

**CITY COUNCIL  
MINUTES  
MONDAY, OCTOBER 4, 2004  
WEST HOLLYWOOD PARK**

**CALL TO ORDER:** The meeting was called to order at 6:50 PM.

**PLEDGE OF ALLEGIANCE:** Ann Semonco 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 there was one public comment. He stated that two items were added: one Initiation of Litigation, Regency Outdoor v. City of West Hollywood; Matter of Personnel, Evaluation of City Manager. He stated that the Joint Powers Insurance Agency will defend the City in the case of Regency Outdoor v. City of West Hollywood. He stated that the Closed Session adjourned at 6:30 PM with no reportable action.

**APPROVAL OF AGENDA:**

Staff requested that Item 4.A. and Item 4.B. be heard together as one item.

Staff requested that Item 2.M. be TABLED.

Councilmember Heilman requested that not all of the Project Advisory Committee appointments be made at tonight's meeting.

**ACTION: Motion by Councilmember Prang, seconded by Mayor Pro Tempore Land to approve the October 4, 2004 agenda as amended and carried unanimously.**

**PRESENTATIONS:**

Mayor Pro Tempore Land presented a commendation to Members of the Breast Cancer Awareness Month Planning Committee proclaiming October as "Breast Cancer Awareness Month."

Councilmember Guarriello presented a commendation to members of the Disabilities Advisory Board proclaiming October as "Disability Awareness Month" and October 20<sup>th</sup> as "Disability Mentoring Day."

Councilmember Prang presented a commendation to Chief Scott Smith and members of the Public Safety Commission proclaiming National Fire Prevention Week.

Councilmember Heilman presented a commendation to Captain Dave Long and members of the Public Safety Commission proclaiming National Crime Prevention Month.

**1. PUBLIC COMMENT:**

STAS NAMIN, MOSCOW, spoke regarding the Russian Cultural Festival that was presented at the Pacific Design Center.

VIKTORIA KONEVSKY, LOS ANGELES, spoke in support of Item 2.Q., the Russian American Art Exhibit 2.

TOM DEMILLE, WEST HOLLYWOOD, spoke regarding the National Presidential Election on November 2, 2004.

ED BUCK, WEST HOLLYWOOD, spoke in opposition to the adoption of Ordinance No. 04-690, an amendment to the Noise Ordinance.

SARAH DODGE, LOS ANGELES, spoke regarding upcoming forums that the Women's Advisory Board has organized regarding propositions on the November ballot.

RUTH WILLIAMS, WEST HOLLYWOOD, commended the City on the West Hollywood Book Fair. She spoke regarding the upcoming Presidential election forum.

BRYAN DAHLGREN, WEST HOLLYWOOD, spoke in support of the Disabilities Advisory Board recommendation regarding stricter enforcement of City's ordinance to prevent obstruction of rights of way.

ANN SEMONCO, WEST HOLLYWOOD, spoke in support of the Disabilities Advisory Board recommendation regarding stricter enforcement of City's ordinance to prevent obstruction of rights of way.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke regarding the National Presidential Election and the Presidential Debate. She also commended City staff on the Book Fair. She spoke in support stricter enforcement of City's ordinance to prevent obstruction of rights of way. She spoke in support of a master City calendar.

LIZA AMTMANIS, LOS ANGELES, spoke in support of Item 2.T., the Historic Resources Survey and spoke in opposition to the proposed project at 1343 N. Laurel Avenue.

GARTH MECKLER, WEST HOLLYWOOD, West Hollywood Soccer Club, spoke in opposition to City's rule that no organized team sports be played on the field in West Hollywood parks.

ERIC NORMAN, WEST HOLLYWOOD, spoke in support of the designation of Breast Cancer Awareness Month, in support of Item 2.T., the Historic Resources Survey. He spoke in support of adopting Ordinance No. 04-687, and in support of increasing options for homeless shelters.

