

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, JANUARY 19, 1999
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Martin called the meeting to order at 7:29 P.M.

PLEDGE OF ALLEGIANCE: Sabato Fiorello led the Pledge.

ROLL CALL:

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

ABSENT: Councilmembers - None.

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

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at 6:30 P.M. the City Council called the meeting to order. The City Council added two items to the closed session agenda by unanimous vote. Acquisition of property located within the Redevelopment Project Area under Government Code Section 54956.8 Evaluation of the City Manager under Government Code Section 54957.6. The Closed Session adjourned at 7:15 P.M. and no reportable actions were taken.

APPROVAL OF AGENDA:

Mayor Martin requested that Item 5.D. Resolution Supporting AB 103 (Migden – San Francisco), A Bill Enacting A HIV Surveillance System Using An Encoded Or Unique Identifier Method: be moved to the Consent Calendar as 2.Z and Item 5.G. Policy Action On Naming And Renaming City Facilities, Buildings, Parks And Other Public Places be moved to the Consent Calendar as 2.A.A. : Staff requested Item 2.Q., 6.A. and 6.B. be tabled.

ACTION: Approve the January 19, 1999 Agenda as amended. **Motion Councilmember Guarriello, seconded by Mayor Pro Tem Heilman and unanimously carried.**

PRESENTATIONS:

Mayor Pro Tem Heilman presented Lucy Dyke, Transportation Manager, with a proclamation and Mayor Martin presented her with a street sign.

Councilmember Prang presented Howard Jacobs a commendation for his service on the Disabilities Advisory Board.

Mayor Martin presented a plaque to Dan Gaby, General Manager; and James Groth, Vice President of Marketing and Public Affairs, of Hornburg Jaguar for 50 years of service in West Hollywood.

Councilmember Guarriello presented Eugene and Helen Levin with a plaque for their years of service to the Russian community

Mayor Martin announced the forum regarding Rent Control on Thursday, January 28, 1999 at West Hollywood Park Auditorium. Mayor Martin asked that the meeting be adjourned in memory of Charlie Mercer, Burt Donlin, Ryan Nakagawa and Max Zimmer.

PUBLIC COMMENT:

JOHN STOUT, WEST HOLLYWOOD, spoke in regards to the reduction of the size of the median and the reallocation of green space.

HUGH HALLENBERG WEST HOLLYWOOD, stated that the vote of the Disability Advisory Board was four to one to remove the ficus trees.

JOHN PAUL DRAYER, WEST HOLLYWOOD, showed pictures of a sidewalk cleaner from Paris and a picture of an internet access machine in Amsterdam.

TERESA DODSON and DARA RESNICK, of the Alzheimer Association commented on the HCAP program which the City has funded in the past.

ANNE FACTOR, representing WHEST, thanked the City for their contribution to the West Hollywood Employment Service and Training.

ROGER DOUGHTY, WEST HOLLYWOOD, Director of Programs at the LA Gay and Lesbian Center gave a synopsis of the programs available at the center.

HOWARD ARMISTEAD, WEST HOLLYWOOD, spoke in regards to the research of HIV.

LOIS SIDNEY, WEST HOLLYWOOD, spoke in regards to keeping the ficus trees.

SANDRA KING, LOS ANGELES, Executive Director of Jewish Families, thanked the City for their support of the program.

RICHARD REYNOLDS, WEST HOLLYWOOD, stated that parking tickets were given to his guests on December 25, 1998.

EFFIE REUVENI, WEST HOLLYWOOD, spoke in regards to maintaining the median and he spoke about Charlie Mercer.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about Charlie Mercer and she spoke in support of Costco as a development on the eastside. She also requested the Council to look into the permit for the Cal Fed sign.

DONNY CACY, WEST HOLLYWOOD, spoke about Charlie Mercer and against the Century Cable contract renewal.

RUTH WILLIAMS, WEST HOLLYWOOD, spoke against renewing the Century Cable contract.

DON BRUHNKE, WEST HOLLYWOOD, spoke about the loss of revenue at the City's Parking Structure.

J.W. MOORE, WEST HOLLYWOOD, spoke against the Item 2.N. Proposed Resolution Supporting Enforcement Of Smoke-Free Bars, Restaurants And Workplaces:

COUNCILMEMBER COMMENTS:

Councilmember Guarriello commented that members of the City were not aware of the day and time of Charlie Mercer's funeral, therefore could not attend.

