

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, AUGUST 16, 1999
WEST HOLLYWOOD PARK**

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

PLEDGE OF ALLEGIANCE: Richard Settle led the Pledge.

ROLL CALL:

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

ABSENT: None.

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

REPORT OF CLOSED SESSION AGENDA: Mayor Heilman stated that City Manager Makinney retired 10 days ago and presented the City Council with terms for his retirement. The City Council will ratify an agreement with City Manager Makinney on September 7, 1999. Mayor Heilman stated that the City Council unanimously appointed Director of Finance, Paul Arevalo as Interim City Manager.

APPROVAL OF AGENDA:

Staff requested that Item 2.M., Resolution Certifying the Increase of the Speed Limit on Fountain Avenue between Fairfax Avenue and La Brea Avenue be tabled and referred to the Transportation Commission.

Mayor Heilman requested that Item 2.O., Requirements for Energy Efficient and Environmentally Sound Development, be tabled to September 7, 1999.

Councilmember Koretz requested that Item 4.B., Discussion of Project Labor Agreements, be tabled to September 7, 1999.

Councilmember Guarriello and Councilmember Koretz requested that Item 2.P., Proposed Resolution Supporting Worker Protection Legislation in the State of California: SB 888 and SB 258, be removed for separate discussion.

Mayor Heilman noted his NO vote on Item 2.Q., Proposed Resolution in Support of Workers' Compensation Legislation in the State of California: AB 539 and SB 32.

Staff requested that Item 5.A., Proposal to Create the West Hollywood Crossing Guard Program, be tabled to September 7, 1999 and to include fiscal impact and liability exposure.

Staff requested that Item 2.Z., 1999 Halloween Carnival, be tabled to September 7, 1999.

Councilmember Martin requested to add an Urgency Item, Resolution Supporting the Underlying Principles of the Convention on the Elimination of All Forms of Discrimination Against Women to the Consent Calendar as Item 2.FF.

ACTION: Find that the Item came to the attention of the City after the posting of the Agenda, and there is an immediate need to take action on the Item and add the Urgency to the Consent Calendar as Item 2.FF.. **Motion by Councilmember Guarriello, seconded by Councilmember Koretz and unanimously carried.**

ACTION: Approve the August 16, 1999 Agenda as amended. **Motion by Councilmember Guarriello, seconded by Councilmember Koretz and unanimously carried.**

PRESENTATIONS:

Mayor Heilman presented a proclamation for Women's Equality Day to Judith Meuli, President of LA NOW and Barbara Hamaker.

Anna Feldman was presented a plaque as a senior citizen of 85 years.

Mary Beth Dolan and Helen Levin were presented plaques for their service on the Women's Advisory Board.

David John Preece, Amy Anderson and Frances Offenshauser were presented plaques for their service on the Cultural Heritage Commission.

Roger Davis was presented a plaque for his years of service on the Lesbian Gay Advisory Board.

Mayor Pro Tem Prang presented a commendation to Dick Stredicke and Ruth Cizlowski for their service on the Disability Advisory Board.

Councilmember Martin presented a proclamation to Jamie Chou who will represent the City of West Hollywood in the California USA Pageant.

Mayor Pro Tem Prang presented a commendation to Daniel McQueen for his internship in the City Council office.

PUBLIC COMMENT:

RICK RICKLES, WEST HOLLYWOOD, spoke about Dial-A-Ride.

DON CANNON, spoke in support of Item 2.FF.

MARSHELLE BRADANINI, representing L. A. NOW, spoke in support of Item 2.FF.

MARY JO CYSEWSKI, representing L. A. NOW, spoke in support of Item 2.FF.

VALERIE LEMBO, representing L. A. NOW, spoke in support of Item 2.FF.

RUTH WILLIAMS, WEST HOLLYWOOD, spoke in support of Item 2.FF and in support of City Manager Makinney. She also spoke against Item 5.B.

CRAIG RITCHIE, WEST HOLLYWOOD, spoke in support of City Manager Makinney, 5.B. and he also spoke about the ficus trees.

LORETTA SMITH, WEST HOLLYWOOD, spoke in support of City Manager Makinney.

FRANCES DIAZ, WEST HOLLYWOOD, spoke about City Manager Makinney and she stated her support of a fair agreement.

