

**CITY COUNCIL
MINUTES
MONDAY, MARCH 21, 2005
WEST HOLLYWOOD PARK AUDITORIUM**

CALL TO ORDER: The meeting was called to order at 6:42 P.M.

PLEDGE OF ALLEGIANCE: Madeleine Rackley led the pledge.

ROLL CALL: PRESENT: Councilmember Guarriello, Heilman, Prang, Mayor Pro Tempore Land and Mayor Duran.

ABSENT: None.

ALSO PRESENT: City Manager Paul Arevalo, City Attorney Michael Jenkins, City Clerk Tom West and Assistant City Clerk Gwen Peirce.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that the Closed Session convened at 6:00 PM. He stated that the Closed Session adjourned at 6:35 PM with no reportable action taken.

APPROVAL OF AGENDA:

Councilmember Guarriello requested that Item 5.A. be moved to the Consent Calendar as Item 2.T.

Councilmember Heilman noted his ABSTENTION on Item 2.P.

Mayor Pro Tempore Land requested that Item 2.M. be moved to Excluded Consent.

Mayor Pro Tempore Land requested that the meeting be adjourned in the memory of Giller Ramorez Roush.

Councilmember Prang requested that the meeting be adjourned in the memory of Kenneth Wade's mother.

Motion by Mayor Pro Tempore Land, seconded by Councilmember Guarriello to approve the March 21, 2005 agenda as amended and carried unanimously.

PRESENTATIONS:

Councilmember Guarriello presented a commendation to Lieutenant Buddy Goldman from the West Hollywood Sheriff's Station for his work in the City of West Hollywood.

Mayor Pro Tempore Land presented a proclamation to Fire Captain Stanley Perkins in honor of his retirement and for his work in the City of West Hollywood.

Mayor Pro Tempore Land presented a proclamation to Christina Chavez proclaiming March 21st as "Cesar Chavez Day".

Mayor Duran presented a proclamation to Jan Harmon and Joan Satt from the City of West Hollywood's Environmental Services in honor of the "Re-Use a Shoe" Campaign.

Mayor Duran presented a commendation to Bienestar for their 15 year anniversary celebration.

SPECIAL ITEM:

A. CERTIFICATION OF ELECTION RESULTS OF THE GENERAL MUNICIPAL ELECTION OF MARCH 8, 2005:

ACTION: 1) Declare Jeffrey Prang and John J. Duran elected as Member of the City Council to a full term of four years; and 2) Adopt Resolution No. 05-3201, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, RECITING THE FACT OF THE GENERAL ELECTION HELD ON MARCH 8, 2005, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW." **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and unanimously approved.**

B. COUNCILMEMBER COMMENTS: None.

C. ADMINISTER THE OATH OF OFFICE TO THE NEWLY ELECTED COUNCILMEMBERS:

The Honorable Zeke Zeidler administered the oath of office to Jeffrey Prang and the Honorable Kristi Lousteau administered the oath of office to John J. Duran.

THE CITY COUNCIL RECESSED AT 7:12 PM AND RECONVENED AT 7:25 PM.

1. PUBLIC COMMENT:

SUSAN HOLT, Manager of LA Gay & Lesbian Center Domestic Abuse Center, spoke in support of Item 2.K., the City's Support for a Hotel Voucher Pilot Program for Emergency Temporary Shelter for Victims of Domestic Violence from the LGBT Community.

HOWARD JACOBS, WEST HOLLYWOOD, representing Being Alive and GLASS, spoke in support of Items 2.L. and 2.Q.

AGASSI TOPCHIAN, WEST HOLLYWOOD, spoke in support of Item 2.R., resolutions in support of bills that strengthen tenants' rights.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the West Hollywood Tribune and spoke regarding issues raised during the recent City election.

MADELEINE RACKLEY, WEST HOLLYWOOD, and members of the Women's Advisory Board, spoke in support of the certification of the newly elected City Councilmembers and spoke in support of Mayor Pro Tempore Land to be elected the new Mayor. She

also announced the upcoming Women in Leadership Awards at 6:00 PM this Wednesday in support of Amnesty International.

JACK MERRILL, WEST HOLLYWOOD, spoke regarding the recent election and issues concerning development in the City.

ANGELA NEAVE, LOS ANGELES, thanked Mayor Pro Tempore Land for her help with the "V" Day event.

DON DUNCAN, LOS ANGELES, spoke in support of the City developing a policy on regulations for medical marijuana dispensaries and expressed interest in participating in the development process.

