

**CITY COUNCIL
MINUTES
MONDAY, NOVEMBER 1, 2004
WEST HOLLYWOOD PARK**

CALL TO ORDER: The meeting was called to order at 6:54 PM.

PLEDGE OF ALLEGIANCE: Dave Weidlich 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 announced that the City Council held a special meeting to discuss the employee evaluation of the City Manager. He stated that the Closed Session adjourned at 6:45 PM with no reportable actions taken.

APPROVAL OF AGENDA:

Staff requested that Item 2.F. be Tabled.

Councilmember Heilman requested that Item 4.B. and Item 5.A. be moved to the Consent Calendar as Items 2.K. and 2.L.

Councilmember Prang requested that the meeting be adjourned in memory of Elliot Hansell, Julia Melnakov and Sandy Linick.

ACTION: Motion by Councilmember Guarriello seconded by Mayor Pro Tempore Land to approve the November 1, 2004 agenda as amended and carried unanimously.

PRESENTATIONS:

Councilmember Heilman presented a proclamation to Dave Weidlich for his work in the business community of West Hollywood.

Councilmember Guarriello presented proclamations to the volunteers who worked to make the West Hollywood Book Fair a success.

Councilmember Prang presented proclamations to the 35 members of the planning committee for the West Hollywood Book Fair.

Councilmember Heilman presented proclamations to Chris Worland, Roz Helfand and Corey Roskin for their work in the planning of the Book Fair.

Councilmember Heilman presented a proclamation to Roz Helfand for her volunteer work for the City of West Hollywood.

Councilmember Heilman presented proclamations to representatives to sponsors of the West Hollywood Book Fair for their support.

Councilmember Heilman presented proclamations to three local school principals who are leaving West Hollywood schools.

Mayor Duran presented a proclamation to Captain Richard Odenthal for his work with the City of West Hollywood.

Mayor Duran presented a proclamation to Heidi Kim Schroeder of the Women's Advisory Board.

1. PUBLIC COMMENT:

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

RENEE DAKE WILSON, WEST HOLLYWOOD, spoke in support of Item 2.L., the establishment of a Green Building Program.

HEAVENLY WILSON, WEST HOLLYWOOD, spoke in support of a moratorium on the demolition and development of older buildings in the City.

WILLIAM NEISH, WEST HOLLYWOOD, spoke in support of a moratorium on the demolition and development of older buildings in the City.

J.W. MOORE IV, WEST HOLLYWOOD, spoke regarding touchscreen voting and the importance of voting on Election Day.

IGOR DVORSKIY, representative of the Dvorskaya Alternative School, spoke regarding an upcoming fundraiser for the school.

ED GARREN, WEST HOLLYWOOD, spoke regarding tenants who are not paid relocation fees on Ellis Act properties.

SHARON O'ROURKE, Public Affairs Counsel for The Gas Co., spoke in support of the establishment of a Green Building Program.

DANIEL WATSON, WEST HOLLYWOOD, spoke regarding senior housing and spoke in opposition to the proposed development of the property at 1343 N. Laurel Avenue

MARCY NORTON, WEST HOLLYWOOD, expressed her appreciation on the Council's support of the Friends of the West Hollywood Library and spoke regarding the West Hollywood Book Fair.

MARIE MANGINE, WEST HOLLYWOOD, spoke in opposition to the City's inclusionary housing and tenant relocation fee ordinances, as well as the City's association with a certain law firm.

ELIZABETH BAKULSKI, WEST HOLLYWOOD, spoke in support of the City using the vacant apartments at 1343 N. Laurel Avenue for individuals who have been displaced from their homes due to their buildings being taken off the rental market.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello announced a Veteran's Day Event at the Veteran's Memorial. He spoke regarding the momentous election on November 2, 2004. He urged everyone to vote and to be patient when they go to the polls. He also announced that all first-time voters should bring photo identification to their polling place.

Councilmember Heilman thanked Marcy Norton and Lauren Meister and the Friends of the West Hollywood Library for their work on the Book Fair. He also congratulated and thanked City staff who organized and worked on the West Hollywood Halloween Carnavale. He spoke regarding the City's history of inclusionary housing and how the City of West Hollywood was one of the first Cities to have an inclusionary housing ordinance.

Councilmember Prang announced an upcoming pet artwork event PAWS sponsored by PAWS. He congratulated City staff on the successful Halloween Carnavale event. He expressed concern over the density and size of the crowds in front of the stages. He urged all residents to vote in tomorrow's election and stressed the importance of this election.

