

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
TUESDAY, JANUARY 2, 1996
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE: Daphne Dennis led the Pledge.

ROLL CALL:

PRESENT: Councilmembers - Guarriello, Land, Martin, Koretz and Mayor Heilman

ALSO PRESENT: City Manager Brotzman, City Attorney Jenkins, City Clerk Love and Assistant City Clerk Thompson.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at approximately 6:00 p.m. the meeting was called to order and the City Council recessed into a closed session for discussion of the items on the posted closed session agenda. The City Council added one item by a unanimous vote which came to the attention of the City after the agenda was posted. This item was under Personnel G.C. Section 54957 and the title of the position is Community Development Director. There were no reportable actions.

APPROVAL OF AGENDA: Mayor Heilman requested that item 5.B. be moved to the Consent Calendar as Item 2.W. Staff has requested Item 2.G. be moved to Unfinished Business. City Attorney Jenkins has asked Item 2.I. be removed from the Consent Calendar to be modified slightly and re-introduced for first reading. The item will be heard immediately following the Consent Calendar. City Attorney Jenkins also requested that the City Council add as an Urgency Item, a proposed ordinance which would repeal Section 4121 of the West Hollywood Municipal Code.

MOTION: add Item 6.A. proposed Ordinance repealing Section 4121 of the W.H.M.C. by Councilmember Guarriello, seconded by Councilmember Koretz and unanimously carried.

MOTION: Approve the agenda as amended by Councilmember Guarriello, seconded by Councilmember Land and unanimously carried.

PRESENTATIONS:

Mayor Heilman announced there will be a free seminar for those people living in the community with HIV. It is January 13, 1996 at 9:00 a.m. at the Hyatt on Sunset and it is free.

1. CITIZEN COMMENTS:

DAVIDA GOLDSTEIN, CHABAD RUSSIAN JEWISH COMMUNITY CENTER - WEST HOLLYWOOD, asked the City Council to hold off on reallocating the funds for Item 2.L. until she can gather the information to prove how they have spent the money.

JACK SIMANTOB, WEST HOLLYWOOD, spoke against being included in the BID. He submitted petitions against the BID.

MARK HEINEMANN, WEST HOLLYWOOD, spoke about an issue involving a Code Enforcement citation given to a small business owner relative to signs. He stated that the signs were grandfathered in and were not in violation of the code.

LONNIE HEINEMANN, WEST HOLLYWOOD, spoke in support of Mr. G's Pawn Shop's sign.

TSUPRUN FANYA, WEST HOLLYWOOD, stated she is being harassed about signage which has been up since before the City was incorporated.

TAI PARISH, WEST HOLLYWOOD, the business address is 7775 Santa Monica Boulevard. She indicated that the Code Enforcement officer was very rude.

NORMA KEMPER, WEST HOLLYWOOD, she congratulated the City Council on the lease agreement for the La Jolla/Havenhurst parking lot and she asked Council to involve the La Jolla Neighborhood Association on the planning.

TOM BURROWS, WEST HOLLYWOOD, joined Norma in asking that the La Jolla Neighborhood Association be included in discussions on the parking lot.

JACK RISBROUGH, co-owner of 8435 MELROSE AVENUE, have gathered 36 petitions from people who are asking to be excluded from the proposed BID.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about the attack of Lester Hirsch. She commented on the lack of communication regarding the reward and requested Council to do more to get the word out.

JOHN D'AMICO, WEST HOLLYWOOD, spoke in favor of the "Saturday Night Special" ordinance and thanked the City Council for the ordinance.

BERNARD DANIELS, WEST HOLLYWOOD, spoke about a problem tenant in his building. He complained about a code enforcement citation which was mailed to his daughter instead of himself and did not allow adequate time for compliance. He suggested that anytime there is a complaint about a landlord that the landlord should be notified directly.

HERB RIVKIN, LOS ANGELES, congratulated the City Council on the adoption of the "Saturday Night Special" ordinance.

BARRY STITCH, WEST HOLLYWOOD, indicated he lives on Sherwood and West Knoll and requested that a stop sign be installed at Sherwood and Westknoll.