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

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of City Manager Makinney.

CAROL B. RODRIGUEZ, WEST HOLLYWOOD, spoke in regards to the Unity Project event and about the Jewish Community Center shooting.

DON SCOTTI, WEST HOLLYWOOD, President of the West Hollywood Chorale, spoke about the Chorale.

SHIRLEY BUSHNELL, WEST HOLLYWOOD, Sheriffs Conference, thanked the City for their support of the anti-violence rally in response to a hate crime in the City. She also thanked Captain Odenthal.

DR. EMILIA LOMBARDI, WEST HOLLYWOOD, spoke in support of L.A. County Transgender Task Force. She thanked Captain Odenthal and suggested that the City establish a Transgender Advisory Board.

JACOB HALE, LOS ANGELES, spoke in support of forming a Transgender Advisory Board.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello directed the City Clerk to return with an Item to alter his direct appointment to the Human Services Commission.

Councilmember Koretz requested that the meeting be adjourned in memory of Joseph Iletto.

Mayor Pro Tem Prang requested that the City Council adjourn in memory of David Siedler. He also commented that the owners of the Athletic Club, stated that they are looking for new occupants.

Mayor Heilman commented on hate crimes.

Councilmember Martin commented on the Transgender Community and the City Manager.

CITY MANAGER'S REPORT: City Attorney Jenkins stated that in response to the many allegations being made by Royce Mathews, the City has elected to prepare a fact sheet regarding Alternative Living for the Aging. He further stated that the City of West Hollywood has a limited role in the funding of the Alternative Living for the Aging.

Mayor Heilman asked Interim City Manager Arevalo to take a seat at the dais.

FISCAL IMPACT ON CONSENT CALENDAR:

City Clerk Thompson stated the Fiscal Impact on the amended Consent Calendar of August 16, 1999 is \$263,265 in expenditures and \$35,000 in potential revenue.

2. CONSENT CALENDAR:

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

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, August 16, 1999 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 12, 1999.

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

2.B. APPROVAL OF MINUTES:

ACTION: Approve the minutes of the Joint Meeting with the Public Facilities Commission of July 19, 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 Delma E. Kirch, Barry Hawkins, Joe Scott and Dennis Turrone/Jasper Cole and refer to the City's claims adjuster.
Approved as part of the Consent Calendar.

2.E. DEMAND REGISTER NO. 396, RESOLUTION NO. 99-2143 :

ACTION: Approve Demand Register No. 396 and adopt Resolution No. 99-2143, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 396." **Approved as part of the Consent Calendar.**

2.F. TREASURER'S REPORT:

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

2.G. NOTICE OF COMPLETION FOR THE KINGS ROAD PARK SITE DEVELOPMENT PROJECT (C.I.P. #5050-98-02):

ACTION: 1) Accept the work completed by MD Construction and Management Company of Beverly Hills, California; 2) Authorize filing a Notice of Completion by the City; 3) Authorize release of Payment and Performance Bonds posted for this project; and, 4) Authorize a retention payment not to exceed \$34,375.56 to MD Construction and Management Company at the end of the 35-day lien period; 5) Authorize the withholding of funds subject to Stop Notices filed prior to the end of the 35-day lien period; and 6) Authorize the withholding of \$14,800 in liquidated damages from MD Construction & Management Company for not completing the project within the authorized construction time period.
Approved as part of the Consent Calendar.

2.H. NOTICE OF COMPLETION FOR THE PLUMMER PARK TENNIS COURT RESURFACING PROJECT (C.I.P. #5050-99-02):

ACTION: 1) Accept the work completed by California Surfacing of Claremont, California; 2) Authorize filing a Notice of Completion by the City; 3) Authorize release of Payment and Performance Bonds posted for this project; and, 4) Authorize a retention payment not to exceed \$2,259.00 to California Resurfacing at the end of the 35-day lien period.
Approved as part of the Consent Calendar.

