

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MARCH 6, 1995  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**7:00 P.M. - REGULAR MEETING**

**CALL TO ORDER:** Mayor Land called the meeting to order at 7:15 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Gregory Makaron.

**ROLL CALL:**

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

**REPORT OF CLOSED SESSION AGENDA:** City Attorney Jenkins reported that the Closed Session was called to order at 6:00 p.m. The City Council, at the recommendation of the City Attorney added under Existing Litigation, City of West Hollywood v. Buckley, by a 4/5 vote, to the closed session agenda. There was no action taken and no reports are necessary.

**APPROVAL OF AGENDA:** Mayor Land indicated that staff has requested the removal of item 2.P. Councilmember Guarriello removed Item 2.K. Mayor Land made a clarification on Item 2.N. Mayor Pro Tem Heilman asked that the meeting be adjourned in memory of Art Guerrero. Councilmember Martin asked that the meeting be adjourned in honor of the California Peace Officers who have had their lives cut short by AIDS: Officer Scott Hahn, Deputy John Abney, Officer J.D. Hicks, Officer Chris Carley, and Officer Gilbert Saenz. Mayor Land asked that the meeting be adjourned in memory of David White.

Motion to approve as amended Heilman, seconded by Koretz and unanimously carried.

**PRESENTATIONS:** None.

**1. CITIZEN COMMENTS:**

**A. CITIZEN COMMENTS ON CONSENT CALENDAR ITEMS WHICH HAVE NOT BEEN REMOVED FROM CONSENT CALENDAR:** None.

**B. CITIZEN COMMENTS, GENERAL INTEREST:**

JOHN DUPONCE, WEST HOLLYWOOD, operates the Le Montrose Hotel. He indicated he spoke on behalf of 8 other hotels in support of the increase in Transient Occupancy Tax on hotels.

HALEY POWERS, VISITORS AND CONVENTION BUREAU, read a letter from Russ Wilson of Koontz Hardware, in support of business improvement zones.

PAUL LERNER, LA SHANTI, spoke in support of the resolution on LA Shanti Hug Day.

DAVID WELSH, WEST HOLLYWOOD, commented on the successful Mardi Gras event. He stated that the Chamber would like to continue this event. He thanked the sponsors of the event, along with the City staff.

GREGORY MAKARON, WEST HOLLYWOOD, spoke about the Russian Cultural and Film Festival. He thanked the City Council and City staff.

MARK MARKLINE, WEST HOLLYWOOD CHAMBER OF COMMERCE, spoke on behalf of the Herbert Palmer Gallery, supporting streetscape improvements on Melrose and other areas of the "Avenues of Design." He also informed the Council about upcoming meetings with the businesses: meeting with nightclubs regarding the new parking standards, have scheduled the Santa Monica Boulevard Association meeting in April 12, and meetings with businesses regarding the Chasen's development, and Sunset Boulevard businesses regarding the Sunset Specific Plan in April.

LORRI JEAN, DIRECTOR LA GAY & LESBIAN SERVICES CENTER, encouraged the support of Council for the street closure for the closing ceremonies of the California Aids Ride.

MARK HEINEMANN, WEST HOLLYWOOD, stated he wanted Council to take action regarding a situation.

TAI PARISH, WEST HOLLYWOOD, stated she is homeless and was arrested.

JEANNE DOBRIN, WEST HOLLYWOOD, questioning why the speakers request form for the Planning Commission requires the residents to indicate if they have a financial interest and have to testify under penalty of perjury. She would like to see consistency between the City Council and the Planning Commission speakers request form.

MICHAEL MITCHELL, LOS ANGELES, spoke in support of the Rainbow Grill appeal.

SYBIL ZADEN, WEST HOLLYWOOD, she spoke in support of the Rainbow Grill appeal and indicated she suggested that the outdoor dining should be allowed until midnight instead of 2:00 a.m. on a trial basis.

