

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
SEPTEMBER 7, 2004
WEST HOLLYWOOD PARK**

CALL TO ORDER: The meeting was called to order at 6:35 PM.

PLEDGE OF ALLEGIANCE: Heavenly Wilson 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 Acting Records Management Specialist Corey Schaffer.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that the Closed Session convened at 6:05pm. One item of Pending Litigation was added, a lawsuit involving Beverly Blvd. v. City of West Hollywood. City Attorney Jenkins stated that a lawsuit has been brought against the City by Regency Outdoor Advertising in connection with a recent City Council action regarding Tall Walls. He stated that Council approved the action to defend against the litigation. He stated that the Closed Session adjourned at 6:30 PM.

APPROVAL OF AGENDA:

Staff requested that Item 4.D. be tabled.

Staff requested that Item 6.B. be moved to the Consent Calendar as Item 2.Q.

Councilmember Heilman requested that Item 2.L. be moved to Excluded Consent Calendar.

Councilmember Prang requested that the meeting be adjourned in memory of Frank Rosendahl, Barry Menin, Vera Galanter, the victims of 9/11, and the children that were lost at a Russian school last week.

Mayor Pro Tempore Land requested that the meeting be adjourned in honor of Deborah Kline-Aguado and Elizabeth Kubler-Ross.

Councilmember Heilman requested that the meeting be adjourned in honor of Craig Ritchie, who was the former Chairman of the Project Area Committee.

ACTION: Motion by Mayor Pro Tempore Land and seconded by Councilmember Heilman to approve the September 7, 2004 agenda as amended and carried unanimously.

PRESENTATIONS:

Mayor Pro Tempore Land, Councilmember Prang and Laura Manukian presented commendations to the organizers of the recent National Night Out event.

Councilmember Guarriello, Councilmember Heilman and Allyne Winderman presented plaques to members of the Project Area Committee.

Mayor Duran presented a proclamation declaring September 2004 as "Alcohol and Drug Addiction Recovery Month"; and he presented commendations to social service workers who have contributed their time and efforts to recovery programs in the City.

1. PUBLIC COMMENT:

EMILY GOLD, LOS ANGELES, spoke on behalf of Senator Sheila Kuehl's office, expressing their support of the West Hollywood Community Housing Corporation.

IVY BOTTINI, WEST HOLLYWOOD, spoke in support of Item 5.C. regarding the West Hollywood Housing Corporation.

TED MCNAMARA, WEST HOLLYWOOD, spoke in support of Item 3.A., a resolution denying the appeal of Pearl Holdings Group, Inc., DBA Dublin's Irish Whiskey Pub.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the sink-hole on Santa Monica Boulevard, 9/11, the war in Iraq and other issues facing our community.

RUTH WILLIAMS, WEST HOLLYWOOD, spoke in support of Item 5.C. regarding the West Hollywood Community Housing Corporation.

JACK MERRILL, WEST HOLLYWOOD, spoke in opposition of Item 5.C. regarding the West Hollywood Community Housing Corporation.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to Proposition 13 and the loss of Senior Housing.

SUSAN CONJURA, WEST HOLLYWOOD, spoke regarding the Cultural Designation Resource process.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke regarding a development moratorium.

JULIE SUMMERS, WEST HOLLYWOOD, spoke in support of Item 5.C. regarding the West Hollywood Community Housing Corporation.

HALLI LORENTZ, WEST HOLLYWOOD, spoke regarding development in the City of West Hollywood.

SETH ENGBER, WEST HOLLYWOOD, spoke in support of Item 5.C. regarding the West Hollywood Community Housing Corporation.

DAVID NASH, WEST HOLLYWOOD, spoke regarding the need for affordable housing in the City and his concerns.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello announced an upcoming Los Angeles County hazardous waste round-up. He spoke about an upcoming meeting with the Los Angeles County Sanitation District. He spoke regarding the recent passing of Craig Ritchie.

Councilmember Prang spoke regarding several new parking lots in the City. He spoke about an upcoming event regarding Same-Sex Marriage on September 13, 7:00pm at the West Hollywood Park Auditorium and a West Hollywood Democratic Club event on September 8, 2004 at 7:00pm at the West Hollywood Park Auditorium.

Mayor Pro Tempore Land spoke regarding the City's Housing Task Force Sub-Committee and the City's efforts to look at different housing options. She spoke regarding a Press Conference at 9:00am, September 8, 2004 at City Hall regarding extending a ban on assault weapons.