2.I. AMENDMENT TO SCOPE OF SERVICES OF CONTRACT WITH DAPEER, ROSENBLIT AND LITVAK, LLP, FOR PROSECUTION OF PHOTO SAFETY ENFORCEMENT CASES:

ACTION: 1) Approve an amendment to the contract with Dapeer, Rosenblit and Litvak, LLP; to include prosecution services for photo enforcement cases; and, 2) Authorize the City Manager to execute the amendment. **Approved as part of the Consent Calendar.**

- 2.J. UPDATE ON PROJECT UNITY ACTIVITIES AND REQUEST FOR APPROVAL FOR ACTIVITIES FOR THE UPCOMING FISCAL YEAR:**
ACTION: 1) Receive and file the report on Project Unity activities; and, 2) Review and approve the following activities for the upcoming fiscal year and direct staff to assist with organizing and publicizing the events.
Approved as part of the Consent Calendar.
- 2.K. EXTENSION OF AGREEMENT FOR DIAL A RIDE TRANSPORTATION SERVICE SERVING FRAIL, ELDERLY AND DISABLED RESIDENTS:****ACTION:** Approve an extension agreement with Diversified Paratransit Inc. in an amount not to exceed \$163,000 for one (1) year; and, 2) Authorize the City Manager to execute the extension agreement.
Approved as part of the Consent Calendar.
- 2.L. PROPOSED RESOLUTION MAKING THE FINDING FOR PUBLIC CONVENIENCE AND NECESSITY FOR THE SERVICE OF ALCOHOL AT 652 N. LA PEER (THE FACTORY, FORMERLY KNOWN AS AXIS):**
ACTION: Adopt Resolution No. 99-2144, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THAT THE SERVICE OF ALCOHOL AT 652 N. LA PEER SERVES A PUBLIC CONVENIENCE AND NECESSITY." **Approved as part of the Consent Calendar.**
- 2.M. RESOLUTION CERTIFYING THE INCREASE OF THE SPEED LIMIT ON FOUNTAIN AVENUE BETWEEN FAIRFAX AVENUE AND LA BREA AVENUE:**
Tabled and referred to the Transportation Commission.
- 2.N. LEGISLATIVE TRACKING UPDATE:**
ACTION: Receive and file monthly status update of Bills. **Approved as part of the Consent Calendar.**
- 2.O. REQUIREMENTS FOR ENERGY EFFICIENT AND ENVIRONMENTALLY SOUND DEVELOPMENT:**
Tabled to September 7, 1999.
- 2.P. PROPOSED RESOLUTION SUPPORTING WORKER PROTECTION LEGISLATION IN THE STATE OF CALIFORNIA: SB 888 AND SB 258:**
Removed for separate discussion to the Excluded Consent Calendar.
- 2.Q. PROPOSED RESOLUTION IN SUPPORT OF WORKERS' COMPENSATION LEGISLATION IN THE STATE OF CALIFORNIA: AB 539 AND SB 32:**

ACTION: 1) Adopt Resolution No. 99-2145, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING WORKERS' COMPENSATION LEGISLATION IN THE STATE OF CALIFORNIA: AB 539 AND SB 32;" and, 2) Distribute to and inform both local and county level elected officials and firefighters. **Approved as part of the Consent Calendar, noting the NO vote of Mayor Heilman.**

2.R. PROPOSED RESOLUTION COMMENDING UNITED AIRLINES FOR OFFERING DOMESTIC PARTNER BENEFITS TO EMPLOYEES AND RETIREES:

ACTION: 1) Adopt Resolution No. 99-2146, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD COMMENDING UNITED AIRLINES FOR OFFERING DOMESTIC PARTNERSHIP BENEFITS TO EMPLOYEES AND RETIREES;" and, 2) Direct staff to inform the representatives of United Airlines. **Approved as part of the Consent Calendar.**

2.S. PROFESSIONAL SERVICES AGREEMENT WITH DEKRA-LITE FOR THE INSTALLATION OF HOLIDAY DECORATIONS IN FRONT OF CITY HALL:

ACTION: 1) Approve a professional services agreement with Dekra-Lite, Inc. in an amount not to exceed \$2,000 for the installation of holiday lighting at 8300 Santa Monica Boulevard; and, 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.T. PROPOSED RESOLUTION IN SUPPORT OF SB 1111 (SHER), A BILL WHICH WOULD CREATE AN ASTHMA PROGRAM UNDER THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES TO ADDRESS ASTHMA AS A MAJOR HEALTH ISSUE:

ACTION: 1) Adopt Resolution No. 99-2147, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SB 1111 (SHER), A BILL WHICH WOULD CREATE AN ASTHMA PROGRAM UNDER THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES TO ADDRESS ASTHMA AS A MAJOR HEALTH ISSUE;" and, 2) Send copies of this signed resolution to the American Lung Association of California and to California Senator Sher. **Approved as part of the Consent Calendar.**

2.U. PROPOSED RESOLUTION IN SUPPORT OF A NEW CALIFORNIA HOLIDAY IN HONOR OF CESAR CHAVEZ (SB 984):

ACTION: 1) Adopt Resolution No. 99-2148, "PROPOSED RESOLUTION IN SUPPORT OF A CESAR CHAVEZ HOLIDAY (SB 984);" and, 2) Direct staff to inform the representatives of Senator Richard Polanco, the

Chavez Family and the United Farm Workers of America, AFL-CIO, of the Council's actions. **Approved as part of the Consent Calendar.**

2.V. AUTHORIZATION FOR STREET CLOSURE ON SAN VICENTE BOULEVARD FOR THE SANTA MONICA BOULEVARD PROJECT GROUNDBREAKING CEREMONY:

ACTION: Authorize the City Engineer to implement a street closure on San Vicente Boulevard between Santa Monica Boulevard and Pacific Design Center Road from 11:00 AM to 3 PM, on Sunday, August 22, 1999, for purposes of the Santa Monica Boulevard Project Groundbreaking Ceremony. **Approved as part of the Consent Calendar.**

2.W. PROPOSED RESOLUTION REGULATION REGARDING TAXICAB IMPOUNDMENT FOR CERTAIN VIOLATIONS OF THE TAXICAB REGULATION ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE:

ACTION: Adopt Resolution No. 99-2149, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING REGULATIONS TO STANDARDIZE THE PROCEDURE FOR TAXICAB IMPOUNDING IN ACCORDANCE WITH SECTION 1206 OF THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

2.X. IMPLEMENTATION OF REQUIREMENTS OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE):

ACTION: 1) Adopt Resolution No. 99-2150, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ADVISORY BOARD AND DIRECTING THE PREPARATION OF A REPORT FOR FISCAL YEAR 1999-2000 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA;" 2) Adopt Resolution No. 99-2151, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 1999-2000 IN CONNECTION WITH THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA;" and, 3) Adopt Resolution No. 99-2152, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO LEVY A CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 1999-2000 AND SETTING A TIME AND PLACE OF A HEARING TO CONSIDER SUCH A CHARGE." **Approved as part of the Consent Calendar.**

2.Y. PROFESSIONAL SERVICES AGREEMENT WITH LEVINE FRICKE RECON FOR ENVIRONMENTAL CONSULTING SERVICES FOR THE PROPERTIES LOCATED AT THE LA BREA GATEWAY PROJECT:

ACTION: 1) Approve the professional services agreement with Levine Fricke Recon in an amount not to exceed \$35,000 for environmental assessment services for the La Brea Gateway Project; and, 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

**2.Z. 1999 HALLOWEEN CARNIVAL:
Tabled to September 7, 1999.**

2.A.A. PROPOSED RESOLUTION AMENDING THE CITY'S CONFLICT OF INTEREST CODE TO INCLUDE MEMBERS OF THE FINE ARTS COMMISSION AND THE CULTURAL HERITAGE COMMISSION:

ACTION: 1) Adopt Resolution No. 99-2153, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE CITY'S CONFLICT OF INTEREST CODE TO INCLUDE MEMBERS OF THE FINE ARTS COMMISSION AND THE CULTURAL HERITAGE COMMISSION AS DESIGNATED POSITIONS, ASSIGN DISCLOSURE CATEGORIES THEREFOR, AND AMEND RESOLUTION NO. 98-2009;" and, 2) Direct the City Clerk to notify the Commissioners affected by this Resolution to file a Statement of Economic Interest within thirty (30) days of adoption of this Resolution. **Approved as part of the Consent Calendar.**

2.B.B. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS FOR RECRUITMENT OF A CITY MANAGER:

ACTION: Authorize staff to develop and issue a Request for Proposals to Executive Search Firms to contract for services to recruit a City Manager. **Approved as part of the Consent Calendar.**

2.C.C. ADJUSTMENT OF RENTS FOR INCLUSIONARY HOUSING UNITS AND INCLUSIONARY HOUSING INCOME GUIDELINES:

ACTION: Adopt Resolution No. 99-2154, " A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE RENT LEVELS AND INCOME REQUIREMENTS FOR THE INCLUSIONARY HOUSING PROGRAM."

