

**MINUTES
CITY COUNCIL MEETING
JUNE 6, 1994
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

7:00 P.M. - REGULAR MEETING

CALL TO ORDER: Mayor Land called the meeting order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Kenneth Hahn.

ROLL CALL:

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

REPORT OF CLOSED SESSION:

City Attorney Jenkins stated that the meeting was called to order at 6:00 p.m., at which time the City Council voted by a 4-0 vote to add two items as urgency items to the closed session agenda, under the category of Initiation of Litigation by the City. The items were added because the need to discuss the items arose after the agenda was posted, and the need to discuss those items was immediate. The City Council then recessed into a closed session to discuss those items on the closed session agenda which are contained in the agenda packet, and the written reports required for the closed session have been filed with the City Clerk.

APPROVAL OF AGENDA: Councilmember Guarriello requested removal of items 2.L, 2.M, 2.N, and 2.AA; Mayor Pro Tem Heilman requested removal of items 2.B and 2.Q.; Councilmember Martin removed item 2.P. The excluded consent calendar items will be heard before the public hearings.

ACTION: Approve the agenda as amended. Motion Heilman, seconded Martin and unanimously carried.

PROCLAMATIONS AND COMMENDATIONS:

Councilmember Martin introduced L.A. County Assessor Kenneth P. Hahn.

County Assessor Hahn presented a proclamation to Councilmember Guarriello on the 50th anniversary of D-Day, which recognized him for his contributions to his country during World War II, and his contributions to his community.

Councilmember Guarriello spoke in praise of everyone who served during the War.

Mayor Pro Tem Heilman presented a commendation to the Gay and Lesbian Community Services Center thanking them for their participation in the California AIDS Ride.

Mayor Land presented a special commendation to Ramada West Hollywood for their contribution in providing a site for the Adult Day Health Care program free of charge for four months, after the earthquake.

Mayor Pro Tem Heilman and Mayor Land presented commendations with

the assistance of Jimmy Castro, from the L.A. School District, and Gregory Schaefer, from the California Healthy Cities Project, to those individuals who participated in the Families and Communities Project.

Mr. Schaefer spoke regarding the Healthy Cities Project.

Mr. Castro read a commendation regarding the Families and Communities Program.

Mayor Pro Tem Heilman presented a commendation to Mark Savage, producer of the "Ballad of Little Mikey" which is coming to West Hollywood on June 17.

1. CITIZEN COMMENTS:

A. CITIZEN COMMENTS ON CONSENT CALENDAR ITEMS WHICH HAVE NOT BEEN PULLED: NONE.

B. CITIZEN COMMENTS - GENERAL:

JOSEPH JIMENEZ, WEST HOLLYWOOD, provided information regarding events which will be held within the city.

ANTHONY CAMPAGNA, WEST HOLLYWOOD, provided information regarding the success of the Sunset Shuttle.

THOMAS CRAIL, WEST HOLLYWOOD, EXECUTIVE DIRECTOR, CHAMBER OF COMMERCE, stated Council and staff had been given a final report from the Chamber, from the Halloween event in 1992, showing a full accounting of the \$22,500. He also thanked the Council for the new pedestrian lights on Santa Monica Boulevard.

MARTY SIMONOFF, WEST HOLLYWOOD RECYCLING, stated he would be available to answer any questions.

EUGENE CASTILLO, WEST HOLLYWOOD, commended Council on their support of the arts and encouraged their continued support.

DOUG ROUTH, WEST HOLLYWOOD, said he was extremely angry regarding mailings which indicated he was in support of Councilmember Koretz.

JOHN DOUPONCE, WEST HOLLYWOOD, reported comparisons regarding the hotel industry of April 1994 to April 1993 which is up 17%.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke against a hotel which is in her area.

SUSAN SAYRE BATTON, WEST HOLLYWOOD, lent her support to Eugene Castillo's comments and urged the support of the recommendations of the strategic plan.

CRAIG RITCHIE, WEST HOLLYWOOD, invited everyone in the community to participate in a march to take back their neighborhood on July 8. He also spoke regarding the pay

telephones in his neighborhood.

STEPHEN DICK, WEST HOLLYWOOD, member of the Fine Arts Advisory Board, urged that an individual be hired to be Director of Arts for the City, as this will enable the City to receive funding for arts.

GRAFTON TANQUARY, WEST HOLLYWOOD, asked that Item 6.C. be removed from the agenda, because it has never been in front of the Rent Stabilization Commission.

BOB GREENE, WEST HOLLYWOOD, gave a special thanks to Councilmember Guarriello for his participation in D-Day. He complained that a business owner was being given a new sign by the City of West Hollywood.

BUDD KOPS, WEST HOLLYWOOD, requested a moment of silence for those who did not return on D-Day. He provided comments regarding several issues within the city.

HYLAN KUNERTH, WEST HOLLYWOOD, stated that there was information regarding the origin of HIV on Gloria Allred's radio show.

JOHN TAYLOR, WEST HOLLYWOOD, complained about the law which prohibits live entertainment without a \$200 fee and background information check.

CITY MANAGER'S REPORT:

City Manager Brotzman indicated there was no report.

REPORT ON DOLLAR AMOUNTS ON CONSENT CALENDAR:

City Clerk Love stated that the fiscal impact of the Consent Calendar for June 6, 1994, as amended, is \$363,375 in expenditures and \$63,000 of potential revenue.

