

**CITY COUNCIL
MINUTES
MONDAY, JANUARY 5, 2004
WEST HOLLYWOOD PARK**

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

PLEDGE OF ALLEGIANCE: Gloria Goldsmith led the pledge.

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

ABSENT: NONE.

ALSO PRESENT: City Manager Paul Arevalo, City Attorney Mike Jenkins, City Clerk Tom West and Assistant City Clerk Gwen Peirce.

REPORT OF CLOSED SESSION AGENDA:

City Attorney Jenkins stated that Closed Session convened at 6:00 PM. He stated that two items of threats of potential litigation were added to the agenda. He stated that the Closed Session recessed with no reportable action taken. He stated that a previous Closed Session had authorized an action on the lawsuit, Wildan vs. City of West Hollywood.

APPROVAL OF AGENDA:

Councilmember Guarriello requested to move Item 4.B. to the Consent Calendar as Item 2.M.

Councilmember Land RECUSED herself from Item 2.G.

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

Councilmember Land requested that Item 4.C. be moved to the Consent Calendar as Item 2.N.

Mayor Prang requested that meeting be adjourned in the memory of Rina Andretti, grandmother of Assistant City Clerk Gwen Peirce.

ACTION: Motion by Councilmember Guarriello and seconded by Councilmember Land and unanimously carried to approve the January 5, 2004 agenda as amended.

PRESENTATIONS:

Councilmember Land presented commendations to three members of the Fine Arts Commission, Suzanne Charney-Brandon, Gloria Goldsmith and Richard Silverman for their work on the Commission.

Mayor Prang introduced Author Ryan Gierach, who presented the City Council and the Friends of the Library copies of his book, *Images of America – West Hollywood*.

1. PUBLIC COMMENT:

RIC RICKLES, WEST HOLLYWOOD, spoke in support of Item 2.N., the agreement with the West Hollywood Orchestra.

HILARY SELVIN, LOS ANGELES, spoke in support of Item 2.J., the Streamlining Task Force.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of installing a taxi stand in front of Mickey's on Santa Monica Boulevard.

RICK REIDY, LOS ANGELES, spoke on behalf of Jerry Qonsul of Checker Cab to apologize for his behavior at the December 1, 2003 City Council meeting. He spoke in opposition to a decision made the meeting because of errors made in the staff report provided. He requested that Council agendize an Item addressing these issues.

RICHARD SMITH, WEST HOLLYWOOD, spoke regarding the touching Veteran's Memorial event. He also spoke regarding drivers who block intersections.

CATHERINE HAHN, WEST HOLLYWOOD, spoke regarding the illegal cutting of trees on Sunset Boulevard.

RYAN GIERACH, WEST HOLLYWOOD, announced a segment on Life & Times on Tuesday night regarding the his book on West Hollywood.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello spoke regarding his "Don't Drink & Drive" napkin campaign over the holidays and the importance of designated drivers.

Councilmember Land announced a West Hollywood delegation for "March for Women's Life" that will be taking place in April. She requested that the City Manager speak regarding the next steps on the illegal tree trimming. She also requested that an item be agendized at the end of this year to re-visit the "grace period" for parking permits.

Mayor Prang announced a town hall meeting co-hosted by Jackie Goldberg and a property tax seminar for domestic partners being hosted by John Chiang on February 10th.

CITY MANAGER'S REPORT:

City Manager Arevalo spoke regarding the illegal tree trimming on Sunset Boulevard and stated that he spoke with Captain Long regarding the photographs and information

provided by a constituent and will pursue legal action. He announced that his Assistant, Bryan Cook is leaving the City for another opportunity.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk West stated that the fiscal impact for the Consent Calendar is \$0 in expenditures and \$26,583 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar as amended, 2.A.,B.,C.,D.,E.,F.,G., H.,J.,K.,L.,M.,N. **Motion by Councilmember Guarriello, seconded by Councilmember Heilman and carried. Councilmember Land was RECUSED on Item 2.G. and Mayor Prang voted NO on Item 2.N.**

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 December 22, 2003. **Approved as part of the Consent Calendar.**

2.C. DEMAND REGISTER NO. 499, RESOLUTION NO. 04-3002:

ACTION: Approve Demand Register No. 499 and adopt Resolution No. 04-3002, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 499." **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Darrell Heitman and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. ORDINANCE NO. 03-674 (2ND READING) AMENDING THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA TO EXTEND CERTAIN TIME LIMITS:

ACTION: Waive further reading and adopt Ordinance No 03-674, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, AMENDING THE REDEVELOPMENT PLAN FOR THE EAST SIDE PROJECT AREA TO EXTEND CERTAIN TIME LIMITS." **Approved as part of the Consent Calendar.**

2.F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

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

- 2.G. APPROVAL OF FINAL TRACT MAP NO. 53542 FOR THE CONDOMINIUM PROJECT LOCATED AT 8609 WEST KNOLL DRIVE:**
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. 53542; and 3) Instruct the City Clerk to endorse on the face of the map of Final Tract Map No. 53542 the certificate, which embodies the approval of said map and acceptance of dedications shown thereon.
Approved as part of the Consent Calendar with Councilmember Land RECUSING herself.
- 2.H. A RESOLUTION IN SUPPORT OF S. 1684 (LANDRIEU), THE BREAST CANCER PATIENT PROTECTION ACT OF 2003:**
ACTION: Adopt Resolution 04-3003, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF S. 1684 (LANDRIEU), THE BREAST CANCER PATIENT PROTECTION ACT OF 2003;" 2) Send copies of signed resolution to appropriate parties.
Approved as part of the Consent Calendar.
- 2.I. 2003-04 ART GRANTS RECOMMENDED BY THE ARTS AND CULTURAL AFFAIRS COMMISSION:**
ACTION: Moved to Excluded Consent.
- 2.J. UPDATE ON PERMIT STREAMLINING IMPLEMENTATION:**
ACTION: Receive and file. **Approved as part of the Consent Calendar.**
- 2.K. RESOLUTION CERTIFYING THE APPLICATION OF THE CITY OF WEST HOLLYWOOD LIBRARY FOR CYCLE 3 FUNDING OF THE CALIFORNIA LIBRARY BOND ACT OF 2000:**
ACTION: Adopt Resolution No. 04-3004, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE STATE OF CALIFORNIA FOR GRANT FUNDING OF THE WEST HOLLYWOOD LIBRARY UNDER THE CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION BOND ACT OF 2000."
Approved as part of the Consent Calendar.

2.L. RECOMMENDATION OF THE LESBIAN AND GAY ADVISORY BOARD TO ADOPT A RESOLUTION CONDEMNING THE IMPROPER USE OF SEXUAL ORIENTATION AS A FACTOR IN TRIALS AND SENTENCING PROCEDURES AND CALLING UPON JUDGES, PROSECUTORS, AND OTHER LEGAL PRACTITIONERS TO TAKE MORE EFFECTIVE STEPS TO ELIMINATE BIAS BASED ON SEXUAL ORIENTATION AS A FACTOR IN COURT:

ACTION: 1) Adopt Resolution 04-3005, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING THE IMPROPER USE OF SEXUAL ORIENTATION AS A FACTOR IN TRIALS AND SENTENCING PROCEDURES AND CALLING UPON JUDGES, PROSECUTORS, AND OTHER LEGAL PRACTITIONERS TO TAKE MORE EFFECTIVE STEPS TO ELIMINATE BIAS BASED ON SEXUAL ORIENTATION AS A FACTOR IN COURT;" 2) Send copies of the resolution to the American Bar Association, Lambda Legal Defense and Education Fund, Judicial Council of California, California District Attorneys Association, California Prosecutors Association, California Public Defenders Association, and the Los Angeles County Bar Association.
Approved as part of the Consent Calendar.

2.M. (4.B.) APPROVING IN CONCEPT THE WESTSIDE CITIES MOBILITY STUDY:

ACTION: Adopt Resolution No. 04-3006, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING IN CONCEPT THE WESTSIDE MOBILITY STUDY INITIATED BY THE WESTSIDE CITIES INCLUDING BEVERLY HILLS, CULVER CITY, SANTA MONICA AND WEST HOLLYWOOD" **Approved as part of the Consent Calendar.**

2.N. (4.C.) RENEWAL OF GRANT AGREEMENT WITH THE WEST HOLLYWOOD ORCHESTRA (WHO):

ACTION: 1) Approve renewal of the Grant Agreement with the WHO for fiscal year 2003-2004 in the amount of \$30,000; and authorize the City Manager to execute the Agreement and any amendments that may be required; 2) Direct the Arts and Cultural Affairs Commission to provide oversight and direction to WHO in the implementation of grant funded activities; 3) Direct future requests for funding to be presented to the Arts and Cultural Affairs Commission (ACAC); and that the ACAC review such requests and make recommendations to City Council accordingly.
Approved as part of the Consent Calendar with Mayor Prang voting NO.