SHAWN BOONE, WEST HOLLYWOOD, spoke in opposition to increased development in the City of West Hollywood.

AGASSI TOPCHIAN, WEST HOLLYWOOD, commended City staff on the West Hollywood Book Fair.

MICHAEL ARRIGO, WEST HOLLYWOOD, spoke in support of Item 5.A., the Disabilities Advisory Board recommendation regarding stricter enforcement of City's ordinance to prevent obstruction of rights of way. He commended City staff on the Book Fair and suggested making the event a two-day event which also addresses individuals with disabilities.

#### **COUNCILMEMBER COMMENTS:**

Councilmember Guarriello spoke regarding a notice from John Chiang regarding the State of California Homeowners/Renters Assistance Program for low-income seniors and/or disabled individuals. He spoke regarding recent burglaries in the City where the perpetrators have posed as window washers wearing blue overalls. He stressed the importance of women voting because of the low turnout of women voters in the 2000 Presidential Election.

Councilmember Heilman congratulated Alex Stettinski from the Avenues of Art & Design Board on becoming a U.S. citizen. He thanked the members of the Russian community who spoke regarding the Russian cultural events. He thanked and congratulated City staff on their hard work to coordinate the Book Fair. He requested that staff work with the Soccer Club to find a way for them to play in West Hollywood.

Councilmember Prang requested that staff work with the West Hollywood Soccer Club to find a way for them to play in West Hollywood. He spoke regarding the upcoming Erotic Arts Fair and Women's Advisory Board Election Forums. He acknowledged and recognized Chuck Henry, his Human Services Commissioner, for his hard work.

Mayor Pro Tempore Land spoke in support of the City working with the Soccer Club. She stressed the importance of registering to vote. She spoke regarding the upcoming Women's Advisory Board Election Forums. She spoke regarding the upcoming the Disabilities Advisory Board Awards and the Domestic Violence Prevention Awards.

Mayor Duran spoke in support of the West Hollywood Soccer Club being allowed to continue playing on the park field. He spoke regarding Governor Schwarzenegger signing four bills supporting gay and lesbian issues.

## **CITY MANAGER'S REPORT:**

City Manager Arevalo spoke regarding the upcoming AIDS Walk.

### **FISCAL IMPACT ON CONSENT CALENDAR:**

City Clerk West stated that the fiscal impact on the consent calendar is \$300 in expenditures and \$0 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.,N.,O.,P.,Q.,R.,S.,T **Motion by Councilmember Guarriello, seconded by Councilmember Heilman 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 the September 20, 2004 City Council meeting, and the minutes of the September 27, 2004 City Council Study Session with the Arts and Cultural Affairs Commission. **Approved as part of the Consent Calendar.**

### **2.C. DEMAND REGISTER NO. 517, RESOLUTION NO. 04-3136:**

**ACTION:** Approve Demand Register No. 517 and adopt Resolution No. 04-3136, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 517." **Approved as part of the Consent Calendar.**

### **2.D. TREASURER'S REPORT FOR AUGUST 2004:**

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

### **2.E. ORDINANCE NO. 04-687 (2<sup>ND</sup> READING), A PROPOSED ORDINANCE AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO STRENGTHEN EXISTING LANGUAGE PROHIBITING SLEEPING IN ENTRANCES OF BUILDINGS:**

**ACTION:** Waive further reading and adopt Ordinance No. 04-687, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 9.04.040 OF CHAPTER 9.04 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING OBSTRUCTING ENTRANCES." **Approved as part of the Consent Calendar.**

### **2.F. ORDINANCE NO. 04-688 (2<sup>ND</sup> READING), A PROPOSED ORDINANCE AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO MAKE THE PEDDLING OF LIVE ANIMALS A MISDEMEANOR CRIME:**

**ACTION:** Waive further reading and adopt Ordinance No. 04-688, "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." **Approved as part of the Consent Calendar.**

