

**CITY COUNCIL
MINUTES
MONDAY, DECEMBER 5, 2005**

CALL TO ORDER: The meeting was called to order at 6:45 P.M.

PLEDGE OF ALLEGIANCE: Rae Mitchell led the pledge.

ROLL CALL: **PRESENT:** Councilmember Duran, Guarriello, Prang, Mayor Pro Tempore Heilman and Mayor Land.
 ABSENT: None.
 ALSO PRESENT: City Manager Paul Arevalo, City Attorney Michael Jenkins, City Clerk Tom West and Assistant City Clerk Corey Schaffer.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that the Closed Session convened at 6:00 P.M. He stated that there were no public speakers and one item of pending litigation was added to the agenda, the City of West Hollywood v. Traverso. He stated that the Closed Session adjourned at 6:40 P.M. with no reportable action taken.

APPROVAL OF AGENDA:

Mayor Land requested to Table Item 4.B. She requested to move Items 4.A., 6.B., 6.C., and 6.D. to the Consent Calendar as Items 2.R., 2.T., 2.U., and 2.V.

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

Mayor Pro Tempore Heilman noted is NO vote on Item 2.S. (5.A).

Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Heilman to approve the December 5, 2005 agenda as amended and unanimously approved.

Mayor Land requested that the meeting be adjourned in memory of Molly Yard Garrett, a long-time feminist and former president of N.O.W.; and in memory of Wendie Jo Sperber, an actress and cancer victims' activist.

Councilmember Prang requested the meeting be adjourned in memory of John Farkas, a local political representative; in memory of Ida Sachs, cousin to City Commissioner Norman Chramoff; in memory of Yevgeniya Konviser, a West Hollywood resident and Holocaust survivor; and in memory of Jack Paynter, a former Dean at James Madison College.

PRESENTATIONS:

None.

1. PUBLIC COMMENT:

MINDY BRADISH, BURBANK, spoke regarding Item 6.B.

HARRISON KLINE AGUADO, WEST HOLLYWOOD, spoke in support of Items 2.N. and 2.M.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding various local and national issues.

BRYAN NEWMAN, WEST HOLLYWOOD, spoke regarding code compliance violations issued for the outdoor lighting at his condominium building at 838 Doheny Drive.

MARK ARONSON, WEST HOLLYWOOD, spoke regarding code compliance violations issued for the outdoor lighting at his condominium building at 838 Doheny Drive.

MEGAN GONZALEZ, WEST HOLLYWOOD, spoke regarding the LIFE Program serving the senior community in West Hollywood.

NICOLE CURRAN, WEST HOLLKWOOD, spoke regarding the LIFE Program serving the senior community in West Hollywood.

TODD STEADMAN, WEST HOLLYWOOD, spoke regarding the Sunset Strip Bid Association and an upcoming neighborhood reception.

RIC RICKLES, WEST HOLLYWOOD, spoke regarding issues facing seniors in the City and difficulties with a proposed State prescription drug program.

PAT DIXON, WEST HOLLYWOOD, spoke regarding safety concerns at 1248-1252 N. Laurel (Carlton Manor).

RICHARD SMITH, WEST HOLLYWOOD, spoke regarding traffic and safety concerns in the City.

DAVID SMITH, SANTA CLARITA, spoke regarding his new position at the West Hollywood Chamber of Commerce.

COUNCILMEMBER COMMENTS:

Councilmember Prang requested staff to investigate concerns raised during Public Comment regarding lighting at Carlton Manor. He spoke regarding the cancellation of an upcoming Neighborhood Watch Block Captain Training, which will be rescheduled

sometime in January of 2006. He spoke regarding an upcoming First Aid training at Plummer Park and encouraged residents to attend.

Councilmember Duran spoke regarding concerns raised during Public Comment surrounding lighting code violations at 838 Doheny Drive.

Councilmember Guarriello spoke regarding Michael John Smith, a recent World AIDS Day award recipient for his work with PAWS LA.

Mayor Pro Tempore Heilman congratulated staff and all the recipients of the recent World AIDS day awards for their work with people living with HIV/AIDS. He thanked David Reid for his broadcast of AIDS Watch. He spoke regarding concerns about Item 6.B. that were raised during Public Comment and asked staff to investigate. He spoke regarding Item 2.J. and requested staff to return to Council in one year with an update report. He requested a report on the illuminated sidewalk project on Sunset. He spoke regarding concerns raised during Public Comment surrounding lighting at Carlton Manor. He requested staff to meet with the residents of 838 Doheny Drive and return to Council with an update on the lighting code violations.