**CITY MANAGER'S REPORT:** City Manager Brotzman stated that the City of Culver City is putting together a consortium for the joint purchase of electric power. He indicated there may be an opportunity for large customers of power to buy at a lower rate and have it distributed at a lower rate. Staff is researching, and Councilmember Guarriello's deputy has been working on this. It will be on the next agenda for the City Council to discuss.

**2. CONSENT CALENDAR:**

**ACTION:** Approve items 2A, B, C, D, E, F, G, H, I, J, L, M, N, and O. Motion Heilman, seconded Martin and unanimously carried.

**A. POSTING OF AGENDA:** The agenda for the meeting of Monday, March 6, 1995, was posted at City Hall, Plummer Park, the Sheriff's Station on Thursday, March 2, 1995 and at the West Hollywood Library on Friday, March 3, 1995.  
**RECOMMENDATION:** Receive and file. Approved as part of the Consent Calendar.

**B. APPROVAL OF MINUTES: February 21, 1995, Regular Meeting  
February 21, 1995, Special Joint Meeting**  
**RECOMMENDATION:** Approve the minutes of both the regular meeting and Special Joint Meeting of February 21, 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. 289, RESOLUTION NO. 95-1411:**  
**RECOMMENDATION:** Approve Demand Register No. 289 and adopt Resolution No. 95-1411. Approved as part of the Consent Calendar.

**E. TREASURER'S REPORT: January 1995**  
**RECOMMENDATION:** Receive and file. Approved as part of the Consent Calendar.

**F. ORDINANCE NO. 95-431 (2nd Reading), AMENDMENT TO MUNICIPAL CODE REGARDING PAYMENT OF RENT IN EXCESS OF MAXIMUM ALLOWABLE RENT, REMEDIES AVAILABLE FOR VIOLATIONS OF**

**THE ORDINANCE AND CRIMINAL AND CIVIL ENFORCEMENT MECHANISMS:**

RECOMMENDATION: Waive further reading and adopt Ordinance No. 95-431, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING PAYMENT OF RENT IN EXCESS OF THE MAXIMUM ALLOWABLE RENT, REMEDIES AVAILABLE FOR VIOLATIONS OF THE ORDINANCE AND CRIMINAL AND CIVIL ENFORCEMENT MECHANISMS." Approved as part of the Consent Calendar.

**G. WEST WEEK PARKING AND CIRCULATION PLAN:**

RECOMMENDATION: 1) Authorize the closure of San Vicente Boulevard from Melrose Avenue to Santa Monica Boulevard from 6:00 a.m. Tuesday, March 14, 1995 through 11 p.m. Thursday, March 16, 1995. 2) Approve the issuance of 200 one-day visitor permits for March 14, 15 and 16, 1995 to accommodate the anticipated parking demand. Approved as part of the Consent Calendar.

**H. RESOLUTION IN SUPPORT OF SENATE BILLS 169 AND 187, SPONSORED BY SENATOR TOM HAYDEN, WHICH CALL FOR THE TOUGHENING OF THE DOMESTIC VIOLENCE LAWS IN CALIFORNIA:**

RECOMMENDATION: 1) Adopt Resolution No. 95-1412, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SENATE BILLS 169 AND 187." 2) Direct staff to send copies of this resolution to Governor Wilson, Lt. Governor Davis, Assembly member Knox, State Senator Tom Hayden, the City Councils of Beverly Hills, Santa Monica, Los Angeles and the Los Angeles Chapter of the National Organization of Women. Approved as part of the Consent Calendar.

**I. RESOLUTION IN SUPPORT OF ASSEMBLY BILL 336 SPONSORED BY STATE ASSEMBLYMEMBER VILLARAIGOSA, WHICH WOULD LEVY AN OIL SEVERANCE TAX ON PRODUCERS OF OIL IN THE STATE OF CALIFORNIA:**

RECOMMENDATION: 1) Adopt Resolution No. 95-1413, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF ASSEMBLY BILL 336." 2) Direct staff to send copies of this resolution to Governor Wilson, Lt. Governor Davis, Assembly member Knox, State Senator Tom Hayden, the City Councils of Beverly Hills, Santa Monica and Los Angeles. Approved as part of the Consent Calendar.

