

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, SEPTEMBER 7, 1999
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:15 P.M.

PLEDGE OF ALLEGIANCE: Earl Gross led the Pledge.

ROLL CALL:

PRESENT: Councilmembers Guarriello, Koretz, Martin, Prang and Mayor Heilman.

ABSENT: None.

ALSO PRESENT: City Attorney Jenkins, Interim City Manager Arevalo, City Clerk Thompson and Assistant City Clerk Bell.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that the City Council called the meeting to order, recessed into Closed Session and no reportable actions were taken.

Mayor Heilman addressed rumors of misconduct and harassment allegations of a City Councilmember at the Lesbian and Gay Pride event in Portland.

REPORT ON SANTA MONICA BOULEVARD REHABILITATION PROJECT: Sharon Perlstein, City Engineer provided a brief oral report on the Santa Monica Boulevard Reconstruction Project .

APPROVAL OF AGENDA:

City Clerk Thompson presented a supplemental report to the City Council regarding Item 2.L.L. Selection of Firm for Executive Recruitment for a City Manager.

Councilmember Martin requested to add PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE CALIFORNIA PUBLIC EDUCATION NONDISCRIMINATION BILL as an Urgency Item 2.R.R.

ACTION: Make the finding that the Item came to the attention of the City after the posting of the Agenda, that there is an immediate need to take action, and add Urgency Item 2.R.R. **Motion Mayor Pro Tem Prang, seconded by Councilmember Koretz and unanimously carried.**

Mayor Pro Tem Prang requested that Item 2.M. and 2.P.P. be pulled for separate discussion and he requested that Item 2.G.G. be tabled to October 4, 1999.

Mayor Pro Tem Prang requested to add an Urgency Item, EXPEDITE THE PROCESS TO FACILITATE THE OPENING OF GOLD'S GYM AT THE FORMER SITE OF THE ATHLETIC CLUB as Item 2.S.S.

ACTION: Make the finding that the Item came to the attention of the City after the posting of the Agenda, that there is an immediate need to take action, and add the Urgency Item 2.S.S. **Motion Councilmember Koretz, seconded by Mayor Pro Tem Prang and failed on a roll call vote.**

AYES: Councilmember Koretz and Mayor Pro Tem Prang.

NOES: Councilmembers Guarriello, Martin and Mayor Heilman.

Councilmember Martin requested that Items 2. K.K., 2.L. and 2.O be removed from the Consent Calendar for separate discussion.

Mayor Heilman requested that Item 3.D. be moved to the Consent Calendar. He stated his abstention on Item 2.J. and he pulled Items 2.N. and 2.F.F.

Councilmember Martin requested that Item 4.C. be tabled to October 4, 1999.

ACTION: Approve the September 7, 1999 Agenda as amended. **Motion Councilmember Guarriello, seconded by Mayor Pro Tem Prang and unanimously carried.**

PUBLIC COMMENT:

JOEL BELLMAN, representative of the Office of Supervisor Zev Yaroslavsky, spoke in support of Item 2.K.

JOYCE ROONEY, SHERMAN OAKS, spoke in regards of Item 2.T.

MARC OLSEN, SANTA MONICA, spoke in support of Item 2.V.

NORMAN CHRAMOFF, WEST HOLLYWOOD, spoke about the Athletic Club.

J.W. MOORE IV, WEST HOLLYWOOD, spoke in favor of Item 2.H.H. and 2.S.

JUDITH MAYO, WEST HOLLYWOOD, representative of the Women's Advisory Board, spoke in support of Item 2.N.N., 2.S. and 2.T.

RUTH WILLIAMS, WEST HOLLYWOOD, spoke in support of open access and deregulation of cable providers.

DONNY CACY, WEST HOLLYWOOD, spoke about Item 5.A.

SALLY BARRINGER, WEST HOLLYWOOD, spoke in regards to Item 2.T.

ROYCE MATHEW, WEST HOLLYWOOD, spoke about Alternative Living of the Aging.

BARBARA HAMAKER, WEST HOLLYWOOD, spoke in support against Item 2.L. and in support of Items, 2.N.N., 2.Z., 3.D., 5.A. and 2.G.G.

COUNCILMEMBER COMMENTS:

Mayor Heilman stated that the Alternative Living of the Aging is audited and that the City has not found any improprieties. He also requested that the City Council adjourn the meeting in memory of Harold Wasserman.

Councilmember Martin stated that the contract for the Alternative Living of the Aging is minimal. He also spoke about Item 2.K., ending gun shows at the County Fair. He also thanked the supporters of Item 2.T.

Mayor Pro Tem Prang commented on Sheriffs Department recruitment and the appointment of Joe Cislowski's appointment to the County Library Commission.