- 2.G. ORDINANCE NO. 04-690 (2<sup>ND</sup> READING), A PROPOSED ORDINANCE AMENDING SECTION 9.08.050(e) OF CHAPTER 9.08 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING PROHIBITED NOISE:**  
**ACTION:** Waive further reading and adopt Ordinance No. 04-690, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTION 9.08.050(E) OF CHAPTER 9.08 OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING PROHIBITED NOISE." **Approved as part of the Consent Calendar.**
- 2.H. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**  
**ACTION:** Receive and file. **Approved as part of the Consent Calendar.**
- 2.I. COMMISSION AND ADVISORY BOARD ATTENDANCE REPORTS:**  
**ACTION:** Receive and file. **Approved as part of the Consent Calendar.**
- 2.J. REQUEST FROM THREE MEMBERS OF THE DISABILITIES ADVISORY BOARD REGARDING ALLOWABLE ABSENCES:**  
**ACTION:** 1) Accept the request from Disabilities Advisory Board member Phyllis Coto for a four-month leave of absence; and 2) Allow Disabilities Advisory Board members Suzanne Dietrich and Joel Ring to remain on the Disabilities Advisory Board despite having more than three (3) absences in a twelve (12) month period. **Approved as part of the Consent Calendar.**
- 2.K. CITY PARTICIPATION IN LOS ANGELES COUNTY CORPORATE/COMMUNITY SERVICE POLLWORKER PROGRAM:**  
**ACTION:** 1) Authorize the City Clerk to implement the Los Angeles County Corporate/Community Service Pollworker Program in West Hollywood; and 2) Authorize City Staff to participate in the Los Angeles County Corporate/Community Service Pollworker Program. **Approved as part of the Consent Calendar.**
- 2.L. RESOLUTIONS REGARDING THE ADMINISTRATION OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2005:**  
**ACTION:** 1) Adopt Resolution No. 04-3137, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2005 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES."; 2) Adopt Resolution No 04-3138, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

WEST HOLLYWOOD, CALIFORNIA REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2005"; and 3) Adopt Resolution No. 04-3139, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2005." **Approved as part of the Consent Calendar.**

**2.M. NOTICE OF COMPLETION FOR CIP 0407, LA PEER DRIVE PARKING LOT IMPROVEMENT PROJECT:**  
**ACTION: This Item was TABLED.**

**2.N. APPROVAL OF FINAL TRACT MAP NO. 53825 FOR THE CONDOMINIUM PROJECT LOCATED AT 1011 ORANGE GROVE AVENUE:**

**ACTION:** 1) Make findings for the Final Tract Map as follows: a) That this project will not violate any of the provisions of Sections 66474, 66474.1, and 55474.6 of the Subdivision Map Act; b) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3, Division 1 of the Government Code or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; c) That the development of the property in the manner set forth on the subject division of land will not unreasonably interfere with the free and complete exercise of any public entity and/or public utility rights of way and/or easements within the subject division of land, pursuant to Section 66436(a)3A(i-viii) of the Subdivision Map Act; 2) Approve Final Tract Map No. 53825 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 53825 the certificate, which embodies the approval of said map. **Approved as part of the Consent Calendar.**

**2.O. CO-SPONSORSHIP OF THE RUSSIAN NIGHTS FILM FESTIVAL IN WEST HOLLYWOOD:**

**ACTION:** 1) Approve co-sponsorship of the Russian Nights Film Festival and Cultural Experience; and 2) Direct staff to work with film festival organizers and the Convention & Visitors Bureau (C&VB) to maximize the exposure of West Hollywood through the national media. **Approved as part of the Consent Calendar.**