MINDY BRADISH, BURBANK, EXECUTIVE DIRECTOR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, congratulated Councilmember Prang and Mayor Duran on their recent election and Mayor Pro Tempore Land on her election as new Mayor.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding a community meeting on the proposed library and spoke in opposition to the proposed Council Chambers only seating 140 people. She spoke in support of Jan Harmon and Lt. Buddy Goldman.

ED BUCK, WEST HOLLYWOOD, spoke regarding the low voter turnout during the recent City Election and requested that the City provide more candidate forums and voter outreach in the future. He spoke in support of the residents working with the newly re-elected Councilmembers on issues facing the City.

MARCY NORTON, WEST HOLLYWOOD, announced "National Library Month" events during April. She congratulated Councilmember Prang and Mayor Duran on being re-elected and Mayor Pro Tempore Land as becoming Mayor.

ED GARREN, WEST HOLLYWOOD, congratulated Mayor Duran and Councilmember Prang for being re-elected and thanked the City Clerk's Office for their work during the election. He expressed concern over the streamlining process and the seismic testing on the Sunset Millennium project.

JEAN MATHISON, WEST HOLLYWOOD, spoke regarding the lawsuit filed by the California Veterinary Association on the City's ban on mutilation on animals and spoke in support of the City's stance.

ROBERT THARP, SAN FRANCISCO, spoke regarding his work and attempts to open a medical marijuana dispensary in the City.

COUNCILMEMBER COMMENT:

Councilmember Guarriello congratulated Mayor Duran and Councilmember Prang on their recent re-election to the City Council. He spoke regarding the behavior of public

speakers during the campaign and spoke in support of public comments that expressed support for the newly re-elected Councilmembers.

Councilmember Heilman congratulated Mayor Duran and Councilmember Prang on their recent re-election to the City Council. He reported on the National League of Cities Annual Conference and spoke regarding two priority items important to the City of West Hollywood – the preservation of CDBG Funds and the preservation of Section 8 Housing.

Councilmember Prang thanked the people of West Hollywood for their support in the election and congratulated Mayor Duran on his re-election.

Mayor Pro Tempore Land congratulated Mayor Duran and Councilmember Prang on their re-election. She spoke in support of public comments that expressed support for the newly re-elected Councilmembers. She announced the publication of “The Choral Singers Survival Guide.”

Mayor Duran announced an upcoming concert of the Gay Men’s Chorus with Lily Tomlin. He spoke regarding the City of San Francisco’s moratorium on medical marijuana dispensaries and the City of West Hollywood’s work towards the regulation of these businesses. He spoke regarding additional earthquake testing on the Sunset Millennium site. He thanked the residents of West Hollywood for their support in the election. He spoke in support of the Council working with the residents on issues facing the City, such as development and housing.

CITY MANAGER’S REPORT:

City Manager Arevalo provided an update on the National League of Cities Annual Conference and spoke regarding income tax proposals that would negatively impact the State of California. He provided an update on the City’s budget and spoke regarding external factors that are facing the City’s budget. He requested that the City Council consider scheduling a special meeting regarding the Sunset Millennium project on Wednesday, April 13th.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$326,000 in expenditures and \$97,520 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,H.,I., J.,K.,L.,M.,N.,O.,P.,Q.,R.,S. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and carried unanimously with Councilmember Heilman’s ABSTENTION on Item 2.P.**

2.A. POSTING OF AGENDA:

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of March 7, 2005. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 528, RESOLUTION NO. 05-3200:

ACTION: Approve Demand Register No. 528 and adopt Resolution No. 05-3200, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 528." **Approved as part of the Consent Calendar.**

2.D. ORDINANCE NO. 05-700 (2ND READING), A PROPOSED ORDINANCE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 1200 BLOCK OF GENESEE AVENUE:

ACTION: Waive further reading and adopt Ordinance No. 05-700, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 OF THE WEST HOLLYWOOD MUNICIPAL CODE IMPLEMENTING DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 1200 BLOCK OF GENESEE AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

2.F. IMPLEMENTATION OF DISTRICT 8 PREFERENTIAL PARKING REGULATIONS ON THE 7700 BLOCK OF NORTON AVENUE BETWEEN THE HOURS OF 7 P.M. AND 7 AM SEVEN DAYS A WEEK:

ACTION: Introduce for first reading Ordinance No. 05-702, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY WEST HOLLYWOOD AMENDING TITLE 10, CHAPTER 10.08.230 c. OF THE WEST HOLLYWOOD MUNICIPAL CODE BY AMENDING THE LIST OF STREETS REGULATED IN PREFERENTIAL PARKING DISTRICT 8 BY ADDING THE 7700 BLOCK OF NORTON AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.G. APPROVAL OF A CONTRACT TO HIRE A CONSULTANT TO PROVIDE CONSTRUCTION INSPECTION AND PROJECT MANAGEMENT FOR VARIOUS TRAFFIC SIGNAL CONSTRUCTION PROJECTS ASSOCIATED WITH THE WESTSIDE NORTH-SOUTH CORRIDOR PROJECT:

ACTION: Approve an agreement with Berg & Associates in a not to exceed amount of \$160,000 to provide professional services for construction inspection and project management for various traffic signal

construction projects associated with the Westside North-South Corridor Project, and authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.H. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITIES OF BEVERLY HILLS AND WEST HOLLYWOOD REGARDING REIMBURSEMENT OF PROPOSITION A INCENTIVE FUNDS FOR THE COORDINATED DIAL A RIDE PROGRAMS:

ACTION: 1) Direct staff to negotiate a Memorandum of Understanding (MOU) between the City of West Hollywood and Beverly Hills for the reimbursement of Proposition A Incentive Funds with the City Attorney; 2) Authorize the City Manager to execute the MOU with the City of Beverly Hills for the reimbursement of Proposition A Incentive Funds; and 3) Authorize the Director of Finance to increase budgeted revenues in the Proposition A Fund Account 218-0000-5037 Incentive Funds Dial A Ride by \$212,000 and a negative amount of \$114,480 in revenue account 218-0000-5037 for the City of Beverly Hills share of funds for fiscal years 2002 and 2003 operations. **Approved as part of the Consent Calendar.**

2.I. AUTHORIZATION TO AMEND AN AGREEMENT FOR CONSULTANT SERVICES WITH JOAN SATT:

ACTION: Approve Amendment No. 1 to the Agreement with Joan Satt increasing the professional services by \$6,000 for a total amount not to exceed \$31,000 for solid waste and recycling public education, and authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.J. APPROVAL OF A CONTRACT TO HIRE A CONSULTANT TO PROVIDE CONSTRUCTION INSPECTION AND PROJECT MANAGEMENT FOR STREET PAVING AT LA CIENEGA BLVD/MELROSE AVENUE:

ACTION: Approve an agreement with RBF Consulting in a not to exceed amount of \$80,000 to provide professional services for construction inspection and project management for the La Cienega Blvd. and Melrose Avenue Street Paving Project, and authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.K. APPROVAL FOR THE CITY'S SUPPORT FOR A HOTEL VOUCHER PILOT PROGRAM FOR EMERGEY TEMPORARY SHELTER FOR VICTIMS OF DOMESTIC VIOLENCE FROM THE LGBT COMMUNITY:

ACTION: Approve for the City's support of the LA Gay & Lesbian Center's proposed new hotel voucher pilot program for LGBT victims of domestic violence. **Approved as part of the Consent Calendar.**

2.L. BEING ALIVE SUMMER FUNDRAISING EVENT:

ACTION: 1) Approve the request to co-sponsor the event for Being Alive on Sunday, June 5, 2005 in the City of West Hollywood; and 2) Authorize the usage of West Hollywood Park and Pool on Sunday, June 5, 2005 and waive all fees and deposits associated with the rental. **Approved as part of the Consent Calendar.**

2.M. A RESOLUTION TO REQUIRE THE ANNUAL ROTATION OF BOARD AND COMMISSION CHAIRS AND VICE-CHAIRS:

ACTION: Moved to Excluded Consent.