2. CONSENT CALENDAR:

Motion by Heilman to approve the Consent Calendar as amended, seconded by Martin and unanimously carried.

A. POSTING OF AGENDA: The agenda for the meeting of Monday, June 6, 1994, was posted at City Hall, Plummer Park, the Sheriff's Station and the West Hollywood library on Friday, June 3, 1994.

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

B. APPROVAL OF MINUTES: May 16, 1994

ACTION: This item was removed and appears under Excluded Consent Calendar.

C. WAIVER OF FURTHER READING:

ACTION: After the City Attorney has read the title of any Ordinance on tonight's agenda, the further reading thereof be waived. Approved as part of the Consent Calendar.

D. CLAIMS: JACK R. LAFER

ACTION: Deny the claim of Jack R. Lafer and refer to the City's claims adjustor. Approved as part of the Consent Calendar.

- E. DEMAND REGISTER NO. 271, RESOLUTION NO. 94-1305.**
ACTION: Approve Demand Register No. 271 and adopt Resolution No. 94-1305. Approved as part of the Consent Calendar.
- F. TREASURER'S REPORT: March, 1993:**
ACTION: Receive and file. Approved as part of the Consent Calendar.
- G. ORDINANCE NO. 94-409 (2nd Reading), AMENDING CHAPTER 9410 OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATIVE TO SIGNS:**
ACTION: Adopt Ordinance No. 94-409, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 9410 OF THE WEST HOLLYWOOD MUNICIPAL CODE, SIGNS, BY REPLACING THE EXISTING CHAPTER WITH A NEW CHAPTER." Approved as part of the Consent Calendar.
- H. UPDATE ON IMPLEMENTATION OF HIV TASK FORCE RECOMMENDATIONS:**
ACTION: Receive and file. Approved as part of the Consent Calendar.
- I. FUND TRANSFER AGREEMENT FOR BIKEWAY GRANT:**
ACTION: Adopt Resolution No. 94-1306, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE FUND TRANSFER AGREEMENT TO BE EXECUTED FOR THE CITY OF WEST HOLLYWOOD AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION PURSUANT TO CALIFORNIA TRANSPORTATION COMMISSION RESOLUTION NO. BFP-93-74 FOR THE WEST HOLLYWOOD BIKEWAYS AND INSTALLATION OF LOCKERS AND SIGNS PROJECT." Approved as part of the Consent Calendar.
- J. RESOLUTION PROVIDING FOR THE BORROWING OF FUNDS (\$1,500,000) FOR FISCAL YEAR 1994/95 AND THE ISSUANCE AND SALE OF THE 1994 TAX AND REVENUE ANTICIPATION NOTES THEREFOR:**
ACTION: 1) Approve the Official Statement and Notice of Sale and authorize the distribution of these documents, and 2) adopt Resolution No. 94-1307, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROVIDING FOR THE BORROWING OF FUNDS (\$1,500,000.00) FOR FISCAL YEAR 1994/95 AND THE ISSUANCE AND SALE OF THE 1994 TAX AND REVENUE ANTICIPATION NOTES THEREFOR." Approved as part of the Consent Calendar.
- K. LEVY OF ANNUAL ASSESSMENT FOR 1991 LIGHTING AND LANDSCAPING ASSESSMENT DISTRICT:**
ACTION: 1) Adopt Resolution No. 94-1308, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN 1991 LIGHTING AND LANDSCAPING ASSESSMENT DISTRICT FOR THE 1994-95 FISCAL

YEAR AND ORDERING THE ENGINEER TO PREPARE A REPORT PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAY CODE"; 2) Adopt Resolution No. 94-1309, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ENGINEER FOR THE 1994-95 FISCAL YEAR IN CONNECTION WITH THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN 1991 LIGHTING AND LANDSCAPING ASSESSMENT DISTRICT"; 3) Adopt Resolution No. 94-1310, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN 1991 LIGHTING AND LANDSCAPING ASSESSMENT DISTRICT FOR THE 1994-95 FISCAL YEAR PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2, DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO"; 4) Hold a public meeting on July 5, 1994 to formally present the Engineer's Report and receive public comment and hold public hearing on August 1, 1994. Approved as part of the Consent Calendar.

- L. **AWARD OF CONTRACT TO UDEWITZ ASSOCIATES/KATZ HOLLIS TO UPDATE THE CITY'S EXISTING REDEVELOPMENT BLIGHT ANALYSIS AND MARKET STUDY:**
ACTION: This item was removed from the Consent Calendar and appears under Excluded Consent Calendar.
- M. **AMENDMENT OF AGREEMENT WITH JENNIFER COILE, CONSULTANT, TO PROVIDE PROFESSIONAL SERVICES TO THE HOUSING AND ECONOMIC DEVELOPMENT DIVISION WHILE RECRUITMENT FOR A NEW DIVISION MANAGER IS CONDUCTED:**
This item was removed and appears under Excluded Consent Calendar.
- N. **AMENDMENT OF PROFESSIONAL SERVICES CONTRACT WITH MARCO LIMANDRI TO PROVIDE BUSINESS DEVELOPMENT SERVICES TO THE AVENUES OF DESIGN BUSINESS ASSOCIATION:**
This item was removed and appears under Excluded Consent Calendar.
- O. **LEASE AND SUBLEASE FOR 621 N. SAN VICENTE BOULEVARD:**
ACTION: Pending approval by the City Attorney of the language of the lease and sublease, staff recommends that City Council authorize the City Manager and Mayor to sign:
1) A lease agreement between the City of West Hollywood and the County of Los Angeles for use of the building located at 621 N. San Vicente Blvd., which reflects the basic terms outlined in the staff report; and
2) A sublease agreement between the City of West Hollywood and Search Alliance for use of approximately 60 percent of the building located at 621 N. San Vicente Blvd., which reflects the basic terms outlined in the staff report. Approved as part of the Consent Calendar.
- P. **AWARD OF A CONTRACT TO A CONSULTANT FOR THE PREPARATION**