JIM WALKER, SANTA ANA, thanked the City Council for the action to ban the sale of "Saturday Night Specials". He indicated that since December 4th there were ten more panels added to the quilt which is on display.

CITY MANAGER'S REPORT: City Manager Brotzman stated there was no report.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Thompson stated that the fiscal impact for the Consent Calendar of January 2, 1996, as amended, is \$207,773. in expenditures and zero potential revenues.

2. CONSENT CALENDAR:

ACTION: Approve items 2.A, B, C, D, E, F, H, J, K, L, M, N, O, P, Q, R, S, T, U, V and W. **Motion Councilmember Land, seconded Mayor Pro Tem Koretz and unanimously carried.**

A. POSTING OF AGENDA: The agenda for the meeting of Tuesday, January 2, 1996 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Friday, December 29, 1995.

RECOMMENDATION: Receive and file. **APPROVED AS PART OF THE CONSENT CALENDAR.**

B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of Monday, December 4, 1995. **APPROVED AS PART OF THE CONSENT CALENDAR.**

C. WAIVER OF FURTHER READING:

RECOMMENDATION: 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.**

D. CLAIMS ADMINISTRATION:

RECOMMENDATION: Deny the claims of David Brooks and Virginia Aldridge and refer to the City's claims adjuster. **APPROVED AS PART OF THE CONSENT CALENDAR.**

E. DEMAND REGISTER NO. 308, RESOLUTION NO. 96-1516:

RECOMMENDATION: Approve Demand Register No. 308 and adopt Resolution No. 96-1516, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 308." **APPROVED AS PART OF THE CONSENT CALENDAR.**

F. DEMAND REGISTER NO. 309, RESOLUTION NO. 96-1517:

RECOMMENDATION: Approve Demand Register No. 309 and adopt Resolution No. 96-1517, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 309." **APPROVED AS PART OF THE CONSENT CALENDAR.**

G. ORDINANCE NO. 95-451 (2nd Reading), PROPOSED ORDINANCE AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO BUSINESS LICENSES."

This item was moved to Unfinished Business for discussion and action.

H. ORDINANCE NO. 95-452 (2nd Reading), ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE ZONING TEXT AMENDMENT 95-03 CONCERNING ADULT BUSINESS REQUIREMENTS:

RECOMMENDATION: Waive further reading and adopt Ordinance No. 95-452, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE ZONING TEXT AMENDMENT 95-03 CONCERNING ADULT BUSINESS REQUIREMENTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **APPROVED AS PART OF THE CONSENT CALENDAR.**

I. ORDINANCE NO. 95-453 (2nd Reading), RELATING TO THE SALE OF "SATURDAY NIGHT SPECIALS" AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

This item was moved for consideration and action immediately following the Consent Calendar.

J. UNCLAIMED MEDICAL REIMBURSEMENT DEDUCTIONS:

RECOMMENDATION: Authorize the Department of Finance to transfer any forfeited Section 125 withholdings to the Catastrophic Illness Plan. **APPROVED AS PART OF THE CONSENT CALENDAR.**

K. 1994-95 YEAR END REPORT SOCIAL SERVICES CONTRACTS:

RECOMMENDATION: Receive and file the report. **APPROVED AS PART OF THE CONSENT CALENDAR.**

L. FAMILIES AND COMMUNITIES PROGRAMMING:

RECOMMENDATION: Approve \$23,000 in one time savings from Social Services contract line item 01-530-53-685 of 1994-95 budget to be delivered prior to September 30, 1996 for: (1) \$7,000. for homework centers at West Hollywood and Will and Ariel Durant Libraries; (2) \$7,000. pilot dispute resolution training programs at two elementary schools; (3) \$5,000. seed money for after school

programming at two elementary schools; and (4) \$4,000. recreation leader and/or special event programming. **APPROVED AS PART OF THE CONSENT CALENDAR.**