Approved as part of the Consent Calendar.

2.D.D. SECOND READING OF AN ORDINANCE ENFORCING THE ANTI-SMOKING LAW IN BARS, TAVERNS, AND OTHER ESTABLISHMENTS:

ACTION: Waive further reading and adopt Ordinance No. 99-550, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO

SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT, AND AMENDING CHAPTER VI OF ARTICLE IV OF THE WEST HOLLYWOOD MUNICIPAL CODE;" and, 2) Direct the Public Safety Division, the Public Information Office and Code Compliance to publicize the ordinance to all appropriate businesses. **Approved as part of the Consent Calendar.**

2.E.E. RESIGNATION OF J. STEPHEN LEWIS FROM THE RENT STABILIZATION COMMISSION:

ACTION: Accept with regret the resignation of J. Stephen Lewis from the Rent Stabilization Commission and Direct the City Clerk to post a notice of vacancy and accept applications. **Approved as part of the Consent Calendar.**

2.F.F. URGENCY ITEM

RESOLUTION BY THE CITY OF WEST HOLLYWOOD CITY COUNCIL SUPPORTING THE UNDERLYING PRINCIPLES OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN:

ACTION: Adopt a Resolution No. 99-2155, "A RESOLUTION BY THE CITY OF WEST HOLLYWOOD CITY COUNCIL SUPPORTING THE UNDERLYING PRINCIPLES OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN." **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. PUBLIC HEARING REGARDING THE IMPLEMENTATION OF REQUIREMENTS FOR THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT (BID) AND APPROVAL OF CONTRACT WITH THE WEST HOLLYWOOD CHAMBER OF COMMERCE TO ADMINISTER THE 1999-2000 AVENUES OF ART AND DESIGN BID ASSESSMENT FUNDS:

City Clerk Thompson stated that a Notice of Public hearing was published in the West Hollywood Independent on June 30, 1999.

Alison Maxwell, Economic Development Specialist, provided background information as outlined in the staff report dated August 16, 1999.

Mayor Heilman opened the Public Hearing and the following speakers addressed the City Council:

JEB BAIRD, WEST HOLLYWOOD, spoke in support of the district and explained changes in the boundaries.

JOHN ALTSCHUL, WEST HOLLYWOOD, Chair of the West Hollywood Chamber of Commerce, spoke in support of this item.

KAREN KUO, spoke in support of this item.

No further speakers came forward, Mayor Heilman closed the public hearing.

ACTION:

1. Adopt Resolution No. 99-2156, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 1999-2000 AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 1999-2000 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT;"
2. Introduce on first reading, 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;"
3. Approve a contract between the City and the West Hollywood Chamber of Commerce to administer the 1999-2000 Avenues of Art and Design Business Improvement District assessment funds for the Avenues of Art and Design Business Improvement District and authorize the City Manager to execute the agreement; and,
4. Approve the advancement of 50% of the proposed BID budget, to begin the implementation of the 1999-2000 Avenues of Art and Design Bid work program as outlined in the Contract.

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

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

City Clerk Thompson stated that a Notice of Public hearing was published in the West Hollywood Independent on August 11, 1999.

Timothy Foy, Senior Planner, provided background information as outlined in the staff report dated August 16, 1999.

Mayor Heilman opened the Public Hearing and the following speaker addressed the City Council:

MARTIN A. COOPER, WEST HOLLYWOOD, lawyer representing the appellant, stated his position.

No further speakers came forward, Mayor Heilman closed the public hearing.

Mayor Heilman stated his concern of the impact on the adjacent properties and the neighborhood.

Lisa Heep, Planning Manager, stated that the City has no permanent land use for an open air parking lot.

Councilmember Koretz stated that the City Council should attempt to treat this operator fairly.