OF A TRAFFIC IMPACT STUDY FOR A PROPOSED PARKING STRUCTURE WITH GROUND LEVEL COMMERCIAL AT 8383 SANTA MONICA BOULEVARD:

This item was removed and appears under Excluded Consent Calendar.

- Q. AWARD OF A CONTRACT FOR THE DEVELOPMENT OF A DESIGN STRATEGY FOR CROSSWALKS IN FOUR DISTRICTS OF THE CITY:**
This Item was removed and appears under Excluded Consent Calendar.
- R. AMENDMENT TO AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND WASTE MANAGEMENT INC. TO CONTINUE SOLID WASTE COLLECTION SERVICES ON A MONTH TO MONTH BASIS:**
ACTION: Approve the Amendment to Agreement by and between the City and Waste Management Inc., for solid waste disposal services, to extend the Agreement beyond June 30, 1994, and continue services on a month to month basis. Approved as part of the Consent Calendar.
- S. APPROVAL OF POSITION SPECIFICATIONS - CONFIDENTIAL SUPERVISORY UNIT:**
ACTION: Approve position specifications and compensation for positions of Purchasing Officer effective January 1, 1993, Accounting Operations Officer effective July 1, 1993 and Administrative Staff Assistant to the City Manager effective July 1, 1993. Approved as part of the Consent Calendar.
- T. CHRONIC ILLNESS FUND REPORT:**
ACTION: Receive and file. Approved as part of the Consent Calendar.
- U. NOTICE OF COMPLETION FOR REPAIRS TO PARTNERS ADULT DAY HEALTH CARE CENTER (C.I.P. 471):**
ACTION: Accept the work and authorize the following: 1) Filing a Notice of Completion by the City; 2) Final payment at the end of the 35-day lien period; 3) Release of the Performance Bond and Payment Bond. Approved as part of the Consent Calendar.
- V. AWARD OF CONTRACT FOR GROUNDS MAINTENANCE SERVICES TO CITY PARKS AND ASSOCIATED FACILITIES:**
ACTION: Accept the proposal dated April 25, 1994, submitted by Golden Bear Arborists, Inc. of Monrovia in the annual amount of \$136,704.36 for the maintenance of parks, landscaped areas, streetscape improvements and associated facilities and authorize the City Manager to sign the contract agreement. Approved as part of the Consent Calendar.
- W. AWARD OF CONTRACT FOR JANITORIAL CLEANING SERVICES:**
ACTION: Accept the proposal dated April 29, 1994 as revised on May 20, 1994 submitted by Pedus Building Services, Inc in the annual amount of \$126,776.28 for janitorial cleaning services and authorize the City Manager to sign the agreement. Approved as part of the Consent Calendar.

- X. APPROVAL OF A CONTRACT FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) DEVELOPMENT FOR THE WEST HOLLYWOOD TRAFFIC SYSTEM MANAGEMENT PROJECT:**
ACTION: Authorize the City Manager to enter into a professional engineering services contract with Calgis, Inc. in an amount not to exceed \$10,000 for geographic information system (GIS) development for the West Hollywood Traffic Management System Project. Approved as part of the Consent Calendar.
- Y. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE "L'CHAIM-TO LIFE!" TELETHON:**
ACTION: 1) Adopt Resolution No. 94-1311, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE "L'CHAIM-TO LIFE" TELETHON"; 2) Authorize the hanging of banners to advertise the Telethon in the West Hollywood community. Approved as part of the Consent Calendar.
- Z. DECLARATION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE WEST HOLLYWOOD CRITERIUM:**
ACTION: 1) Support the West Hollywood Criterium by acting as a primary sponsor of the event; 2) Authorize the City to close San Vicente, Melrose, Robertson and Santa Monica Boulevard from 6:30 a.m. to 1:00 p.m. on Sunday, July 31, 1994; 3) Cover law enforcement costs associated with security for the event; 4) Direct staff to work with event organizers to coordinate the event. Approved as part of the Consent Calendar.
- AA. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WALKER PARKING CONSULTANTS/ENGINEERS FOR THE DESIGN OF A PARKING STRUCTURE AT 8383 SANTA MONICA BOULEVARD:**
This item was removed and appears under Excluded Consent Calendar.

EXCLUDED CONSENT CALENDAR:

- 2.B. APPROVAL OF MINUTES: May 16, 1994**
Mayor Pro Tem Heilman made a correction to a public comment recorded in the minutes under Citizen's Comments.

