

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, NOVEMBER 29, 1999  
WEST HOLLYWOOD PARK**

**CALL TO ORDER:** Mayor Heilman called the meeting to order at 7:04 P.M.

**PLEDGE OF ALLEGIANCE:** Hillary Selvin 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.

**APPROVAL OF AGENDA:**

Mayor Heilman requested that the Public Hearing, Item 3.A., regarding the Sunset Millennium, be continued to December 6, 1999 and directed the City Clerk to continue to receive written public testimony until the start of the Public Hearing.

Mayor Heilman requested that the Public Hearing Item 3.B., Proposed Two (2) Hour Time Limit on Carol Drive, be continued to December 6, 1999.

Mayor Heilman requested that Item 6.A., First Reading of an Ordinance Mandating the Distribution of Condoms for Liquor Licensees, Adult Businesses, Coffee Houses and Local Non-Profit Organizations which Market to Highest Risk for HIV Infection, be continued to December 20, 1999.

Councilmember Guarriello removed Item 2.I., Proposed Ordinance Restricting Home Based Businesses Known as "The Neighborhood Protection Act of 2000", from the Consent Calendar for discussion.

Mayor Heilman removed Item 2.G., Supplemental Agreement for Construction Administration and Inspection Services for Sunset Blvd. Lighted Crosswalk Project, from the Consent Calendar for discussion.

Councilmember Koretz requested an Urgency item, Direction to the City Attorney to Research and Draft an Ordinance Protecting Senior Citizens, Disabled Persons and People Living with HIV and AIDS from Eviction for Owning a Pet be added to the Consent Calendar as Item 2.K.

**Motion:** Make the finding that the Item came to the attention to the City after the posting of the Agenda, there is an immediate need to hear the Item and add the Item to the Consent Calendar as Item 2.K. **Councilmember Koretz, seconded by Mayor Pro Tem Prang and failed noting the NO votes by Councilmember Guarriello and Mayor Heilman.**

Councilmember Martin requested the meeting be adjourned in memory of Quentin Crisp.

Mayor Pro Tem Prang requested the meeting be adjourned in memory of Scott Smith.

**ACTION:** Approve the November 29, 1999 Agenda as amended. **Motion Councilmember Guarriello, seconded by Mayor Pro Tem Prang and unanimously carried.**

**PRESENTATIONS:**

Mayor Heilman presented a proclamation for World AIDS Day to Howard Jacobs.

**PUBLIC COMMENT:**

JOHN PAUL DRAYER, WEST HOLLYWOOD, asked questions regarding the Sunset Specific Plan and campaign donations.

JEANNE DOBRIN, WEST HOLLYWOOD, suggested that the City Council adjourn the meeting in memory of Douglas Routh's mother and she commented on the Sunset Specific Plan.

CAROL RODRIGUEZ, WEST HOLLYWOOD, commented on the drinking water.

GED KENSLEA, WEST HOLLYWOOD, spoke about parking tickets received for parking in the upper lot at the Post Office due to the construction on Santa Monica Boulevard.

TOM BRIGHT, WEST HOLLYWOOD, commented on paint dumped in front of his home on La Cienega Boulevard and his contact with Code Enforcement regarding this issue.

**COUNCILMEMBER COMMENTS:**

Councilmember Martin commented on the code violation of paint being dumped.

Mayor Pro Tem Prang directed Joan English, Director of Transportation and Public Works to look into parking at the Post Office.

Councilmember Guarriello commented on the Sunset Specific Plan and allegations of campaign donations.

Councilmember Koretz left the meeting at this time. 7:26 PM.

Mayor Heilman asked Interim City Manager Arevalo to follow-up on the parking tickets being issued at the Post Office, the code violation regarding paint being dumped in the gutter, and to provide a status report on signage for temporary restrictions on parking. Mayor Heilman also directed Interim City Manager Arevalo, Joan English, Director of Transportation and Public Works and staff to follow up on the progress of finding alternative parking during the Santa Monica Boulevard Construction.