**J. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1001 WITH REGARD TO**

**PROHIBITION OF DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION IN EDUCATION:**

RECOMMENDATION: 1) Adopt Resolution No. 95-1414, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1001 WITH REGARD TO PROHIBITION OF DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION IN EDUCATION." 2) Forward copies of this resolution to local representatives in the State Assembly and Senate. Approved as part of the Consent Calendar.

**K. RUSSIAN CULTURAL FESTIVAL:**

This item was removed and appears under Excluded Consent Calendar.

**L. RESOLUTION SUPPORTING S. 326 AND H.R. 772, THE "CODE OF CONDUCT ON ARMS TRANSFERS ACT OF 1995":**

RECOMMENDATION: Adopt Resolution No. 95-1415, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S. 326 AND H.R. 722, THE CODE OF CONDUCT ON ARMS TRANSFER ACT OF 1995." 2) Forward copies of this Resolution to the appropriate Congressional and Senate representatives. Approved as part of the Consent Calendar.

**M. RESOLUTION DECLARING THURSDAY, MARCH 16, 1995 "LA SHANTI HUG DAY" IN WEST HOLLYWOOD:**

RECOMMENDATION: Adopt Resolution No. 95-1416, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THURSDAY, MARCH 16, 1995 'LA SHANTI HUG DAY' IN THE CITY OF WEST HOLLYWOOD." Approved as part of the Consent Calendar.

**N. APPROVAL OF AMENDMENT TO AGREEMENT WITH UNITED COMMUNITY AND HOUSING DEVELOPMENT CORPORATION FOR INCLUSION OF TWO ADDITIONAL PHRASES IN THEIR 1994-95 HANDY WORKER CONTRACT, AS REQUIRED BY THE COUNTY OF LOS ANGELES, COMMUNITY DEVELOPMENT COMMISSION AND BUDGET AMENDMENT TO INCORPORATE UNSPENT PREVIOUS YEARS CDBG HANDY WORKER MONEY INTO 1994-95 BUDGET:**

RECOMMENDATION: Approve the amendment to the Agreement with UCHDC for inclusion of a) prohibition against discrimination on the basis of age or handicap (Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973); b) include a maximum amount of grant, per applicant of \$2,000 and a maximum amount of funds that may be spent to provide payment for work completed through the Handy Worker Program of \$100,000. 2) Amend the City's 1994-95 budget by a) changing the amount to the Handy Worker Program from \$88,001 to \$100,000; b) changing the amount allowed for Handy

Worker salary and benefits from \$21,733 to \$26,080; c) increase revenues in the appropriate account by \$16,346 which will be the amount of reimbursement received by the City from the CDC. Approved as part of the Consent Calendar.

**O. RESOLUTION URGENTLY REQUESTING ONGOING FUNDING OF THE RYAN WHITE CARE ACT AND HOUSING OPPORTUNITIES FOR PEOPLE WITH AIDS (HOPWA):**

RECOMMENDATION: 1) Adopt Resolution No. 95-1417, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, URGING CONTINUED FEDERAL SUPPORT FOR THE RYAN WHITE CARE ACT AND HOUSING OPPORTUNITIES FOR PEOPLE WITH AIDS (HOPWA)." 2) Forward the attached resolution to elected Federal, State and Local officials urging their support of ongoing funding for AIDS related services. Approved as part of the Consent Calendar.

**P. HUMAN RESOURCES ANALYST I AND HUMAN RESOURCES ANALYST II CLASSIFICATION:**

This item was tabled at the request of staff.

