

**CITY COUNCIL
MINUTES
MONDAY, APRIL 19, 2004
WEST HOLLYWOOD PARK**

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

PLEDGE OF ALLEGIANCE: Mary O’Gorman led the pledge.

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

ABSENT: Mayor Pro Tempore Duran.

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 4.A. be moved to the Consent Calendar as Item 2.HH.

Councilmember Guarriello noted his NO vote on Item 2.Z.

Councilmember Heilman noted his NO vote on Item 2.J.

Mayor Prang noted his NO vote on Item 2.Q.

Mayor Prang requested that the meeting be adjourned in memory of Keith Cylar, co-founder of Housing Works and Lorraine Morabito , mother of Paul Morabito, and Lee Walker, pioneer in the gay & lesbian legal movement.

Councilmember Land requested that the meeting be adjourned in memory of Mimi West, long-time supporter of Los Angeles Free Clinic.

Councilmember Guarriello requested that the meeting be adjourned in memory of Gary Overs, resident of Palmview Apartments.

ACTION: Moved by Councilmember Land and seconded by Councilmember Heilman to approve the April 19, 2004 agenda as amended. Motion carried unanimously.

PRESENTATIONS:

Councilmember Heilman presented a commendation to Janet Chapman for her service on the Women’s Advisory Board.

Councilmember Land presented a proclamation designating April 21, 2004 as "Denim Day" in West Hollywood and April 2004 as Sexual Assault Awareness Month.

Mayor Prang presented a proclamation proclaiming April 22, 2004 as "Earth Day" in West Hollywood. Mayor Prang also presented awards to Environmentalist of the Year Award winners Koontz Hardware, Larry Santamaria for Rosewood Elementary School, and Lynn Hoopingarner.

Mayor Prang presented a commendation to Jim Leckliter for his work as an intern in the Mayor's Office.

1. PUBLIC COMMENT:

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the lack of remembrance of the soldiers that was lost in Iraq and other issues in West Hollywood.

ROSLYN KRAUSE, WEST HOLLYWOOD, spoke in opposition to the City's proposed plans for renovation of the property at 1343 N. Laurel.

STAN LOTHBRIDGE, WEST HOLLYWOOD, spoke in opposition to the City's proposed plans for renovation of the property at 1343 N. Laurel.

JACK MERRILL, WEST HOLLYWOOD, spoke in opposition to the City's proposed plans for renovation of the property at 1343 N. Laurel.

JAMES FUHRMAN, WEST HOLLYWOOD, spoke regarding an article in the *Los Angeles Times* regarding the Santa Monica Boulevard Reconstruction Project.

JOSE CARRILLO, LOS ANGELES, spoke in support of the work done by the Mayor's Blue Ribbon Commission, as outlined in Item 5.A.

SANDY DUGAS, WEST HOLLYWOOD, spoke in opposition to the City's proposed plans for renovation of the property at 1343 N. Laurel. She spoke regarding problems that she has encountered as a tenant living at 1343 N. Laurel.

DANIEL WATSON, WEST HOLLYWOOD, spoke in opposition to the City's proposed plans for renovation of the property at 1343 N. Laurel.

HALLI LORENTZ, WEST HOLLYWOOD, spoke in opposition to the City's proposed plans for renovation of the property at 1343 N. Laurel.

HOWARD JACOBS, WEST HOLLYWOOD, expressed his appreciation to Mayor Prang, Mayor Pro Tempore Duran and the Council as a whole for their support of Being Alive.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke in opposition to Item 2.Y. He also spoke in opposition to proposed plans for renovation of the property at 1343 N. Laurel. He also spoke regarding noise mitigation of the MTA for residents of Huntley Drive.

ED GARREN, WEST HOLLYWOOD, expressed his appreciation of the City Council's remembrance of Sally Fisk.

THOMAS FLEMING, WEST HOLLYWOOD, spoke regarding drivers driving the wrong way on Norwich Drive and illegal parking on Norwich Drive.