CITY MANAGER'S REPORT: Interim City Manager Arevalo commented on Budget process, Santa Monica Boulevard, Closing of the Gym, Code Compliance Cell Phone Bills, and Sheriff's Bike expenditures.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Thompson stated the fiscal impact on the Consent Calendar of September 7, 1999, as amended, is \$666,034 in expenditures and \$278,431 in potential revenues.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J., K., P., Q., R., S., T., U., V., W., X., Y., Z., A.A., B.B., C.C., D.D., E.E., H.H., I.I., J.J., L.L., M.M., N.N., O.O., Q.Q and Urgency Item 2.R.R. Motion Councilmember Guarriello, seconded by Mayor Pro Tem Prang and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, September 7, 1999 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, September 2, 1999.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of the Regular Meetings of August 2, 1999 and August 16, 1999. **Approved as part of the Consent Calendar.**

2.C. WAIVER OF FURTHER READING:

ACTION: After the City Attorney has read the title of any ordinance on tonight's agenda, the further reading thereof shall be waived. **Approved as part of the Consent Calendar.**

2.D. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Maria Locsin, Kevin Bruhn and Skip E. Lowe and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.E. DEMAND REGISTER NO. 397, RESOLUTION NO. 99-2160:

ACTION: Approve Demand Register No. 397 and adopt Resolution No. 99-2160, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 397." **Approved as part of the Consent Calendar.**

2.F. TREASURER'S REPORT:

ACTION: Receive and file the Treasurer's Report for the month of July, 1999. **Approved as part of the Consent Calendar.**

2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

ACTION: Receive and file Action Report from the Project Area Committee of August 10, 1999. **Approved as part of the Consent Calendar.**

2.H. ORDINANCE NO. 99-551 (2ND READING) MODIFYING THE BOUNDARIES OF AND THE BASIS AND METHOD OF LEVYING ASSESSMENTS AGAINST BUSINESSES WITHIN THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT:

ACTION: Waive further reading and adopt Ordinance No. 99-551, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD MODIFYING THE BOUNDARIES OF AND THE BASIS AND METHOD OF LEVYING ASSESSMENTS AGAINST BUSINESSES WITHIN THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT." **Approved as part of the Consent Calendar.**

2.I. PROPOSED RESOLUTION IN SUPPORT OF SENATE BILL 1110 REGARDING RIGID PLASTIC PACKAGING:

ACTION: 1). Adopt Resolution No. 99-2161, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SENATE BILL 1110 REGARDING RIGID PLASTIC PACKAGING;" and, 2) Send copies of the signed resolution to Senator Wesley Chesbro and all appropriate elected officials. **Approved as part of the Consent Calendar.**

2.J. PROPOSED RESOLUTION IN SUPPORT OF INDIAN GAMING:

ACTION: 1) Adopt Resolution No. 99-2162, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF INDIAN GAMING;" and, 2) Direct staff to forward a copy of this resolution to the appropriate elected officials. **Approved as part of the Consent Calendar, noting the ABSTENTION of Mayor Heilman.**

2.K. PROPOSED RESOLUTION IN SUPPORT OF ENDING THE USE OF COUNTY FACILITIES FOR GUN SHOWS:

ACTION: 1) Adopt Resolution No. 99-2163, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF ENDING THE USE OF COUNTY FACILITIES FOR GUN SHOWS;" and, 2) Direct staff to contact the Los Angeles County Fair Association, County Supervisor Zen Yaroslavsky, and Sheriff Lee Baca. **Approved as part of the Consent Calendar.**

2.L. THE ANIMAL PROTECTION ACT OF 1999:

Removed from the Consent Calendar and then later tabled to October 4, 1999.

2.M. CREATION OF STREET MAINTENANCE SUPERVISOR - CLASSIFICATION AND BUDGETING OF THE POSITION:

Removed from the Consent Calendar and later tabled to October 4, 1999, with direction to staff to start the recruitment process.

2.N. DIRECT THE CITY ATTORNEY TO RESEARCH THE FEASIBILITY OF DRAFTING AN ORDINANCE REINSTITUTING THE BAN ON THE POSSESSION OF ASSAULT WEAPONS IN THE CITY OF WEST HOLLYWOOD:

Removed from the Consent Calendar and then later tabled to October 4, 1999.

2.O. DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE THAT WOULD BAN THE SALE OF FIREARM AMMUNITION WITHIN THE BOUNDARIES OF THE CITY OF WEST HOLLYWOOD TO THE EXTENT PERMITTED BY LAW:

Removed from the Consent Calendar and the later tabled to October 4, 1999.

2.P. PROPOSED RESOLUTION PROCLAIMING SEPTEMBER AS FOOD SAFETY EDUCATION MONTH:

ACTION: 1) Adopt Resolution No. 99-2164, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING SEPTEMBER AS FOOD SAFETY EDUCATION MONTH;" and, 2) Send copies of the signed resolution to the Director of Environmental Health at

the Department of Health Services in Los Angeles County. **Approved as part of the Consent Calendar.**

2.Q. PROPOSED RESOLUTION SUPPORTING THE MAJORITY RULE ACT FOR SMALLER CLASSES, SAFER SCHOOLS AND FINANCIAL ACCOUNTABILITY:

ACTION: Adopt Resolution No. 99-2165, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE MAJORITY RULE ACT FOR SMALLER CLASSES, SAFER SCHOOLS AND FINANCIAL ACCOUNTABILITY." **Approved as part of the Consent Calendar.**

2.R. ESTABLISHMENT OF A VETERANS MEMORIAL DONATION ACCOUNT:

ACTION: 1) Direct the Department of Finance to establish an account to track donations for planned Veterans Memorial project; and, 2) Direct staff of the Public Information Division and City Attorney draft an information letter explaining the vision of the Veterans Memorial and the tax deductibility of donations. **Approved as part of the Consent Calendar.**