M. AWARD OF PROFESSIONAL SERVICES SUPPLEMENTAL CONTRACT FISCAL YEAR 1995-96 SEWER REPAIR AND REHABILITATION PROJECT:

RECOMMENDATION: (1) Approve a supplemental professional services agreement with Robert Bein, William Frost and Associates in the amount of \$47,150. for preparation of construction plans and specifications, and (2) Authorize the City Manager to execute the agreement. **APPROVED AS PART OF THE CONSENT CALENDAR.**

N. PROPOSED RESOLUTION ENCOURAGING THE U.S. TO IMPOSE SANCTIONS ON NIGERIA:

RECOMMENDATION: 1) Adopt Resolution No. 96-1518, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE U.S. IMPOSING ALL AVAILABLE SANCTIONS, INCLUDING ECONOMIC SANCTIONS, ON NIGERIA DUE TO THE RECENT EXECUTION OF SEVERAL LEADING DISSIDENTS," and (2) Direct staff to forward copies of the Resolution to all interested parties. **APPROVED AS PART OF THE CONSENT CALENDAR.**

O. PROPOSED RESOLUTION ESTABLISHING A 401(a) RETIREMENT PLAN TO BE ADMINISTERED BY THE ICMA RETIREMENT CORPORATION:

RECOMMENDATION: Adopt Resolution No. 96-1519, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A 401 (a) RETIREMENT PLAN TO BE ADMINISTERED BY THE ICMA RETIREMENT CORPORATION." **APPROVED AS PART OF THE CONSENT CALENDAR.**

P. NOTICE OF COMPLETION FOR CIP 9503, FAIRFAX AVENUE STREET IMPROVEMENT PROJECT:

RECOMMENDATION: Accept the work and authorize: (1) Filing a Notice of Completion by the City Engineer; (2) Final payment to the contractor at the end of the 35 day lien period; and (3) Release of Performance Bond and Payment Bond. **APPROVED AS PART OF THE CONSENT CALENDAR.**

Q. AGREEMENT WITH STUPLER AND FINGLETON FOR PARKING ADJUDICATION SERVICES:

RECOMMENDATION: Approve a one year agreement with Stuppler and Fingleton for an amount not to exceed \$25,000 to provide parking adjudication

services and authorize the City Manager to sign. **APPROVED AS PART OF THE CONSENT CALENDAR.**

R. APPROVAL OF JOINT CITIES AGREEMENT WITH THE CITY OF BEVERLY HILLS TO PROVIDE PARKING METER COLLECTION AND VERIFICATION SERVICES:

RECOMMENDATION: Authorize the City Manager to enter into a Joint Cities Agreement with the City of Beverly Hills for a period of one year to provide parking meter collection and verification services for an amount not to exceed \$35,000. **APPROVED AS PART OF THE CONSENT CALENDAR.**

S. AMENDMENT TO AGREEMENT WITH PRINCE ENTERPRISES FOR PARKING METER MAINTENANCE:

RECOMMENDATION: Authorize the City Manager to sign an amendment to the contract with Prince Enterprises extending the contract for the period of one year and revising the scope of services with a contract amount not to exceed \$25,000. **APPROVED AS PART OF THE CONSENT CALENDAR.**

T. AUTHORIZATION FOR REQUEST FOR PROPOSALS FOR A COMMERCIAL PARKING OPERATOR TO OPERATE PARKING FACILITY LOCATED AT 8383 SANTA MONICA BOULEVARD:

RECOMMENDATION: 1) Authorize the issuance of a Request for Proposal for a commercial parking operator to operate and manage the parking facility located at 8383 Santa Monica Boulevard; 2) Authorize an agreement with William Francis & Associates for professional services to prepare the Request for Proposal and manage the selection process for a commercial operator for an amount not to exceed \$7,900; 3) Authorize the City Manager to sign the agreement with William Francis & Associates. **APPROVED AS PART OF THE CONSENT CALENDAR.**

U. AUTHORIZATION FOR SERVICE AGREEMENTS FOR ELECTRONIC METER MAINTENANCE SERVICES WITH THE CITY OF GLENDALE:

RECOMMENDATION: 1) Approve an agreement with the City of Glendale for electronic meter maintenance services for a two year term for an amount not to exceed \$25,000 per year; 2) Authorize City Manager to sign the agreement. **APPROVED AS PART OF THE CONSENT CALENDAR.**