THOMAS HALSTEAD, WEST HOLLYWOOD, spoke in opposition to the management of Palmview Apartments by the West Hollywood Community Housing Corporation.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding the proposed project at 1343 N. Laurel Avenue.

Councilmember Land spoke regarding the delegation that will be walking in Washington D.C. for the "March for Women's Lives." She announced a vacant "raised bed" garden plot at the Norwich Community Garden. She spoke regarding the SOVA food drive that the City is co-sponsoring. She announced the event that Aid for AIDS is sponsoring, which is called "Dining out for Life." She directed staff to follow-up with Mr. Fleming on the issue of cars driving the wrong way up Norwich.

Councilmember Heilman directed that staff follow-up with Mr. Elmblad on the storm drain catch basins that are being approved in Item 2.Y. He also directed staff to follow-up with Mr. Fleming.

Mayor Prang expressed his appreciation to City staff for the Yom Hashoah event that took place over the weekend. He also wanted to express his appreciation to Richard Gordon for the Animal Rescue Kiosk being approved in Item 2.EE. He also spoke regarding the storm drain catch basins being approved in Item 2.Y. He expressed his appreciation for the owner of the Kings Road who supported the Historic Preservation Commission for the designation being approved in Item 2.O.

CITY MANAGER'S REPORT:

City Manager Arevalo stated that an update on the issue of the project at 1343 N. Laurel Avenue will be provided at the May 3, 2004 City Council meeting. He stated that a Fact Sheet is posted on the City's website to provide information about the Santa Monica Boulevard Reconstruction Project.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact for the Consent Calendar is \$739,790 in expenditures and \$201,961 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.,W.,X.,Y.,Z.,AA.,BB.,CC.,DD.,EE.,FF.,GG., HH. (4.A.) **Motion by Councilmember Land, seconded by Councilmember Heilman and carried unanimously with Councilmember Heilman voting NO on Item 2.J., Mayor Prang voting NO on Item 2.Q. and Councilmember Guarriello voting NO on Item 2.Z.**

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 15, 2004. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NOS. 505 & 506, RESOLUTION NO. 04-3040:

ACTION: Approve Demand Register Nos. 505 & 506 and adopt Resolution No. 04-3040, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NOS. 505 & 506." **Approved as part of the Consent Calendar.**

2.D. TREASURER'S REPORTS FOR FEBRUARY 2004:

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

2.E. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Suparman Sudarmo, S.H.E. Construction Group, Inc. and Yevgeniya Gulko and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 04-680 (2ND READING), A PROPOSED AMENDMENT TO RENT STABILIZATION ORDINANCE TO ALLOW ALL AFFECTED TENANTS TO JOIN IN A COMMON-AREA RENT DECREASE APPLICATION:

ACTION: Waive further reading and adopt Ordinance No. 04-680, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING RENT STABILIZATION ORDINANCE §17.44.010 TO STATE THAT ALL TENANTS AFFECTED BY A FAILURE TO PERFORM COMMON-AREA MAINTENANCE OR A SUBSTANTIAL REDUCTION IN HOUSING SERVICES SHALL BE DEEMED TO HAVE JOINED AN EXISTING APPLICATION RAISING THOSE ISSUES UNLESS THEY OPT OUT, AND APPROVING TWO AMENDMENTS TO THE RENT STABILIZATION REGULATIONS TO ELIMINATE PROVISIONS NOT SPECIFICALLY AUTHORIZED BY THE RENT STABILIZATION ORDINANCE." **Approved as part of the Consent Calendar.**