**3. PUBLIC HEARINGS:**

**A. APPEAL OF PLANNING COMMISSION'S DENIAL OF MINOR CONDITIONAL USE PERMIT 94-15, FOR ON-SITE ALCOHOLIC BEVERAGE SERVICE IN AN EXISTING RESTAURANT AT 8351 SUNSET BOULEVARD:**

Mayor Land indicated that the applicant has requested this item be continued to March 20, 1995.

As no one wished to speak on this item, the recommendation was moved.

RECOMMENDATION: Applicant has requested to continue hearing to March 20, 1995.

Motion Heilman, seconded Martin and unanimously carried.

**B. REDESIGNING STREETS FOR SAFE WALKING AND BUSINESS VITALITY:**

Lucy Dyke, Transportation Manager, and Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated March 6, 1995. Mr. Doug Sousman presented a slide show.

City Clerk Love stated a notice of public hearing was published in the West Hollywood Independent on March 1, 1995.

Councilmember Guarriello stated that the area near Orange Grove needs a lot of work, so does the Holloway Horn and Melrose near the Pacific Design Center; and Santa Monica and San Vicente Boulevards.

Mayor Pro Tem Heilman clarified recommendations of the staff. He also stated his concern about the traffic and parking. Mayor Pro Tem Heilman also directed the Transportation staff to coordinate with Community Development staff on developer donations of property for the public right-of-way on large development projects.

Councilmember Martin stated he is concerned about burdening the Sunset Specific Plan.

Councilmember Koretz indicated he did not have any other comments and he liked the project.

Mayor Land asked if Melrose Avenue part of the project could be expanded from La Cienega to Doheny.

Ms. Dyke responded staff has requested the contractor to extend some of the ideas they have used to Doheny and also along Robertson.

The Public Hearing was opened.

As there was no one who wished to speak, the public hearing was closed.

RECOMMENDATION: 1) Approve the Pedestrian Crossing Plan goals and objectives recommended by the Transportation Commission; 2) Consider the Preliminary Concepts for Three Walking Districts prepared by Public Works Design and adopt it as a framework for the coordination of work to improve the safety and visibility of the City's walking districts; 3) Direct staff to hold workshops for interested residents, businesses and property owners to learn about Santa Monica Boulevard Relinquishment and express their opinions about future roadway and sidewalk design; 4) Direct staff to hold workshops for interested residents, businesses and property owners to develop designs for crosswalk improvements in the Melrose/Robertson area; 5) Appropriate \$6,000 in pedestrian safety grant funding for this project and amend the budget to reflect an anticipated \$15,000 in revenues from this source; 6) Authorize the City Manager to execute an agreement with Public Works Design in an amount not to exceed \$20,000, for technical assistance and presentation materials for workshops on street and sidewalk design on Santa Monica and along Melrose/Robertson; 7) Direct staff to issue a Request for Qualifications from artists to work with the City to incorporate

art into the street and sidewalk designs for Melrose/Robertson area. And directed staff to incorporate the direction of Council to coordinate with Community Development Department, and expand the Melrose portion of the project to Doheny.

Motion Heilman, seconded Koretz and unanimously carried.

- C. APPEAL OF PLANNING COMMISSION'S DENIAL OF MINOR CONDITIONAL USE PERMIT 94-06 AND DEVELOPMENT PERMIT 94-13, FOR ON-SITE ALCOHOLIC BEVERAGE SERVICE IN AN EXISTING OUTDOOR PATIO AT 9015 SUNSET BOULEVARD:**  
Teresa Kozlowski, Assistant Planner, provided background information as outlined in the staff report dated March 6, 1995.

City Clerk Love stated that a notice of public hearing was published in the West Hollywood Independent on February 22, 1995 and mailed to residents within a 500' radius on February 23, 1995.

Mayor Pro Tem Heilman asked for clarification of the staff report regarding the Sheriff's Department position on this permit.

Councilmember Koretz inquired about the concerns of the Sheriff's Department.