Councilmember Koretz commented on Item 2.N. the Proposed Resolution Supporting Enforcement of Smoke-Free Bars, Restaurants and Workplaces that some bars are flaunting the fact that there is no enforcement of the state ban on smoking. He also commented on the ficus trees that are pushing up the concrete grates that should be removed and leave the ficus trees. He commented on Laura Schlessing's monologue calling gays and lesbians a "biological error." He commented on the passing of Charlie Mercer and how it will be missed.

Councilmember Prang expressed his sympathy to friends of Charlie Mercer. Councilmember Prang directed the City Manager and all City Staff to add to staff reports approving service contracts information on the bidding process, other vendor information and justification for selection of the vendor. He congratulated Don Savoie, Executive Director of the West Hollywood Chamber of Commerce. Councilmember Prang commented that he spent three days in San Francisco with Helyne Meschar in support of adopting legislation AB107 which will offer full and equitable domestic partnership benefits to City of West Hollywood Employees.

Mayor Pro Tem Heilman stated that he wanted to follow-up on Mayor Martin's direction to his Deputy Rich Ryan to assist Richard Reynolds with the parking ticket and he also commented on the death of Ryan Nakagawa.

Mayor Martin commented on the City election on March 2, 1999. He commented that while he was in Sacramento for the inaugural for Gray Davis he also had an opportunity to lobby with Assemblyman Wally Knox in regards to Santa Monica Boulevard. Mayor Martin spoke about

dogs not being on leashes and appealed to dog owners to act responsibly. He spoke in support of taking out the ficus trees and investigating what other cities are doing to preserve their ficus trees.

Councilmember Guarriello spoke in defense of the ficus trees and stated that if there had been proper maintenance of the ficus trees from day one by Caltrans we would not have this problem.

CITY MANAGER'S REPORT: Allison Maxwell, Development Specialist III provided an update on the Keith Haring sculptors which will be here until April 25, 1999 and Beverly Hills will be taking possession of three sculptors. Mayor Pro Tem Heilman commented that the Keith Haring sculptors are being defaced.

FISCAL IMPACT ON CONSENT CALENDAR: City Clerk Thompson stated the fiscal impact on the Consent Calendar of January 19, 1999, is \$81,120 in expenditures and \$26,290 in lost revenues.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J., K., L., M., N., O., P., R., S., T., U., V., W., X., Y., Z. and AA.

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

2.A. POSTING OF AGENDA:

The agenda for the meeting of Tuesday, January 19, 1999 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, January 14, 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 November 16, 1998 and December 21, 1998. **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. DEMAND REGISTER NO. 381, RESOLUTION NO. 99-2011:

ACTION: Approve Demand Register No. 381 and adopt Resolution No. 99-2011, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 381." **Approved as part of the Consent Calendar.**

- 2.E. DEMAND REGISTER NO. 382, RESOLUTION NO. 99-2012:**
ACTION: Approve Demand Register No. 382 and adopt Resolution No. 99-2012, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 382." **Approved as part of the Consent Calendar.**
- 2.F. TREASURER'S REPORT:**
ACTION: Receive and file the Treasurer's Report for the month of November, 1998. **Approved as part of the Consent Calendar.**
- 2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:**
ACTION: Receive and file Action Reports from the Transportation Commission of December 16, 1998; the Fine Arts Commission of December 10, 1998; and, the Public Facilities Commission of December 15, 1998. **Approved as part of the Consent Calendar.**
- 2.H. COMMISSION/ADVISORY BOARD/COMMITTEE ATTENDANCE REPORTS:**
ACTION: Receive and file the attendance reports from the various appointed bodies and from the Project Area Committee for September, October and November of 1998. **Approved as part of the Consent Calendar.**
- 2.I. RESIGNATION FROM THE WOMEN'S ADVISORY BOARD:**
ACTION: Accept with regret the verbal resignation of Kathleen Watt from the Women's Advisory Board. **Approved as part of the Consent Calendar.**
- 2.J. PROPOSED RESOLUTION SUPPORTING THE EXPANSION OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS AND THE ESTABLISHMENT OF A COUNTY EXECUTIVE:**
ACTION: 1) Adopt Resolution No. 99-2013, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE EXPANSION OF THE NUMBER OF MEMBERS OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS AND THE ESTABLISHMENT OF A LOS ANGELES COUNTY EXECUTIVE;" and, 2) Direct staff to forward copies of this resolution to Senator Richard Polanco, Members of the Board of Supervisors, the Chairs of the Senate and Assembly Local Government Committees, and the City's legislative advocate. **Approved as part of the Consent Calendar.**