- 2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.H. COMMISSION AND ADVISORY BOARD ATTENDANCE REPORTS:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.I. AMENDMENT TO AGREEMENT FOR GROUNDS MAINTENANCE SERVICES:**
ACTION: 1) Approve the Seventh Amendment to Agreement for Grounds Maintenance Services with TruGreen LandCare, Inc., extending the term of the Agreement for Grounds Maintenance Services to June 30, 2005, at a monthly cost of \$32,402.35; and 2) Authorize the City Manager to sign the Seventh Amendment to Agreement. **Approved as part of the Consent Calendar.**
- 2.J. AMENDMENT TO AGREEMENT FOR ANIMAL CARE AND CONTROL SERVICES:**
ACTION: 1) Approve the First Amendment to Animal Control Services Agreement with the County of Los Angeles; and 2) Authorize the City Manager to sign the First Amendment to Animal Control Services Agreement. **Approved as part of the Consent Calendar with Councilmember Heilman voting NO.**
- 2.K. AMENDMENT TO AGREEMENT FOR STREET SWEEPING SERVICES:**
ACTION: 1) Approve the First Amendment to Agreement for Street Sweeping Services with CleanStreet extending the term of the Agreement for Street Sweeping Services to June 30, 2006, at an annual cost of \$190,026.22 for year one and \$190,026.22 plus CPI as described in the First Amendment for year two; and 2) Authorize the City Manager to sign the First Amendment to Agreement. **Approved as part of the Consent Calendar.**
- 2.L. PARKING RATES FOR PROPERTY LOCATED AT 7718 SANTA MONICA BOULEVARD:**
ACTION: Adopt Resolution No 04-3041, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE INSTALLATION OF SELF-PARKING DEVICES AND ESTABLISHING THE HOURS OF OPERATION AND PARKING RATES FOR THE PARKING LOT LOCATED AT 7718 SANTA MONICA BOULEVARD."
Approved as part of the Consent Calendar.
- 2.M. BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION GRANT:**
ACTION: 1) Adopt Resolution No. 04-3042, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE SUBMITTAL OF THE FUNDING REQUEST FORM TO THE DEPARTMENT OF CONSERVATION'S DIVISION OF RECYCLING TO

PROMOTE BEVERAGE CONTAINER AND LITTER REDUCTION;" and
2) Authorize the City Manager to sign the grant contract. **Approved as part of the Consent Calendar.**

2.N. ENVIRONMENTAL LIVABILITY REPORT:

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

2.O. A PROPOSED RESOLUTION APPROVING A NOMINATION TO DESIGNATE THE BUILDING LOCATED AT 902 N. KINGS ROAD AS A LOCAL CULTURAL RESOURCE (CRD 2003-03):

ACTION: Adopt Resolution No. 04-3043, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE NOMINATION OF 902 N. KINGS ROAD AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA."
Approved as part of the Consent Calendar.

2.P. A PROPOSED RESOLUTION DENYING A NOMINATION TO DESIGNATE THE BUILDING LOCATED AT 1028 N. KINGS ROAD AS A LOCAL CULTURAL RESOURCE (CRD 2003-04):

ACTION: Adopt Resolution No. 04-3044, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE NOMINATION OF 1028 N. KINGS ROAD AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA."
Approved as part of the Consent Calendar.

2.Q. A PROPOSED RESOLUTION DENYING A NOMINATION TO DESIGNATE THE BUILDING LOCATED AT 1030 N. KINGS ROAD AS A LOCAL CULTURAL RESOURCE (CRD 2003-05):

ACTION: Adopt Resolution No. 04-3045, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE NOMINATION OF 1030 N. KINGS ROAD AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA."
Approved as part of the Consent Calendar with Mayor Prang voting NO.

2.R. A PROPOSED RESOLUTION DENYING A NOMINATION TO DESIGNATE THE BUILDING LOCATED AT 8328 WILLOUGHBY AVENUE AS A LOCAL CULTURAL RESOURCE (CRD 2003-06):

ACTION: Adopt Resolution No. 04-3046, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE NOMINATION OF 8328 WILLOUGHBY AVENUE AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA." **Approved as part of the Consent Calendar.**

2.S. AGREEMENT FOR SERVICES WITH DEBORAH MURPHY URBAN DESIGN AND PLANNING FOR PROFESSIONAL PLANNING SERVICES IN THE PLANNING DIVISION:

ACTION: 1) Approve Agreement with Deborah Murphy for professional urban design and planning services in the Planning Division for temporary staffing vacancies and/or temporary staffing as needed to complete the Mixed-Use Ordinance in the amount not to exceed \$20,000.00; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.T. AGREEMENT FOR SERVICES WITH LINN AND ASSOCIATES FOR PROFESSIONAL PLANNING SERVICES IN THE PLANNING DIVISION:

ACTION: 1) Approve Agreement with Linn and Associates for professional planning services in the Planning Division as needed for temporary staffing vacancies and/or temporary staffing as needed for special projects in the amount not to exceed \$50,000.00; and 2) Authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.U. PROPOSITION "A" DISCRETIONARY INCENTIVE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING WITH THE METROPOLITAN TRANSIT AUTHORITY (LACMTA) FOR THE COORDINATED DIAL A RIDE SERVICES PROGRAM:

ACTION: 1) Authorize the City Manager to execute an MOU agreement with the Los Angeles County Metropolitan Transit Authority (LACMTA) for a Proposition A Incentive Grant to coordinate services for the period of July 1, 2002 through June 30, 2004; and 2) Authorize the Director of Finance to increase budgeted revenues in the Prop A Fund, Account No. 218-0000-5011 by \$106,000. **Approved as part of the Consent Calendar.**

2.V. PROPOSED AMENDMENTS TO 457 DEFERRED COMPENSATION PLAN DOCUMENTS:

ACTION: 1) Authorize the City to enter into agreements with its 457 Deferred Compensation Plan administrators (ICMA RC and Great-West Retirement Services) to allow for Participant Loans, Sidecar IRA's, and Retirement Health Savings Accounts; 2) Authorize the City Manager to sign these agreements on behalf of the City; and 3) Authorize the City Manager to sign any future amendments to the 457 Deferred Compensation Plan Documents, within contract guidelines, upon the recommendation of the City's Benefits Committee, which is made up of members of the Human Resources Division and Finance Department. **Approved as part of the Consent Calendar.**

2.W. EXPENDITURE PLAN FOR THE 2004 HOMELAND SECURITY GRANT PROGRAM:

ACTION: 1) Accept the grant allocation amount of \$37,612 as described in this report for the City of West Hollywood from the State Homeland Security Grant Program (HSGP FY04); and 2) Authorize the Director of Finance to increase budgeted grant revenues by \$37,612 in account 204-0000-4906 and budgeted expenditures by \$37,612 in account 204-4012-8238. **Approved as part of the Consent Calendar.**

2.X. APPROVAL OF THE GENERAL SERVICES AGREEMENT WITH LOS ANGELES COUNTY:

ACTION: Adopt Resolution No. 04-3047, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONCERNING PERFORMANCE OF CERTAIN GENERAL SERVICES TO AND FOR THE CITY OF WEST HOLLYWOOD BY THE COUNTY OF LOS ANGELES AND AUTHORIZING THE EXECUTION OF AN AGREEMENT RELATING THERETO." **Approved as part of the Consent Calendar.**

2.Y. APPROVAL OF CONTRACTS FOR RETROFIT OF STORM DRAIN CATCH BASINS:

ACTION: 1) Approve a contract with United Storm Water, Inc., in an amount not to exceed \$20,475 for fabrication and installation of Ocean Pro Debris Gate devices at 9 catch basin locations; and authorize the City Manager to execute the contract; and 2) Approve a contract with Asbury Environmental Services, in an amount not to exceed \$23,328 for fabrication and installation of Clean Screen devices at 14 catch basin locations; and authorize the City Manager to execute the contract. **Approved as part of the Consent Calendar.**

2.Z. QUARTERLY REPORT OF THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION AND UPDATE ON PALM VIEW/HARPER COMMUNITY NEEDS ASSESSMENT:

ACTION: 1) Receive and file the Second Quarter Report of the West Hollywood Community Housing Corporation and the updated plan to implement recommendations contained in the Palm View/Harper Community Needs Assessment; and 2) Request that WHCHC submit a further update on implementation of recommendations contained in the Palm View/Harper Community Needs Assessment by July 19, 2004. **Approved as part of the Consent Calendar with Councilmember Guarriello voting NO.**