2.N. UPDATE ON INTERIM URGENCY ORDINANCE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES:

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

2.O. CONTRACT WITH THE LEW EDWARDS GROUP FOR SURVEY AND ANALYSIS FOR POTENTIAL REVENUE MEASURES:

ACTION: 1) Authorize a contract with The Lew Edwards Group and authorize the City Manager to execute the contract; and 2) Authorize the Director of Finance to appropriate \$65,500 from the undesignated reserves in the General Fund and to increase budgeted expenditures in account 1001010-8501 by \$65,500. **Approved as part of the Consent Calendar.**

2.P. REQUEST TO AMEND THE ZONING ORDINANCE REGARDING THE USE OF THE MIXED-USE BONUS AREA AND TO CONSTRUCT A 42,814 SQUARE-FOOT MIXED-USE PROJECT WITH 16 DWELLING UNITS, A 20-ROOM HOTEL AND A 3,997 SQUARE-FOOT RESTAURANT:

ACTION: Adopt Resolution No. 05-3184, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING A NEGATIVE DECLARATION AND CONDITIONALLY APPROVING DEMOLITION PERMIT 2004-08, DEVELOPMENT PERMIT 2004-07, CONDITIONAL USE PERMIT 2004-03 FOR HOTEL USE AND THE SALES, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AND VARIANCE 2004-03 FOR A 42,814 SQUARE FOOT MIXED-USE DEVELOPMENT WITH A 3,997 SQUARE-FOOT RESTAURANT SPACE, 20 HOTEL ROOMS, AND 16 CONDOMINIUM UNITS AT 8465 HOLLOWAY DRIVE, WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar with Councilmember Heilman's ABSTENTION.**

2.Q. RESOLUTION TO SUPPORT SB 307 (SIMITIAN):

ACTION: 1) Approve Resolution 05-3202, "A RESOLUTION TO SUPPORT SB 307, A BILL THAT REQUIRES YOUTH UNDER THE AGE OF EIGHTEEN TO HAVE A PRESCRIPTION FROM A LICENSED PHYSICIAN IN ORDER TO PURCHASE OVER THE COUNTER

MEDICATION WITH THE PRODUCT DEXTROMETHORPHAN (DXM)”; and 2) Send copies of this resolution to State Senator Joseph Simitian, State Senator Sheila Kuehl, Assemblymember Paul Koretz, members of the CA State Senate Public Safety and Health Committees and other appropriate legislators as needed. **Approved as part of the Consent Calendar.**

2.R. RESOLUTIONS IN SUPPORT OF SB 51 (KUEHL) AND SB 735 (TORLAKSON) SEEKING TO STRENGTHEN THE RIGHTS OF TENANTS:

ACTION: 1) Adopt Resolution No. 05-3203, “A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF SB 51 (KUEHL) SEEKING TO STRENGTHEN THE RIGHTS OF TENANTS”; 2) Adopt Resolution No. 05-3204, “A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF SB 735 (TORLAKSON) SEEKING TO STRENGTHEN THE RIGHTS OF TENANTS”; and 3) Direct staff to send copies of signed resolution to ACORN, Western Center on Law and Poverty, California Affordable Housing Institute, Coalition for Economic Survival, Senator Sheila Kuehl and Senator Tom Torlakson. **Approved as part of the Consent Calendar.**

2.S. A RESOLUTION IN SUPPORT OF AB 781 (LENO), RENTAL PROPERTY, THE ANTI-SPECULATOR BILL:

ACTION: 1) Adopt Resolution 05-3205, “A RESOLUTION IN SUPPORT OF AB 781 (LENO), RENTAL PROPERTY, THE ANTI-SPECULATOR BILL”; 2) Send copies of the resolution to California State Senator Sheila James Kuehl, Assemblymember Paul Koretz, U.S. Senators Barbara Boxer and Diane Feinstein, Congressman Henry Waxman, and Governor Arnold Schwarzenegger. **Approved as part of the Consent Calendar.**

2.T. (5.A.) ASSIGNMENT AGREEMENT BETWEEN THE CITY OF HAWTHORNE AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS:

ACTION: 1) Approve a Prop A fund trade agreement with the City of Hawthorne for \$943,250 West Hollywood General Funds in exchange for \$1,225,000 City of Hawthorne Prop A Funds; 2) Authorize the City Manager to execute the agreement; 3) Authorize the Director of Finance to allocate \$748,250 from the unallocated reserves in the general fund and to increase budgeted general fund expenditures, Account No. 100-8030-7580, by \$748,250; and 4) Authorize the Director of Finance to increase budgeted revenues in the Prop A Fund, Account No. 218-0000-4800 by \$946,429. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. URGENCY ORDINANCE REGARDING SIGN SUBSTITUTION AND AN ORDINANCE REGARDING NEIGHBORHOOD MEETINGS:

Mayor Duran stated that the item was noticed as required by law.

Francie Stefan, Senior Planner, provided background information as outlined in the staff report dated March 21, 2005.