Mayor Land presented a letter from Senator Diane Feinstein thanking the City for its generous contributions to the victims of Hurricane Katrina. She also thanked residents and City Staff for all their work on various services, outreach and fund raising programs. She spoke regarding possible changes to the MTA #4 Bus Line that runs along Santa Monica Boulevard. She spoke regarding an upcoming report from the Well West Hollywood Committee and an upcoming press conference with Project YIMBY and PATH regarding services for the homeless.

CITY MANAGER'S REPORT:

City Manager Arevalo thanked the Public Safety Division and the Public Safety Commission on their recent Town Hall Meeting regarding emergency preparedness and announced other upcoming events from the Public Safety Division.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$238,650.00 in expenditures and \$2,234,649.00 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G.,H., I.,J.,K.,L.,M.,N.,O.,P.,Q.,R.,S.,T.,U.,V. **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

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 November 7, 2005. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 544, RESOLUTION NO. 05-3330:

ACTION: Approve Demand Register No. 544 and adopt Resolution No. 05-3330, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 544." **Approved as part of the Consent Calendar.**

2.D. TREASURER'S REPORT FOR AUGUST 2005

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

2.E. ORDINANCE NO. 05-721 (2ND READING), A PROPOSED ORDINANCE AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE BY CREATING PREFERENTIAL PARKING DISTRICT 11, ESTABLISHING PARKING REGULATIONS FOR KINGS ROAD, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

ACTION: Waive further reading and adopt Ordinance No. 05-721, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE BY CREATING PREFERENTIAL PARKING DISTRICT 11, ESTABLISHING PARKING REGULATIONS FOR KINGS ROAD, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

2.G. APPROVAL OF AN AGREEMENT WITH MILLER BROOKS ENVIRONMENTAL, INC. TO PROVIDE CONSULTING SERVICES FOR THE BROWNFIELDS SITE ASSESSMENT PROGRAM:

ACTION: Authorize the City Manager to execute an agreement with Miller Brooks Environmental in the amount of \$44,876 to provide environmental consulting services relating to the Brownfields Site Assessment Program. **Approved as part of the Consent Calendar.**

2.H. AGREEMENT FOR SERVICES WITH TERRY A. HAYES ASSOCIATES LLC FOR A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT 1041 N. FORMOSA (THE LOT):

ACTION: 1) Approve the Agreement for Services with Terry A. Hayes Associates LLC in an amount not-to-exceed fifty-nine thousand one hundred and twenty-five dollars (\$59,125) for environmental services; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.I. CITYWIDE STREET FURNITURE CONTRACT:

ACTION: Approve the street furniture designs and direct staff to proceed with implementation, installation and maintenance of the City's Coordinated Street Furniture Program. **Approved as part of the Consent Calendar.**

2.J. AUTHORIZATION TO PROCEED WITH PREPARATION AND DISTRIBUTION OF CONSTRUCTION PLANS AND BID DOCUMENTS FOR THE INSTALLATION OF AN OVERHEAD PEDESTRIAN CROSSING BEACON AT THE INTERSECTION OF LA BREA AND LEXINGTON:

ACTION: Authorize the preparation and distribution of construction plans and bid documents for installation of an overhead pedestrian crossing beacon at the intersection of La Brea and Lexington. **Approved as part of the Consent Calendar.**

2.K. STATE GRANT RESOLUTION:

ACTION: 1) Adopt Resolution No. 05-3331, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE PER CAPITA GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002"; and 2) Appoint the City Manager as agent to conduct all negotiations, execute and submit all documents, applications and agreements necessary for completion of related grant funded projects. **Approved as part of the Consent Calendar.**

2.L. SCHEDULE DATE FOR ELECTION OF MAYOR AND MAYOR PRO TEMPORE AND SCHEDULE DATE FOR INSTALLATION OF NEW MAYOR AND MAYOR PRO TEMPORE FOR CALENDAR YEAR 2006:

ACTION: 1) Schedule the Election of the new Mayor and Mayor Pro Tempore for March 20, 2006; and 2) Schedule the Installation Activities for the Mayor and Mayor Pro Tempore for April 17, 2006. **Approved as part of the Consent Calendar.**

2.M. INCREASED ENFORCEMENT OF BICYCLISTS AND SKATEBOARDERS ON SIDEWALKS:

ACTION: Authorize the Public Safety Division to investigate methods of greater enforcement of pedestrian safety laws. **Approved as part of the Consent Calendar.**

2.N. INCREASED SUPPORT FOR DISABLED VETERANS:

ACTION: Authorize the City's lobbyist to support legislation that will increase federal funding for the care of aging, injured and disabled veterans. **Approved as part of the Consent Calendar.**

2.O. A RESOLUTION IN SUPPORT OF THE VIOLENCE AGAINST CHILDREN ACT OF 2005 (BOXER/BIDEN):

ACTION: 1) Adopt Resolution 05-3332, "A RESOLUTION IN SUPPORT OF THE VIOLENCE AGAINST CHILDREN ACT OF 2005 (BOXER/BIDEN)"; and 2) Send copies of resolution to U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, U.S. Senator Joe Biden, U.S. Representative Henry Waxman, California Governor Arnold Schwarzenegger, California State Senator Sheila J. Kuehl, and California State Assemblymember Paul Koretz. **Approved as part of the Consent Calendar.**

2.P. A RESOLUTION IN SUPPORT OF CALIFORNIA'S GREENHOUSE GAS EMISSION REDUCTION TARGETS:

ACTION: 1) Adopt Resolution No. 05-3333, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF CALIFORNIA'S GREENHOUSE GAS EMISSION REDUCTION TARGETS"; and 2) Direct staff to send copies of signed resolution to Governor Arnold Schwarzenegger, U.S. Senators Dianne Feinstein and Barbara Boxer, U.S. Representative Henry Waxman, State Senator Sheila Kuehl, Assemblymember Paul Koretz, L.A. County Supervisor Zev Yaroslavsky, the California Environmental Protection Agency, California League of Conservation Voters and Sierra Club. **Approved as part of the Consent Calendar.**

2.Q. A RESOLUTION IN SUPPORT OF AB 714 (RIDLEY-THOMAS), CONCERNING CONSUMER ACCESS TO VEHICLE KEY INFORMATION:

ACTION: 1) Adopt Resolution No. 05-3334, "A RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF INCREASING CONSUMER ACCESS TO VEHICLE KEY INFORMATION, AB 714 (RIDLEY-THOMAS)"; and 2) Direct staff to send copies of signed resolution to Assembly Member Mark Ridley Thomas, Assembly Member Paul Koretz, State Senator Sheila Kuehl and the California State Automobile Club of California. **Approved as part of the Consent Calendar.**

2.R. (4.A.) CO-SPONSORSHIP OF ANNUAL ACADEMY AWARDS VIEWING EVENTS:

ACTION: 1) Approve co-sponsorship of two high-profile events in West Hollywood; 2) Approve waiver of all associated fees and in-kind services (\$8,105); 3) Authorize the Director of Finance and Technology to allocate funds from undesignated reserves in the amount of \$10,500.00 to the Public Safety Division, account 100-2-04-534320 for the Celebration of Artistic Freedom event and \$11,800.00 for barricade services to the Recreation Division, account #100-3-05-51-535013 for traffic control; 4) Authorize the Director of Finance and Technology to allocate funds from undesignated reserves in the amount of \$9000.00 to the Public Safety Division, account 100-2-04-04-534320, which is one half the cost of

services for the Elton John AIDS Foundation event; 5) Authorize the Director of Finance and Technology to accept donations and sponsorship payment and amend the Human Services budget, account 100-3-05-05-531001, by the amount received for payment for costs associated with the events; and 6) Direct staff to work with DOT in determining the closure of San Vincente Blvd. for the Elton John AIDS Foundation Event.
Approved as part of the Consent Calendar.

2.S. (5.A.) AMEND AGREEMENT FOR SERVICES WITH SLAVIN MANAGEMENT CONSULTANTS FOR COMPLETION OF THE CLASSIFICATION AND COMPENSATION STUDY:

ACTION: 1) Approve Amendment No. 1 to Agreement for Services with Slavin Management Consultants increasing the original amount of \$71,500 by an additional amount of thirty-five thousand dollars (\$35,000) for completion of the Classification and Compensation Study. New Total Contract = \$106,500; 2) Authorize the City Manager to sign the amendment on behalf of the City; and 3) Authorize the Director of Finance & Technology Services to allocate \$35,000 from the General Fund Unreserved Fund Balance to contract services in the Division of Human Resources (100-1-02-27-531005). **Approved as part of the Consent Calendar with Mayor Pro Tempore Heilman voting NO.**