V. TREASURER'S REPORT - OCTOBER, 1995

RECOMMENDATION: Receive and file. **APPROVED AS PART OF THE CONSENT CALENDAR.**

W. LEASE AGREEMENTS WITH LOS ANGELES COUNTY FOR OPERATION OF PARKING LOTS LOCATED IN WEST HOLLYWOOD:

RECOMMENDATION: 1) Authorize the City to enter into a lease agreement with the County of Los Angeles for the operation of two parking lots located in West Hollywood, one south of Santa Monica Boulevard between La Jolla Avenue and Havenhurst Drive and the other on Melrose Avenue between Robertson Boulevard and San Vicente Boulevard for a period of three years for a split share of the net revenues; 2) Authorize the City Manger to sign the lease. Listed on the agenda as item 5.B. **APPROVED AS PART OF THE CONSENT CALENDAR.**

2.I. ORDINANCE NO. 95-453 (2nd Reading), RELATING TO THE SALE OF "SATURDAY NIGHT SPECIALS" AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

City Attorney stated that there is a revision of the language relative to exemptions and because it is a substantive change State law requires that the ordinance needs to be re-introduced for first reading. The original effective date was February 5, 1996, however, the re-introduction means that the ordinance will be adopted at the next meeting of January 16, 1996. Therefore, Section 2.C and 2.E. should reflect the date of February 16. City Attorney Jenkins stated the change is to add the following language to Section 4122(e) on page 3 of the Ordinance Titled Sale Prohibited. "After February 16, 1996 no wholesale or retail gun dealer shall sell offer or display for sale, give, lend or transfer ownership of any firearm listed on the Roster of Saturday Night Specials. This section shall not preclude a wholesale or retail gun dealer from processing firearm transactions between unlicensed parties pursuant to Section 12072(d) of the Penal Code of the State of California." The purpose of this change is to exempt from the Ordinance transactions between un-licensed individuals which must go through dealer pursuant to the California penal code.

MICHAEL GIVELIN , spoke in favor of the ordinance. He commended the City Council on their action.

ACTION: Re-introduce on first reading Ordinance No. 95-453, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO THE SALE OF "SATURDAY NIGHT SPECIALS" AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE"

Motion Councilmember Land, seconded Mayor Pro Tem Koretz. Unanimously carried on a roll call vote:

AYES: Guarriello, Koretz, Land, Martin and Heilman

NOES: None

Recess at 8:03 p.m.

Reconvene at 8:15 p.m.

3. PUBLIC HEARINGS:

A. APPEAL OF PLANNING COMMISSION'S DECISION REGARDING THE USE OF BAR AND RESTAURANT FACILITIES AT THE SUNSET MARQUIS:

Assistant City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood Independent on December 20, 1995, and mailed to all properties within a 500-foot radius.

Jennifer Davis, Associate Planner, provided background information as outlined in the staff report dated January 2, 1996.

Mayor Heilman opened the Public Hearing and gave the appellant 10 minutes.

JEANNE DOBRIN, REPRESENTING THE APPELLANT, indicated that this establishment was granted a CUP by the County of Los Angeles which would never have been granted today by the City, this was granted as a small lunch room for the convenience of hotel guests, not to the general public. She asked the Council to review the Code Enforcement cases on this site as the hotel has continuously operated illegally. Residential zoning is the highest and best use of quality of life, and that alone the best rationale to deny this use. This case is a lack of nexus, or lack of connection between the law, the conditions of the CUP, and building permits. The record is replete with things they have done without obtaining permits of every kind. The restaurant guide, presented to you, states the hotel serves dinner to midnight, and since 1984 they are only allowed to serve until 10:00 p.m. The appellants asked that Code Enforcement be included in a review period of 3 months, 6 months and so on up to two years. The appellants also request that a 10 x 10 inch sign be placed regarding designated driver's be placed at the entrance. The staff reports states "no bar service in the lobby" but does not say "no drinking in the lobby." They now say they want to serve food on the patio but that was never brought up before the Planning Commission. The bar originally was to be in the restaurant itself, and not in a separate place and no food is currently be served in the bar. The City Council should think very carefully about the request of the Marquis just so that they may have patio drinking in the front yard setback.