Mayor Duran opened the public hearing and the following speakers came forward:

ED GARREN, WEST HOLLYWOOD, spoke in support of the historic designation application being allowed to be filed after the time of the neighborhood meeting.

WILLIAM NEISH, WEST HOLLYWOOD, spoke in opposition to the proposed Ordinance relating to mandatory neighborhood meetings.

LAUREN MEISTER, WEST HOLLYWOOD, spoke in opposition to the proposed change to the neighborhood meeting requirement because it would not give residents enough time for input.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the proposed changes regarding signs and neighborhood meetings.

Mayor Duran closed the public hearing.

City Attorney Jenkins spoke regarding the impetus for the changes to the ordinances.

Councilmember Prang expressed concern that the proposed changes to the ordinance relating to neighborhood meetings would actually produce the opposite results so that developers would not hold meetings prior to an application for a large project.

Mayor Pro Tempore Land spoke in support of developers holding neighborhood meetings prior to applying for projects. She expressed concern that the proposal would not allow for enough neighborhood input.

ACTION: 1) Adopt Urgency Ordinance No. 05-703U, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2005-01 RELATING TO SUBSTITUTION OF NON-COMMERCIAL COPY ON PERMITTED SIGNS AND DECLARING THE URGENCY THEREOF."; **Motion by Councilmember Prang, seconded by Councilmember Heilman and unanimously approved.**

2) Adopt and Introduce on first reading Ordinance No. 05-704, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2005-01 RELATING TO SUBSTITUTION OF NON-COMMERCIAL COPY ON PERMITTED SIGNS."; **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and unanimously approved.**

3) Adopt and Introduce on first reading Ordinance No. 05-705, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING ZONING TEXT AMENDMENT 2005-02 RELATING TO MANDATORY NEIGHBORHOOD MEETINGS." **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and approved on a ROLL CALL VOTE with Councilmember Prang and Mayor Pro Tempore Land voting NO.**

4. UNFINISHED BUSINESS:

4.A. APPROVE COMMERCIAL CODE COMPLIANCE ENFORCEMENT PROGRAM RELATED TO THE PUBLIC RIGHT-OF-WAY:

Tom Benedetti, Code Compliance Manager, provided background information as outlined in the staff report dated March 21, 2005.

JORDAN CHINICH, WEST HOLLYWOOD, spoke in support of staff's recommendation for enforcement of displays and A-frame signs in the public right-of-way.

DEBRA CHODASH, WEST HOLLYWOOD, spoke in support of staff's recommendation for enforcement of displays and A-frame signs in the public right-of-way.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of staff's recommendation for enforcement of signs in the public right-of-way. She spoke regarding the history of enforcement of these signs. She spoke regarding enforcing proper clearance in the public right-of-way.

Mayor Pro Tempore Land spoke in support of the City working with the Chamber on public outreach to the businesses to explain the enforcement. She spoke in support of instilling a clear timeline for the enforcement.

Mayor Duran spoke regarding the history of why the City ceased the enforcement of these signs.

Councilmember Prang spoke in support of enhancing sidewalk activities on Santa Monica Boulevard that would not cause right-of-way issues.

ACTION: Authorize the Commercial Code Compliance Division to make enforcement of the Zoning Ordinance as it relates to outdoor display and

A-frame signs in the public right-of-way a priority. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and unanimously approved.**

4.B. REPORT AND FOLLOW-UP ON AN ITEM DESIGNATING A CERTAIN PORTION OF SANTA MONICA BOULEVARD AS THE "LITTLE RUSSIA BUSINESS DISTRICT" OR OTHER SIMILARLY THEMED AREA:

Jeffrey Huffer, Project Administrator and Ray Reynolds, Director of Economic Development, provided background information as outlined in the staff report dated March 21, 2005.

LYNDIA LOWY, WEST HOLLYWOOD, spoke in opposition to the proposed recommendation. She spoke in support of the proposal first being reviewed by the Project Advisory Committee. She spoke in support of sponsorship of Russian Cultural events.

RIC RICKLES, WEST HOLLYWOOD, spoke in opposition to designating a portion of the City to any specific ethnic population. He spoke in support of sponsorship of Russian Cultural events.

GRACIELA IPPARAGUIRRE, WEST HOLLYWOOD, spoke in opposition to designating a portion of the City to any ethnic population.

FRED VANACORE, WEST HOLLYWOOD, spoke in opposition to designating a portion of the City to any ethnic population.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the Russian Cultural events, but expressed concern over the designation of a portion of the City.