Councilmember Heilman spoke regarding Item 2.J., a street closure item and asked the City Manager to ensure that the public is properly notified and the Sheriff's Department and City Staff give people alternative driving routes and signage as far south as Burton Way. He spoke regarding the City's Housing Task Force Committee and the Section 8 funding crisis and loss of funds from the County.

Mayor Duran spoke regarding a new parking lot at Melrose and LaPeer with 45 spaces and 90 with Valet parking. He thanked Oscar Delgado and Joan English for all the parking that has been added over the past year.

CITY MANAGER'S REPORT:

City Manager Arevalo apologized regarding the lack of air conditioning in the auditorium. He spoke regarding Item 2.J. and stated that this year is the first time the City of West Hollywood will be the focal point for many Emmy Awards after-parties. He stated that the City will provide noticing to the public and provide alternative traffic routes. He gave an update regarding the sink-hole on Santa Monica Boulevard.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the Consent Calendar is \$2,500 in expenditures and (\$1,600) in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approved as amended. **Motion by Councilmember Prang, seconded by Mayor Pro Tempore Land and carried unanimously.**

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 August 16, 2004. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO.515 , RESOLUTION NO. 04-3121:

ACTION: Approve Demand Register No. 515 and adopt Resolution No. 04-3121, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 515." **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Tsipora Kivman and Beverly Karam and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. TREASURER'S REPORT FOR JULY 2004:

ACTION: Receive and file. **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. AMENDING THE CITY'S CONFLICT OF INTEREST CODE:

ACTION: Adopt Resolution No. 04-3122, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE CONFLICT OF INTEREST CODE WHICH INCORPORATES BY REFERENCE THE STANDARD CONFLICT OF INTEREST CODE REGULATIONS PREPARED BY THE FAIR POLITICAL PRACTICES COMMISSION AND REPEALING RESOLUTION NO. 02-2772." **Approved as part of the Consent Calendar.**

2.H. MILLS ACT CONTRACT 2004-01 AND 2004-04 FOR PROPERTY LOCATED AT 1424 N CRESCENT HEIGHTS BLVD, UNIT 21 AND UNIT 18:

ACTION: Approve Historical Property Preservation Agreements (Mills Act Contracts) between the City of West Hollywood and the owners of Unit 21 (Michael Lobell) and Unit 18 (David Swanson) at 1424 Crescent Heights Boulevard and authorize the City Manager to sign the agreements. **Approved as part of the Consent Calendar.**

2.I. SUPPER CLUB ZONING CODE DESIGNATION:

ACTION: Direct staff to investigate new "supper club" zoning Code designation which would assist in the attraction of these businesses to West Hollywood. **Approved as part of the Consent Calendar.**

2.J. APPROVAL FOR THE CLOSURE OF SAN VICENTE BLVD BETWEEN SANTA MONICA BLVD AND MELROSE AVENUE ON SEPTEMBER 19 2004:

ACTION: 1) Authorize the closure of San Vicente Boulevard between Santa Monica Boulevard and Melrose on Sunday, September 19th 2004 from 3pm until 3am, Monday, September 20th; and 2) Direct staff to make all appropriate public notifications and postings required for Street closures. **Approved as part of the Consent Calendar.**

2.K. WEST HOLLYWOOD HEALTH FAIR SPONSORSHIP:

ACTION: 1) Approve the City co-sponsorship of the September 26th, 2004 West Hollywood Health Fair; 2) Direct Public Information staff to work with the West Hollywood Chamber of Commerce in promoting the event; and 3) Contribute \$2,500 as an event sponsor. **Approved as part of the Consent Calendar.**

2.L. A RESOLUTION IN SUPPORT OF PROPOSITION 64, LIMIT ON PRIVATE ENFORCEMENT OF UNFAIR BUSINESS COMPETITION LAW STATE OF CALIFORNIA:

ACTION: Moved to Excluded Consent Calendar.