ROD GRUENDYKE, WEST HOLLYWOOD, indicated that over the last year and a half a lot of time and effort has been spent. This is a win/win situation. He indicated they will continue to have security and to monitor the hotel. He was approached by the Park Wellington for delivery of food for a 30 day trial period. He asked Council for consideration relative to Section 6.6(g). and indicated that some of the purveyors do have large trucks that do not fit in the underground

parking garage. These companies have been delivering for 12 years and there would be no increase in deliveries.

TERRY HUGHES, REPRESENTS THE SUNSET MARQUIS, indicated they do not agree with everything recommended but feels it is a win/win situation.

JEANNE DOBRIN, rebuttal, indicated that the fire department should not be allowed to set occupancy. She asked where will the Sunset Marquis find parking and indicated she felt there were some inconsistencies in the staff report.

ROD GRUENDYKE, rebuttal, indicated that one of the solutions is to have valet parking. He indicated that they do have an additional 38 parking spaces in the Playboy building after 5 p.m.

No further speakers coming forward, the Public Hearing was closed.

Mayor Heilman indicated it is his understanding that in order to get the permits they would have to meet the condition of approval with a valet parking service and plan.

Ms. Davis responded that they would have to meet that condition. She stated that Conditions of Approval are reviewed on an annual basis. However, the Council may require more frequent reviews.

Mayor Heilman asked about the Mr. Gruendyke's concern about the large delivery trucks.

Ms. Davis indicated that she does have some verbiage to address this issue.

Councilmember Martin indicated that of all the hotels located in residential zones he feels the most comfortable with this site.

Councilmember Land stated she is comfortable with this request.

Mayor Pro Tem Koretz indicated he is in support of this item as presented.

Mayor Heilman indicated he lives adjacent to this property, there will not be any financial impact upon his property and feels comfortable with voting on this issue. He added he was not pleased with drinking in the bar area in the front, and asked Ms. Davis to elaborate on this issue.

Ms. Davis responded the restaurant must be closed from midnight to 6:00 a.m., no specific time closure for the bar area, because they must close by 2:00 a.m., unless they get extended hour permitting/business license. There are several conditions

to handle complaints such as a designated person to handle complaints who is on duty at all time and no waiting outside of the facility

Councilmember Land indicated that the noisiest time with any bar or restaurant is when they close. She inquired as to how this will be addressed, if at all.

Ms. Davis indicated it could be handled with a valet parking circulation plan which could pick up in the subterranean parking area.

Councilmember Land asked about the recourse for Code Enforcement relative to the conditions on CUP's.

Ms. Davis responded that Section 5.15 provides that the Community Development Director could make modifications and/or modify conditions with receipt of substantial complaints with no public hearing and no revocation hearing.

Councilmember Guarriello asked if the zoning text amendment allows non-guests to use the facilities, with approval of a CUP.

Ms. Heep indicated affirmative, and that tonight is that CUP approval.

Mayor Heilman indicated that the request which is before the Council is the request to amend the CUP. He asked about the patio area in the front part of the hotel and what kind of restraints are placed.

Ms. Davis indicated there were a number of neighborhood meetings at which she specifically asked for input and complaints about the issue. She stated that there were no issues brought forward.

Councilmember Martin indicated that there should be some sort of restrictions on the front patio in anticipation of possible problems and suggested early closing on the patio.

Mayor Heilman suggested a 6-month review instead of a one-year review.

Councilmember Martin suggested a review in September since May and June would not catch the summer season.

Mayor Heilman stated this should include a review to be completed by September 1st and address the issue of the large trucks.