Mayor Pro Tempore Land spoke regarding the City Council's positions on various Propositions on tomorrow's ballot. She stressed the importance of everyone going out to vote. She congratulated staff on the success of the Halloween Carnavale and spoke regarding the review of the event. She thanked staff for all of their hard work. She spoke regarding the Domestic Violence Awards that took place last week and spoke regarding the resources at City Hall to help victims of domestic violence.

CITY MANAGER'S REPORT: None.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact on the consent calendar is \$120,465 in expenditures and \$11,840 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,G.,H., I.,J.,K.(4.B.),L.(5.A.). **Motion by Councilmember Guarriello, 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 October 18, 2004. **Approved as part of the Consent Calendar.**
- 2.C. DEMAND REGISTER NO. 519, RESOLUTION NO. 04-3150:**
ACTION: Approve Demand Register No. 519 and adopt Resolution No. 04-3150, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 519." **Approved as part of the Consent Calendar.**
- 2.D. CLAIMS ADMINISTRATION:**
ACTION: Deny the claim of Alex Head and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**
- 2.E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.F. APPROVAL OF FINAL PARCEL MAP NO. 25387 FOR THE CONDOMINIUM PROJECT LOCATED AT 702 – 704 HUNTLEY DRIVE:**
ACTION: This Item was TABLED.
- 2.G. AWARD OF CONTRACT FOR CIP 5050-04-02-R, ANNUAL PAVEMENT STRIPING, LEGENDS AND PAINTING:**
ACTION: 1) Accept the bid dated October 14, 2004, in the amount of \$94,965 submitted by California Traffic Maintenance, Incorporated of Burbank, California; 2) Authorize the City Manager to sign an Agreement with California Traffic Maintenance, Incorporated in an amount of \$94,965 for the Annual Pavement Striping, Legends and Painting, CIP 5050-04-02-R; 3) Authorize the expenditure of an amount not to exceed 25% of the Agreement amount as approved by the Director of the Human Services Department; and 4) Reject all other bids and return associated Bid Bonds. **Approved as part of the Consent Calendar.**
- 2.H. AUTHORIZATION TO CO-SPONSOR THE 2004 AIDS WATCH:**
ACTION: 1) Approve the City of West Hollywood as co-sponsor of the 2004 AIDS Watch presentations on Monday, December 1, 2004; and 2) Authorize the Public Information and Legal Services Department to provide support for this project, including use of Citychannel facilities, broadcast time on Channel 6, and public information and social services support. **Approved as part of the Consent Calendar.**

2.I. REQUEST TO PURSUE GRANT FUNDING FOR REUSE ASSISTANCE PROGRAMS:

ACTION: 1) Approve a request for the Engineering Division to pursue grant funding for reuse assistance programs; and authorize the City Manager to sign the grant proposal; and 2) Adopt Resolution No. 3151, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR A REUSE ASSISTANCE PROGRAM. **Approved as part of the Consent Calendar.**

2.J. MILLS ACT CONTRACT 2004-03 FOR PROPERTY LOCATED AT 1416 N HAVENHURST DRIVE, UNIT 5A:

ACTION: Approve Historical Property Preservation Agreement (Mills Act Contract) between the City of West Hollywood and the owners of Unit 5A (Bernd Echinger) 1416 Havenhurst Drive and authorize the City Manager to sign the agreement. **Approved as part of the Consent Calendar.**

2.K. (4.B.) SUNSET BOULEVARD LAW ENFORCEMENT UPDATE – SUMMER 2004:

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

2.L. (5.A.) DIRECTION TO COMMUNITY DEVELOPMENT STAFF TO LOOK INTO STRATEGIES FOR THE ADOPTION OF A GREEN BUILDING PROGRAM IN THE CITY OF WEST HOLLYWOOD:

ACTION: 1) Develop an Ordinance and implement a Green Building Program utilizing the City of Calabasas Green Building Ordinance as a model and return to City Council in 180 days with a draft Ordinance; 2) Evaluate and present alternatives of the Green Building Ordinance regarding residential, commercial and mixed-use applications; 3) Outreach to West Hollywood Chamber of Commerce, community members, local developers, architects, builders and realtors to provide feedback on development of the Green Building Ordinance; and 4) Return to City Council within 60 days with cost estimates for staff training and consultant fees. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. PUBLIC HEARING REGARDING THE PROPOSED VACATION OF A PORTION OF PUBLIC RIGHT OF WAY ON NEMO STREET:

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

Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated November 1, 2004.