2.T. (6.B.) AN ORDINANCE AMENDING SECTION 5.08.130(e) AND SECTION 5.08.210(b) OF THE WEST HOLLYWOOD MUNICIPAL CODE TO AUTHORIZE THE DIRECTOR OF COMMUNITY DEVELOPMENT TO PLACE CONDITIONS ON BUSINESS LICENSES UPON RENEWAL:

ACTION: Introduce on first reading Ordinance No. 05-723, "AN ORDINANCE AMENDING SECTION 5.08.130(e) AND SECTION 5.08.210(b) OF THE WEST HOLLYWOOD MUNICIPAL CODE TO AUTHORIZE THE DIRECTOR OF COMMUNITY DEVELOPMENT TO PLACE CONDITIONS ON BUSINESS LICENSES UPON RENEWAL."
Approved as part of the Consent Calendar.

2.U. (6.C.) AN ORDINANCE AMENDING TITLE 7, CHAPTER 7.24 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING VACANT, ABANDONED OR UNDEVELOPED PROPERTY:

ACTION: Introduce for first reading Ordinance No. 05-724, "AN ORDINANCE AMENDING TITLE 7, CHAPTER 7.24. OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING VACANT, ABANDONED, OR UNDEVELOPED PROPERTY." **Approved as part of the Consent Calendar.**

2.V. (6.D.) AN ORDINANCE ADDING SECTIONS 5.104.020 & 5.104.030 TO THE WEST HOLLYWOOD MUNICIPAL CODE – PUBLIC EATING AND FOOD ESTABLISHMENTS:

ACTION: Introduce on first reading Ordinance No. 05-725, "AN ORDINANCE ADDING SECTIONS 5.104.020 & 5.104.030 TO THE

WEST HOLLYWOOD MUNICIPAL CODE – PUBLIC EATING AND FOOD ESTABLISHMENTS.” **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

None.

4. UNFINISHED BUSINESS:

4.A. CO-SPONSORSHIP OF ANNUAL ACADEMY AWARDS VIEWING EVENTS:

ACTION: Moved to Consent Calendar as Item 2.R.

4.B. 2005 HALLOWEEN CARNAVAL EVALUATION:

ACTION: This item was TABLED by Consensus of the Council.

4.C. COMMISSION AND ADVISORY BOARD APPOINTMENTS:

ACTION:

1) Mayor Land made one direct appointment to the Historic Preservation Commission;

Edward S. Levin

2) The City Council made one at-large appointment to the Russian Advisory Board.

Larisa Danilova

4.D. APPOINTMENT OF A REPRESENTATIVE TO THE LOS ANGELES COUNTY WEST VECTOR CONTROL BOARD:

ACTION: This item was TABLED by Consensus of the Council.

5. NEW BUSINESS:

5.A. AMEND AGREEMENT FOR SERVICES WITH SLAVIN MANAGEMENT CONSULTANTS FOR COMPLETION OF THE CLASSIFICATION AND COMPENSATION STUDY:

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

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE:

6.A. PROPOSED COMPENSATION ADJUSTMENT FOR COUNCIL MEMBERS:

No Speakers.

ACTION: 1) Re-Introduce for first reading Ordinance No. 05-722, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADJUSTING COUNCIL COMPENSATION FOR CITY COUNCILMEMBERS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Heilman and unanimously approved.**

- 6.B. AN ORDINANCE AMENDING SECTION 5.08.130(e) AND SECTION 5.08.210(b) OF THE WEST HOLLYWOOD MUNICIPAL CODE TO AUTHORIZE THE DIRECTOR OF COMMUNITY DEVELOPMENT TO PLACE CONDITIONS ON BUSINESS LICENSES UPON RENEWAL:**

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

- 6.C. AN ORDINANCE AMENDING TITLE 7, CHAPTER 7.24 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING VACANT, ABANDONED OR UNDEVELOPED PROPERTY:**

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

- 6.D. AN ORDINANCE ADDING SECTIONS 5.104.020 & 5.104.030 TO THE WEST HOLLYWOOD MUNICIPAL CODE – PUBLIC EATING AND FOOD ESTABLISHMENTS:**

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

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 7:31 P.M. in memory of Molly Yard Garrett, Wendie Jo Sperber, John Farkas, Ida Sachs, Yevgeniya Konviser, and Jack Paynter to their next regular meeting, which will be on Monday, December 19, 2005 at 6:30 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.