2.M. A RESOLUTION IN SUPPORT OF PROPOSITION 66, THE THREE STRIKES AND CHILD PROTECTION ACT OF 2004:

ACTION: 1) Adopt Resolution 04-3124, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSITION 66, THE THREE STRIKES AND CHILD PROTECTION ACT OF 2004; and 2) Send copies of the signed resolution to Citizens Against Violent Crime, Families to Amend California's Three Strikes (FACTS), The Campaign for Sensible Sentencing, Assemblymember Paul Koretz, State Senator Sheila Kuehl, U.S. Representative Henry Waxman, U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, LA Board of Supervisors and various cities in the LA County area. **Approved as part of the Consent Calendar.**

2.N. A RESOLUTION OPPOSING THE FEDERAL PROMOTING COMMUNITY INVESTMENT ACT OF 2004 (H.R. 3592):

ACTION: 1) ADOPT RESOLUTION 04-3125, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD OPPOSING THE FEDERAL PROMOTING COMMUNITY INVESTMENT ACT OF 2004 (H.R. 3592)"; and 2) Send copies of resolution to: U.S. Senator Barbara Boxer, U.S. Senator Dianne Feinstein, U.S. Representative Henry Waxman, U.S. Representative Jeb Hensarling (R-Dallas, TX) and the Office of Thrift Supervision (OTS). **Approved as part of the Consent Calendar.**

2.O. A RESOLUTION IN SUPPORT OF PROPOSITION 1A "CALIFORNIANS TO PROTECT LOCAL TAXPAYERS AND PUBLIC SAFETY SERVICES":

ACTION: 1) Adopt Resolution No. 04-3126, "A RESOLUTION IN SUPPORT OF PROPOSITION 1A"; and 2) Send copies of the adopted resolution to the California State Assembly and Senate, the California League of Cities and Governor Arnold Schwarzenegger. **Approved as part of the Consent Calendar.**

2.P. PROPOSED RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY FOR THE TARGETED SITE INVESTIGATION PROGRAM:

ACTION: 1) Adopt Resolution No. 04-3127, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION, THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO, AND ANY OTHER DOCUMENTS NECESSARY TO SECURE A BROWNFIELDS TARGETED SITE INVESTIGATION PROGRAM GRANT FROM THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY"; and 2) Authorize the City Manager to execute all necessary applications, contracts, payment requests, agreements, and amendments for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application. **Approved as part of the Consent Calendar.**

2.Q. (6.B.) THE CITY OF WEST HOLLYWOOD VEHICLE AND TRAFFIC CODE REGARDING THE REMOVAL AND STORAGE OF ILLEGALLY PARKED VEHICLES:

ACTION: Introduce for first reading Ordinance No. 04-686, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REGARDING THE REMOVAL AND STORAGE OF ILLEGALLY PARKED VEHICLES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. APPEAL OF PLANNING COMMISSION REVOCATION OF CONDITIONAL USE PERMIT CUP 96-20 AND DEVELOPMENT PERMIT 96-46:

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

Mayor Pro Tempore Land recused herself from this item.

CJ Amstrup, Senior Planner, provided background information as outlined in the staff report dated September 7, 2004.

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

TODD ELLIOTT, spoke on behalf of the appellant. He spoke in opposition to the operators of Dublin's Irish Whiskey Pub, but in support of the new tenants.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the recommendation.

ALAN WILION, WEST HOLLYWOOD, spoke in opposition of any business in the location.

DORY BENANI, WEST HOLLYWOOD, spoke in support of the recommendation.

MINDY SIMON, WEST HOLLYWOOD, spoke in support of the recommendation.

ROBYN REID, WEST HOLLYWOOD, spoke in support of the recommendation.

JEAN-PIERRE BOCCARA, WEST HOLLYWOOD, spoke in support of the recommendation and provided background on the new establishment.

KIM GREGORY, WEST HOLLYWOOD, spoke in support of the recommendation.

JOSEPH GILLARD, SHERMAN OAKS, spoke in support of the recommendation.

HILLARY SELVIN, LOS ANGELES, spoke in support of the recommendation.

NATHAN GOLLER, BEVERLY HILLS, spoke in support of the recommendation.

GARY SILVER, WEST HOLLYWOOD, spoke in support of the recommendation.

CLAUDINE MCGINTY, CALABASAS, spoke in support of the recommendation.

BOB KNOTEK, LOS ANGELES, spoke in support of the recommendation, but urged caution with the new tenant.

DEBORAH BASS, BEVERLY HILLS, spoke in support of the recommendation. She provided background on the removal of the previous owners, Moss Brothers.

MICHAEL SIRJANI, LOS ANGELES, spoke in support of the recommendation.

DIMITRI SAMAHA, SHERMAN OAKS, spoke in support of the recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the recommendation.

DAN SILVER, WEST HOLLYWOOD, spoke in support of the recommendation, but urged

TODD ELLIOTT, representing the Appellant, gave a rebuttal and confirmed his support of the recommendation.

Mayor Duran closed the public hearing.