2.S. PROPOSED RESOLUTION IN SUPPORT OF THE HATE CRIMES PREVENTION ACT OF 1999:

ACTION: 1) Adopt Resolution No. 99-2166, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE HATE CRIMES PREVENTION ACT OF 1999;" and, 2) Direct staff to forward a copy of this resolution to Senator Edward M. Kennedy, Representative Shelia Jackson Lee, and California Senators Barbara Boxer and Diane Feinstein. **Approved as part of the Consent Calendar.**

2.T. AMENDMENT TO STRENGTHEN AND BROADEN THE CURRENT ZERO TOLERANCE POLICY ON SEXUAL HARASSMENT OF AND AMONG WEST HOLLYWOOD CITY EMPLOYEES:

ACTION: 1) Staff is directed to create an in-depth training program for all supervisors, division managers and directors and City Councilmembers; 2) Staff is directed to schedule citywide training on sexual harassment; 3) Direct the Interim City Manager to amend the administrative regulations to include City Councilmembers; and, 4) Direct staff to develop a policy to deal with City Councilmembers and potential sexual harassment situations. **Approved as part of the Consent Calendar.**

2.U. APPROVAL OF A RETIREMENT AND SEPARATION AGREEMENT WITH CHARLES MAKINNEY:

ACTION: 1) Approve the retirement and separation agreement with Charles Makinney; and, 2) Authorize the Mayor to execute the agreement. **Approved as part of the Consent Calendar.**

2.V. PROPOSED RESOLUTION URGING THE CALIFORNIA STATE LEGISLATURE TO AMEND THE STATE'S CURRENT DEREGULATION LAW, CHAPTER 854 OF 1996, SECTIONS 366 (A) AND (B), AND TO AUTHORIZE WEST HOLLYWOOD AND ANY OTHER CALIFORNIA MUNICIPAL CORPORATION TO DESIGNATE ITSELF AS THE AUTOMATIC AGGREGATOR OF ELECTRICITY ON BEHALF OF ITS RESIDENTS AND BUSINESSES:

ACTION: Adopt Resolution No. 99-2167, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE CALIFORNIA STATE LEGISLATURE TO AMEND THE STATE'S CURRENT ELECTRIC DEREGULATION LAW, CHAPTER 854 OF 1996, SECTIONS 366 (A) AND (B), AND TO AUTHORIZE WEST HOLLYWOOD AND ANY OTHER CALIFORNIA MUNICIPAL CORPORATION TO DESIGNATE ITSELF AS THE AUTOMATIC AGGREGATOR OF ELECTRICITY ON BEHALF OF ITS RESIDENTS AND BUSINESSES." **Approved as part of the Consent Calendar.**

2.W. RESCINDING A DIRECT APPOINTMENT OF A HUMAN SERVICES COMMISSIONER BY COUNCILMEMBER GUARRIELLO:

ACTION: 1) Receive and file; and, 2) Direct the City Clerk to formally notify the Human Services Commissioner of this action. **Approved as part of the Consent Calendar.**

2.X. FIVE YEAR ASSIGNMENT AGREEMENT BETWEEN THE CITY OF MAYWOOD AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS:

ACTION: 1) Approve a five (5) year Prop A fund trade agreement with the City of Maywood for five (5) annual payments of \$195,000 West Hollywood General Funds in exchange for five (5) annual payments of \$300,000 City of Maywood Prop A Funds for Fiscal Years 2000, 2001, 2002, 2003 and 2004; and, 2) Authorize the Interim City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.Y. AMENDMENT TO AGREEMENT FOR GROUNDS MAINTENANCE SERVICES:

ACTION: 1) Approve the Second Amendment to Agreement with Grounds Maintenance Services with Golden Bear Arborists, Inc., for maintaining Kings Road Park; 2) Authorize an increase in compensation in the amount of \$1,500 per month for providing additional grounds maintenance services for Kings Road Park; and, 3) Authorize the Interim

City Manager to execute the Second Amendment to Agreement dated September 7, 1999. **Approved as part of the Consent Calendar.**

2.Z. PROFESSIONAL SERVICES AGREEMENT WITH ACHVA BENZINBERG STEIN FOR CONSTRUCTION DRAWINGS FOR THE IMPROVEMENT PROJECT AT THE SAN-FAIR CENTER (N.E. CORNER OF SANTA MONICA BOULEVARD AND FAIRFAX AVENUE):

ACTIONS: 1) Approve a professional services agreement with Achva Benzinberg Stein to provide construction drawings for the San-Fair Center Improvement Project in an amount not to exceed \$20,000; and, 2) Authorize the Interim City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.A.A. SUPPLEMENTAL AGREEMENT WITH TRANSTECH ENGINEERS, INC. FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR SUNSET BOULEVARD LIGHTED CROSSWALK PROJECT, C.I.P. #98-04:

ACTION: 1) Approve a supplemental agreement with Transtech Engineers, Inc. for the Sunset Boulevard Lighted Crosswalk Project, C.I.P. #98-04 in an amount not to exceed \$20,231.25; and, 2) Authorize the Interim City Manager to execute the supplemental agreement. **Approved as part of the Consent Calendar.**