ACTION: Approve the Minutes of May 16, 1994. Motion Heilman seconded Koretz and unanimously carried.
- 2.L. AWARD OF CONTRACT TO UDEWITZ ASSOCIATES/KATZ HOLLIS TO UPDATE THE CITY'S EXISTING REDEVELOPMENT BLIGHT ANALYSIS AND MARKET STUDY:**
Councilmember Guarriello complained that the agenda packets were not received early enough for him to adequately study this item.

City Manager Brotzman explained that there was an extremely heavy agenda this week, and in addition to that at least one of the items was delayed, which caused a delay in getting out the agenda packets.

Rhonda Sherman provided background information on this item as outlined in the staff report dated June 6, 1994.

Mayor Land clarified that this contract in no way obligates the City to enter into redevelopment; this is only to see if the East Side would meet the current definition of what blight is, under State law.

Councilmember Guarriello inquired whether this was budgeted in this fiscal year's budget, and Ms. Sherman replied that it was.

Mayor Pro Tem Heilman inquired if this study will look at potential benefits and potential negatives of creating a redevelopment agency.

Councilmember Martin inquired whether a Redevelopment Agency would adversely affect the general fund.

City Manager Brotzman explained that a redevelopment agency would have an impact on the tax revenue of the City, however it would redirect revenue to the redevelopment agency that would have gone to other taxing entities as well as to the City, and the revenue can then be used for redevelopment agency purposes. The proposed study is the first step in the process, and is necessary to determine whether the area would meet the criteria under State law, and would identify the benefits and the liabilities of establishing a redevelopment agency.

DONNY CACY, WEST HOLLYWOOD, VICE-PRESIDENT, WEST HOLLYWOOD COMMUNITY ALLIANCE, spoke against redevelopment on the East Side and against the expenditure of \$25,000 for this study.

JOSEPH JIMENEZ, WEST HOLLYWOOD, concurred with Donny Cacy and felt the Alliance should be part of the study as well.

MOTION: Approve an agreement for \$25,000 for professional services with Udewitz Associates/Katz Hollis to update the City's existing redevelopment blight analysis and market study and authorize the City Manager to sign the Agreement.

Motion Heilman, seconded Land. Motion failed on a roll call vote.

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

2.M. AMENDMENT OF AGREEMENT WITH JENNIFER COILE, CONSULTANT, TO PROVIDE PROFESSIONAL SERVICES TO THE HOUSING AND ECONOMIC DEVELOPMENT DIVISION WHILE RECRUITMENT FOR A NEW DIVISION MANAGER IS CONDUCTED:

Councilmember Guarriello inquired why a consultant should be hired and why this work couldn't be absorbed

by other members of the division.

Gay Forbes indicated that this person would only be working eight hours per week and would be paid out of salary savings for the now vacant position.

Councilmember Koretz asked what specifically would be accomplished by this person.

Ms. Forbes outlined some of the tasks that needed to be accomplished.

ACTION: Approve contract extension for professional services with Jennifer Coile for \$6,000 and authorize the City Manager to sign the agreement. Approved as part of the Consent Calendar.

Motion Heilman, seconded Martin, and carried noting Councilmember Guarriello's "no" vote.

2.N. AMENDMENT OF PROFESSIONAL SERVICES CONTRACT WITH MARCO LIMANDRI TO PROVIDE BUSINESS DEVELOPMENT SERVICES TO THE AVENUES OF DESIGN BUSINESS ASSOCIATION:

Councilmember Guarriello noted that he had previously voted against the BID (Business Improvement District). He inquired why staff was not getting together with all businesses in the City, not just the Avenues of Design.

Rhonda Sherman responded that when staff came to Council in November with the BID proposal, the City Council had directed them to continue to work with the Avenues of Design and return in one year with a revised proposal, because the Avenues of Design Association wanted this. If successful, staff hopes to work with other business associations.

JOSEPH JIMENEZ, WEST HOLLYWOOD, stated that the Council gave direction to staff to include the Alliance in this process. The Alliance was never notified of any meetings.

Councilmember Martin stated that this process is an on-going process and the Alliance could be included.

ACTION: Approve contract extension for professional services with Marco LiMandri for \$7,500 and authorize the City Manager to sign the agreement.

Motion Martin, seconded Heilman, and carried noting Guarriello's "no" vote.

2.P. AWARD OF A CONTRACT TO A CONSULTANT FOR THE PREPARATION OF A TRAFFIC IMPACT STUDY FOR A PROPOSED PARKING STRUCTURE WITH GROUND LEVEL COMMERCIAL AT 8383 SANTA MONICA BOULEVARD:

Joan English provided background information as outlined in the staff report dated June 6, 1994.

Discussion was held regarding why this study couldn't be done in-house.

Mayor Land stated that the objectivity of the study would be questioned and asked the City Attorney to give an opinion.

City Attorney Jenkins concurred with Mayor Land and supported an outside consultant.

City Manager Brotzman explained also that the City no longer has a traffic engineer position.

Councilmember Martin requested that the recommendation include "not to exceed \$13,000."

ACTION: Authorize a consultant, not to exceed \$13,000, to prepare a traffic impact study for a parking garage with ground floor commercial space, located at 8383 Santa Monica Boulevard.

Motion Land, seconded Heilman, and carried by a 3-2 vote, with Martin and Guarriello voting no.