LT. DAVID SMITH, West Hollywood Sheriff's Station, spoke regarding the security issues regarding the property under the previous owners of Dublin's.

Mayor Duran provided Todd Elliott an additional chance to respond to Lt. Smith's comments.

TODD ELLIOTT spoke in support of Lt. Smith's comments.

Councilmember Heilman spoke regarding the item and clarified that it is a land-use issue and a question regarding whether the hours of operation are appropriate in this location. He also clarified that the new owner needs to submit an application for a new permit. He spoke in support of the recommendation to deny the appeal.

Councilmember Guarriello spoke regarding the history of the establishments at the location and the difficulties with the current lessee.

Councilmember Prang confirmed that this is a land-use issue. He spoke in support of the recommendation to deny the appeal.

Mayor Duran also spoke in support of the recommendation to deny the appeal.

ACTION: Adopt Resolution No. 04-3128, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE

APPEAL OF PEARL HOLDINGS GROUP, INC., DBA DUBLIN'S IRISH WHISKEY PUB, AND AFFIRMING THE PLANNING COMMISSION'S REVOCATION OF CONDITIONAL USE PERMIT CUP 96-20 AND DEVELOPMENT PERMIT DVP 96-46, WHICH PERMIT OPERATION OF A DOWNSTAIRS PUB (RESTAURANT/BAR) WITH OUTDOOR DINING AND AN UPSTAIRS RESTAURANT WITH SALES, SERVICE, AND CONSUMPTION OF ALCOHOL AT THE PROPERTY LOCATED AT 8240 SUNSET BOULEVARD, WEST HOLLYWOOD (DUBLIN'S IRISH WHISKEY PUB)". **Motion by Councilmember Prang, seconded by Councilmember Heilman and carried unanimously, with Mayor Pro Tempore Land's recusal, with additional direction to expedite the application of the new applicant.**

4. UNFINISHED BUSINESS:

The following item was moved out of order of the agenda:

4.B. GRANT TO THE LOS ANGELES SHANTI FOUNDATION FOR SOCIAL SERVICES PROVISION:

Hernan Molina, Deputy to Mayor Duran, provided background information as outlined in the staff report dated September 7, 2004.

Councilmember Heilman and Councilmember Guarriello expressed concerns over using General Funds as opposed to Social Services funds for this Item.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the recommendation.

JOANNE JACKSON, PASADENA, spoke in support of the recommendation.

LAURA FIGUEROA, LOS ANGELES, spoke in support of the recommendation.

JOHN KELSON, LOS ANGELES, spoke in support of the recommendation.

RUTH CISLOWSKI, WEST HOLLYWOOD, spoke in support of the recommendation as well as support for the recommendation in Item 4.A. She stated that funds which would have gone to L.A. Shanti were directed to other AIDS organizations.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the recommendation.

Councilmember Heilman spoke regarding the history of the City's support of the Los Angeles Shanti Foundation. He spoke about the need for L.A. Shanti to restructure and reorganize as well as the City's responsibility to continue funding them their time of need. He also spoke regarding the City's large Social Service's budget and the need to fund the Los Angeles Shanti Foundation from existing Social Services funds, rather than the General Fund.

Councilmember Guarriello spoke regarding the purpose of money that is being held in reserve in the proposed Social Services funding, Item 4.A.

Councilmember Prang expressed his long-time support of the Los Angeles Shanti Foundation. He also expressed his concerns regarding on-going problems with the Los Angeles Shanti Foundation. He spoke in support of granting funding, but taking the funds from Social Services funding.

Mayor Pro Tempore Land spoke in opposition to taking funds from the General Fund, but spoke in support of looking at different ways of allocating current Social Services funds.

Mayor Duran spoke regarding the need for the City to be willing to overlook the late submission of the application in order to provide much-needed funds to the Los Angeles Shanti Foundation.

ACTION: Consider funding the Los Angeles Shanti Foundation under Item 4.A. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and carried unanimously.**

4.A. SOCIAL SERVICES PROGRAMS, 2004-06:

Daphne Dennis, Social Services Manager, provided background information as outlined in the staff report dated September 7, 2004.

Mayor Pro Tempore Land recused herself for the grant award for the Los Angeles Free Clinic.

JEFF WEIR, SHERMAN OAKS, spoke in support of the recommendation.

ACTION: 1) Approve the 2004-05 Social Services programs funding for the Los Angeles Free Clinic; and 2) Authorize the City Manager to sign contract agreements. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and carried unanimously with Mayor Pro Tempore Land's recusal.**

ANGIE COOPER, JEWISH VOCATIONAL SERVICES, spoke in support of the recommendation.