**2.P. AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT – BANNER POLICY:**

**ACTION:** Approve the Avenues' Street Pole Banner Policy. **Approved as part of the Consent Calendar.**

**2.Q. RESOLUTION IN SUPPORT OF THE "RUSSIAN-AMERICAN ART-2" EXHIBIT IN THE PACIFIC DESIGN CENTER:**

**ACTION:** Adopt Resolution No. 04-3140, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS CO-SPONSORSHIP OF THE "RUSSIAN-AMERICAN ART-2" EXHIBIT. **Approved as part of the Consent Calendar.**

**2.R. ESTABLISHMENT OF A WELCOME TO WEST HOLLYWOOD PROGRAM:**

**ACTION:** 1) Direct the City Manager to designate the appropriate staff to create a welcome to West Hollywood program as outlined in this staff report; 2) Direct designated staff to return to the City Council within 120 days with a suggested welcome package and a budget for the program; and 3) Direct staff to investigate the possibility of obtaining sponsors or grants to help underwrite the cost of the program. **Approved as part of the Consent Calendar.**

**2.S. APPROVAL FOR THE CITY'S CO-SPONSORSHIP OF THE 4<sup>TH</sup> ANNUAL MID-WILSHIRE COMMUNITY DOMESTIC VIOLENCE PREVENTION AWARDS CEREMONY AND A RESOLUTION DECLARING OCTOBER AS "DOMESTIC VIOLENCE/ PARTNER ABUSE AWARENESS MONTH" IN WEST HOLLYWOOD:**

**ACTION:** 1) Adopt Resolution No.04-3141, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING OCTOBER AS "DOMESTIC VIOLENCE/PARTNER ABUSE AWARENESS MONTH" IN WEST HOLLYWOOD; 2) Authorize the City's co-sponsorship of the 4th Annual Mid-Wilshire Community Domestic Violence Prevention Awards Ceremony. **Approved as part of the Consent Calendar.**

**2.T. UPDATE OF THE WEST HOLLYWOOD HISTORIC RESOURCES SURVEY:**

**ACTION:** 1) Receive information on the City's existing Historic Resources Survey; 2) Authorize staff to proceed with an update of the Historic Resources Survey Phase 1, not to exceed \$100,000; and 3) Authorize staff to expeditiously return to Council with a professional services agreement to perform above survey and at that time appropriate needed resources to cover the contract cost. **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:** None

**4. UNFINISHED BUSINESS:**

**4.A. 2004 HALLOWEEN CARNAVAL EVENT PLANS AND STREET CLOSURES:**

Lloyd Long, Director of Human Services and Nancy Beard, Recreation Services Manager, provided background information as outlined in the staff report dated October 4, 2004.

TOM DEMILLE, WEST HOLLYWOOD, spoke in opposition to closing the street at noon on Sunday. He spoke in support of constructing a security fence and requesting donations for the event.

Councilmember Heilman requested that staff work with the Sheriff's Department to mitigate Saturday, pre-Halloween crowds to ensure the safety of all participants. He expressed concern that the sponsor in the Pavilion's parking lot may compete with local businesses and that noise levels be buffered. He requested that staff notify the local churches of the street closures. He spoke in support of encouraging higher profile events that would work concurrently with community organizations and social services agencies.

Mayor Pro Tempore Land spoke in support of adequate buffers on the tent in the Pavilion's parking lot and to notice the adjacent neighborhood.

Councilmember Prang spoke in opposition to the tent in the Pavilion's parking lot due to the close proximity to the adjacent neighborhood. He spoke in support of using the Pavilion's parking lot for parking for the event. He spoke in support of having several smaller acts rather than larger events due to public safety concerns. He stressed the importance of public safety.

Councilmember Guarriello expressed concern over the tent in the Pavilion's parking lot and in support of using the lot for parking for the event.

Mayor Duran expressed concern over the close proximity of the tent in the Pavilion's parking lot to the adjacent neighborhood.

Councilmember Heilman spoke in support of exploring an alternative venue for the ClearChannel/APLA disco tent to offset the concerns.