2.AA. CO-SPONSORSHIP OF THE AMNESTY INTERNATIONAL HUMAN RIGHTS FILM FESTIVAL:

ACTION: 1) Approve co-sponsorship of the 2004 Amnesty International Human Rights Film Festival; and 2) Direct Public Information staff to work with Amnesty International in promoting the event. **Approved as part of the Consent Calendar.**

2.BB. RESOLUTION URGING THE SENATE TO FULLY FUND THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM FOR FY 2005:

ACTION: 1) Adopt Resolution No. 04-3048, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD ENCOURAGING THE SENATE TO FULLY FUND THE SECTION 8 HOUSING CHOICE PROGRAM FOR FY2005;" and 2) send the Resolution to Senate Appropriations Committee Chair Senator Ted Stevens, and Ranking Member, Senator Robert C. Byrd. **Approved as part of the Consent Calendar.**

2.CC. RESOLUTION URGING THE MEMBERS OF THE BOARD OF EDUCATION OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT TO IMPLEMENT AN ALL-DAY KINDERGARTEN PROGRAM AT WEST HOLLYWOOD ELEMENTARY SCHOOL IN THE 2004-2005 SCHOOL YEAR:

ACTION: Adopt Resolution 04-3049, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE MEMBERS OF THE BOARD OF EDUCATION OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT TO IMPLEMENT AN ALL-DAY KINDERGARTEN PROGRAM AT WEST HOLLYWOOD ELEMENTARY SCHOOL IN THE 2004-2005 SCHOOL YEAR." **Approved as part of the Consent Calendar.**

2.DD. A RESOLUTION CONDEMNING THE PASSAGE OF S. 1019 AND HR 1997, THE UNBORN VICTIMS OF VIOLENCE ACT:

ACTION: 1) Adopt Resolution No. 04-3050, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING THE PASSAGE OF S. 1019 AND HR 1997 THE UNBORN VICTIMS OF VIOLENCE ACT;" and 2) Direct staff to send copies of signed resolution to the National Organization for Women, the Feminist Majority, National Center for Policy Research (CPR) for Women and Families, the National Women's Health Network, NARAL, Planned Parenthood, Senator Barbara Boxer, Senator Dianne Feinstein, Representative Henry Waxman, Assembly member Paul Koretz, and State Senator Sheila Kuehl. **Approved as part of the Consent Calendar.**

2.EE. CONSIDER ACCEPTANCE OF ANIMAL RESCUE KIOSK ("ARK") DONATION FROM RICHARD GORDON:

ACTION: 1) Direct staff to determine the feasibility of accepting a donation of an Animal Rescue Kiosk (ARK) from Mr. Richard Gordon and, if feasible, accept it on behalf of the City; and 2) Extend sincere thanks and appreciation to Mr. Richard Gordon for his generosity to the City of West Hollywood. **Approved as part of the Consent Calendar.**

2.FF. A RESOLUTION IN SUPPORT OF S. 2020 (BOXER) AND HR 3719 (NADLER), THE "FREEDOM OF CHOICE ACT":

ACTION: 1) Adopt Resolution 04-3051, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S. 2020 (BOXER) AND HR

3719 (NADLER) THE "FREEDOM OF CHOICE ACT;" and 2) Direct staff to send copies of signed resolution to the National Organization for Women, the Feminist Majority, National Center for Policy Research (CPR) for Women and Families, the National Women's Health Network, NARAL, Planned Parenthood, Senator Barbara Boxer, Senator Dianne Feinstein, Representative Henry Waxman, Assembly member Paul Koretz, and State Senator Sheila Kuehl. **Approved as part of the Consent Calendar.**

2.GG. ENDORSEMENT OF FOUR LGBT BILLS CURRENTLY BEING CONSIDERED BY THE CALIFORNIA STATE LEGISLATURE:

ACTION: 1) Adopt Resolution 04-3052, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF FOUR LGBT BILLS CURRENTLY BEING CONSIDERED BY THE CALIFORNIA STATE LEGISLATURE;" and 2) Send copies of signed resolutions to appropriate parties. **Approved as part of the Consent Calendar.**