SUSAN ALEXMAN, WEST HOLLYWOOD, spoke in support of the recommendation.

CAROL HENNAULT, HACIENDA HEIGHTS, spoke in support of the recommendation.

RUTH LINDEN, WEST HOLLYWOOD, spoke in support of the recommendation.

MARK STEWART, WEST HOLLYWOOD, spoke in support of the recommendation.

FATHER IAN ELLIOTT DAVIS, LOS ANGELES, spoke in support of the recommendation.

HOWARD JACOBS, WEST HOLLYWOOD, spoke in support of the recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the recommendation.

MITCH KAMIN, LOS ANGELES, spoke in support of the recommendation.

JOHN KILPATRICK, WEST HOLLYWOOD, spoke in support of the recommendation.

LATRICIA GAVIN, OXNARD, announced the following speakers:

CARLA PEREZ, LOS ANGELES, spoke in support of the recommendation.

MARTHA ARTEA, WEST HOLLYWOOD, spoke in support of the recommendation.

AMADA MESINAS, WEST HOLLYWOOD, spoke in support of the recommendation.

IDALIA MARTINEZ, WEST HOLLYWOOD, spoke in support of the recommendation.

HELEN LEVIN, WEST HOLLYWOOD, spoke in support of the recommendation and also spoke in support of Item 5.C. regarding the West Hollywood Community Housing Corporation.

JOEL ROBERTS, SANTA MONICA, spoke in support of the recommendation.

RUTH CISLOWSKI, WEST HOLLYWOOD, spoke in support of the recommendation.

JOYA PARENTEAU, SIMI VALLEY, spoke in support of the recommendation.

SHARON GERBER spoke in support of the recommendation.

YOLA DORE, WEST HOLLYWOOD, spoke in support of the recommendation.

LORI ELMELUND, LOS ANGELES, spoke in support of the recommendation.

JEFF BAILEY, LOS ANGELES, spoke in support of the recommendation.

TIFFANY HORTON, GLENDALE, spoke in support of the recommendation.

JANET WITKIN, WEST HOLLYWOOD, spoke in support of the recommendation.

Councilmember Heilman spoke regarding the need for the City to expand coordination with non-funded agencies in the City. He proposed a motion that the City fund the Los Angeles Shanti Founding (providing they have a re-organization plan) by making reductions to other AIDS organizations.

Councilmember Prang spoke in support of Councilmember Heilman's proposed motion. He also spoke regarding the City's need to find more emergency legal services and the need for the City to expand recovery services programs. He spoke in opposition to funding for St. Thomas, the Apostle.

Councilmember Guarriello spoke regarding the City's need to be more accepting of income-generating developments in order to continue Social Services funding.

Mayor Pro Tempore Land expressed the need for the City to approve the funding immediately to provide continuous Social Services Funding. She spoke in support of Councilmember Heilman's motion. She also spoke in favor of supporting agencies that serve West Hollywood, but are located in neighboring communities.

Mayor Duran spoke in support of Councilmember Heilman's motion. He also spoke in appreciation of St. Thomas, the Apostle for their outreach to all members of the West Hollywood community.

Councilmember Heilman added that if the City is going to continue supporting St. Thomas, the Apostle in the future, they should set up a non-profit organization.

ACTION: 1) Approve the 2004-05 Social Services programs with the following modifications:

Reduce the following organizations to these amounts:

AIDS Healthcare Foundation - \$39,600
AVIVA Family & Children's Svcs. - \$30,000
Being Alive - \$83,000
GLC – Mental Health - \$105,400
PATH - \$284,700
PAWS/LA - \$44,000
Project Angel Food - \$60,000;

2) Direct Human Services Staff to work with the Los Angeles Shanti Foundation to make sure they have a re-organization plan in place; 3) direct staff to take the reductions from the HSC recommendations listed above, combined with the reserves from the 2003-2004 Social Services budget, and return to Council with a revised funding budget for the Los Angeles Shanti Foundation; 4) allow staff to extend the current funding to the Los Angeles Shanti Foundation for one (1) month; and 5) Authorize the City Manager to sign contract agreements. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and carried unanimously.**

THE CITY COUNCIL RECESSED AT 10:10 PM. THE CITY COUNCIL RECONVENED AT 10:30 PM.