**ACTION:** 1) Approve street closures and parking requests; 2) Approve the serving of alcoholic beverages in the VIP reception area; 3) Approve the serving of beer in designated beer garden; 4) Authorize the Director of Finance and Technology to increase the revenue and expenditure budget as needed to properly record sponsorships and donations; and 5) Approve event fee waivers and fees established for this event. **Motion by Mayor Pro Tempore Land, seconded by Councilmember Heilman and**



**carried unanimously with additional direction to explore alternative sites for the proposed tent at the Pavilion's parking lot.**

**Items 4.B. and 4.C. were heard concurrently.**

**4.B. PARK MASTER PLANS:**

Sam Baxter, Facilities & Landscape Manager, and City consultant, MDA Johnson Favaro, provided background information as outlined in the staff report dated October 4, 2004.

LIZA AMTMANIS, LOS ANGELES, spoke in opposition to the proposed project at 1343 N. Laurel Avenue and in support of using the property as a pocket park and cultural facility.

ROSLYN KRAUSE, WEST HOLLYWOOD, spoke in opposition to proposed plans at West Hollywood Park.

Mayor Duran spoke in support of the proposed master plan and the increase of green space. He spoke in support of finding alternatives for the bond money in order to ensure that the City is able to build the library. He expressed his appreciation for the work of MDA Johnson Favaro.

Councilmember Heilman expressed his appreciation to MDA Johnson Favaro, City staff and the Steering Committee on their work on the park master plan and library projects. He spoke in support of the proposed master plan and the increase of green space as well as the increase to the size of the library, amount of parking and other facilities.

Councilmember Guarriello expressed his appreciation to MDA Johnson Favaro, City staff and the Steering Committee on their work on the park master plan and library projects. He spoke in support of the proposed master plan and the increase of green space as well as the improvement of the library.

Mayor Pro Tempore Land spoke in support of the park master plan and the increase of the green space. She spoke in support of developing the library as a sustainable building and in support of encouraging further development of sustainable buildings. She spoke in support of re-visiting the plan in the future to remain flexible to community's needs. She spoke in support of working with the City of Los Angeles regarding programming for West Hollywood residents at Poinsettia Park.

Councilmember Prang spoke in support of the park master plan and the increase of green space. He expressed concern over the financing and the possibility of acquiring the State bond money. He spoke in support of considering and proceeding with alternative finance options as soon as the City is notified about the status of the bond money.

Councilmember Heilman spoke in support of authorizing staff to negotiate a contract that would include a clause that would allow the City to terminate the contract if the project is delayed.

Councilmember Guarriello spoke regarding the increase of potential tax revenue due to increased development.

**ACTION:** 1) Adopt Resolution No. 04-3142, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE WEST HOLLYWOOD PARK MASTER PLAN AND APPROVING THE WEST HOLLYWOOD PARK MASTER PLAN."; and 2) Adopt the Plummer Park Master Plan ReVisit. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and carried unanimously.**

**4.C. WEST HOLLYWOOD LIBRARY DESIGN DEVELOPMENT:**

Ray Reynolds, Economic Development Director, and Jeffrey Huffer, Project Administrator, provided background information as outlined in the staff report dated October 4, 2004.

**Public Comment and Councilmembers' Comments are found in Item 4.B.**

**ACTION:** 1) Review and receive the West Hollywood Library Budget and West Hollywood Library Design Services Schedule; 2) Consider a contract with MDA Johnson-Favaro for Library architectural services and authorize the appropriation of \$1.5 million from the General Fund Reserve for Schematic Design and Design Development; and 3) Consider designing the unfinished lower level space as a multi-purpose meeting facility and amend the proposed Budget. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and carried unanimously with the additional direction to include authorizing staff to negotiate a cancellation clause in the architect's contract.**

**THE CITY COUNCIL RECESSED AT 9:05 PM AND RECONVENED AT 9:17 PM.**

**4.D. EAST SIDE REDEVELOPMENT PROJECT ADVISORY COMMITTEE APPOINTMENTS:**

Allyne Winderman, Director of Rent Stabilization & Housing and City Clerk West provided background information as outlined in the staff report dated October 4, 2004.