The public hearing was opened.

OLIVIA BISSELL, VENICE, REPRESENTING RAINBOW BAR & GRILL, indicated that the Rainbow has been referred to as a nightclub, a restaurant and a bar. She clarified that it is important that the City Council realize that it is a Bar & Grill. The fact is that there has been 2 incidents in 11 months for the 36 seat outdoor dining patio. The patio is constructed in the exact way that the City has requested. She addressed the issue about noise. The closest "non Rainbow related" residential property is 300 feet from the site, and that no complaints have been received about noise. She also stated that the City has approved many other sites with outdoor dining similar to the Rainbow. She stated that they have been willing to compromise on this issue and willing to put in sound proof devices.

LESTER HIRSCH, WEST HOLLYWOOD, indicated the staff report is complete, to the point and clear. Asked the Council to look at the crime statistics, the Council should make conclusions and support the staff report.

HARRIET SIEGEL, WEST HOLLYWOOD, stated she takes offense to a comment made by Ms. Bissell, she is here to try to uphold the decision of the



Director of Community Development indicated in July 1994, the decision of the Planning Commission, and what many citizens have indicated.

MIKEAL MAGLIERI, LOS ANGELES, CONTROLLER OF RAINBOW BAR AND GRILL, pointed out what efforts he and his staff have made to insure compatible living and working environment in the area.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke against, indicated the staff has made a very good case that the findings cannot be met.

FRANCESCA VETRANO, LOS ANGELES, indicated she was in support of the Rainbow Bar and Grill.

MIGUEL MURILLO, WEST HOLLYWOOD, indicated he lives in the house behind the Rainbow Bar and Grill for 19 years and has never complained about the noise.

OLIVIA BISSELL, REBUTTAL, indicated she heard testimony about knifings, guns and rapes related to the Rainbow. She indicated there were no knifings, no guns and no rapes. Only two incidents in the area related to the Rainbow.

Councilmember Koretz stated that it has been stated that the Sheriff's Department was not in favor of approving this project. He would however, like to get an opinion.

CAPTAIN MANGAN stated that he has made it a policy to not render an opinion on any of these issues. He indicated he disagrees with some of the statements made by Ms. Bissell, for the Rainbow regarding the rape. On the other hand he agrees on 6 of the incidents the Rainbow was a victim of statistics. He stated he believes the number of reports should not be the deciding factor in whether or not to grant this appeal, that the issue should be decided on the impact on the immediate residency. He indicated he is not personally opposed.

Mayor Pro Tem Heilman inquired whether the statistics which were given took place in 1991 and stated the outdoor dining was not open. He stated there were 10-11 statistics and ask if most of them were related to misconduct on the Rainbow, or incidents that occurred near the club.

Captain Mangan responded of the 10 incidents there were 2 that were not attributable to the club.

Councilmember Koretz stated he disagreed with some of the comments made this evening. The Rainbow is a restaurant with an outdoor patio. He does not feel that

the noise factor is distinguishable. He feels the management is working in the right direction on mitigating problems as much as possible. The patio does not make much difference. Suggested limitations on hours, also indicated support for a short trial period only.

Councilmember Martin asked why the original permit was issued without the alcohol permit.

Gay Forbes, Director of Community Development responded that the applicant decided to first get the original permit over the counter and then apply for the alcohol permit.

Councilmember Guarriello stated that he feels the people are not here because they are burnt out. He indicated that the owner is not responsive to the residents.

Mayor Pro Tem Heilman asked if there was outdoor dining and alcohol at Mickeys.

Ms. Forbes responded that there was both outdoor dining and alcohol at Mickeys.

He then asked how the City can treat Mickeys and the Rainbow differently.

Ms. Forbes stated that the MCUP is set up to treat each case differently and this case is different.

Mayor Pro Tem Heilman stated that if there is going to be outdoor dining then it should be allowed to have alcohol. The limitation on hours, lighting and soundproofing would be desirable.