Mayor Pro Tem Prang shared the concerns of Councilmember Koretz that the property does not seem to have any other use.

Ray Reynolds, Director of Community Development stated that the property is ideal for commercial use.

Mayor Heilman stated his concerns on how the applicant deals with closure of parking lot and impact on neighbors.

ACTION: Continue the Public Hearing until September 7, 1999. **Motion Councilmember Koretz, seconded by Mayor Pro Tem Prang and carried on a roll call vote.**

AYES: Councilmembers Koretz, Prang, Heilman.

NOES: Councilmembers Guarriello, Martin.

City Council recessed at 8:52 P.M. and reconvened at 9:07 P.M.

3.C. APPEAL OF THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF TENTATIVE TRACT 99-02 VARIANCE 99-13 SUBDIVISION MODIFICATION 99-01 AT 818 DOHENY DRIVE/9049 ELEVADO AVENUE:

City Clerk Thompson stated that a Notice of Public hearing was published in the West Hollywood Independent on August 11, 1999.

Wesley Joe, Assistant Planner, provided background information as outlined in the staff report dated August 16, 1999.

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

DAVID NIXON, Appellant, spoke in opposition of dividing the parcel on Eldorado Avenue.

STEVE GRAHAM, Applicant, outlined the points in his application.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the appellant receiving protection under the Rent Stabilization Ordinance.

DAVID NIXON, WEST HOLLYWOOD, Appellant rebuttal, re-stated his position.

STEVE GRAHAM, Applicant, rebuttal, stated that the two properties are in conformance with the zoning requirements.

Councilmember Martin stated that the history of the sight has relevance and that there is no real reason to grant the sub-division.

Mayor Heilman stated that the applicant was not registered with Rent Stabilization and he is willing to go along with the granting of the subdivision based on the adjudication of the court. He supports the decision of the Planning Commission.

ACTION: 1) Adopt Resolution No. 99-2157, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE APPEAL OF DAVID NIXON AND UPHOLDING THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF TENTATIVE TRACT 99-02 (ALSO KNOWN AS TENTATIVE MINOR LAND DIVISION 25521), VARIANCE 99-13 AND SUBDIVISION MODIFICATION 99-01 LOCATED AT 818 DOHENY DRIVE AND 9049 ELEVADO AVENUE, WEST HOLLYWOOD, WITH THE EXCEPTION THAT CONDITION i SHALL BE MODIFIED TO REQUIRE THAT THE WITHDRAWAL OF 9049 ELEVADO AVENUE FROM THE RENTAL MARKET SHALL BE SUBJECT TO ALL APPLICABLE PROVISIONS OF THE RENT STABILIZATION ORDINANCE."

Motion Mayor Heilman, seconded by Councilmember Guarriello and carried on a roll call vote.

AYES: Councilmembers, Guarriello, Koretz, Prang, Heilman.

NOES: Councilmember Martin.

3.D. PUBLIC HEARING ON COMPLIANCE WITH THE LOS ANGELES COUNTY TRANSPORTATION COMMISSION CONGESTION MANAGEMENT PLAN:

City Clerk Thompson stated that a Notice of Public hearing was published in the West Hollywood Independent on August 11, 1999.

Dennis Woods, Associate Transportation Planner, provided background information as outlined in the staff report dated August 16, 1999.

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

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about businesses to expand upon their existing parking lots and allows valet parking.

ACTION: Adopt Resolution No. 99-2158, "A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN COMPLIANCE WITH THE CONGESTION MANAGEMENT PLAN (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089."

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

4. UNFINISHED BUSINESS:

4.A. REPORT BACK AND REQUEST FOR AUTHORIZATION FOR CREATION OF WEST HOLLYWOOD INFORMATION RADIO STATION – FOR THE PURPOSE OF DISASTER INFORMATION, TRAFFIC REPORTS, SPECIAL EVENT INFORMATION:

Bob Abrahms, Acting PIO/CATV Manager, provided background information as outlined in the staff report dated August 16, 1999.

Councilmember Martin asked how much does it cost to implement this project.

Interim City Manager Arevalo stated that the up front costs range between forty and seventy-five thousand dollars. He stated that staff will report back to City Council on the alternative costs.