The following item was moved out of order of the agenda:

4.F. COMMISSION AND ADVISORY BOARD APPOINTMENTS:

ACTION: Call for Nominations for the direct and at-large appointments for the following Commission and Advisory Board: Human Services and Women's Advisory Board. **Carried by concurrence of the Council.**

Direct Appointment:

Human Services Commission: **F. Gary Augeri**

At-Large Appointment:

Women's Advisory Board: **Sarah Dodge**

4.C. UPDATE ON MODIFICATIONS TO THE MIXED USE SECTIONS OF THE ZONING ORDINANCE:

Susan Keene, Planning Manager, and staff, provided background information as outlined in the staff report dated September 7, 2004.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding concerns with the mixed-use plan.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in support of the recommendation, but also expressed concerns regarding the specifics of the mixed-use plan.

BARBARA ROBERTSON, WEST HOLLYWOOD, spoke regarding the need for the City to preserve green-space in the City.

JACK MERRILL, WEST HOLLYWOOD, spoke in support of the recommendation, but expressed some concerns regarding the mixed-use plan.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition to the recommendation.

Mayor Pro Tempore Land spoke in support of increasing mixed-use development in the City, along with the need to be careful about what requirements are included, particularly in the areas of parking; finding opportunities for more open space; and finding more opportunities for low-income housing. She spoke regarding the possibility of speeding up the process. She also spoke regarding the need to design today for tomorrow's needs.

Councilmember Prang spoke in support of mixed-use development, along with the need to be cautious about parking requirements.

Councilmember Guarriello spoke in support of the advantages of mixed-use projects for businesses and residents.

Councilmember Heilman spoke in support of mixed-use development, but expressed a need to establish development standards so that impacts on residents are minimized. He also spoke regarding a concern about developers renting residential properties as commercial properties, and the need to consider rental restrictions on the property owners.

ACTION: Direct staff to proceed with proposed mixed-use overlay zone with site specific incentives and return to Council for authorization of the contract to begin required environmental work. **Motion by Councilmember Prang, seconded by Mayor Pro Tempore Land and carried unanimously.**

4.D. POLICY RECOMMENDATION ON MEMORIALS, TRIBUTE TREES AND PLAQUES:

ACTION: This Item was tabled.

4.E. UPDATE ON THE ANNUAL CONGRESS FOR COMMISSIONS AND ADVISORY BOARDS:

City Clerk West provided background information as outlined in the staff report dated September 7, 2004.

Councilmember Prang expressed the need for training for Boards and Commissions, beyond Brown Act training. He also spoke regarding the need to train Advisory Board members regarding the scope of their work and how to best be prepared for Board meetings.

Mayor Pro Tempore Land spoke about the need to incorporate the Boards' and Commissions' past accomplishments and future goals into the Annual Congress.

Councilmember Heilman suggested that the morning session of the Annual Congress be comprised of presentations from the Boards and Commissions themselves, instead of incorporating that information into a PowerPoint presentation.

Councilmember Guarriello spoke regarding the need for Boards and Commissioners to streamline their presentations for the Annual Congress.

Mayor Duran spoke regarding the need to achieve the outlined goals for the Annual Congress and expressed concern that the schedule is more Council driven and doesn't allow the Boards and Commissions to adequately participate. He suggested making the PowerPoint presentation a printed documented, distributed beforehand. He also suggested canceling the morning break. He recommended that the Council Deputies work with the City Clerk's office to finalize the schedule. He suggested after the Boards and Commissions give presentations in the morning, with the afternoon session being an open dialogue and discussion. He spoke regarding obtaining an outside key-note speaker. He also recommended ending the Annual Congress at 3:00pm.

Mayor Pro Tempore Land suggested that staff send out materials ahead of time and keep the Advisory Boards and Commissions informed so that they are prepared for the Congress.

ACTION: Approve the proposed format for the Commission and Board Annual Congress and provide further direction. **Approved with direction by consensus of the Council.**

5. NEW BUSINESS:

5.A. MOTORCYCLE NOISE ABATEMENT:

Councilmember Heilman provided background information as outlined in the staff report dated September 7, 2004.

TOM DEMILLE, WEST HOLLYWOOD, spoke in opposition to the recommendation.

MARTIN GREENHOUSE, WEST HOLLYWOOD, spoke in support of the recommendation.

IRIS GOULD, WEST HOLLYWOOD, spoke in support of the recommendation.

Councilmember Heilman clarified that this Item is not a ban on motorcycles, but an attempt to target motorcycles that have been modified and are not in compliance with noise codes and businesses that aid motorcycle owners in these modifications.