Mayor Land asked about the soundproofing of the patio or the soundproofing of the building.

Ms. Bissell indicated that the letter refer to the SCUP process and that soundproofing was for the interior. She had also verbally suggested other soundproofing for the patio.

Mayor Land indicated she is concerned with sound emanating from the patio and asked if there was any amplified music.

Ms. Kozlowski stated there is not.

Mayor Land suggested limiting the time for a trial basis. She also asked if the ABC has granted a permit.

Ms. Kozlowski indicated that the ABC will not issue a permit until the City approves.

Councilmember Martin stated that perhaps the outdoor dining should not have been approved originally.

Councilmember Koretz moved to grant the appeal and limit the use of the patio for alcohol service to midnight for a four-month trial basis with additional soundproofing, seconded by Heilman.

Mayor Land asked if the ABC were to approve the license then the alcohol use would be an accessory use. She asked that the motion be amended to state that alcohol would be an accessory use.

Councilmember Koretz agreed.

Motion carried on a roll call vote.

ROLL CALL:

AYES-Koretz, Heilman, Land

NOES-Guarriello, Martin

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

The City Council reconvened at 9:35 p.m.

D. **IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL BENEFIT ZONE):**

Allyne Winderman, Manager Economic Development and Housing Division, provided background information as outlined in the staff report dated March 6, 1995.

The Public Hearing was opened.

City Clerk Love stated that a notice of public hearing was published in the West Hollywood Independent on February 22, 1995 and was mailed to all affected hotels on January 19, 1995.

TONY MELIA, LOS ANGELES, Vice Chair of the Convention and Visitors Bureau, stated his support for this increase. He stated that at the current funding advertising is severely limited.

HALEY POWERS, CONVENTION AND VISITORS BUREAU, stated that tourism is a cost effective tool for economic development for the City.

FRED VANACORE, WEST HOLLYWOOD, he stated that Southern California is one of the major tourism attractions. He stated he would like to see West Hollywood remain financially strong. He urged Council to approve this increase.

Mayor Pro Tem Heilman asked if this was for FY 94-95 and would end in June.

Ms. Winderman stated affirmatively.

Mayor Pro Tem Heilman asked about the interactive video and clarified that it is not proposed for this fiscal year, but proposed for funding in the next fiscal year. He indicated he was concerned about the increase in the tax.

Councilmember Guarriello asked if the Convention and Visitors Bureau has \$250,000 in the treasury. He asked if the smaller hotels could be exempt from this tax.

Councilmember Martin asked Ms. Powers to clarify the reserve.

Ms. Powers responded that the accountants have recommended that the bureau maintain monies to cover 6 months in case of emergency.

Councilmember Koretz stated most of his questions were answered.

Mayor Land commented that Ms. Powers has done an excellent job. She asked if a visitor profile is being considered as it was not reflected in the budget.

Ms. Winderman responded the City should have control over the impact study and the City write the scope and direct the services of the consultant, so the study is impartial and the funds for this would be from Economic Development.

Mayor Pro Tem Heilman indicated that he agrees with Councilmember Guarriello's statement on the smaller hotels. He directed staff to look at possibly reserving some of the funds for the increase for the smaller hotels to deal with some of their issues such as facade improvements.

**RECOMMENDATION: 1) Adopt Resolution No. 95-1418, "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 1994-95 AND CONFIRMING THE REPORT OF THE ADVISORY BOARD**

FOR FISCAL YEAR 1994-95"; 2) Introduce for first reading Ordinance No. 95-432, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO. 228 AND INCREASING THE CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA;" and 3) Authorize the City Manager to execute a contract with the West Hollywood Marketing Corporation (d.b.a. West Hollywood Convention and Visitors Bureau) to set forth the scope of activities and budget for the 1994-95 fiscal year.