**CITY MANAGER'S REPORT:** Interim City Manager Arevalo reported that the City is not going to be closing any streets during New Year's Eve for parties. He reported that the City's involvement will be to coordinate public safety activities and getting people safely in and out of the City. He also reported on the schedule for the City Council Retreat on December 8, 1999.

**FISCAL IMPACT ON CONSENT CALENDAR:** City Clerk Thompson stated the fiscal impact on the Consent Calendar of November 29, 1999, is \$76,500 in expenditures and \$0 in potential revenue.

**2. CONSENT CALENDAR:**

**ACTION:** Approve Items 2.A., B., C., D., E., F., H., and J. Motion Councilmember Guarriello, seconded by Mayor Pro Tem Prang and unanimously carried noting the **ABSENCE** of Koretz.

**2.A. POSTING OF AGENDA:**

*The agenda for the meeting of Monday, November 29, 1999 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Wednesday, November 24, 1999.*

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

**2.B. APPROVAL OF MINUTES:**

**ACTION:** Approve the minutes of October 18, 1999; November 15, 1999; and the Study Session minutes of August 2, 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 Michael Winterburn, State Farm Insurance, and Isabelle Sylvoz 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 Action Report from the October 28, 1999 meeting of the Fine Arts Commission. **Approved as part of the Consent Calendar.**

**2.F. APPROVAL OF A CONTRACT WITH FRIENDS OF THE SCHINDLER HOUSE TO MAINTAIN AND REHABILITATE THE HOUSE AND GROUNDS AT 835 N. KINGS ROAD:**

**ACTION:** Approve the contract with Friends of the Schindler House for the disbursement of \$20,000 and authorize the Interim City Manager to sign. **Approved as part of the Consent Calendar.**

**2.G. SUPPLEMENTAL AGREEMENT FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR SUNSET BLVD. LIGHTED CROSSWALK PROJECT, CIP 9804:**

**Removed from the Consent Calendar for separate discussion. This item appears following New Business.**

**2.H. SUPPLEMENTAL AGREEMENT WITH KATZ, OKITSU & ASSOCIATES FOR TRAFFIC ENGINEERING SERVICES:**

**ACTION:** Authorize the City Manager to execute a Supplemental Agreement with Katz, Okitsu & Associates in an amount not to exceed \$35,000 for traffic engineering services. **Approved as part of the Consent Calendar.**

**2.I. PROPOSED ORDINANCE RESTRICTING HOME BASED BUSINESSES KNOWN AS "THE NEIGHBORHOOD PROTECTION ACT OF 2000":**

**Removed from the Consent Calendar for separate discussion. This item appears following New Business.**

**2.J. SUPPLEMENTAL AGREEMENT WITH LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC. FOR PROFESSIONAL SERVICES TO MONITOR CONTAMINATED SOIL ON THE SANTA MONICA BOULEVARD REHABILITATION PROJECT:**

**ACTION:** Authorize the City Manager to execute a Supplemental Agreement with Law Engineering and Environmental Services, Inc. in an amount not to exceed \$21,500 for services to monitor potentially contaminated soil that may be encountered during the reconstruction of Santa Monica Boulevard. **Approved as part of the Consent Calendar.**

**3. PUBLIC HEARINGS:**

- 3.A. CONTINUED APPEAL OF DEVELOPMENT PERMIT 99-02; DEMOLITION PERMIT 99-01; DEVELOPMENT PERMITS 99-16,99-17, 99-18 FOR OUTDOOR DINING; CREATIVE SIGN PERMIT 99-03; STANDARD BILLBOARD PERMITS 99-01 & 99-02; REQUEST FOR PARKING REDUCTION FOR SECOND USE IN A SINGLE BUILDING; MAJOR CONDITIONAL USE PERMIT 99-01 FOR HOTEL; PARKING USE PERMIT 99-05, VESTING TENTATIVE TRACT MAP 99-01 (52656,52779,52657); ZONING TEXT AMENDMENT 99-03; DEVELOPMENT AGREEMENT 99-01; AND SUBSEQUENT PROJECT UNDER THE SPECIFIC PLAN EIR FOR THE SUNSET MILLENNIUM PROJECT LOCATED FROM 8474 TO 8572 SUNSET BOULEVARD AND INCLUDING 1234 & 1235 LA CIENEGA BOULEVARD AND 1209-1215 ALTA LOMA ROAD (SUNSET MILLENNIUM PROJECT):**  
**ACTION:** Continue the Public Hearing to Monday, December 6, 1999 at 7:00 P.M.
- 3.B. PROPOSED TWO (2) HOUR TIME LIMIT ON CAROL DRIVE:**  
**ACTION:** Continue the Public Hearing to Monday, December 6, 1999 at 7:00 PM.