ACTION: Adopt Resolution No. 96-1520, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD UPHOLDING, IN PART,

APPEALS BY MICHAEL BAKER AND ALTA LOMA INVESTMENT COMPANY, APPEALING THE PLANNING COMMISSIONS DECISION REGARDING CONDITIONAL USE PERMIT 94-08 ON AN APPLICATION FILED BY ALTA LOMA INVESTMENT COMPANY FOR THE SUNSET MARQUIS HOTEL'S BAR AND RESTAURANT FACILITIES LOCATED AT 1200 ALTA LOMA ROAD, WEST HOLLYWOOD." with the review by September 1 and to include the language regarding the large trucks.

Motion Heilman, seconded by Mayor Pro Tem Koretz and unanimously carried on a roll call vote:

AYES: Guarriello, Koretz, Land, Martin, Heilman
NOES: None

B. SECOND AMENDMENT TO SOLID WASTE FRANCHISE AGREEMENT AND INCLUSION OF NEW SERVICE FEE COST:

Assistant City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood Independent on December 20, 1995 and on December 27, 1995.

David Hare, Environmental Services Manager, provided background information as outlined in the staff report dated January 2, 1996. He asked that Council approve the agreement and direct staff to negotiate the fee increase and try to consolidate services so a fee rate increase will be minimal.

Mayor Heilman opened the Public Hearing.

JERRY NEUMAN, REPRESENTING WEST HOLLYWOOD RECYCLING SERVICES, he stated that the agreement as amended is agreeable and they are more than happy to work with staff in the next 60-days to re-negotiate the fee and see if there are ways to save residents money.

JIM SWEENEY, COUNCIL DEPUTY, stated the County Sanitation District indicated that County landfills have not had any tipping fee increase for five years and they are considering an increase within the next six months.

No other speakers coming forward the public hearing was closed.

ACTION: 1) Approve the amendment to the Solid Waste Franchise Agreement; 2) Direct staff to re-negotiate the rate increase within 60 days and bring it back to City Council: 3) Direct staff to develop the 1995-96 Solid Waste and/or Recyclable Material Collection and/or Disposal Service Fee (Property tax assessment) to more accurately reflect the cost of collection services as allowed by the Solid Waste Franchise Agreement.

Motion Councilmember Land, seconded Councilmember Guarriello and unanimously carried.

COUNCILMEMBER COMMENTS:

Councilmember Martin indicated that 1996 will be the 90th Anniversary of Saint Victor's Church on Holloway.

Councilmember Land announced that March will be Women's History Month and if there is anyone that would like to be involved please call her office. She commended staff for bringing forth the La Jolla Parking lot and encouraged staff to work with the La Jolla Neighborhood Association.

Mayor Heilman asked the City Manager to work with the neighbors and the business community on the La Jolla parking lot in looking at improvements to the security and to the physical design of that lot. He commented on the Code Enforcement issues brought forward regarding the sign under Citizen Comments and asked that if there is a sign that is legally grandfathered. He directed City Manager Brotzman to come back with additional information on this issue. Lastly, he commented on item 2.N. of the Consent Calendar which called for sanctions on the government of Nigeria and thanked the City Council for supporting this issue.

Councilmember Guarriello responded to comments made by Jeanne Dobrin relative to the story on Lester Hirsch.

4. UNFINISHED BUSINESS:

A. GAY AND LESBIAN COMMUNITY SERVICES CENTER CONTRACT FOR YOUTH DROP-IN CENTER SERVICES:

Lloyd Long, Director of Human Services, provided background information as outlined in the staff report dated January 2, 1996.

LORRI L. JEAN, GAY AND LESBIAN COMMUNITY SERVICES CENTER, she thanked the City Council for their consideration. She commended the staff on their assistance on this issue and requested approval.

ACTION: (1) Authorize \$60,000. for a two year social services contract for youth drop-in center services with the Gay and Lesbian Community Services Center, as a capital grant provided up front as approved by the City Attorney (2) Authorize staff to negotiate the budget, scope of services and beginning date of the contract, and (3) Allocate \$60,000. from the balance of account 01-000-25-297 to Social Services contracts account 01-530-53-685

Mayor Pro Tem Koretz added that this program is such an exceptional concept that he believes the program will have a tremendous impact.

Motion Councilmember Guarriello seconded Councilmember Land and unanimously carried.