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

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

**COUNCILMEMBER COMMENTS:**

Councilmember Koretz thanked Gannett Outdoor on the pooper scooper law violators.

Mayor Land announced that Sergei Penkin a.k.a "The Silver Fox" will perform on May 12 at Fairfax High School. She also announced March is Women's History Month; and at a previous Council meeting it was asked for the Postmaster to commemorate a stamp to those persons who suffered and passed in concentration camps in W.W.II, the Council received notification that a stamp will reflect that.

**4. UNFINISHED BUSINESS:**

**A. CALIFORNIA AIDS RIDE:**

Councilmember Heilman and Mayor Land, provided background information as outlined in the staff report dated March 6, 1995. Mr. Michael Abels, Logistical Director of the California Aids Ride, outlined the details of the ride.

Mayor Land indicated she received a letter of support from Koontz Hardware.

Mayor Pro Tem Heilman indicated he was concerned about addressing the residents on San Vicente where the closing ceremonies will take place.

Mr. Abels responded that they will mail a notice to each resident, posting signage, and staying in touch with residents.

RECOMMENDATION: 1) Approve the closing ceremony plans, as set forward in the staff report (Attachment A). 2) Direct staff to continue working with AIDS Ride event planners to make sure that all noticing requirements are followed and that street closures, public safety issues, and parking issues are worked out in such

a way as to minimize the impact on local residents and businesses. 3) Direct staff to work with event planners to ensure that the City is recognized as the locale of the closing event ceremonies in publicity and media promotion and that the West Hollywood Convention and Visitors Bureau is kept apprised of intended activities and events.

Motion Heilman , seconded Koretz and unanimously carried.

Mayor Land stated that the Fiscal Impact of the Consent Calendar was inadvertently left out. However, there was \$32,692 in revenues and \$33,192 of operating expenditures.

**5. NEW BUSINESS:**

**A. FISCAL YEAR 1994-95 MIDYEAR REPORT:**

Judith Wright, Budget Officer and Paul Arevalo, Finance Director, provided background information as outlined in the staff report dated March 6, 1995.

Councilmember Koretz asked for clarification on the waste contract and why that revenue fell short.

Mr. Arevalo indicated that it is a new program and current contractor has expanded operations and their will be a delay in collections. In addition when the budget was prepared it was anticipated that the Franchise agreement was going to go into effect at the beginning of the year, and their was a delay in the transition. Expecting the revenues will increase to full amount next year.

Councilmember Guarriello asked where the \$160,000 which wasn't given to the Convention and Visitors Bureau went. He also inquired about the \$55,000 decrease in revenues from Rent Stabilization.

**RECOMMENDATION:** Accept the fiscal year 1994-95 Mid-year Report and amend the 1994-95 budget to reflect changes included in Attachment A. Increase General Fund budgeted revenues by \$238,500; Parking Improvement Fund budgeted revenues by \$5,000; General Fund budgeted expenditures by \$285,200, and increases the Public Art Fund and the Park Fund budgeted expenditures by \$1,000 and \$2,500 respectively.

Motion Heilman, seconded Guarriello and unanimously carried.

**B. PROPOSAL FOR SELLING BUS PASSES BY MAIL ONLY:**

Lucy Dyke, Transportation Manager, provided background information as outlined in the staff report dated March 6, 1995.

Mayor Pro Tem Heilman indicated that some of the personal touch will be lost and he hopes staff will work on continuing to foster those relationships.

RECOMMENDATION: Direct staff to replace the current bus pass sales program with a by-mail only program.

Motion Koretz, seconded Heilman and unanimously carried.

**C. ORDINANCE TO LICENSE MUSIC, DANCE, CLUB PROMOTERS IN THE CITY OF WEST HOLLYWOOD:**

Mayor Land provided background information as outlined in the staff report dated March 6, 1995.

JEANNE DOBRIN, WEST HOLLYWOOD, stated that perhaps there could be revenue for the City here from business license fees and taxes from the promoters.