3. PUBLIC HEARINGS: NONE.

4. UNFINISHED BUSINESS:

4.A. DRAFT PLAN BY WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION TO IMPLEMENT RECOMMENDATIONS OF PALM VIEW AND HARPER COMMUNITY NEEDS ASSESSMENT:

Jeffrey Skorneck, Housing Manager, provided background information as outlined in the staff report dated January 5, 2004.

TOM DEMILLE, WEST HOLLYWOOD, spoke in support of the work of the West Hollywood Community Housing Corporation and Palm View Apartments.

BEN JOSEPH, WEST LOS ANGELES, read a letter from Marcia Smith, who spoke in opposition to the West Hollywood Community Housing Corporation.

DAVID NASH, WEST HOLLYWOOD, spoke in support of staff looking at the portion of the report which emphasizes social services providers.

DAVID JOSEPH, WEST HOLLYWOOD, spoke in support of the Needs Assessment, but expressed his concern over certain changes being done by the West Hollywood Community Housing that are not consistent with the recommendations of the needs assessment, specifically changes in office hours.

PRISCILLA LEVINE, LOS ANGELES, Actors Fund, spoke regarding residents of Palm View who are clients of the Actors Fund are provided social services case management, as well as numerous other benefits. She stated that the Actors Fund has been work in close collaboration with the West Hollywood Community Housing Corporation.

FRED ARREGUI, WEST HOLLYWOOD, spoke in support of the West Hollywood Community Housing Corporation.

DAVID SMITH, WEST HOLLYWOOD, spoke regarding the Council supporting the tenants of Palm View rather than the West Hollywood Community Housing Corporation. He spoke regarding moving the current resident manager to another building.

TROY BOLSTAD, WEST HOLLYWOOD, spoke in support of having a RSC available but not necessarily on-site.

THOMAS MANN, WEST HOLLYWOOD, President of West Hollywood Community Housing Corporation spoke regarding the work that has been done in the Needs Assessment process. He emphasized that it is a collaborative effort. He announced an upcoming Town Hall meeting.

SETH ENGBER, WEST HOLLYWOOD, spoke in support of the work of the West Hollywood Community Housing Corporation at Palm View Apartments.

TODD ELLIOTT, spoke regarding the work that has been done in the Needs Assessment process. He emphasized that importance of including the residents' input and constantly reviewing the report.

Councilmember Land spoke in support of the report being a constantly evolving document. She expressed her concern over the sense of distrust between some of the residents and the management at Palm View. She spoke in support of forming a Resident Advisory Board at Palm View. She spoke regarding the importance of the management working with the Resident Advisory Board on issues where there are disagreements and the importance of looking at the Resident Advisory Board as a training ground for future West Hollywood Community Housing Corporation Board members. She spoke regarding the importance of allowing residents their privacy when they request it.

Councilmember Guarriello spoke in opposition to the Needs Assessment and waiting until April for implementation. He expressed his concern over the management of the West Hollywood Community Housing Corporation.

Mayor Pro Tempore Duran stated that the people living in Palm View and Harper Apartments are in varying stages of HIV/AIDS, so a blanket approach would not be effective. He expressed concern over designating a specific social services provider due to different people's needs. He spoke regarding the balance between medical privacy and residents who are suffering from dementia. He spoke in support of the West Hollywood Community Housing Corporation and the City alerting medical/social service providers of those needing assistance. He also spoke regarding finding different ways of evaluating success, such as quality of life issues rather than measuring deaths that occur. He stated that this document is a work in progress, and spoke in support of leaving the provision of services to the social services providers rather than the West Hollywood Community Housing Corporation and the City Council.

Councilmember Heilman spoke in support of staff's recommendation of receiving the report. He spoke in support of Palm View and the West Hollywood Community Housing Corporation's work. He spoke regarding Palm View being an independent living model and varying individual needs and expectations of the tenants.