Joan English requested that Item 2.Q be held off till later in the evening when Lucy Dyke is present. (Item 2.Q was discussed following New Business.)

- AA. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WALKER PARKING CONSULTANTS/ENGINEERS FOR THE DESIGN OF A PARKING STRUCTURE AT 8383 SANTA MONICA BOULEVARD:**
Councilmember Guarriello asked why the new Parking Manager could not do this job.

Joan English indicated that this contract is for architectural services and the new parking manager does not have that expertise.

ACTION: 1) Authorize the City Manager to enter into an agreement between Walker Parking Consultants/Engineers Inc. and the City of West Hollywood for architectural/engineering services; 2) Approve total expenditures not to exceed \$136,000 plus reimburseable costs for architectural/engineering services capped at \$15,000. If the final, documented cost of the project comes in under budget, then the first \$40,000 in savings will be paid to Walker et al. Any additional savings will be shared, with 20% going to the design team, and 80% going to the City. In addition, there will be an absolute aggregate cap of \$80,000 on the design team performance bonus.

Motion Heilman, seconded Martin and carried noting Councilmember Guarriello's "no" vote.

3. PUBLIC HEARINGS:

- A. SELECTION OF VENDOR FOR EXCLUSIVE FRANCHISE OF TRASH COLLECTION AND RECYCLING SERVICES:**

City Clerk Love indicated that the legal notice of public hearing was published in the West Hollywood Independent on May 25, 1994.

David Hare presented the background information as outlined in the staff report dated June 6, 1994.

Councilmember Martin inquired about the discount for senior citizens.

Mr. Hare responded that it would be for property owners who are senior citizens, if they qualify.

The following persons addressed the Council:

MARVIN AUERBACH, WEST HOLLYWOOD, spoke about problems with a dumpster; he wants a company which is more responsive to the residents.

ESTELLE KLIPP, WEST HOLLYWOOD, spoke in favor of this company and has no objection to the franchise.

BUDD KOPS, WEST HOLLYWOOD, spoke against the exclusive franchise.

TIM AGAJANIAN, GLASWMA, stated that the City Council will be faced with lawsuits. He indicated that the law firm will continue to fight and an initiative process has been started.

DANIEL KOVATCH, WEST HOLLYWOOD, spoke against the exclusive franchise.

CHARLOTTE BANTA, WEST HOLLYWOOD, spoke against the exclusive franchise because it would eliminate competition.

GERRY FLINTOFT, EXECUTIVE DIRECTOR GLASWMA, indicated GLASWMA has worked with staff regarding this issue. He spoke against the exclusive franchise.

LARRY SALAZAR, LOS ANGELES, spoke against the exclusive franchise.

CHRIS SUTTON, ATTORNEY, PASADENA, spoke against the exclusive franchise and stated that an initiative petition will be circulated and a referendum will be placed on the ballot if this item is approved, beginning tomorrow.

DAN AGAJANIAN, LOS ANGELES, spoke against the exclusive franchise and urged the City Council to vote no on this item.

JOHN AGAMALIAN, spoke against the exclusive franchise.

PEGGY ARONIS, WEST HOLLYWOOD, spoke against the exclusive franchise. She indicated that property owners do not want this.

JUNE TEAL, WEST HOLLYWOOD, spoke against the exclusive franchise and concurs with all the previous speakers.

JULIE SUMMERS, spoke against the exclusive franchise and noted increased rates of surrounding cities when they had an exclusive franchise.

CRAIG RITCHIE, WEST HOLLYWOOD, stated there is no support for this exclusive franchise.

MADELINE ARAKELIAN, GLASWMA (ORANGE COUNTY), spoke against an exclusive franchise.

GRAFTON TANQUARY, WEST HOLLYWOOD, spoke against an exclusive franchise.

KEVIN TAMAKI, SANTA MONICA, Chamber of Commerce Board of Directors, stated his opposition to the exclusive franchise proposal. Suggested a multiple franchise program.

MARK BATES, WEST HOLLYWOOD, stated he agreed with the preceding speakers.

JOYCE HUNDAL, WEST HOLLYWOOD, stated that she hopes the issue of hazardous waste will be addressed.

THOMAS CRAIL, WEST HOLLYWOOD, EXECUTIVE DIRECTOR, CHAMBER OF COMMERCE, stated that he hopes the City Council realizes that more work is needed on this proposal. He stated that the issues are all valid, but this proposal doesn't address the needs of the business community.

TOM BENSON, SIGNAL HILL, spoke on behalf of Waste Management Inc.; will support Council's decision, whatever it is.

PANDEE LEACHMAN, EXECUTIVE DIRECTOR, ASSOCIATION OF CALIFORNIA RECYCLING INDUSTRIES, encouraged the City Council to instruct staff to re-read the recent Supreme Court Rancho Mirage decision. Spoke against the exclusive franchise.

DEREK MEEK, WEST HOLLYWOOD, concurs with previous comments.

DONNY CACY, BUSINESS OWNER, opposed giving contract to a single hauler.

MARTIN STRUDLER, WEST HOLLYWOOD, urged City Council to give more time to the community.

MEGO GODJAMANIAN, President, American Waste Industries, stated his opposition to the exclusive franchise.