2.B.B. PROPOSED RESOLUTION AUTHORIZING SIGNATORY, SIGNATURES, SIGNATURE PLATE AND WIRE TRANSFER AGREEMENT FOR BANK OF LOS ANGELES AND BANK OF AMERICA:

ACTION: 1) Adopt Resolution No. 99-2168, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING SIGNATURE AUTHORITY, AND SIGNATURE PLATE, AND REPEALING RESOLUTION NO. 97-1719;" 2) Approve wire transfer and signature card agreements with Santa Monica Bank and Bank of America; and, 3) Authorize the Mayor and Finance Director to execute the agreement. **Approved as part of the Consent Calendar.**

2.C.C. UPDATED MEETING SCHEDULE:

ACTION: 1) Direct the City Clerk to cancel the September 20, 1999 City Council Meeting for a lack of quorum; and, 2) Direct the City Clerk to schedule the October 18, 1999 City Council Meeting at Plummer Park in Fiesta Hall. **Approved as part of the Consent Calendar.**

2.D.D. PROPOSED RESOLUTIONS AUTHORIZING THE MODIFICATION OF OFF-STREET PARKING RATES FOR MUNICIPAL PARKING STRUCTURE NO. 1 LOCATED AT 8383 SANTA MONICA BOULEVARD

AND THE CITY OWNED PARKING LOT LOCATED AT 8759 SANTA MONICA BOULEVARD:

ACTION: 1) Adopt Resolution No. 99-2169, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD MODIFYING OFF-STREET PARKING RATES FOR MUNICIPAL PARKING STRUCTURE NO. 1 LOCATED AT 8383 SANTA MONICA BOULEVARD AND REPEAL RESOLUTION NO. 98-1950;" and, 2) Adopt Resolution No. 99-2170, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD MODIFYING OFF-STREET PARKING RATES FOR THE CITY OWNED PARKING LOT LOCATED AT 8759 SANTA MONICA BOULEVARD AND REPEAL RESOLUTION NO. 96-1678."

Approved as part of the Consent Calendar.

2.E.E. APPROVE AMENDMENT #4 TO EXTEND CONTRACT WITH AMPCO SYSTEM PARKING FOR AN ADDITIONAL TWO (2) YEARS:

ACTION: 1) Approve Amendment #4 extending the contract with Ampco System Parking to provide parking management services through June 30, 2001; and, 2) Authorize the Interim City Manager to execute the amendment. **Approved as part of the Consent Calendar.**

2.F.F. SELECTION OF EXECUTIVE SEARCH FIRM FOR THE POSITION OF CITY MANAGER:

Removed from the Consent Calendar for separate discussion.

2.G.G. ANNUAL REPORT AND APPROVAL OF FISCAL YEAR 1999-2000 SERVICE AGREEMENT WITH WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION:

Tabled to October 4, 1999.

2.H.H. AGREEMENT TO PROVIDE ANALYSIS AND ADVICE ON ECONOMIC, FINANCIAL AND REAL ESTATE ISSUES RELATED TO DEVELOPMENT PROJECTS:

ACTION: 1) Approve an agreement with Keyser Marston Associates, Inc. for consulting services in an amount not to exceed \$25,000; and, 2) Authorize the Interim City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.I.I. APPROVE THE PURCHASE OF CONTRACTOR'S POLLUTION LIABILITY INSURANCE FOR SANTA MONICA BOULEVARD CONSTRUCTION:

ACTION: 1) Approve purchase of contractor's pollution liability insurance with AIG Environmental for a three (3) year premium of \$61,652.41; and, 2) Authorize the Interim City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.J.J. DESIGN SERVICES FOR WEST HOLLYWOOD PARK SWIMMING POOL RENOVATION:

ACTION: 1) Accept the proposal submitted by Arch Pac., Inc. of Encinitas, California, in the amount of \$33,250 for Phase II of the West Hollywood Park Pool Renovation Project; 2) Authorize the Interim City Manager to sign the associated agreement for design services; and, 3) Reject all other proposals received for this project. **Approved as part of the Consent Calendar.**

2.K.K. FINANCIAL REPORTING ACT OF 1999:

Removed from the Consent Calendar and then later tabled to October 4, 1999.

2.L.L. INTERIM CITY MANAGER CONTRACT AGREEMENT:

ACTION: Authorize the Mayor and another Councilmember, appointed by the Mayor, to negotiate the compensation and contract terms for the Interim City Manager. **Approved as part of the Consent Calendar.**

2.M.M. AWARD OF CONTRACT FOR LEGAL ADVERTISING:

ACTION: 1) Accept the proposal dated August 11, 1999 by the Los Angeles Independent Newspaper Group, D.B.A. the West Hollywood Independent; 2) Approve a two (2) year agreement for Legal Advertising; and authorize annual extensions at the option of the Newspaper and the City; and, 3) Authorize the Interim City Manager to execute the agreement. **Approved as part of the Consent Calendar, noting the NO vote of Mayor Heilman.**

2.N.N. PROPOSED RESOLUTION IN SUPPORT OF THE VIOLENCE AGAINST WOMEN ACT OF 1999:

ACTION: 1) Adopt Resolution No. 99-2171, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE VIOLENCE AGAINST WOMEN ACT OF 1999 (HR 357 - CONYERS);" and, 2) Direct staff to send copies of the resolution to: Representative John R. Conyers, Senator Orrin Hatch, Senator Barbara Boxer, Senator Dianne Feinstein, Representative Henry Waxman, National Task Force to End Violence Against Women and NOW National. **Approved as part of the Consent Calendar.**

2.O.O. AUTHORIZATION TO MAKE INTERIM APPOINTMENTS:

ACTION: 1) Authorize the Interim City Manager to create additional interim assignments covered by the West Hollywood Management Association bargaining unit as deemed necessary; and, 2) To appropriately compensate staff appointed to such positions, with a maximum increase in wages of 10%. **Approved as part of the Consent Calendar.**

2.P.P. ADOPTION OF NEW CLASSIFICATION SPECIFICATION FOR PERMIT CLERKS:

Removed from the Consent Calendar and then later tabled to October 4, 1999.

2.Q.Q. 1999 HALLOWEEN CARNAVAL:

ACTION:

1. Approve the closure of Santa Monica Boulevard between La Cienega Boulevard and Doheny Drive from 2 PM, Sunday, October 31 through 7 AM, Monday, November 1, 1999;
Approve the closure of Robertson Boulevard between Melrose Avenue and Santa Monica Boulevard from 5 PM, Sunday, October 31 through 7 AM, Monday, November 1, 1999;
2. Approve the closure of San Vicente Boulevard between Cynthia Street and Melrose Avenue from 5 PM, Sunday, October 31 through 7 AM, Monday, November 1, 1999;
3. Approve the closure of the La Peer turn lane on Santa Monica Boulevard from 7 AM, Sunday, October 31 through 7 AM, Monday, November 1, 1999;
5. Direct staff to request that the Pacific Design Center parking structure remain open until 4 AM, Monday, November 1, 1999;
6. Waive permit parking between the hours of 7 PM, October 31 through 7 AM, November 1, 1999;
7. Avenue parking lot for VIP and vendor parking;
8. Waive all City fees associated with this City sponsored event; and,
9. Waive all film permit fees for radio co-sponsors.

Approved as part of the Consent Calendar.

2.R.R. URGENCY ITEM -- PROPOSED RESOLUTION IN SUPPORT OF THE CALIFORNIA PUBLIC EDUCATION NONDISCRIMINATION BILL (AB 537):

ACTION: 1) Adopt Resolution No. 99-2172 "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE CALIFORNIA PUBLIC EDUCATION NONDISCRIMINATION BILL (AB 537); and 2) Direct staff to forward a copy of this resolution to the appropriate elected officials. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. APPEAL OF CULTURAL HERITAGE DESIGNATION 99-02 OLD SHERMAN THEMATIC GROUPING:

City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood Independent on August 25, 1999.

Tim Foy, Senior Planner, provided background information as outlined in the staff report dated September 7, 1999.

Mayor Heilman opened the Public Hearing and the following speakers came forward:

SHIMON BEN BASSAT, Appellant, Developer, stated that only two structures were able to be moved, one of them being the house of the postmaster, which will be moved across the street.

MARIANNE MARTIN, Appellant, owner of 948-950 Palm Avenue stated her opposition for redesignation.

TODD BIANCO, the Applicant, stated his position for cultural designation of the structures stated in the staff report.

JIM KAZAKOS, WEST HOLLYWOOD, spoke in opposition to cultural heritage designation.

CHARLOTTE BANTA, WEST HOLLYWOOD, spoke in support of cultural heritage designation.

FRANCES L. DIAZ, WEST HOLLYWOOD, spoke in opposition to cultural heritage designation.

DENNIS MARTIN, WEST HOLLYWOOD, spoke in support of demolishing the Sherman Thematic Grouping.

LOIS SIDNEY, WEST HOLLYWOOD, spoke in support of demolishing the Sherman Thematic Grouping.

EARL GROSS, WEST HOLLYWOOD, spoke in support of cultural heritage designation.

LISA STRUTMAN, WEST HOLLYWOOD, spoke in support of cultural heritage designation.

URSULA ORTIZ, WEST HOLLYWOOD, spoke against this item.

KATE BARTOLO, WEST HOLLYWOOD, spoke in opposition of this item.

TOM BERNATH, spoke in opposition to cultural heritage designation.

STEVE ERDMAN, CULVER CITY, business partner of Ben Bassat, spoke against this item.

RAY MERONE, LOS ANGELES, spoke in opposition of this item.

ROBERT NUDELMAN, HOLLYWOOD, spoke in support of this item.

KEN SAVAGE, WEST HOLLYWOOD, spoke in opposition of this item.

JOY ONEIL, WEST HOLLYWOOD, spoke in opposition of this item.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in opposition of this item.

PAULA HELLER, WEST HOLLYWOOD, spoke in support of this item.

TODD BIANCO, Appellant, stated that the request is to restore the outside structure only.

Mayor Heilman closed the Public Hearing and no more speakers came forward.

The properties consultant stated that 825 and 855 Larrabee should not be considered at all because they have been too altered.

Mayor Heilman stated that the standards for cultural heritage designation are not met with the Sherman Thematic Grouping. He also stated his support of saving 873 and 889 building and he thought that 924 was in good shape.