Mayor Heilman stated that it could take six month before the City receives the license.

ACTION: 1) Authorize the appropriation of \$2,500 in the Public Information/CATV budget to retain a Radio Engineer to apply for a license and determine the location and frequency of the West Hollywood Travelers Radio Station; 2) Direct the Public Information Division to begin developing the West Hollywood Travelers Information Service Radio Station; 3) Direct staff to report back to Council on the feasibility of the radio program identifying the costs (one-time and annual costs); 4) Instruct all City departments to assist in expediting this program in order

to have the station operational within three (3) to six (6) months in order to improve traffic related to the Santa Monica Boulevard Project.

Motion by Councilmember Martin, seconded by Councilmember Koretz and unanimously carried.

**4.B. DISCUSSION OF PROJECT LABOR AGREEMENTS:
Tabled to September 7, 1999.**

4.C. 1999 WEST HOLLYWOOD SUPPORT FOR EDUCATION PROGRAM:
Scott Svonkin, Deputy to Councilmember Koretz, provided background information as outlined in the staff report dated August 16, 1999.

DONNA FEINSTEIN, WEST HOLLYWOOD, spoke in support of this item.

ACTION:

- 1) Direct Human Services Department to assist in the Creation of the Community Alliance to Revitalize Public Education "C.A.R.P.E. Diem". The purpose of this organization is to create opportunities for business and individuals to become involved with our neighborhood schools. The formation of a steering committee should include: one representative from each of the local elementary schools, one or more from the Chamber of Commerce and other appropriate members. This group will meet quarterly to coordinate support programs;
- 2) Direct the Public Information Office and Human Services Department to jointly produce a series for the City Channel that promotes what is good in West Hollywood for children and families. Also featured in this production should be all non profits and City programs that benefit children and families. This video will be made available to all local schools. This project should be completed by Jan. 2000;
- 3) Request the West Hollywood Chamber of Commerce work with the Human Services Department and Public Information to develop a campaign that will recognize local business for their support of local schools with a sign or symbol to be displayed. The support can be in any form that includes in-kind, adopt a school, or cash; and,
- 4) Create the West Hollywood APPLE Awards: "Appreciation for People who Promote Learning Excellence". This program is modeled after a special recognition program that was created by the Late Los Angeles Mayor Tom Bradley, and has been renewed by School Board Member Valerie Fields. The program would recognize approximately ten outstanding people who helped improve the quality of the local schools for the 1999-2000 academic year. An awards reception will be planned to recognize and celebrate the winners.

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

4.D. TRANSPORTATION COMMISSION APPOINTMENTS AND REAPPOINTMENTS:

City Clerk Thompson provided background information as outlined in the staff report dated August 16, 1999.

ACTION: Appoint Marci Miller and reappoint Daryl Seif to the Transportation Commission as "at-large" appointments for terms expiring May 31, 2001. **By consensus of the City Council.**

5. NEW BUSINESS:

5.A. PROPOSAL TO CREATE THE WEST HOLLYWOOD CROSSING GUARD PROGRAM:

Tabled to September 7, 1999.

5.B. DIRECT THE CITY CLERK AND CITY ATTORNEY TO RECONSIDER AN AGENDA ITEM WITH AN INTERIM ORDINANCE IMPOSING A \$500 LIMIT ON CAMPAIGN CONTRIBUTIONS, AND TO APPOINT AN AD HOC TASK FORCE TO DEVELOP A CAMPAIGN FINANCE REFORM MEASURE IN WEST HOLLYWOOD:

Mayor Heilman provided background information as outlined in the staff report dated August 16, 1999.

JOHN ALTSCHUL, WEST HOLLYWOOD, spoke in support of this item.

LAURENCE ZAKSON, WEST HOLLYWOOD, spoke in opposition of an interim ordinance.

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

STEVEN GREEN, WEST HOLLYWOOD, spoke in support of this item and encouraged wide advertisement for applicants.

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

Councilmember Martin stated his concern of the \$500 limit.

Mayor Heilman stated that the goal is to establish meaningful limitations and the amount is reasonable.

Councilmember Koretz extra percentage for non incumbents, and he is inclined not to set a limit now but have the task force determine the limit.

Discussion ensued regarding campaign limits and whether to establish an interim ordinance.