SHELLI GRAFF, LOS ANGELES, owner of a recycling service, stated that by going with an exclusive franchise the City Council would be putting businesses

like hers out of business.

BOB GREENE, WEST HOLLYWOOD, read a letter regarding the exclusive franchise. He indicated he would like to see a review of the trash hauler after 12 to 18 months; would like more than one company.

The City Council recessed at 9:30 p.m.
The City Council reconvened at 9:45 p.m.

WILLIAM FERRA, WEST HOLLYWOOD, spoke against the exclusive franchise process.

Councilmember Guarriello inquired about the Rancho Mirage decision and how it would impact West Hollywood.

City Attorney Jenkins indicated that the proposed franchise agreement does not conflict with the Rancho Mirage decision. He stated that the proposed franchise agreement will provide for an exclusive collector of waste and recyclables that go to waste, but will not preclude anyone from selling recyclables before they go to waste.

The City Council discussed various issues such as the effects of the Rancho Mirage decision, the continuance of recycling businesses, additional bureaucracy, the provisions for hazardous waste, the involvement effort of businesses, the stability of the rates, complaints, the number of accounts which would go up versus go down, the advantages of an exclusive versus a non-exclusive or multiple franchise, and having a citizens' review board.

Councilmember Martin indicated that he was not prepared to support the exclusive franchise at this time, as he felt staff should look at other options, such as half exclusive and half non-exclusive franchise.

ACTION: Direct staff to negotiate a five year Exclusive Franchise Agreement with West Hollywood Recycling Services for Solid Waste Collection and Recycling Services and authorize the City Manager to enter into a five year Exclusive Franchise Agreement, with the following direction: 1) direct staff to establish a citizen task force to help staff conduct an annual review of the proposed Franchisee; 2) direct staff to work with the City Attorney in negotiating the exclusive franchise agreement; and 3) direct staff to work with the Franchisee to attempt wherever possible to keep rates, or customers, at the same level or below the level they are currently paying. Motion by Heilman, seconded Guarriello and carried on a roll call vote:

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

Councilmember Koretz inquired what the safety clauses would be in case there are any problems with the company.

David Hare stated that the agreement would include a series of penalties; also, if upon the annual review the company was not meeting its obligations, a provision in the contract would allow the city to release from the contract.

B. SUBMISSION OF THE 1994-95 PRELIMINARY BUDGET:

City Clerk Love indicated that the legal notice of public hearing was published in the West Hollywood Independent on May 25 and June 1, 1994, and the budget has been available at City Hall.

Mayor Land commended the Finance Department staff for the great job on the budget.

Finance Director Paul Arevalo presented an overview of the budget as outlined in the staff report dated June 6, 1994.

BUDD KOPS, WEST HOLLYWOOD, stated he would like to see Code Enforcement be available from 8:00 p.m. to 4:00 a.m. and increased monies for public safety.

Councilmember Koretz left at 10:30 p.m.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about Code Enforcement; she feels they should go out at unexpected times and would like to see more monies to ensure that Code Enforcement keeps adequate records of all complaints and cases.

JOYCE HUNDAL, WEST HOLLYWOOD, spoke regarding Operating Goal Number 6. She indicated there is not enough code enforcement and parking enforcement from 11:00 p.m. to 3:30 a.m. She recommended: adequate code enforcement, adequate code enforcement at night, and adequate parking enforcement, in particular on Thursday, Friday and Saturday night.

WILLIAM FERRA, WEST HOLLYWOOD, asked about the Police Bike and Foot Patrol.

Mayor Land informed Mr. Ferra that staff would answer his questions.

Mayor Land announced that Council would hold a study session to discuss the budget on Monday, June 13th, at 7:00 p.m. in the Community Conference Room at City Hall.

C. PROPOSED FEE RESOLUTION FOR FY 1994-95:

City Clerk Love indicated that the legal notice of public hearing was published on May 18 and 25, 1994.

Finance Director Arevalo presented background

information as outlined in the staff report dated June 6, 1994.

Mayor Pro Tem Heilman inquired about the increase relative to the Creative Sign Permit, as he felt an increase would be a disincentive to creative signs.

Gay Forbes, Community Development Director, indicated that the proposed increase is because oftentimes it goes before the Planning Commission twice.

Mayor Pro Tem Heilman indicated he would like it to remain the same as FY 93-94. He also questioned the Code Enforcement reinspection fee, as he felt it didn't seem fair.

Gay Forbes indicated that the re-inspection fee is actually for the third inspection.

Mayor Land and Mayor Pro Tem Heilman suggested that staff find a way to monitor the charging of the reinspection fee.

Mayor Land stated she would like Creative Sign fee to remain the same, and suggested that the process be streamlined.

There were no public speakers on this Item.

ACTION: Adopt Resolution No. 94-1312, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING FEES AND CHARGES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF WEST HOLLYWOOD AND REPEALING RESOLUTION NO. 1147," with the amendment that the fee for Creative Sign Permits remain the same as in FY 93-94, and with direction to the City Clerk to "flag" the issue of the Code Enforcement reinspection fee for Council to reevaluate next year.

Motion Heilman, seconded Guarriello and noting the absence of Councilmember Koretz, unanimously carried.

Councilmember Martin requested that Item 6.C. be removed from the agenda and referred to the Rent Stabilization Commission.