- 2.K. PROFESSIONAL SERVICES AGREEMENT WITH CONSULTANT CANDACE HILK, CPA, FOR FISCAL SITE VISITS TO VARIOUS SOCIAL SERVICE AGENCIES FUNDED BY THE CITY:**
ACTION: 1) Approve an agreement with Candace M. Hilk, CPA for fiscal site visits for a total cost not to exceed \$7,920; and, 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**
- 2.L. ESTABLISHMENT OF THE 1998/1999 VACANCY RATE FOR MULTI-FAMILY RESIDENTIAL UNITS:**
ACTION: Adopt Resolution No. 99-2014, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING VACANCY RATES FOR MULTI-FAMILY RESIDENTIAL RENTAL UNITS FOR 1998-1999." **Approved as part of the Consent Calendar.**
- 2.M. PROPOSED RESOLUTION IN SUPPORT OF CALIFORNIA LEGISLATION AMENDING AND STRENGTHENING GUN CONTROL LAWS: SENATE BILLS (SB); SB 15, SB 23, AND SB 9, AND ASSEMBLY BILLS (AB); AB 17 AND AB 32:**
ACTION: Adopt Resolution No. 99-2015, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING CALIFORNIA LEGISLATION AMENDING AND STRENGTHENING GUN CONTROL LAWS: SENATE BILLS (SB); SB 15, SB 23, AND SB 9, AND ASSEMBLY BILLS (AB); AB 17 AND AB 32." **Approved as part of the Consent Calendar. Approved as part of the Consent Calendar.**
- 2.N. PROPOSED RESOLUTION SUPPORTING ENFORCEMENT OF SMOKE-FREE BARS, RESTAURANTS AND WORKPLACES:**
ACTION: 1) Adopt Resolution 99-2016, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING LA LINK'S EFFORTS IN THE UNIFORM ENFORCEMENT OF SMOKE-FREE BARS, RESTAURANTS AND WORKPLACES; 2) Direct staff to re-publicize our city smoke-free workplace complaint investigation procedure which includes a smoke-free workplace complaint telephone number, a computerized smoking complaint log and a plan for random compliance visits to establishments in West Hollywood; and, 3) Direct staff to forward copies of this resolution as well as our smoke-free workplace investigation procedure, to all West Hollywood liquor licensees and other appropriate business, to the City's legislative advocate, to LA Link – a coalition of California Smoke-Free community organizations, and to all City Managers in the County of Los Angeles. **Approved as part of the Consent Calendar.**

2.O. PROFESSIONAL SERVICES AGREEMENT FOR RR BROWN AND ASSOCIATES FOR PREPARATION OF CITY'S ANNUAL SPECIAL ASSESSMENT DISTRICT REPORT:

ACTION: Authorize the City Manager to execute an agreement with RR Brown and Associates for annual professional services. **Approved as part of the Consent Calendar.**

2.P. APPROVAL FOR THE CLOSURE OF LARRABEE STREET, SAN VICENTE BOULEVARD AND HILLDALE AVENUE FOR THE 1999 MARDI GRAS CELEBRATION:

ACTION: 1) Authorize the closure of the alley between Palm Avenue and Robertson Boulevard on Tuesday, February 16, from 6:00 am until 3:00 am, Wednesday, February 17, 1999; 2) Authorize the use of San Vicente Boulevard (between Santa Monica Boulevard and Cynthia Street), Hilldale Avenue (between Santa Monica Boulevard and Keith Avenue) and Larrabee Street (between Santa Monica Boulevard and the alley) on Tuesday, February 16, 1999 from 5:00 pm until Midnight; 3) Authorize the Mardi Gras Committee to sell beer and wine, in recyclable cups, during the celebration; 4) Waive City permit fees including the temporary event permit, building and safety permit fees, Hancock Avenue Parking Lot, encroachment permit and meter fees; 5) Direct staff to work with the Mardi Gras 1999 Committee to sweep alleys, provide additional street-side containers along Santa Monica Boulevard, service and provide additional dumpsters for the event; 6) Direct staff to leave Municipal Parking Structure No. 1 open until 2:00 am, Wednesday, February 17, 1999; 7) Allow event coordinator exclusive use of the City's Hancock Avenue Parking Lot for business employees that usually park in the alley; 8) Operate a CityLine Shuttle, at no charge, to riders from 6:00 pm, Tuesday, February 16, 1999 through 2:00 am, Wednesday, February 17, 1999 from Fuller Avenue to Robertson Boulevard; 9) Direct staff to bill Sheriff's Deputies to the Mardi Gras 1999 Committee at City rates; and, 10) Direct staff to work with the Mardi Gras 1999 Committee to develop a noise mitigation plan for the surrounding neighborhoods. **Approved as part of the Consent Calendar.**