Mayor Pro Tempore Land spoke in support of celebrating the Russian-speaking community while ensuring that it is inclusive.

Councilmember Prang spoke in support of the potential project as it is in moving forward. He expressed concern that none of the Russian community associations have been included in the planning process. He spoke in support of the Project Advisory Committee also providing input.

Councilmember Heilman spoke in support of the concept of supporting the Russian-speaking community as a part of the whole City. He spoke in support of revising the item and getting input from the PAC. He spoke in support of promoting the Russian community, businesses and cultural activities without designating it "Little Russia."

Mayor Duran spoke regarding businesses in Boys' Town adapting to the surrounding community. He spoke in support of this project encouraging

non-Russian speaking individuals to patronize Russian businesses and the Russian businesses doing outreach to the non-Russian speaking community. He spoke in support of any advisory committee meetings being held at Plummer Park with Russian translators.

Councilmember Guarriello spoke in support of including the PAC in the decision-making process and not designating a name without proper community input.

Mayor Pro Tempore Land spoke in support of allocating resources to the project.

ACTION: ~~1) Appoint an advisory committee to be facilitated by the Department of Economic Development and Special Projects to continue studying this concept and to make additional recommendations to the City Council; 2) Authorize the Director of Finance to allocate \$60,000 from undesignated General Fund reserves and to increase budgeted expenditures by \$60,000 in account 100-1040-8129 for the hiring of a consultant to develop a promotional strategy, logo, identity features and marketing materials; and 3) Continue, and expand as possible, City sponsorship of Russian Cultural events. Carried by consensus of the Council to refer the item back to Staff, eliminating the designation of Little Russia; revise item and bring to the Project Advisory Committee with the goal of expanding the advisory committee for the project; address how to promote the Russian businesses in the community and how to encourage the outreach of Russian businesses to the non-Russian speaking community; and report back to Council in 120 days.~~

4.C. RECOMMENDATIONS RELATIVE TO ADDRESSING UNACCEPTABLE TAXICAB FRANCHISE PERFORMANCE:

Terri Slimmer, Transportation Manager, provided background information as outlined in the staff report dated March 21, 2005.

YOLA DORE, WEST HOLLYWOOD, spoke regarding her being misquoted in a newspaper article which has caused the taxicab companies to refuse to pick her up.

RITA NORTON, WEST HOLLYWOOD, spoke regarding a recent bad experience with a taxicab driver who drives for United Independent Taxi.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding several bad experiences she has had with taxicab companies, especially United Independent Taxi.

RIC RICKLES, WEST HOLLYWOOD, spoke regarding good and bad experiences with the taxicab companies, and spoke regarding the importance of every driver being made aware of the taxi coupons.

MICHAEL ARRIGO, WEST HOLLYWOOD, spoke regarding a recent incident where he was assaulted by a taxicab driver. He volunteered to assist in any outreach efforts, such as sensitivity training.

MARTIN SHATAKIAN, President of United Independent Taxi, apologized for the incident with Yola Dore and provided background information on the incident. He provided information on the performance of his company in the City of West Hollywood.

NETTABAI AHMED, SANTA MONICA, spoke in opposition to the due process. He spoke regarding the performance of his company in the City of West Hollywood.

BILL ROUSE, representing Yellow Cab, spoke in opposition to the process of the issuance of the notice of default.

STEVEN AFRIAT, spoke in opposition to the process of the issuance of the notice of default. He spoke regarding issues with which the City has not complied.

Councilmember Heilman spoke in support of staff's recommendation and spoke in support of the taxicab companies complying with the City in order to move forward.

Mayor Duran expressed concern over the limited data and if it displays a trend. He expressed concern over staff's recommendations due to the limited information. He spoke in support of including more input from the Transportation Commission and the taxicab companies in the process. He spoke in support of not approving the item as is, and in support of sending the item to the Transportation Commission.

Mayor Pro Tempore Land spoke regarding these issues being addressed in an ongoing basis. She spoke in support of including other individuals to provide input, i.e. a taxicab "roundtable" that would meet on a quarterly basis to work through the various issues. She spoke in support of approving the item as it is.

Councilmember Prang spoke in opposition to issuing a notice of default. He spoke about working with the taxicab companies to assist them in working effectively in the City of West Hollywood. He spoke in support of a potential taxicab roundtable and including the Transportation Commission in the process.