Councilmember Martin stated his support of cultural heritage designation for the postmasters house.

ACTION: Grant the appeal in part, allowing for Cultural Heritage Designation for those property owners who wish designation at the following properties: 837 San Vicente, 843 San Vicente, 847 San Vicente, 8914 Cynthia and 873 San Vicente. Direct staff to prepare the appropriate Resolution for City Council approval.

Motion Councilmember Koretz, seconded by Councilmember Martin and Carried on a roll call vote.

AYES: Councilmembers, Koretz, Martin and Mayor Pro Tem Prang.

NOES: Councilmember Guarriello and Mayor Heilman.

**3.B. APPEAL OF PLANNING COMMISSION APPROVAL OF:
DEVELOPMENT PERMIT 98-35, DEMOLITION PERMIT 98-10,**

**CONDITIONAL USE PERMIT 98-10, TENTATIVE TRACT MAP 98-06,
VARIANCE 99-10, FINAL ENVIRONMENTAL IMPACT REPORT,
VILLAS DE SAN VICENTE CONDOMINIUM PROJECT, 851-89 SAN
VICENTE BOULEVARD, AND 856-60 HILLDALE AVENUE:**

City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood Independent on August 25, 1999.

Tim Foy, Senior Planner, provided background information as outlined in the staff report dated September 7, 1999.

Hal Cronkite, Director of Rent Stabilization, reported on the relocation fees for the current tenants.

Mayor Heilman opened the Public Hearing and the following speakers came forward:

TODD BIANCO, WEST HOLLYWOOD, Appellant, reported on his concerns with the project as it is planned.

SHIMON BEN BASSAT, Applicant, reported that the reduction in size of the project is not economical and that it has been reduced in the number of units and the size, three times.

JIM KAZAKOS, WEST HOLLYWOOD, spoke in support of the project.

RICHARD MAHAN, MARINA DEL REY, spoke in support of the project.

YVONNE CROSS, WEST HOLLYWOOD, spoke in support of the project.

DR. WALTER FLIEG, WEST HOLLYWOOD, spoke in support of the project.

LOIS SIDNEY, WEST HOLLYWOOD, spoke in support of the project.

JUDSON GREENE, WEST HOLLYWOOD, spoke in support of scaling the project back and not a signer of the petition by the Norma Triangle.

STEVEN CARSON, WEST HOLLYWOOD, spoke in support of the project.

MICHAEL CARMONA, WEST HOLLYWOOD, spoke in support of the project.

ARLENE KRANTZ, WEST HOLLYWOOD, spoke in support of the project.

FRANCIS DIAZ, WEST HOLLYWOOD, spoke in support of the project.

EARL GROSS, WEST HOLLYWOOD, spoke in opposition of the project.

ROBERT L. EARL, WEST HOLLYWOOD, architect on the project, spoke in support of the project and discussed his design developments.

GYUUA BOGNÁR, JR., LOS ANGELES, architect on the project, spoke in support of the project.

STEVE ERDMAN, CULVER CITY, business partner on the project, spoke in support.

KATE BARTOLA, WEST HOLLYWOOD, spoke in support of the project.

HELEN FREDERIKSEN, WEST HOLLYWOOD, stated that she supports downsizing of the project.

SHERI LIN, WEST HOLLYWOOD, spoke in opposition of the project for rent control reasons.

MICHAEL POBER, WEST HOLLYWOOD, spoke in support of making the project two stories high as opposed to four stories.

JOHN PAUL DRAYER, WEST HOLLYWOOD, spoke about his concern of the density and height.

DAWN SANDOR, WEST HOLLYWOOD, spoke about a petition with 188 signatures to downsize the project.

NORMA SANDLER, WEST HOLLYWOOD, spoke in opposition of the project.

RAY MERON, LOS ANGELES, spoke in support of this project.

ROBERT NUDELMAN, WEST HOLLYWOOD, spoke in opposition to the project.

DWAIN MCAILELEY, WEST HOLLYWOOD, spoke in support of the project.

KEN SAVAGE, WEST HOLLYWOOD, spoke in support of the project.

JOY NEWELL, WEST HOLLYWOOD, spoke in support of the project.

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

TIM SULKA, LOS ANGELES, spoke in support of the project.

LISA STRUTMAN, WEST HOLLYWOOD, spoke in opposition of the project.

MICHAEL GOODMAN, BEVERLY HILLS, spoke in support of the project.

PAULA HELLER, WEST HOLLYWOOD, spoke in opposition of the project.

TODD BIANCO, WEST HOLLYWOOD, Rebuttal - Appellant, stated his concerns with parking if the project is allowed.

SHIMON BEN BASSAT, Rebuttal - Applicant, reiterated his position and his compliance with the codes to develop this project.

Mayor Heilman closed the Public Hearing and no more speakers came forward.

Mayor Heilman stated his concern with the design which designates Cynthia as the frontage of the building. The project is not completely in compliance with the courtyard criteria.