2.Q. REPEAL OF SECTIONS OF THE RENT STABILIZATION REGULATIONS REGARDING THE INCLUSION OF EXPENSES FOR PROFESSIONAL SERVICES IN THE NET OPERATING INCOME FORMULA AND TENANT RECOVERY OF EXPENSES FOR PROFESSIONAL SERVICES:

This Item was tabled to February 1, 1999 City Council meeting.

2.R. APPROVAL OF PROFESSIONAL SERVICES AGREEMENTS FOR SERVICES FOR HEARING MOTOR VEHICLE IMPOUND CASES AND RENT ADJUSTMENT APPLICATIONS:

ACTION: 1) Approve the contract with Jill Klein for Hearing Examiner services to hold administrative hearings for rent adjustment cases and for impounded motor vehicle cases on an as needed basis; 2) Approve the contract with Lynn Naliboff for Hearing Examiner services to hold administrative hearings for rent adjustment cases and for impounded motor vehicle cases on an as needed basis; and, 3) Authorize the City Manager to execute the agreements. **Approved as part of the Consent Calendar.**

2.S. SIDEWALK MAINTENANCE, SANTA MONICA BOULEVARD:

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

2.T. PROPOSED RESOLUTION DENOUNCING DR. LAURA SCHLESSINGER'S MONOLOGUE FROM DECEMBER 8, 1998 CALLING GAYS AND LESBIANS BIOLOGICAL ERRORS:

ACTION: 1) Adopt Resolution No. 99-2017, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENOUNCING DR. LAURA SCHLESSINGER'S COMMENTS FROM HER RADIO BROADCAST ON DECEMBER 8, 1998 CALLING GAYS AND LESBIANS BIOLOGICAL ERRORS AND REQUESTING AN ON AIR APOLOGY;" and, 2) Direct staff to forward copies of this resolution to Dr. Laura Schlessinger and the radio company which syndicates her show, Clear Channel, as well as the local affiliate KFI-AM radio and to all City Managers in the County of Los Angeles encouraging a similar action. **Approved as part of the Consent Calendar.**

2.U. BUDGET AMENDMENT TO APPROPRIATE FUNDS FROM THE PUBLIC ART AND BEAUTIFICATION FUNDS:

ACTION: Appropriate \$8,000 from unallocated reserves in the Public Art and Beautification Fund to Line Item No. 220-7040-8520. **Approved as part of the Consent Calendar.**

2.V. PROPOSED RESOLUTION SUPPORTING THE TRANSFER OF HEALTH MAINTENANCE ORGANIZATIONS OVERSIGHT FROM THE DEPARTMENT OF CORPORATIONS TO A NEW BOARD OF MANAGED HEALTH CARE:

ACTION: Adopt Resolution 99-2018, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD CITY COUNCIL IN SUPPORT CREATING A NEW STATE BOARD OF MANAGED HEALTH CARE TO REGULATE HEALTH MAINTENANCE ORGANIZATIONS IN CALIFORNIA;" and, 2) Direct staff to send a copy of this resolution to State Senator Herschal Rosenthal, the State Secretary of Health and Human Services, Grantland Johnson, the staff of the State Senate and State Assembly Health Committees, and our State Lobbyist. **Approved as part of the Consent Calendar.**

2.W. PROFESSIONAL SERVICES AGREEMENT WITH LAW/CRANDALL INC. FOR ENVIRONMENTAL SITE ASSESSMENT SERVICES FOR THE SANTA MONICA BOULEVARD REHABILITATION PROJECT:

ACTION: 1) Approve a professional services agreement with Law/Crandall Inc., a division of Law Engineering and Environmental Services, Inc., to provide an Environmental Site Assessment for the Santa Monica Boulevard Project in an amount not to exceed \$16,200; and, 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.X. YEAR-END REPORT ON SOCIAL SERVICES PROGRAMS:

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

2.Y. UPDATE ON CITY COUNCIL MEETINGS/SCHEDULE:

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

2.Z.. RESOLUTION SUPPORTING AB 103 (MIGDEN – SAN FRANCISCO), A BILL ENACTING A HIV SURVEILLANCE SYSTEM USING AN ENCODED OR UNIQUE IDENTIFIER METHOD:

ACTION: 1) Adopt Resolution 99-2020, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING AB 103 (MIGDEN-S.F.), A BILL WHICH WOULD ENACT A HIV SURVEILLANCE SYSTEM USING AN ENCODED OR UNIQUE IDENTIFIER METHOD;" and, 2) Direct staff to forward copies of this resolution to Assemblywoman Carole Migden, the City's legislative advocate and to the Chairs of each Assembly Committees hearing this Legislation. **This Item was listed on the Agenda as 5.D. and moved to and approved as part of the Consent Calendar.**

2.A.A. POLICY ACTION ON NAMING AND RENAMING CITY FACILITIES, BUILDINGS, PARKS AND OTHER PUBLIC PLACES:

ACTION: 1) Direct the Public Facilities Commission to create a concrete policy on naming and renaming City facilities, buildings and parks; and, 2) The Public Facilities Commission will present the City Council a final recommendation for consideration at the June 18, 1999 City Council Meeting. **This Item was listed on the Agenda as Item 5.G moved to and approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. APPROVAL OF FISCAL YEAR 1999-2000 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PLANNING SUMMARY:

City Clerk Thompson stated that a Notice of Hearing was published in the West Hollywood Independent on January 6, 1999 and January 13, 1999.

Allyne Winderman, Manager of Economic Development, provided background information as outlined in the staff report dated January 19, 1999.

Mayor Martin opened the Public Hearing and no speakers coming forward, the Public Hearing was closed.

ACTION: 1) Conduct the public hearing and receive public comment on the City's community development needs; 2) Instruct staff to submit the CDBG Program Planning Summary for approval to the CDC based on the public hearing and staff recommendations; and, 3) Approve any changes (more or less) to the city's final allocation amount from the County and request staff to make the necessary changes to the City's Budget for use in any of the City's CDBG programs.

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

3.B. PROPOSED RESOLUTION TO ESTABLISH A NON-REFUNDABLE CABLE FRANCHISE APPLICATION, TRANSFER AND/OR RENEWAL FEE AND AMEND RESOLUTION NO. 98-1926, THE CITY'S FEE RESOLUTION SCHEDULE:

City Clerk Thompson stated a Notice of Public Hearing was published in the Park La Brea News on January 7 and 14, 1999 and the West Hollywood Independent on January 13, 1999.

Helen Goss, PIO/CATV Manager, provided background information as outlined in the staff report dated January 19, 1999.

Mayor Pro Tem Heilman asked if we complied with the requirements for fee resolutions.

Helen Goss stated that City Attorney Jenkins had reviewed her calculations and that they are as close to preliminary calculations as there could be being that the City has no direct history in processing this type of application.

Mayor Martin opened the public hearing and the following speakers addressed the City Council.

J.W. MOORE, WEST HOLLYWOOD, commented that Century Cable is considering a merger and spoke in support of a digital communication system.

No further speakers came forward, Mayor Martin closed the Public Hearing.

ACTION: Adopt Resolution No. 99-2019, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A NON-REFUNDABLE CABLE FRANCHISE APPLICATION, TRANSFER AND/OR RENEWAL FEE AND AMENDING RESOLUTION NO. 98-1926."

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

UNFINISHED BUSINESS – SANTA MONICA BOULEVARD:

4.A. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION INSPECTION AND MANAGEMENT SERVICES ON THE SANTA MONICA BOULEVARD REHABILITATION PROJECT:

Ray Reynolds, Director of Community Development and Sharon Perlstein, City Engineer, provided background information as outlined in the staff report dated January 19, 1999.

Mayor Pro Tem Heilman asked if a mailer is going out to educate the public and the community about the trees.

Ray Reynolds stated, "yes" and that the workshops are in conjunction with the mailer.

Councilmember Guarriello asked if other consultants would be at the workshops to give a pro and con view of the kinds of trees.

Mayor Martin stated that he has called Pasadena for information and that staff should be gathering information.

Hassan Haghani, Associate Planner, stated the workshops will be a comprehensive study.

Mayor Pro Tem Heilman stated that if our only method is to distribute questionnaires at the workshop then there will not be a representation of the public.