**ACTION:** This Item was **TABLED** to the November 1, 2004 City Council meeting. **Motion by Councilmember Heilman, seconded by Mayor Pro Tempore Land and carried unanimously.**

**5. NEW BUSINESS:**

**5.A. ACCESS TO AND USE OF THE PUBLIC RIGHT OF WAY WHICH AFFECTS PEOPLE WITH DISABILITIES:**

Daphne Dennis, Social Services Manager, provided background information as outlined in the staff report dated October 4, 2004.

NORMAN CHERNER, WEST HOLLYWOOD, Chair of the Disabilities Advisory Board, spoke regarding the resolutions that were adopted by the Disabilities Advisory Board. He spoke in support stricter enforcement of the City's ordinance on public right of way access.

Mayor Duran spoke in support of the enforcement of obstruction of the public right of way. He expressed concern over the issue of outdoor dining and the recommendation by the Board.

Councilmember Heilman spoke in support of the enforcement of obstruction of the public right of way. He expressed concern over the issue of outdoor dining and the recommendation by the Board. He suggested that more research be done with the Planning Department and Building & Safety Departments in order to ensure that there is a balance between allowing outdoor dining and being accessible to people with disabilities.

Mayor Pro Tempore Land spoke in support of the City working with the Chamber and the Disabilities Advisory Board to implement the recommendations.

Councilmember Prang expressed concern over certain restaurants that do not have the proper clearance in the public right of way. He spoke in support of the City working with the Chamber and the Disabilities Advisory Board to ensure compliance and set up a program to assess these issues.

Mayor Pro Tempore Land spoke in support of the City working with the Chamber of Commerce to notify and educate businesses on the enforcement.

**ACTION:** Provide direction to staff regarding the issues raised by the Disability Advisory Board. **Motion by Councilmember Heilman, seconded by Councilmember Guarriello and carried unanimously with the further direction to work with the Community Development Department on enforcement of ADA sidewalk requirements and return to Council for a broad policy discussion on outdoor dining accessibility.**

**EXCLUDED CONSENT CALENDAR:** None.

**PUBLIC COMMENT:**

JOYCE HEFTEL, WEST HOLLYWOOD, spoke in support of discussing major projects, specifically Sunset/Olive and Sunset Millennium, at the same time in order to understand the overall impact of all of those projects on the area.

**6. LEGISLATIVE:**

**6.A. TENANT RELOCATION FEES:**

Marney Hull, Rent Stabilization Manager, provided background information as outlined in the staff report dated October 4, 2004.

Councilmember Guarriello spoke in support of the developer paying a minimum of 12 months market rent to lower income senior citizens and people living with disabilities.

ED GARREN, WEST HOLLYWOOD, expressed concern over the City returning to Council with any part of this. He spoke in support of the City approving all relocation fees as soon as possible.

**ACTION:** Introduce on first reading Ordinance No. 04-691, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD INCREASING THE TENANT RELOCATION FEES AND AMENDING THE RENT STABLIZATION PROVISIONS OF THE WEST HOLLYWOOD MUNICIPAL CODE". **Motion by Councilmember Prang, seconded by Mayor Pro Tempore Land and carried unanimously.**

**COUNCILMEMBER COMMENTS:** None.

**ADJOURNMENT:** The City Council adjourned at 9:50 PM to the Commission and Board Annual Congress, which will be on Saturday, October 16, 2004 at 9:30a.m. at the Pacific Design Center, 8687 Melrose Ave, West Hollywood.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 18<sup>th</sup> DAY OF OCTOBER 2004.

ATTEST:

  
JOHN J. DURAN, MAYOR

  
THOMAS R. WEST, CITY CLERK