ACTION: 1) Direct the City Attorney to amend the West Hollywood Municipal Code to specifically address motorcycle noise standards in the city; 2) Direct the Sheriff's Department, Public Safety and Code Enforcement to develop and implement a campaign to reduce motor cycle noise in West Hollywood; and 3) Direct Public Safety staff to provide the City Council with an evaluation of the campaign in September of 2005. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and carried unanimously.**

5.B. DESIGNATION OF A CERTAIN PORTION OF SANTA MONICA BOULEVARD AS THE "LITTLE RUSSIA BUSINESS DISTRICT":

Council Deputy Hernan Molina provided background information as outlined in the staff report dated September 7, 2004.

Councilmember Heilman spoke regarding reaching out to the non-Russian speaking residents and non-Russian businesses so that they don't feel excluded.

Councilmember Guarriello spoke regarding the new Project Advisory Committee and the need for their input on this discussion.

Councilmember Prang spoke in support of the Item. He spoke regarding the inclusion of the Ukranian community in the discussions.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the recommendation.

NICHOLAS LEBEDEFF, WEST HOLLYWOOD, spoke in support of the recommendation.

FLORINA TUBIS, WEST HOLLYWOOD, spoke in support of the recommendation.

SERGEY RAFAILOY, WEST HOLLYWOOD, spoke in support of the recommendation.

VINCENT GORELIK, WEST HOLLYWOOD, spoke in support of the recommendation.

ALEX BRIK, WEST HOLLYWOOD, spoke in support of the recommendation.

DONNY CACY, LOS ANGELES, spoke in opposition to the recommendation.

INNIS BRUNER, WEST HOLLYWOOD, spoke in opposition to the recommendation.

VICTOR OMELCZENKO, WEST HOLLYWOOD, spoke in opposition to the recommendation.

IRIS GOULD, WEST HOLLYWOOD, spoke in opposition to the recommendation.

Councilmember Guarriello spoke regarding the need for input from the Community and the PAC before returning with the Item.

Councilmember Heilman clarified that this Item is an attempt for the Russian community to better market themselves and as an opportunity for the whole community to benefit.

Mayor Pro Tempore Land spoke regarding the need to explore how to be inclusive of the whole community. She expressed concern about coming back to Council with this Item in 90 days. She recommended extending the time to 120 days.

ACTION: 1) Direct Economic Development Department (EDD) staff to work with a group of representatives from the Russian Advisory Board, the Chamber of Commerce, key members of the Eastside neighborhoods and Russian business owners to develop recommendations for Council consideration for the implementation of the above referenced district; and 2) Report back to Council with recommendations within 120 days. Recommendations shall include costs for all suggested options. **Motion**

by Councilmember Prang, seconded by Councilmember Heilman and carried unanimously.

5.C. QUARTERLY REPORT AND 2004-2005 SERVICE AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:

Jeffrey Skorneck, Housing Manager, provided background information as outlined in the staff report dated September 7, 2004.

LOVEDY BRYDON, WEST HOLLYWOOD, spoke in support of the recommendation.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the recommendation.

JOHN ANGELO, WEST HOLLYWOOD, spoke in support of the recommendation.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke regarding concerns about development at 1343 N. Laurel Avenue.

JACK MERRILL, WEST HOLLYWOOD, spoke in opposition to the recommendation.

DAVID NASH, WEST HOLLYWOOD, spoke in support of the recommendation, but expressed concerns about some of the specifics of the agreement.

STEVE WAYLAND, WEST HOLLYWOOD, spoke in support of the recommendation.

GEOFFREY DEWAN, LOS ANGELES, spoke in opposition to the recommendation.

BARBARA HAMAKER, WEST HOLLYWOOD, spoke in support of the recommendation.

TOM BROWN, WEST HOLLYWOOD, spoke in support of the recommendation.

RICHARD LORING, LOS ANGELES, spoke in support of the recommendation.

AGASSI TOPCHIAN, WEST HOLLYWOOD, spoke in support of the recommendation.

BARBARA ROBERTSON, WEST HOLLYWOOD, spoke in opposition to the recommendation.

PAUL ZIMMERMAN, LOS ANGELES, spoke in support of the recommendation.

MAYA BELIANSKAYA, WEST HOLLYWOOD, spoke in support of the recommendation.

DAVID SALLOUM, WEST HOLLYWOOD, spoke in support of the recommendation.