DON BRUHNKE, WEST HOLLYWOOD, stated that he would like to see a person speak for saving the ficus trees.

JEANNE DOBRIN, WEST HOLLYWOOD, commented that the City needs a careful scrutiny of the contractors.

Mayor Pro Tem Heilman asked if the Construction Mitigation Plan will come back to the City Council and ultimately the City will be in charge.

Sharon Perlstein stated that the plan will come back to the Council on February 16, 1999 and that Willdan is the most suitable.

ACTION: 1) Approve a professional services agreement with Willdan Associates to provide construction inspection and management services for the Santa Monica Boulevard Rehabilitation Project in an amount not to exceed 1,597,000; and, 2) Authorize the City Manager to execute the agreement.

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

4.B. SANTA MONICA BOULEVARD MASTER PLAN ZIMMER GUNSEL FRASCA PARTNERSHIP CONTRACT:

Ray Reynolds, Director of Community Development provided background information as outlined in the staff report dated January 19, 1999.

ACTION: 1) Approve the revised proposal for Zimmer Gunsul Frasca Partnership as contained in their proposal of January 8, 1999; and, 2) Authorize the City Manager to execute the agreement; and 3) Authorize the Finance Director to allocate \$92,335 from the unallocated reserves in the Santa Monica Boulevard Fund to contract Services (345-7010-9443).

Motion Councilmember Prang, seconded by Councilmember Guarriello and unanimously carried.

4.C. SANTA MONICA BOULEVARD SPECIAL CITY COUNCIL MEETING:

Ray Reynolds, Director of Community Development provided background information as outlined in the staff report dated January 19, 1999.

EFFIE REUVENI, WEST HOLLYWOOD, spoke in support of keeping the ficus trees and maintaining the median.

GRACIELLA IPARRAGUIRRE, WEST HOLLYWOOD, spoke in support of keeping the ficus trees and maintaining the median.

STAN LOTHRIE, WEST HOLLYWOOD, spoke in support of saving the ficus trees.

REVERAND VON DOURIS, WEST HOLLYWOOD, spoke in regards to exhausting all information before cutting the ficus trees.

HOWARD ARMISTEAD, WEST HOLLYWOOD spoke in support of having a City Council meeting on March 22, 1999 and planting a variety of trees.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the 25 foot sidewalks proposed on Santa Monica Boulevard.

TOM PAVICH, WEST HOLLYWOOD, spoke in support of the March 22, 1999 meeting and stated that the Disability Advisory Board voted to recycle the trees.

Councilmember Prang stated that he depended on the clarity of the Disability Advisory Board and supports their decision.

ACTION: Direct the City Clerk to schedule a Special City Council Meeting on Monday, March 22, 1999.

Motion Councilmember Guarriello, seconded by Mayor Martin and unanimously carried.

4.1. UNFINISHED BUSINESS – GENERAL ITEMS:

4.D. DISABILITIES ADVISORY BOARD APPOINTMENT:

City Clerk Thompson provided background information as outlined in the staff report dated January 19, 1999.

REVERAND VON DOURIS, WEST HOLLYWOOD, spoke about the procedure of the appointments to the Disability Advisory Board .

EFFIE REUVENI, WEST HOLLYWOOD, spoke in regards to the ficus trees.

ACTION: Appoint John D'Amico as an "at-large" member to the Disabilities Advisory Board for a term expiring May 31, 1999.

Motion Mayor Martin, seconded by Councilmember Guarriello and unanimously carried.

4.E. SENIOR ADVISORY BOARD APPOINTMENT:

City Clerk Thompson provided background information as outlined in the staff report dated January 19, 1999.

ACTION: Appoint Barbara Krupa as an "at-large" member to the Senior Advisory Board for a term expiring August 15, 2000.

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

4.F. INDEPENDENT TECHNICAL REVIEW OF MELROSE CURB EXTENSIONS:

Lucy Dyke, Transportation Manager, provided background information as outlined in the staff report dated January 19, 1999.

EFFIE REUVENI, WEST HOLLYWOOD, spoke in support of eliminating the angle parking and the curb extensions.

BRUCE TRAUB, WEST HOLLYWOOD, spoke in support of removing the curb extensions.

DON BRUHNKE, WEST HOLLYWOOD, spoke in regards to the history of the curb extensions on Melrose.

Councilmember Guarriello spoke against the curb extensions and the angle parking on Melrose Avenue.