Mayor Prang spoke in support of the report and spoke in support of bringing in Resident Services Coordinator into the City's Social Services grant funding.

ACTION: 1) Receive and file the draft report of the West Hollywood Community Housing Corporation entitled "Going One Step Further: A Plan by West Hollywood Community Housing Corporation to Implement the Recommendations of Needs Assessment – City of West Hollywood Housing for People with HIV and AIDS;" and 2) Direct WHCHC to submit an update on implementation of this Plan by April 2004. **Moved by Councilmember Heilman, seconded by Councilmember Land and unanimously approved.**

**4.B. APPROVING IN CONCEPT THE WESTSIDE CITIES MOBILITY STUDY:
ACTION: Moved to the Consent Calendar as Item 2.M.**

**4.C. RENEWAL OF GRANT AGREEMENT WITH THE WEST HOLLYWOOD ORCHESTRA (WHO):
ACTION: Moved to the Consent Calendar as Item 2.N.**

**4.D. COMMISSION AND ADVISORY BOARD APPOINTMENTS:
ACTION: Call for Nominations for the at-large appointments for the following Advisory Boards: Disabilities, Lesbian & Gay and Women's Advisory Boards. Carried by concurrence of the Council.**

At-Large Appointments:

Disabilities Advisory Board (3):

PHYLLIS COTO

BRYAN DAHLGREN

JORDAN CHINICH

Lesbian & Gay Advisory Board:

ELISABETH SANDBERG

Women's Advisory Board (3):

TABLED

5. NEW BUSINESS: NONE.

EXCLUDED CONSENT CALENDAR:

2.I. 2003-04 ART GRANTS RECOMMENDED BY THE ARTS AND CULTURAL AFFAIRS COMMISSION:

Alison Maxwell, Development Specialist, provided background information as outlined in the staff report dated January 5, 2004.

JW MOORE IV, WEST HOLLYWOOD, spoke in support of increasing funding for Women Playwrights Outreach Project. He spoke in support of grant funding in a peer review process and funding small, avant garde organizations.

BEVERLY DENENBERG, WEST HOLLYWOOD, spoke regarding the Arts & Cultural Affairs Commission process of awarding grants.

Councilmember Heilman expressed concern over the process of awarding the grants. He spoke in support of a peer review process. He spoke in support of reducing the funding for the MAK Center and awarding more money to the performing arts groups.

Councilmember Land spoke in support of the Arts and Cultural Affairs Commission discussing the funding process at their upcoming retreat. She also requested that the Arts and Cultural Affairs Commission also discuss the overall strategic goal of granting funds. She spoke in opposition to awarding more money to certain groups without reviewing the proposals.

Mayor Pro Tempore Duran spoke in support of fully funding the schools and finding further funds to award grants to other groups.

Mayor Prang spoke in support of the Arts & Cultural Affairs Commission's recommendation. He expressed concern over allocating more money in light of the current budget problems.

ACTION: 1) Approve the recommendations of the Arts and Cultural Affairs Commission to award 2003-2004 Arts Grants to the following organizations: Gay Men's Chorus (\$2,900); Israel Film Festival/Israfest (\$1,000); MAK Center (\$7,500); Mladi Chamber Orchestra (\$2,000); Sundays Live (\$500); United Arts Academy (\$2,500); Vox Femina Los Angeles (\$2,900); West Hollywood Chorale (\$2,900) and Women Playwrights Outreach Project (\$800); 2) Approve the recommendations of the Arts and Cultural Affairs Commission to award 2003-2004 Arts Awareness Grants to Friends of Rosewood (\$1,000) and West Hollywood Elementary School (\$1,000). **Motion by Councilmember Land, seconded by Mayor Pro Tempore Duran and unanimously carried to TABLE the item to the January 20, 2004 meeting.**

PUBLIC COMMENT: NONE.

6. LEGISLATIVE: NONE.

COUNCILMEMBER COMMENTS: NONE.

ADJOURNMENT: The City Council adjourned at 8:34 PM in memory of Rina Andretti to their next regular meeting, which will be on Tuesday, January 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 JANUARY, 2004.



JEFFREY PRANG, MAYOR

ATTEST:



THOMAS R. WEST, CITY CLERK