**THE CITY COUNCIL RECESSED AS THE WEST HOLLYWOOD PUBLIC FACILITIES CORPORATION AT 7:34 P.M.**

**THE CITY COUNCIL RECONVENED AS THE CITY COUNCIL AT 7:35 P.M.**

**4. UNFINISHED BUSINESS:** None.

**5. NEW BUSINESS:** None

**EXCLUDED CONSENT CALENDAR:**

**2.G. SUPPLEMENTAL AGREEMENT FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR SUNSET BLVD. LIGHTED CROSSWALK PROJECT, CIP 9804:**

Mayor Heilman requested that this item be scheduled for a Closed Session discussion at a later date, with no objection to the request.

**ACTION:** Approve a supplemental agreement with Transtech Engineers, Inc. in an amount not to exceed \$21,412.00 for construction administration on the Sunset Boulevard Lighted Crosswalk Project, CIP 9804 and authorize the Interim City Manager to sign. **Motion Mayor Heilman, seconded by Councilmember Guarriello and unanimously carried.**

**2.I. PROPOSED ORDINANCE RESTRICTING HOME BASED BUSINESSES KNOWN AS "THE NEIGHBORHOOD PROTECTION ACT OF 2000":**

Councilmember Martin provided background information as outlined in the staff report dated November 29, 1999.

DON BRUNHKE, WEST HOLLYWOOD, spoke in support of this item.

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

Mayor Pro Tem Prang commented that the code needs to be redefined and that there are a number of legal considerations that need to be made.

Councilmember Martin requested that the City Attorney draft an ordinance that would address preservation of residential units.

Mayor Heilman directed the City Attorney and Ray Reynolds, Community Development Director to come up with a solution to protect the residential zone and stock.

**ACTION:** 1) Direct the City Attorney to draft an ordinance amending the West Hollywood Municipal Code to specify that businesses shall not be allowed in residential areas unless the dwelling is the **primary place of residence** for the business owner. This shall also include uses of garages and any and all rental units; 2) Direct the staff and the City Attorney to investigate other aspects of this problem and return with recommendations, one of which may be an ordinance as outlined in the staff report. **By consensus of the City Council.**

**PUBLIC COMMENT:** None.

**6. LEGISLATIVE:**

**6.A. FIRST READING OF AN ORDINANCE WHICH MANDATES THE DISTRIBUTION OF CONDOMS FOR LIQUOR LICENSEES, ADULT BUSINESSES, COFFEE HOUSES AND LOCAL NON PROFIT ORGANIZATIONS WHICH MARKET TO PEOPLE AT HIGHEST RISK FOR HIV INFECTION:**

**ACTION:** Tabled to Monday, December 20, 1999 at 7:00 P.M.

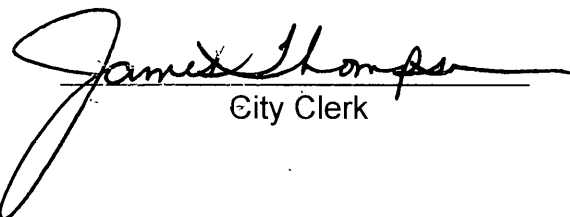
**COUNCILMEMBER COMMENTS:** None.

**ADJOURNMENT:** The City Council adjourned, in memory of Quentin Krisp and Steve Smith, at 7:49 PM to their next regular meeting on December 6, 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 6<sup>th</sup>  
DAY OF DECEMBER, 1999.

  
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MAYOR

ATTEST:

  
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City Clerk