Mayor Duran opened the public hearing and no speakers came forward. Mayor Duran closed the public hearing.

ACTION: Provided that it is determined as part of the public hearing that no present or prospective public street purposes require the use of the ten-foot wide strip of land along the Nemo Street property frontage of 9073 Nemo Street, the following is recommended: 1) Make a finding that the subject ten-foot wide strip of land on the frontage of 9073 Nemo Street is unnecessary for present or prospective public street purposes; 2) Adopt Resolution No. 04-3152, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ORDERING THE VACATION OF A PORTION OF NEMO STREET AT 9073 NEMO STREET IN THE CITY OF WEST HOLLYWOOD."; and 3) Direct the City Clerk to submit certified copies of Resolution No. 04-3152 for recordation by the office of the Recorder of the County of Los Angeles. **Motion by Councilmember Prang, seconded by Councilmember Guarriello and carried unanimously.**

4. UNFINISHED BUSINESS:

4.A. 20TH ANNIVERSARY OF CITYHOOD COMMITTEE UPDATE:

Nancy Beard, Recreation Manager, provided background information as outlined in the staff report dated November 1, 2004.

ACTION: 1) Approve the committees' event plan; and or provide direction; and 2) Approve the closure of Santa Monica Boulevard from La Cienega to Crescent Heights from 4AM to approximately 8PM on December 5, 2004. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and carried unanimously.**

4.B. SUNSET BOULEVARD LAW ENFORCEMENT UPDATE – SUMMER 2004:

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

4.C. 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 November 1, 2004.

J.W. MOORE IV, WEST HOLLYWOOD, requested re-appointment to the Project Advisory Committee and requested to be considered as a Citywide representative as well as Tenant.

ACTION: Appoint 28 members to the Project Advisory Committee listed as follows:

Michael Arrigo, Rob Bergstein, Chad Blouin, Rica Burton, Adam Campos, Larissa Danilova, Ann Ehrenthal, Bobby English, Ponsella Gratton, Rev. John Griffin, Barbara Hamaker, Charles Henry, Linda Kaufman, Steve Levin, Lyndia Lowy, Joel Mark, Carol Massie, Roxanne McBryde, J.W. Moore IV, Tad Myroskov, Sharon O'Rourke, Andrew Rakos, Floyd Skolnick, Milton Swimmer, Kenneth Tashman, Fred Vanacore, Steve Wayland, Ruth Williams. **Approved by Consensus of the Council with the direction to return to Council with individuals who were nominated but not appointed at tonight's meeting.**

5. NEW BUSINESS:

- 5.A. DIRECTION TO COMMUNITY DEVELOPMENT STAFF TO LOOK INTO STRATEGIES FOR THE ADOPTION OF A GREEN BUILDING PROGRAM IN THE CITY OF WEST HOLLYWOOD:
ACTION: Moved to the Consent Calendar as Item 2.L.**

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

RICHARD SMITH, WEST HOLLYWOOD, spoke regarding good driving habits and driver safety.

6. LEGISLATIVE:

6.A PROPOSED ORDINANCE CREATING A NEW BUSINESS LICENSE CLASSIFICATION – ANIMAL GROOMING:

Tom Benedetti, Code Compliance Manager, provided background information as outlined in the staff report dated November 1, 2004.

Councilmember Heilman requested that the language in Sect. 5.18.020, Paragraph 7 be clarified to specify that the criminal conviction is for both the business and the manager/proprietor.

Councilmember Prang and Mayor Pro Tempore Land spoke in support of amending Section 15.18.030, paragraph 7 to previous language that gave the Director of Community Development the ability to approve certain dryers.

Councilmember Prang expressed concern over assertion that training is cost-prohibitive.

ACTION: Introduce on first reading Ordinance No. 04-692, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A NEW BUSINESS LICENSE CLASSIFICATION RELATIVE TO ANIMAL GROOMING". Motion by Councilmember Heilman, seconded by Councilmember Guarriello and carried unanimously with the clarification to Section 5.18.020, Paragraph 7 to specify that the criminal conviction is for both the business and the manager/proprietor.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 8:45 P.M. in the memory of Elliot Hansell, Julia Melnakov and Sandy Linick to their next regular meeting, which will be on Monday, November 15, 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 15th DAY OF NOVEMBER 2004.

ATTEST:



JOHN J. DURAN, MAYOR



THOMAS R. WEST, CITY CLERK