2.HH. (4.A.) RECOMMENDATION ON CITYWIDE STREET FURNITURE AND ISSUANCE OF THE STREET FURNITURE PROGRAM REQUEST FOR PROPOSAL (RFP):

ACTION: 1) Approval of the Streetscape Furniture Selection Committee, Transportation Commission and the Public Facilities Commission recommendations for the streetscape furniture design as described and depicted in the staff report; and 2) Authorize staff to issue a Request for Proposal for the supply, installation and maintenance of the City's Coordinated Street Furniture Program. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. PROPOSED RESOLUTION APPROVING A LETTER OF AGREEMENT FOR EXCHANGE OF CDBG FUNDS BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF SOUTH PASADENA FOR FISCAL YEAR 2003-2004 CDBG FUNDS:

City Clerk West announced that this item was noticed as required by law.

David Wilson, Development Specialist, provided background information as outlined in the staff report dated April 19, 2004.

Mayor Prang opened the public hearing and no speakers came forward.

Mayor Prang closed the public hearing.

ACTION: 1) Conduct a public hearing and receive public comment on the proposed exchange of CDBG Funds between the City of West Hollywood and the City of South Pasadena; 2) Adopt Resolution No. 04-3053, "A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA APPROVING A LETTER OF AGREEMENT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE CITY OF SOUTH PASADENA FOR THE EXCHANGE OF CDBG FUNDS FOR THE FISCAL YEAR 2003-2004;" and 3) Authorize the Director of Finance and Technology to appropriate \$91,536 from the General Fund Unallocated Reserves to the Expenditure for Traded Funds (100-6000-7580) line item in FY 2003-2004. **Motion by Councilmember Guarriello, seconded by Councilmember Land and unanimously carried.**

3.B. APPEAL OF PLANNING COMMISSION APPROVAL OF DEVELOPMENT PERMIT 2003-019, DEMOLITION PERMIT 2003-027 AND TENTATIVE TRACT MAP 2003-008:

City Clerk West announced that this item was noticed as required by law.

Councilmember Heilman **RECUSED** himself and left the room due to the possible conflict that he resides across the street from the project.

Elinor Aurthur, Associate Planner, provided background information as outlined in the staff report dated April 19, 2004.

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

THOMAS BRIGHT, WEST HOLLYWOOD, APPELLANT, spoke regarding the trees that have been taken out, as well as the historic importance of the building.

BIJAN ARMANDPOUR, LOS ANGELES, APPLICANT, spoke regarding the reasons for the tree removal, which was the need for a soil inspection. He also stated that the property has not been designated as a historic landmark.

TOM DEMILLE, WEST HOLLYWOOD, spoke in opposition to the denial of the appeal.

THOMAS BRIGHT, WEST HOLLYWOOD, APPELLANT, spoke in opposition to the height of the proposed property and reiterated the historic importance of the building.

BIJAN ARMANDPOUR, LOS ANGELES, APPLICANT, spoke regarding the construction period mitigation and the structure complying with Zoning Codes.

Mayor Prang closed the public hearing.

Councilmember Land spoke in support of the denial of the appeal. She stated that the project is in compliance with the Zoning Codes and that no one has applied for historic designation for this building. She directed that staff monitor that the construction mitigation is being followed during the construction of the project due to public safety concerns on La Cienega.

Mayor Prang spoke in support of the denial of the appeal. He spoke regarding the City's processes in regards to land use issues.

City Attorney Jenkins stated that the issue of the dispute of the ownership of the property is not under the purview of the City of West Hollywood.

ACTION: Adopt Resolution No. 04-3054, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF THOMAS J. BRIGHT AND AFFIRMING THE PLANNING COMMISSION'S APPROVAL OF DEVELOPMENT PERMIT 2003-019, DEMOLITION PERMIT 2003-027 AND TENTATIVE TRACT MAP 2003-008 AT 1152 LA CIENEGA BOULEVARD. " **Motion by Councilmember Land, seconded by Councilmember Guarriello and carried. Councilmember Heilman was RECUSED.**

THE CITY COUNCIL RECESSED AT 8:10 PM.

