEAR 1995-96:

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated July 5, 1995.

City Clerk Love indicated the notice of public hearing was published in the *West Hollywood Independent* on June 21 and June 28, 1995.

Mayor Heilman opened the public hearing. As no one wished to speak on this item, the public hearing was closed.

RECOMMENDATION:(1) Receive and file report; (2) Make a finding that there is no majority protest by property owners within the assessment area; and (3) Order the Director of Finance to place the City Sewer Service Charge on the property tax bill for fiscal year 1995-96.

Motion Guarriello, seconded Land and unanimously carried.

C. REGULATING CABLE TELEVISION RATES FOR CENTURY SOUTHWEST CABLE TELEVISION:

Helen Goss, PIO/CATV Manager, provided background information as outlined in the staff report dated July 5, 1995. She added that Century Cable sent a letter indicating they had no objections to this action.

City Clerk Love indicated the notice of public hearing was published in the *West Hollywood Independent* on June 28, 1995.

Mayor Heilman opened the public hearing. As no one wished to speak on this item, the public hearing was closed.

RECOMMENDATION: Adopt Resolution No. 95-1467, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGULATING BASIC TIER CABLE TELEVISION RATES FOR SERVICES, EQUIPMENT AND INSTALLATION PROVIDED BY CENTURY SOUTHWEST CABLE TELEVISION."

Motion Martin, seconded Guarriello and unanimously carried.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello commented very positively on the success of the July 4th event.

Mayor Heilman thanked Jim Sweeney and all the people who helped make the event so successful.

Mayor Pro Tem Koretz indicated that the Christopher Street West event went off without a hitch but the following week it was noted that although the softball field looked clean, there were a number of three inch rusty nails. He asked that extra caution be exercised in review of the cleanup.

Councilmember Land stated that an item was earlier approved on the Consent Calendar acknowledging Women's Equality Day on August 26, 1995 and encouraged people who would like to volunteer and get involved to please call the Council offices.

Councilmember Martin added some comments regarding CSW. He noted that there were several noise complaints last year but substantial improvements were made. He commended them for their efforts. He also noted that Thursday, July 13th at 7:00 p.m. the City will be hosting the first Russian Gay & Lesbian forum.

Mayor Heilman announced Lesbian Visibility Week will take place in mid July. Brochures are available at City Hall.

Mayor Pro Tem Koretz stated there will be an organizing meeting for the Community Patrols project on July 13, 1995 at 7:00 p.m. at the first floor hearing room at City Hall.

4. UNFINISHED BUSINESS:

A. SOUTHERN CALIFORNIA CITIES JOINT POWERS CONSORTIUM:

Jim Sweeney, Council Deputy, provided background information as outlined in the staff report dated July 5, 1995.

Councilmember Land indicated that since currently Culver City is picking up the tab for clerical costs and postage and we need to be aware that at some point they are going to ask for money. She also stated that everything must come back to the Council for review and consideration. She also commented that West Hollywood will probably be the most outspoken advocates for environmental concerns, equality issues etc.

Mayor Heilman asked if Santa Monica and Beverly Hills joined the consortium.

Jim Sweeney responded that those two cities have not joined the consortium as of yet.

City Manager Brotzman added that the staff at the City of Beverly Hills is recommending joining the consortium.

MARK OLSON, SOUTHERN CALIFORNIA EDISON, pointed out some facts regarding the consortium. He indicated that the consortium indicates it is focusing on the group purchasing of tree trimming services, purchasing of computers, etc. However, the only area they have focused is the purchase of energy.

Councilmember Guarriello stated that if the Council does not join now they will not be able to join later.

Mayor Heilman indicated he has some concerns regarding the focus of the group. He would feel more comfortable if surrounding cities were a part of the consortium.

Councilmember Martin stated this is an opportunity to expound upon the values of the City. By joining this we may be able to be the impetus to get Santa Monica, Beverly Hills and others to join and become a power block.

RECOMMENDATION: (1) Approve the agreement with Southern California Cities Joint Powers Consortium, and authorize the Mayor to sign and execute the attached agreement; and (2) Appoint Jim Sweeney as Director and the City Manager or his designee as the alternate Director to the Southern California Cities Joint Powers Consortium .

Councilmember Land reiterated that the City values need to be heard and if they are not heard then it is reason enough to pull out.

Motion Guarriello, seconded Koretz and carried on a roll call vote.

AYES: Guarriello, Land, Martin, Koretz, Heilman

NOES: None

5. NEW BUSINESS:

A. PURCHASE OF PROPERTY LOCATED AT 8769 SANTA MONICA BOULEVARD FOR PUBLIC PARKING:

Don Korotsky, Associate Transportation Planner, provided background information as outlined in the staff report dated July 5, 1995.

City Attorney Jenkins stated the only provision that remains subject to further negotiation are those pertaining to the clean up of the site. We are essentially in agreement that the existing tanks will be closed prior to escrow and that Pacific Bell will be responsible for clean up of contamination. The only question is whether they will be responsible for clean up of other contamination on the site. Pacific Bell is not willing to assume responsibility for additional existing contamination which they may not be responsible. We will know better in the next ten days if there is any such contamination after we have completed Phase 1 study and report. Upon completion of the study, if the site proves to be clean then we will go forward with the agreement under the terms as they have been currently negotiated with an indemnification provision that Pac Bell will be responsible for closing the existing tanks and for the contamination for which it is responsible. If

the Phase 1 study shows the site is not clean and we are not in agreement as to the full extent of indemnification we will have to return to Council at the next meeting.

RECOMMENDATION: (1) Approve the purchase and sale agreement for the purchase of property located at 8769 Santa Monica Boulevard pending approval by the City Attorney; and (2) Authorize the City Manager to enter into an agreement with Pacific Bell, owner of the property for the purchase price of \$2,950,000.

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

AYES: Guarriello, Land, Martin, Koretz and Heilman

NOES: None

Councilmember Martin stated we have worked hard at this and indicated staff should expedite the process.

EXCLUDED CONSENT CALENDAR: None

CITIZEN COMMENTS: None

6. **LEGISLATIVE:** None.

COUNCILMEMBER COMMENTS:

Councilmember Martin indicated that sexual orientation should be added to Article 10 - the anti-discrimination clause, of the Cuervotivity contract. He also thanked Haley Powers for her good work especially in light of the insert which appeared in the New York *Times*.

RECESS TO CLOSED SESSION:

The City Council recessed to a Closed Session at 8:05 p.m.

The City Council reconvened at 9:14 P.M.

ADJOURNMENT: The City Council adjourned at 9:15 p.m. to an Adjourned Meeting on Monday, July 24, 1995 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The regular meeting scheduled for Monday July 17, 1995 has been canceled due to a lack of quorum.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 24TH DAY OF JULY, 1995.

John Heilmann
MAYOR

ATTEST:

Paula M. Lee
City Clerk