ACTION: 1) Adopt Resolution No. 99-2173, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF TODD BIANCO AND UPHOLDING THE PLANNING COMMISSION'S CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT CONCERNING CONDITIONAL APPROVAL OF DEVELOPMENT PERMIT 98-35, DEMOLITION PERMIT 98-10, CONDITIONAL USE PERMIT 98-10, AND VARIANCE 99-10, AND FOR THE PROPERTY LOCATED AT 851-89 SAN VICENTE BOULEVARD AND 856-60 HILLDALE AVENUE, WEST HOLLYWOOD, CALIFORNIA;" 2) Adopt Resolution No. 99-2174, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF TODD BIANCO AND UPHOLDING THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF DEVELOPMENT PERMIT 98-35, DEMOLITION PERMIT 98-10, CONDITIONAL USE PERMIT 98-10, AND VARIANCE 99-10, FOR THE PROPERTY LOCATED AT 851-89 SAN VICENTE BOULEVARD AND 856-60 HILLDALE AVENUE, WEST HOLLYWOOD, CALIFORNIA;" and, 3) Adopt Resolution No. 99-2175, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE

APPEAL OF TODD BIANCO AND UPHOLD THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF TENTATIVE TRACT MAP 98-06 FOR THE PROPERTY LOCATED AT 851-89 SAN VICENTE BOULEVARD AND 856-60 HILLDALE AVENUE, WEST HOLLYWOOD, CALIFORNIA," as amended by adding staff recommended construction mitigation items **Motion Councilmember Martin, seconded by Councilmember Guarriello and unanimously carried.**

3.C. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING & BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE) AND APPROVAL OF THE CONTRACT WITH THE CONVENTION AND VISITORS BUREAU TO ADMINISTER THE 1999-2000 ASSESSMENT FUNDS:

City Clerk Thompson stated the Resolution of Intent and Notice of Public Hearing was published in the West Hollywood Independent on August 25, 1999.

Allyne Winderman, Economic Development and Housing Manager, provided background information as outlined in the staff report dated September 7, 1999.

Mayor Heilman opened the Public Hearing and no speakers came forward.

Brad Burlingame gave a brief report on the status of the West Hollywood Visitors and Convention Bureau.

ACTION: 1) Adopt Resolution No. 99-2176, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD AND LEVYING A CHARGE (ASSESSMENT) IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 1999-2000;" 2) Approve an agreement with the West Hollywood Marketing Corporation d.b.a. West Hollywood Convention and Visitors Bureau to administer the 1999-2000 assessment funds collected from the West Hollywood Business Improvement Area;" and, 4) Authorize the Interim City Manager to execute the agreement. **Motion Councilmember Guarriello, seconded by Councilmember Martin and unanimously carried.**

3.D. PROPOSAL TO CREATE THE WEST HOLLYWOOD CROSSING ATTENDANTS:

ACTION: Table the public hearing to October 18, 1999, approve in concept and refer to the Public Safety and Transportation Commissions.
By a consensus of the City Council.

3.E. APPEAL OF TEMPORARY USE PERMIT 99-01 USE AS COMMERCIAL PARKING LOT 9056 SUNSET BOULEVARD:

City Clerk Thompson stated that a Notice of Continued Public Hearing was posted on August 16, 1999.

ACTION: Continue the public hearing to the meeting of October 5, 1999.
By consensus of the City Council.

3.F. PROPOSED RESOLUTION AUTHORIZING AND CONSENTING TO THE TRANSFER AND CONTROL OF A CABLE TELEVISION FRANCHISE BY CENTURY COMMUNICATIONS CORPORATION, INC. TO ADELPHIA COMMUNICATIONS CORPORATION:

City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood Independent on August 31, 1999.

Helen Goss, PIO/CATV Manager, provided background information as outlined in the staff report dated September 7, 1999.

Mayor Heilman opened the Public Hearing and the following speakers came forward:

AREILA FREEMAN, LOS ANGELES, PacBell representative spoke in support of this item.

J.W. MOORE IV, WEST HOLLYWOOD, spoke in opposition of this item.

LEE PERRIN, WEST HOLLYWOOD, Vice President of Century Communications/Adelphia, introduced himself and his position.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of this item and encouraged the citizens to write the FCC for more control.

Mayor Heilman closed the Public Hearing and no more speakers came forward.

Councilmember Koretz discussed negative information about Adelphia.

ACTION: Adopt Resolution No. 99-2177 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING AND

CONSENTING TO THE TRANSFER AND CONTROL OF A CABLE TELEVISION FRANCHISE AGREEMENT BY CENTURY COMMUNICATIONS CORPORATION TO ADELPHIA COMMUNICATIONS CORPORATION."

Motion Councilmember Guarriello, seconded by Mayor Pro Tem Prang and unanimously carried.

The City Council recessed 9:40 P.M. The City Council reconvened at 9:50 P.M. and then, reassessed the Agenda and tabled to October 4, 1999, the following: 5.A., 5.C., 5.D., 6.A. 2.L., 2.N., 2.P.P., 2.O., 2.K.K. the City Council tabled Item 2.M., but directed staff to begin the recruitment, and the classification to return on October 4, 1999. Mayor Heilman stated his NO vote on Item 2.M.M.

4. UNFINISHED BUSINESS:

4.A. DISCUSSION OF PROJECT LABOR AGREEMENTS:

Ray Reynolds, Director of Community Development, provided background information as outlined in the staff report dated September 7, 1999.