THE CITY COUNCIL RECONVENED AT 8:19 PM.

4. UNFINISHED BUSINESS:

4.A. RECOMMENDATION ON CITYWIDE STREET FURNITURE AND ISSUANCE OF THE STREET FURNITURE PROGRAM REQUEST FOR PROPOSAL (RFP):

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

4.B. EAST SIDE REDEVELOPMENT PROJECT AREA COMMITTEE:

Allyne Winderman, Director of Rent Stabilization & Housing, provided background information as outlined in the staff report dated April 19, 2004.

JOEL MARK, WEST HOLLYWOOD, member of the East Side Redevelopment Project Area Committee, spoke in support of appointing members for two year appointments and keeping the size the way that it currently is.

ED GARREN, WEST HOLLYWOOD, member of the East Side Redevelopment Project Area Committee, spoke in support of maintaining the format of the PAC as it currently is.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of maintaining the format of the PAC as it currently is.

Councilmember Heilman spoke in support of the larger size of the PAC and in support of appointments by Council rather than the PAC membership. He spoke in support of expanding the representation to include members of the Russian-speaking community. He spoke in support of expanding the community organizations to include organizations that serve the Eastside area.

Councilmember Land spoke regarding the effectiveness of the PAC. She spoke in support of maintaining the large size and changing the appointments to Council appointments. She also spoke in support of appointing the members for two years. She expressed her concern that the limits would be restrictive to the membership. She spoke in support of expanding the community organizations to include organizations that serve the Eastside area.

Councilmember Guarriello expressed his concern over absences and vacancies on the PAC.

Mayor Prang expressed his appreciation to Allyne Winderman and the PAC. He expressed concern over the high rate of absenteeism. He spoke in support of Council appointing members of the PAC to ensure that vacancies are filled and that a balance remains on the board. He also spoke in support of including organizations that serve the area. He also spoke in support of including certain experts to the board and two-year terms.

ACTION: 1) Establish a new 35-member, Council-appointed East Side Project Advisory Committee comprised of representatives of Residential Owner-Occupants, Residential Tenants, Business Owners and Community Organizations; 2) Establish that the purpose of the committee is to advise the City Council on general redevelopment goals and direction, large development projects, requests for qualifications and proposals for the East Side Redevelopment Project Area; 3) Direct staff to solicit interest from existing members in serving on the new Project Advisory Committee and post/publish notices soliciting applications for consideration to serve on this committee; and 4) Schedule the at-large appointments to this committee for the regular City Council Meeting of June 21, 2004. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and unanimously carried with further direction to include a two year initial term for the PAC members; to expand the organizations to include organizations that are either based in or serve the area; to allow that the PAC can meet quarterly at a minimum, but can meet up to monthly as needed; to include those with expertise who may not live in the area (with no more than**

3 members who do not live in the Eastside area); and to investigate the possibility of providing an annual stipend to the PAC members.

5. NEW BUSINESS:

5.A. REPORT OF MAYOR'S BLUE RIBBON COMMISSION:

Mayor Prang and Josh Kurpies, Deputy to Mayor Prang, provided background information as outlined in the staff report dated April 19, 2004.

GARY HICKOX, WEST HOLLYWOOD, Co-Chair of the Blue Ribbon Commission, spoke regarding his good experience on the Commission.

SCOTT SCHMIDT, WEST HOLLYWOOD, member of the Blue Ribbon Commission, spoke in support of the Council looking closely at the sustainable development policies and mixed-use policies that were discussed by the Commission.

MADELEINE RACKLEY, WEST HOLLYWOOD, member of the Blue Ribbon Commission, spoke regarding the mobility and transportation issues that arose during discussions of the Commission.

Councilmember Guarriello commended Mayor Prang for the work done by the Blue Ribbon Commission.

Councilmember Land spoke in support of the recommendations brought forward by the Commission.

Mayor Prang stated that specific Commission recommendations will be brought forward by staff and by his office in the future.