RECOMMENDATION: Direct staff to work with the Business License Commission to amend the City's Business License Ordinance to include promoters among those businesses required to obtain a business license from the City of West Hollywood. Also to work with the Clubs.

Motion Martin, seconded Heilman and unanimously carried.

**EXCLUDED CONSENT CALENDAR:**

**2.K. RUSSIAN CULTURAL FESTIVAL:**

Councilmember Guarriello stated he wishes them the best but does have a problem with the sale of hard liquor.

Mayor Land stated that we can incorporate that into concerns that must be addressed by the organization if they proceed to obtain a hard liquor permit

Mayor Pro Tem Heilman indicated he shares Councilmember Guarriello's concern if every event has to be given the same consideration for the sale of hard liquor. Each event would have to be judged on its own merits.

Councilmember Koretz asked if it could be approved without the approval of the sale of alcohol.

JEANNE DOBRIN, WEST HOLLYWOOD, made a few comments regarding the times and hours, sheriff's vs. private security, the fact that staff is being used is a fiscal impact. She also stated she does not support the sale of alcohol.

GREGORY MAKARON, stated would like to make this event as safe as possible. The organization is working closely with the Sheriffs and the ABC. He provided details on the event and indicated that an alcohol company is providing the sponsorship. The organization will pay for all expenses including cleanup and insurance. The time will be approximately 10:00 a.m. or 11:00 a.m. to approximately 7:00 p.m.

Councilmember Martin asked whether they are using the Sheriff's Department for security.

Councilmember Heilman indicated that they would contract with the Sheriffs, either off duty officers or additional officers, the organization probably would want to have some of their own staff as security.

Councilmember Martin indicated that if the promoters were going to serve hard liquor, he would like the organization to submit a comprehensive security/safety plan to the Public Safety Commission.

**RECOMMENDATION:** 1. Agree that the City of West Hollywood will be an official co-sponsor of the Russian Cultural Festival; 2. Direct staff to make West Hollywood Park available to event organizers from 8:00 a.m. Saturday, September 16, 1995 through 6:00 a.m. Monday, September 18, 1995; 3. Direct staff to continue to work with Festival organizers to advise in the planning of the event; 4. Direct the City's Public Information Office and Visitors and Convention Bureau staff to work with the event organizers to assist in publicizing Festival activities; and 5. Authorize the sale of alcohol at the event in accordance with all ABC regulations.

Motion Heilman, seconded Koretz and carried with Councilmember Guarriello noting his abstention.

**CITIZEN COMMENTS:** None

**6. LEGISLATIVE:** None.

**COUNCILMEMBER COMMENTS:**

Councilmember Martin thanked everyone for the Mardi Gras, and reminded all about Shanti Hug Day on Thursday, March 16, 1995.

**ADJOURNMENT:** The City Council adjourned in memory of Art Guerrero, David White, and in honor of California Peace Officers who have their lives cut short by Aids: Officer Scott Hahn, Deputy John Abney, Officer J.D. Hicks, Officer Chris Carley, and Officer Gilbert Saenz at 10:40 p.m. to a joint Council meeting with the Public Safety Commission on March 20, 1995 at 6:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.



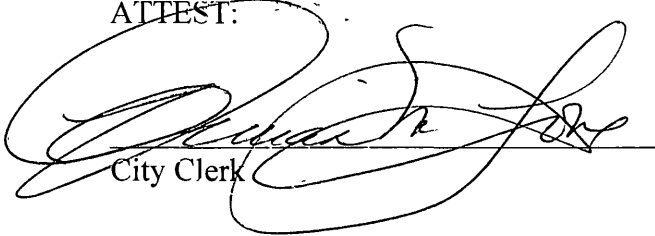
APPROVED BY MOTION OF THE CITY COUNCIL ON THIS 20TH DAY OF MARCH,  
1995.



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MAYOR

ATTEST:



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City Clerk

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