LAURENCE ZAKSON, WEST HOLLYWOOD, spoke in support of this item.

JIM HIFFENHAUS, LOS ANGELES, spoke in support of this item.

ACTION: Direct Staff to develop a model with costs based on the Santa Monica Boulevard project and return to the City Council on October 18, 1999. **By consensus of the City Council.**

4.B. HUMAN SERVICES COMMISSION APPOINTMENTS:

City Clerk Thompson provided background information as outlined in the staff report dated September 7, 1999.

ACTION: 1) Councilmember Guarriello appointed William Griffin to the Human Services Commission, as his direct appointment, for an un-expired term ending 05/31/2003; and, 2) The City Council appointed Peter Mackler to the Human Services Commission for a term ending 05/31/2001. **By consensus of the City Council.**

4.C. RENT STABILIZATION COMMISSION APPOINTMENTS:
Tabled to October 4, 1999.

4.D. WEST HOLLYWOOD 2000 CELEBRATION UPDATE:

Curtis Brown, Recreation Services Administrator, provided background information as outlined in the staff report dated September 7, 1999.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in regards to the City not spending a lot of money.

Councilmember Martin stated his concerns with having a celebration this late in the year and his concern with the lack of security.

Mayor Heilman stated that there should be a promoter for this event.

ACTION: 1) Direct City Staff to develop a R.F.Q. for an event promoter for the West Hollywood 2000 celebration; 2) Have City Staff select a potential event promoter, and; 3) Present Council with promoters' West Hollywood 2000 celebration event plan and a proposed event budget for Council approval. **Motion Mayor Heilman, seconded by Councilmember Guarriello and carried, noting the NO vote of Councilmember Martin.**

5. NEW BUSINESS:

**5.A. PROPOSED RESOLUTION DIRECTING STAFF TO DEVELOP A COMPREHENSIVE PLAN TO ENCOURAGE THE USE OF A LOCAL UNION AT THE GATEWAY DEVELOPMENT SOUND STAGES:
Tabled to October 4, 1999.**

5.B. SOCIAL SERVICES CONTRACT AND INITIATIVES IN THE SCHOOLS RENEWALS – 1999/2000:

Daphne Dennis, Social Services Administrator, provided background information as outlined in the staff report dated September 7, 1999.

LAURA ALOGI, LOS ANGELES, representative of Community Mental Health Development Program, summarized the activities of the program.

GWENN BALDWIN, LOS ANGELES, spoke about Gay and Lesbian Center funding and programs.

JEB KENSLEA, WEST HOLLYWOOD, questioned whether the City funds HIV testing within the City.

MARC HAUPERT, LOS ANGELES, Executive Director of LA Shanti, spoke about the services and future plans.

STEPHEN DAVIS, WEST HOLLYWOOD, thanked the City Council for the 4.5 per cent increase to the providers.

Ms. Dennis stated that the City does fund HIV testing at APLA and the buddy program.

Councilmember Martin stated that the City should look at other funding sources to assist in AIDS prevention and education programs.

ACTION: 1) Approve the 1999/2000 Social Services Programs and Initiatives in the Schools Contract Extensions for current programs with the exception of the Gay and Lesbian Center's Youth Program which will be brought to the Human Services Commission on September 14, 1999; 2) Approve a 2.5% merit increase to programs making satisfactory progress toward goal; and, 3) Authorize the contract extensions and Authorize the Interim City Manager to execute the contract extensions. **Motion Mayor Heilman, seconded by Councilmember Guarriello and unanimously carried.**

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

Tabled to October 4, 1999.

5.D. VOTER AWARENESS PROGRAMS:

Tabled to October 4, 1999.

EXCLUDED CONSENT CALENDAR:

2.F.F. SELECTION OF EXECUTIVE SEARCH FIRM FOR THE POSITION OF CITY MANAGER:

ACTION: Appoint Mayor Heilman and Councilmember Martin to a Search Firm Sub-committee and direct staff to submit the proposals to the Sub-committee for review. **By a consensus of the City Council.**

PUBLIC COMMENT:

CAROL RODRIGUEZ, WEST HOLLYWOOD, spoke about a constituent who needs day care.

NEIL BIGGS, WEST HOLLYWOOD, spoke about the closing of the Athletic Club.

6. LEGISLATIVE:

**6.A. PROPOSED INTERIM ORDINANCE ESTABLISHING CAMPAIGN CONTRIBUTION LIMITS AND UPDATE ON THE PROGRESS OF A CAMPAIGN FINANCE REFORM TASK FORCE:
Tabled to October 4, 1999.**

COUNCILMEMBER COMMENTS:

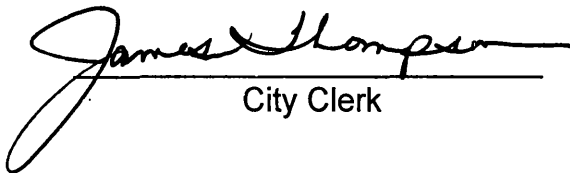
ADJOURNMENT: The City Council adjourned at 12:50 A.M., Wednesday, September 8, 1999 in memory of Harold Wasserman to their next regular meeting on Monday, October 4, 1999 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 1ST DAY OF NOVEMBER, 1999.



MAYOR

ATTEST:



City Clerk