ACTION: 1) Direct City Clerk to distribute copy of the report to City Commissioners, Advisory Board members and Department Directors and Managers; 2) Consider giving direction to staff to explore Commission recommendations; and 3) Receive and file. **Motion by Councilmember Land, seconded by Councilmember Guarriello and unanimously carried.**

EXCLUDED CONSENT CALENDAR: NONE.

PUBLIC COMMENT:

PEGGY KENNEDY, WEST HOLLYWOOD, spoke in opposition to the City's proposed plans for renovation of the property at 1343 N. Laurel.

RICHARD SMITH, WEST HOLLYWOOD, expressed his appreciation to the City Council.

6. LEGISLATIVE:

6.A. PROPOSED AMENDMENTS TO RENT STABILIZATION ORDINANCE CHAPTER 17.52 ESTABLISHING ON-SITE PARKING SPACES TO BE AN INSEPARABLE PART OF A RENTAL UNIT AND ADDING A NEW SECTION 17.52.120 PROHIBITING LANDLORDS FROM REMOVING TENANTS' ON-SITE PARKING SPACES:

Stephen Lewis, Legal Services Officer, and Allyne Winderman, Director of Rent Stabilization & Housing, provided background information as outlined in the staff report dated April 19, 2004.

DONALD ELMBLAD, WEST HOLLYWOOD, spoke in opposition to the City governing parking on private property.

CRAIG MORDO, SANTA MONICA, spoke in opposition to the proposed ordinance and expressed concern over the landlord being able to be criminally prosecuted.

KEVIN SINGER, LOS ANGELES, representing the Apartment Association of Los Angeles, expressed his concern that this ordinance is not necessary.

RICHARD CRAFT, WEST HOLLYWOOD, spoke in support of the ordinance with the additional coverage of ensuring that a landlord cannot move a parking space.

AGASSI TOPCHIAN, WEST HOLLYWOOD, spoke in support of the ordinance, including adopting the language that the landlord "shall" be subject to criminal prosecution rather than "may" be subject to criminal prosecution.

Councilmember Land spoke in support of the ordinance. She stated that she has heard of instances where this issue is a problem.

Councilmember Heilman spoke in support of the ordinance with the addition of a provision to not penalize the landlord for temporary relocations for purposes of construction, maintenance, etc.; as well as an addition of another provision to not penalize the relocation and shifting of parking spaces of tenants who already have parking spaces. He stated that he is aware that this issue is a valid problem.

Councilmember Guarriello spoke in support of the ordinance with the revision that the landlord "shall" be subject to criminal prosecution.

Mayor Prang spoke in support of the ordinance. He also spoke in support of adopting language that would prevent the relocation of a parking space.

ACTION: Introduce on first reading Ordinance No. 04-681, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING PARKING SPACES TO BE AN INSEPARABLE PART OF A RENTAL UNIT AND AMENDING THE RENT STABILIZATION PROVISIONS OF THE WEST HOLLYWOOD MUNICIPAL CODE." Motion by Councilmember Heilman, seconded by Mayor Prang and unanimously carried with the following language:

- In Subparagraph A, Change the word "amenity" to "parking space;" and the word "may" to "shall;"
- Add Subparagraph D to state, "Nothing in this section is intended to penalize a temporary removal of a parking space for the purposes of necessary construction, repairs or maintenance;"
- Add Subparagraph E to state, "Nothing in this section is intended to prohibit a landlord and tenant from a voluntary shifting of parking spaces."

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding his direction to staff about 1343 N. Laurel.

Councilmember Land announced an opening for her direct appointee to the Public Facilities Commission.

ADJOURNMENT: The City Council adjourned at 9:45 PM in memory of Keith Cylar, Lorraine Morabito, Lee Walker, Mimi West, and Gary Overs to a special meeting for the Installation and Reorganization of the City Council, which will be on Monday, April 26, 2004 at 6:00 P.M. at the Pacific Design Center, 8687 Melrose Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 3RD DAY OF MAY, 2004.



JOHN J. DURAN, MAYOR

ATTEST:



THOMAS R. WEST, CITY CLERK