Mayor Pro Tem Heilman spoke in support of the angle parking and the reconstruction of the curb extension on the southeast corner of Melrose Avenue and Almont Drive.

Mayor Martin stated that the traffic has slowed on Melrose and the angle parking is working and spoke in support of looking at all the curb extensions on Melrose.

Councilmember Koretz spoke in support of removing the bollards and curb extensions on Melrose Avenue and Almont Drive.

Councilmember Prang spoke in support of removing the bollards and the curb extensions.

ACTION: 1) Direct staff to reconstruct the curb extension on the Southeast corner of Melrose Avenue and Almont Drive 2) Direct staff to investigate the

feasibility to modify the design of other curb extension on Melrose Avenue and return to the City Council including the costs of the proposed modification and 3) Direct staff to remove all "buttons" on Melrose.

Motion Mayor Martin, seconded by Mayor Pro Tem Heilman and unanimously carried.

4.G. CITYLINE ADVERTISING:

Lucy Dyke, Transportation Manager provided background information as outlined in the staff report dated January 19, 1999.

ACTION: 1) Do not enter into an agreement with TDI, Inc. for advertising on CityLine Vehicles and request that staff come back in twelve months 2) Direct staff to return with this item in 12 months.

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

5. NEW BUSINESS:

5.A. UNSIGNALIZED CROSSWALKS:

Lucy Dyke, Transportation Manager provided background information as outlined in the staff report dated January 19, 1999.

HOWARD ARMISTEAD, WEST HOLLYWOOD spoke in support of signalized crosswalks with flashing lights.

BRUCE TRAUB, WEST HOLLYWOOD, spoke in support of signalized crosswalks and suggested putting in new diamond shaped signs with high intensity lights around the edges.

Mayor Martin asked when will the signalized crosswalks be installed.

City Manager stated that the money could be appropriated this year.

Mayor Pro Tem Heilman stated that the signalized crosswalks create a false sense of security and he would much rather install lights that are pedestrian activated.

Councilmember Prang stated that these lights are better than no lights.

Mayor Martin stated that he would support this plan and come back in a year as to how it impacted the community and

ACTION: 1) Consider the information on the merits of marked crosswalks at certain locations; 2) Direct the installation of marked crosswalks as recommended by the Transportation Commission at two locations on Sunset Boulevard – Sunset Boulevard at Harper Avenue and Sunset Boulevard at Olive Drive, with construction to occur in Fiscal Year 1999-00; and, 3) Approve the inclusion of marked, uncontrolled crosswalks as part of the Santa Monica Boulevard reconstruction project; 3) Review the Unsignalized crosswalks in one-year.

Motion Mayor Martin, seconded by Councilmember Guarriello and unanimously carried, noting the NO vote of Mayor Pro Tem Heilman.

5.B. REQUEST TO EXTEND THE CITY'S CABLE FRANCHISE AGREEMENT WITH CENTURY SOUTHWEST CABLE TELEVISION, INC.:

Helen Goss, PIO/CATV Manager, provided background information as outlined in the staff report dated January 19, 1999.

City Attorney Jenkins stated that since the federal government has pre-empted the law regulating cable, the City is not able to regulate fees nor is it able to not renew the cable television franchise agreement.

STEVEN FRANTELLA, General Manager of Century Communications, assured the City Council that Century Communications is working diligently to rebuild the West Hollywood system.

NIGEL IVES, Regional Manager of Century Communications, stated that they are working diligently to rebuild with a digital platform which is quicker and better.

EFFIE REUVENI, WEST HOLLYWOOD, spoke in regards to high fees.

J.W. MOORE, WEST HOLLYWOOD, spoke in support of renewing the contract with Century Cable for ninety days.

DON BRUHNKE, WEST HOLLYWOOD, spoke in support of fighting to change regulations at the state level.

JAMIE KRAVITZ, WEST HOLLYWOOD, stated that the only alternative the City has is being in the negotiations.

Mayor Pro Tem Heilman stated that he wanted the City to actively solicit people and that we currently have a provider that many people are not satisfied.

ACTION: 1) Authorize the City Manager, subject to the approval of the City Attorney, to enter into an agreement with Century Southwest Cable Television, Inc. (Century) extending the cable television franchise agreement through January 19, 2000; and, 2) Notify Century that the City has granted a one-year extension to its cable television franchise agreement; and 3) Direct the City Attorney to investigate issues of issuing a second franchise in the City and/or other legal issues.