Councilmember Heilman spoke about ensuring that the taxicab companies are not able to blame City staff for their deficiencies.

Councilmember Guarriello spoke in support of the proposed recommendation.

Mayor Pro Tempore Land requested that staff be directed to establish a taxicab roundtable, including Presidents of taxicabs, members of Transportation Commission and staff to meet quarterly.

ACTION: 1) That the City Council direct staff to issue notice of default (Taxicab Franchise Agreement, Section 17, paragraph C) to all City taxicab franchisees with a cure notice period of six (6) months; 2) Direct staff to increase taxi performance oversight with a focus on overcharging; failure to respond to calls for service; failure to accept taxi coupons; driver courtesy and bandit cabs; 3) Direct staff to revisit the penalty point assessment for driver and company violations, with an emphasis on increasing penalty points for franchised companies operating non-permitted taxicabs within the City; 4) Direct staff to review and participate in each franchisee's driver training and sensitivity with assistance where appropriate from volunteers of the community; and 5) Direct staff to return to City Council at the end of the six month cure period with performance review and recommendations on each franchised taxicab company. 6) Establish a Taxicab Roundtable, including Presidents of taxicab companies, members of the Transportation Commission and staff to meet quarterly. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and approved on a ROLL CALL VOTE with Councilmember Prang and Mayor Duran voting NO.**

4.D. VARIOUS COMMISSION AND ADVISORY BOARD APPOINTMENTS:

ACTION:

1) Make 1 at-large appointment to the Business License Commission;

ERIK BARKER

2) Make 1 at-large appointment (woman) to the Lesbian & Gay Advisory Board;

TABLED

3) Make 1 at-large appointment to the Russian Advisory Board; and

TABLED

4) Make 2 at-large appointments to the Women's Advisory Board.

KELLY ALEXANDER; OTHER APPOINTMENT TABLED.

5. NEW BUSINESS:

5.A. ASSIGNMENT AGREEMENT BETWEEN THE CITY OF HAWTHORNE AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS:

ACTION: Moved to the Consent Calendar as Item 2.T.

5.B. ELECTION OF MAYOR AND MAYOR PRO TEMPORE:

ACTION: Call for nominations and election of Mayor and Mayor Pro Tempore. **Motion by Councilmember Guarriello to elect Mayor Pro Tempore Land as Mayor and unanimously carried. Motion by Mayor Pro Tempore Land, to elect Councilmember Heilman as Mayor Pro Tempore and unanimously carried.**

EXCLUDED CONSENT CALENDAR:

2.M. A RESOLUTION TO REQUIRE THE ANNUAL ROTATION OF BOARD AND COMMISSION CHAIRS AND VICE-CHAIRS:

Councilmember Guarriello provided background information as outlined in the staff report dated March 21, 2005.

Mayor Pro Tempore Land spoke in support of the annual rotation being placed into the by-laws of each Commission and Advisory Board.

Councilmember Heilman spoke in support of getting input from the Commissions and Advisory Boards.

Councilmember Prang spoke in support of getting more information in order to determine how the boards and commissions operate. He expressed concern over certain commissions that do not rotate their chair on an annual basis.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the politics that are involved in the rotation of the chair. She spoke regarding excessive absences of Commission and Boardmembers.

ACTION: Direction to the City Manager to agendize this issue for the next Chairs meeting and bring back the input to the City Council. Carried by Consensus of the Council.

PUBLIC COMMENT:

MICHAEL ARRIGO, WEST HOLLYWOOD, congratulated the re-elected Councilmembers.

YOLA DORE, WEST HOLLYWOOD, volunteered for a taxicab roundtable or any other input for the taxicab companies.

JOYCE HEFTEL, WEST HOLLYWOOD, spoke in support of the additional seismic tests for the Sunset Millennium project. She requested that Fountainview is allowed to present their items right after another.

G.G. VERONE, WEST HOLLYWOOD, spoke in support of the additional seismic tests for the Sunset Millennium project.

6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS:

Mayor Duran spoke regarding scheduling a Special Meeting for Wednesday, April 13, 2005 regarding the Sunset Millennium project.

ADJOURNMENT: The City Council adjourned at 10:35 P.M. in the memory of Giller Ramorez Roush and Kenneth Wade's mother to their next regular meeting, which will be on Monday, April 4, 2005 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 4th DAY OF APRIL, 2005.

JOHN J. DURAN, MAYOR

ATTEST:

THOMAS R. WEST, CITY CLERK