Councilmember Heilman asked that the City Attorney do an analysis regarding this issue. He also asked that the Rent Stabilization Commission look at a range of options.

RECESS TO WEST HOLLYWOOD HOUSING AUTHORITY:

Council recessed to a meeting of the Housing Authority at 10:45 p.m.

The West Hollywood Housing Authority approved the minutes of the agency of November 15, 1993 and adopted Resolution No. HA-9. The minutes are set forth in full in the Authority record.

The Housing Authority adjourned at 10:46 p.m. and reconvened as the City Council.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello stated that the Sanitation District had given him an orientation of the San Jose Sewage Plant, which demonstrated the terrific job the Plant is doing. He also went on a boat trip which showed that none of the marine life were being harmed by anything from the sewage plant.

Mayor Pro Tem Heilman gave his best wishes to Mayor Land, Councilmember Koretz, and John Duran, a resident, who are running in the June 7th election.

Councilmember Martin stated he would like the agenda packets distributed earlier.

Mayor Land read a comment from the Sheriff's Department that they are currently investigating three instances of rape, in all cases where a woman was approached by a lone man while she was sitting alone in a vehicle late at night.

4. UNFINISHED BUSINESS:

A. PRESENTATION OF WEST HOLLYWOOD CULTURAL STRATEGIC PLAN - PHASE I/DEVELOPMENT:

Mayor Pro Tem Heilman introduced this Item and thanked the consultants, the Fine Arts Advisory Board, and his deputy, Fran Solomon, for their hard work.

Council Deputy Fran Solomon provided background information as outlined in the staff report dated June 6, 1994.

Mayor Land commended Ms. Lesley Elwood and Ms. Stephanie Klasky, the consultants, on a job well done.

Mayor Land asked Fran Solomon to work with the other Council Deputies and come up with some times for scheduling the study session with the Fine Arts Board.

Mayor Pro Tem Heilman commented that one of the recommendations is to have someone at City Hall to coordinate arts and cultural activities, and asked the City Manager as part of the follow-up, to see if there are funds in the budget or other potential sources of funding to implement the recommendations.

JEANNE DOBRIN, WEST HOLLYWOOD, stated that the staff report did not have attachment one. She indicated she did not support some of the art in West Hollywood; however she did support some of the other cultural things in the City.

LESLEY ELWOOD, CONSULTANT, responded that one of the things she would like to see is overall arts programming, including community based cultural programs. She indicated that the consultants had worked closely with the Fine Arts Advisory Board.

ACTION: 1) Accept the report and attachments;
2) Direct the City Manager and appropriate staff to follow up on report implementation and to submit an analysis of the fiscal impact of the specific report recommendations; 3) Direct staff to schedule a study session between the City Council and the West Hollywood Fine Arts Advisory Board to discuss the City's cultural programming and arts and cultural activities.

Motion Heilman, seconded Guarriello and noting the absence of Koretz, unanimously carried.

B. FAMILIES AND COMMUNITIES PROGRAM REPORT:

Mayor Land indicated that this report was a collaborative effort on the part of herself, Councilmember Heilman, Jeff Horton and the L.A. Unified School District.

Mayor Pro Tem Heilman noted that the recommendation also directs the City Manager to include money in the budget for implementing some of these programs.

Mayor Land thanked all the staff who had worked on this item.

ACTION:

- 1) Direct staff to determine how the City can assist in addressing the six major needs the Task Force identified;
- 2) Direct staff to develop agreements with the Los Angeles Unified School District for joint use of facilities, to augment current programs and develop new ones;
- 3) Direct staff and Task Force members to develop and implement pilot initiatives for after-school programs, traveling cultural programming, the "Adopt-a-School" program, and earthquake preparedness programming;
- 4) Direct Task Force members to meet after six months to assess the progress of pilot programs, determine whether to go forward with the programs, support additional ways of addressing the identified needs, and produce an interim pilot program analysis, along with any additional program information;
- 5) Direct Task Force members to meet after twelve months to analyze the effectiveness of pilot programs, create additional partnership ventures and produce a progress report;
- 6) Direct Task Force members to provide outreach to community leaders, businesses, residents, and other governmental entities, in order to catalyze additional efforts to address concerns about the needs of our families and schools;
- 7) Direct the City Manager to include \$10,000 for seed money to implement the Families and Communities Task Force recommendations within the City Manager's budget for Fiscal Year 1994-95.

Motion Heilman, seconded Guarriello and noting the absence of Koretz; unanimously carried.

C. REORGANIZATION OF ADULT DAY HEALTH CARE, JEWISH FAMILY SERVICES, AND LOS ANGELES FREE CLINIC CONTRACT AGREEMENTS:

Jodi Curlee provided background information as outlined in the staff report dated June 6, 1994.

Mayor Pro Tem Heilman stated that he wants to be sure as the program shifts that people with AIDS will still be able to receive services at the Adult Day Health Care Center. He also inquired whether a City staff person should be on site at the County HIV building, rather than contracting with L.A. Free Clinic.

Ms. Curlee replied that either option could be workable; she feels the proposed option is cheaper; however, she will look into it. She indicated that Park staff would be at the building in the evenings.

DENIS OUELLET, WEST HOLLYWOOD, L.A. FREE CLINIC, spoke in support and provided an outline of the proposed program.