City Clerk Thompson stated that he will make a recommendation based on the campaign statements

ACTION: 1) Direct the City Attorney to draft an interim campaign contribution ordinance that imposes a dollar limit on campaign contributions and direct the City Clerk to return to the City Council with analysis and possible recommendations of the dollar limit; 2) Direct and the City Clerk to return to the City Council with the size and makeup of a proposed task force and authorize the City Clerk to appoint an ad hoc task force to make recommendations to the City Council on how to reform the financing of electoral campaigns in West Hollywood; and, 3) Direct the City Clerk to work with the City Attorney and return with recommendations and a permanent ordinance before December, 1999.
By a consensus of the City Council.

5.C. THE WEST HOLLYWOOD CHILD SAFETY PROTECTION ACT OF 1999:

Howard Jacobs, Deputy to Mayor Pro Tem Prang, provided background information as outlined in the staff report dated August 16, 1999.

ACTION: 1) Direct appropriate City Staff to draft an ordinance which will make leaving a child unattended in an automobile a violation of City Code and allow Code Compliance and Sheriffs personnel to rescue the unsupervised child; 2) Direct the Divisions of Public Information/CATV and Public Safety to develop a media based campaign designed to inform West Hollywood residents about the specific safety, health and safety hazards associated with leaving children unattended in automobiles; and, 3) Refer the drafted ordinance to the Public Safety Commission for review before returning to City Council for first reading.

Motion Councilmember Martin, seconded by Councilmember Koretz and unanimously carried.

5.D. DESIGNATION OF VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE:

City Clerk Thompson provided background information as outlined in the staff report dated August 16, 1999.

ACTION: 1) Appoint Mayor Pro Tem Prang as the voting delegate and Councilmember Guarriello as the voting alternate for the League of California Cities 1999 Annual Conference; and, 2) Direct the City Clerk to submit the required forms to the League of California Cities of the appointments.

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

5.E. DIRECTION TO PUBLIC SAFETY TO WORK WITH THE SHERIFF'S DEPARTMENT TO INCREASE PATROL THROUGH SEPTEMBER 21ST OF JEWISH HOUSES OF WORSHIP AND AREAS WHERE CHILDREN ARE PRESENT:

Scott Svonkin, Deputy to Councilmember Koretz, provided background information as outlined in staff report dated August 16, 1999.

ACTION: 1) Have Public safety work with the Sheriff's Department to increase patrol of Jewish houses of worship and areas where children are present; and, 2) Have Public Safety work with Jewish houses of worship, camps and day-care centers to assist them in reviewing additional security steps and measures that can be taken.

Motion Councilmember Martin, seconded by Councilmember Koretz and unanimously carried.

EXCLUDED CONSENT CALENDAR:

2.P. PROPOSED RESOLUTION SUPPORTING WORKER PROTECTION LEGISLATION IN THE STATE OF CALIFORNIA: SB 402, SB 888, SB 258 AND AB 433:

Councilmember Koretz provided background information as outlined in the staff report dated August 16, 1999.

Councilmember Koretz asked the City Council to remove SB 402 and AB 433 from the resolution.

ACTION: 1) Adopt Resolution No. 99-2159, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING WORKER PROTECTION LEGISLATION IN THE STATE OF CALIFORNIA: SB 888 AND SB 258" 2) Distribute and inform both local and county level elected officials and California public safety workers. **Removed for discussion then later approved as amended by removing SB 402 and AB 433 from the Resolution.**

PUBLIC COMMENT:

DON BRUNHKE, WEST HOLLYWOOD, spoke about condom distribution.

CATHERINE HAHN, WEST HOLLYWOOD, spoke in support of the new Interim City Manager Arevalo.

MICHAEL MAHERN, WEST HOLLYWOOD, spoke about condom distribution, Michael Weinstein and City Manager Makinney.

6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS:

Councilmember Koretz and Mayor Pro Tem Prang commented on condom distribution issues.

ADJOURNMENT: The City Council adjourned in memory of Joseph Iletto and David Siedler at 10:40 P.M., to their next regular meeting on Tuesday, September 7, 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 7th DAY OF SEPTEMBER, 1999.



MAYOR

ATTEST:



City Clerk (ACTING)