TODD ELLIOTT, WEST HOLLYWOOD, spoke in support of the recommendation.

SHIRLEY ROBERTS, WEST HOLLYWOOD, spoke in support of the recommendation.

Councilmember Guarriello spoke regarding the accomplishments of the West Hollywood Community Housing Corporation, but expressed his concerns about the current management.

Councilmember Heilman spoke regarding the accomplishments of the West Hollywood Community Housing Corporation and reiterated the Council's dedication to providing and developing affordable and senior housing.

Councilmember Prang spoke regarding the Council's commitment to providing affordable, senior, AIDS, and disability housing in West Hollywood.

ACTION: 1) Receive and file the FY 2003-2004 Fourth 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; 2) Approve a service agreement with the WHCHC in the amount of \$225,000 to provide operational support for the Corporation, with the additional provisions that WHCHC will continue to implement recommendations contained in the Palm View and Harper Community Apartments Needs Assessment; raise awareness of affordable housing needs in the City and the role of WHCHC in addressing them; and pursue programs such as fund-raising and corporate linkages that will make WHCHC more self-sufficient; and 3) Authorize the City Manager to execute the service agreement. **Motion by Councilmember Prang, seconded by Mayor Pro Tempore Land and carried with Councilmember Guarriello voting NO.**

5.D. DESIGNATION OF VOTING DELEGATE FOR NATIONAL LEAGUE OF CITIES' ANNUAL BUSINESS MEETING:

City Clerk West provided background information as outlined in the staff report dated September 7, 2004.

Mayor Pro Tempore Land nominated Councilmember Heilman as the voting delegated and Mayor Duran as the alternate voting delegate.

ACTION: 1) Appoint Councilmember Heilman as a voting delegate and Mayor Duran as the voting alternate for the 2004 National League of Cities' Annual Business Meeting; and 2) Direct the City Clerk to submit the required forms to the National League of Cities. **Motion carried by Consensus of the Council.**

EXCLUDED CONSENT CALENDAR:

2.L. A RESOLUTION IN SUPPORT OF PROPOSITION 64, LIMIT ON PRIVATE ENFORCEMENT OF UNFAIR BUSINESS COMPETITION LAW STATE OF CALIFORNIA:

Moved to Excluded Consent Calendar by Councilmember Heilman.

HILLARY SELVIN, LOS ANGELES, spoke in support of the recommendation.

ACTION: Motion was not carried due to a lack of a second.

PUBLIC COMMENT:

CHARLES DRAYMAN, WEST HOLLYWOOD, spoke regarding the upcoming Concerts for Change.

JAMES FUHRMAN, WEST HOLLYWOOD, spoke regarding filming permits near the Whiskey-a-Go-Go.

6. LEGISLATIVE:

6.A. AMEND THE WEST HOLLYWOOD MUNICIPAL CODE TO STRENGTHEN EXISTING LANGUAGE PROHIBITING THE PEDDLING OF ANIMALS ON CITY STREETS OR PUBLIC PLACES:

KRISTINE KELLY, PACIFIC PALISADES, spoke in support of the recommendation.

CARLA WAY, VALENCIA, spoke in support of the recommendation.

CHRIS DEROSE, WEST HOLLYWOOD, spoke in support of the recommendation.

KEVIN KROHN, WEST HOLLYWOOD, spoke in support of the recommendation.

JAIME PUCKET, LOS ANGELES, spoke in support of the recommendation.

ACTION: Introduce for first reading Ordinance No. 04-____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 5.92.050(1)(k) OF CHAPTER 5.92 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING THE PEDDLING OF LIVE ANIMALS". **Motion by Councilmember Guarriello, seconded by Mayor Pro Tempore Land and carried unanimously to bring the ordinance back to the September 20, 2004 as an Urgency Ordinance.**

6.B THE CITY OF WEST HOLLYWOOD VEHICLE AND TRAFFIC CODE REGARDING THE REMOVAL AND STORAGE OF ILLEGALLY PARKED VEHICLES:

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

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 1:05 AM in memory of Frank Rosendahl, Barry Menin, Vera Galanter, the victims of 9/11, the children who were lost at a Russian school last week, Deborah Kline-Aguado, Elizabeth Kubler-Ross and Craig Ritchie to their next regular meeting, which will be on Monday, September 20, 2004 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 20th DAY OF SEPTEMBER 2004.



JOHN J. DURAN, MAYOR

ATTEST:



THOMAS R. WEST, CITY CLERK