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

5.C. PROPOSAL TO REQUEST THE STATE ATTORNEY GENERAL'S OFFICE TO REVIEW THE CENTURY CABLE/TCI JOINT VENTURE AGREEMENT TO ENSURE COMPLIANCE WITH STATE AND FEDERAL ANTITRUST LAWS:

Helen Goss, PIO/CATV Manager provided background information as outlined in the staff report dated January 19, 1999.

J.W. MOORE, WEST HOLLYWOOD, spoke in support of looking into whether Century Cable/TCI Joint Venture agreement is in compliance with antitrust laws.

ACTION: 1) Direct the City Attorney to review the terms of the Century/TCI Joint Venture Agreement to determine if any Federal and/or State antitrust legal concerns arise from the agreement; 2) Direct the City Attorney to contact the U.S. Department of Justice to determine if the Century/TCI Joint Venture Agreement was analyzed as part of the pre-merger antitrust review of the AT & T/TCI merger or any other relevant antitrust review; 3) Direct the City Attorney to send a letter to the California Attorney General's Office requesting that they initiate an inquiry into the Century/AT & T/TCI Joint Venture Agreement to ensure that its terms are in compliance with state and federal antitrust laws; and, 4) Send a copy of the letter to the Los Angeles County District Attorney's Office, Consumer protection Division, and the Cities of Los Angeles, Beverly Hills and Santa Monica.

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

5.D. RESOLUTION SUPPORTING AB 103 (MIGDEN – SAN FRANCISCO), A BILL ENACTING A HIV SURVEILLANCE SYSTEM USING AN ENCODED OR UNIQUE IDENTIFIER METHOD:

This Item moved to the consent Calendar as Item 2.Z.

5.E. 1999 CITY OF WEST HOLLYWOOD RENTERS PROTECTION ACT:

Councilmember Koretz and Hal Cronkite, Director of Rent Stabilization, provided background information as outlined in the staff report dated January 19, 1999.

MARGARET HENNESSY, WEST HOLLYWOOD, Bet Tzedek Legal Services Attorney, spoke in support of revisions to the Rent Stabilization ordinance.

REVEREND VON DOURIS, WEST HOLLYWOOD, spoke in support of the City taking over administration of Section 8.

ANSON SNYDER, WEST HOLLYWOOD, spoke in support of directing the item back to staff, he stated that it does not accommodate affordable housing.

J.W. MOORE, WEST HOLLYWOOD, spoke in support of this item because it offers more protection to the tenants.

Mayor Martin stated that the landlord does not have the right to vacancy decontrol when they cease to be in the Section 8 program.

ACTION: 1) Refer this to the Rent Stabilization Commission to determine which items have merit with focus on and Costa Hawkins Rental Housing Act and Section 8.

Motion Councilmember Prang, seconded by Mayor Martin and unanimously carried.

5.F. CELEBRATE THE 15TH ANNIVERSARY OF WEST HOLLYWOOD'S CITYHOOD WITH A FLOAT IN THE 2000 ROSE PARADE:

ACTION: Table this item to the following meeting. Motion Councilmember Prang, seconded by Councilmember Guarriello and unanimously carried.

5.G. POLICY ACTION ON NAMING AND RENAMING CITY FACILITIES, BUILDINGS, PARKS AND OTHER PUBLIC PLACES:

This Item was moved to the Consent Calendar as Item 2.A.A.

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT: None.

6. LEGISLATIVE:

6.A. AMENDMENT TO THE RENT STABILIZATION ORDINANCE REGARDING THE DEFINITION OF HOUSING SERVICES FOR TENANCIES CREATED ON OR AFTER JANUARY 1, 1999:

This Item was tabled.


6.B. REPEAL OF SECTIONS OF THE RENT STABILIZATION ORDINANCE REGARDING THE INCLUSION OF EXPENSES FOR PROFESSIONAL SERVICES IN THE NET OPERATING INCOME FORMULA AND TENANT RECOVERY OF EXPENSES FOR PROFESSIONAL SERVICES:

This Item was tabled.


COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned in memory of Burt Donlin, Ryan Nakagawa, Charlie Mercer, Max Zimmer, at 12:05 A.M. on Wednesday, January 20, 1999, to their next regular meeting on Monday, February 1, 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 16TH DAY OF FEBRUARY, 1999.


MAYOR

ATTEST:


City Clerk