ACTION: Pending approval of the 1994-95 social services budget, approval of the City's lease with L.A. County for 621 N. San Vicente Blvd., and approval from the Health Resources and Services Administration, authorize the following: 1) contract agreement with L.A. Free Clinic for \$7,000 from July 1, 1994 through September 30, 1994, for drop-in center activities and information for people living with HIV, at 621 N. San Vicente Blvd; 2) contract agreement with Jewish Family Services for \$62,500 in general funds, and \$7,500 in Proposition A funds to provide an Adult Day Health Care program for Seniors, people living with AIDS, and people living with other disabilities for a 15-month period beginning July 1, 1994 and ending September 30, 1995; 3) Assign the lease for the building at 7362 Santa Monica Boulevard to Jewish Family Services for the provision of Adult Day Health Care Services.

Motion Heilman, seconded Martin and unanimously carried.

5. NEW BUSINESS:

A. APPOINTMENTS AND RE-APPOINTMENTS TO COMMISSIONS AND BOARDS:

ACTION:
Councilmember Guarriello appointed the following individuals to a four-year term ending May 31, 1998:

David Behr	Planning Commission
Gene Smith	Transportation Commission
John Nieto	Human Services Commission
Richard Maggio	Rent Stabilization Commission

Donny Cacy	Business License Commission
Donna Saur	Public Safety Commission

Councilmember Martin appointed the following individuals to a four-year term ending May 31, 1998:

D'Lynda Fisher	Planning Commission
Marty Strudler	Transportation Commission
Michaeljohn Horn	Human Services Commission
Jeff Prang	Rent Stabilization Commission
Ruth Williams	Public Safety Commission
Christopher Bonbright	Business License Commission

Mayor Pro Tem Heilman indicated he was not ready to make his appointments at this time.

Councilmember Guarriello asked that staff consider changing the time for meetings of the Human Services Commission, which meets at 4:00 p.m.

It was discussed that at-large appointments be made either at a special meeting the end of June or the second meeting in July when a full Council can be present.

EXCLUDED CONSENT CALENDAR: (These Items were considered prior to Public Hearings, except for Item 2.Q.)

- 2.Q. AWARD OF A CONTRACT FOR THE DEVELOPMENT OF A DESIGN STRATEGY FOR CROSSWALKS IN FOUR DISTRICTS OF THE CITY:**
Mayor Pro Tem Heilman indicated that he was willing to approve with the understanding that there will be further discussion at another time on the policy.

ACTION: Authorize a consultant to prepare crosswalk design strategies in four districts of the City and appropriate Article 3-TDA Bicycle/Pedestrian funds in an amount not to exceed \$30,000 to the Transportation Division to pay for this program, with the understanding that Council is not approving the policy at this time.

Motion Heilman seconded Martin and noting the absence of Koretz, unanimously carried.

CITIZEN COMMENTS:

JEFF PRANG, WEST HOLLYWOOD, thanked Councilmember Martin for appointing him to the Rent Stabilization Commission and commended him on his selections for the other commissions.

6. LEGISLATIVE:

- A. PROPOSED ORDINANCE ADDING TWO AT-LARGE COMMISSIONERS TO THE PUBLIC SAFETY COMMISSION:**
ACTION: Introduce Ordinance No. 94-411, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD INCREASING THE MEMBERS OF THE PUBLIC SAFETY COMMISSION AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE"

Motion Heilman, seconded Martin and noting the absence of Koretz, unanimously carried.

B. CODE AMENDMENT REGARDING MOTOR VEHICLE ALARMS, LIMITING THE USE OF AUDIBLE STATUS INDICATOR TYPE OF ALARM SYSTEMS:

Council Deputy Jim Sweeney provided background information as outlined in the staff report dated June 6, 1994.

ACTION: Introduce Ordinance No. 94-412, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 4304(i), RELATING TO VEHICLE ALARMS, OF THE WEST HOLLYWOOD MUNICIPAL CODE."

Motion Heilman, seconded Guarriello and noting the absence of Koretz, unanimously carried.

C. PROPOSED ORDINANCE REGARDING EXTRA RENT INCREASES FOR LANDLORDS WHO PAY FOR UTILITIES:

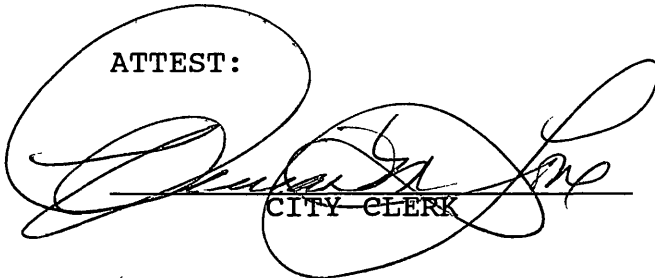
This Item was removed from the Agenda to be referred to Rent Stabilization Commission, at the request of Councilmember Martin.

COUNCILMEMBER COMMENTS: The Councilmembers wished Mayor Land well in Tuesday's election.

ADJOURNMENT: The City Council adjourned at 11:20 p.m. to a study session to be held on Monday, June 13, 1994, at 7:00 P.M. in the Community Conference Room at 8615 Santa Monica Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 20TH DAY OF JUNE, 1994.

ATTEST:


CITY CLERK


MAYOR