B. PROPOSED RELOCATION OF TRASH ENCLOSURE AT WEST HOLLYWOOD PARK:

David Hare, Environmental Services Manager, provided background information as outlined in the staff report dated January 2, 1996.

In response to an inquiry by Councilmember Guarriello, Mr. Hare responded that after discussions with the Transportation Department, the costs of re-striping will be minimal.

Councilmember Land indicated she does not feel there is a good solution to this problem and would prefer to leave it where it is.

Councilmember Martin indicated that \$7,000 for a parking space is not a bad deal.

JEANNE DOBRIN, WEST HOLLYWOOD, concurred with Councilmember Martin.

Mayor Heilman asked Mr. Hare if the City tried to negotiate a deal with the County for leasing of their property.

Mr. Hare responded that staff had contacted the County and they were asking for an exorbitant amount of money for a monthly lease.

ACTION: Approve the relocation of the trash enclosure at West Hollywood parking lot to the north parking lot and authorize the Department of Finance to appropriate \$7,796.00 from the Solid Waste Reserve fund balance.

Motion Councilmember Guarriello, seconded Councilmember Land and carried on a roll call vote:

AYES: Guarriello, Koretz, Land, Martin.

NOES: Heilman

C. AN ORDINANCE ESTABLISHING THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT:

Allyne Winderman, Economic Development and Housing Manager, provided background information as outlined in the staff report dated January 2, 1996.

ELAINE MUNCHNIK, CHAMBER OF COMMERCE, stated the Chamber is in support of the recommendation.

Councilmember Guarriello asked about using the use Community Block Grant money for this BID.

Ms Winderman responded that the City received \$85,000 as part of a grant. She indicated this money is separate and apart from the district.

Paul Arevalo, Finance Director, responded that all funds received from the Federal Government are segregated and separately audited.

Mayor Heilman asked if any of the Federal funds are being used for the BID.

Mr. Arevalo responded they are not.

Councilmember Land indicated that the BID was approved because of the overall support at the last meeting. Although she would not want to force a business to be a part of the BID she stated she is hesitant about supporting the recommendation to change the boundaries of the district.

Mayor Pro Tem Koretz agreed it would be best if the entire area was part of the BID, however, the opposition could be disruptive.

Mayor Heilman commented that this is late in the game to be coming forth with opposition. He asked what the response will be to those businesses on Almont and Beverly that were in opposition.

Councilmember Martin asked if these businesses were approached by the consultant.

Ms. Winderman responded that these businesses were notified of the hearings.

MOTION: Adopt on second reading Ordinance No. 95-450, as originally drafted, as contained in exhibit "B." Motion Councilmember Land, seconded by Mayor Heilman and failed on a roll call vote:

AYES:	Land, Heilman
NOES:	Guarriello, Koretz, Martin

ACTION: Re-introduce for first reading Ordinance No. 95-450, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT"

DISTRICT IN THE CITY OF WEST HOLLYWOOD”, which incorporates the proposed boundary changes.

Motion Mayor Pro Tem Koretz, seconded by Councilmember Martin and carried on a roll call vote:

AYES: Martin, Koretz, Heilman
NOES: Guarriello, Land

Councilmember Land asked staff to consistently inform the businesses east of La Cienega of the success of the BID.

2.G. ORDINANCE NO. 95-451, PROPOSED ORDINANCE AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO BUSINESS LICENSES.”

Jennifer Davis, Associate Planner, provided background information as outlined in the REVISED staff report dated January 2, 1996.

ACTION: Re-introduce for first reading Ordinance No. 95-451, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER I OF ARTICLE IV, CHAPTER XIII OF ARTICLE IV, AND CHAPTER III OF ARTICLE VI OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO BUSINESS LICENSES.”

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

5. NEW BUSINESS:

A. ANNUAL SUBMITTAL OF THE CITY OF WEST HOLLYWOOD’S COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDING JUNE 30, 1995:

Paul Arevalo, Finance Director, provided background information as outlined in the staff report dated January 2, 1996.

Councilmember Guarriello asked if \$1.5 could be allocated to a Catastrophic Fund.

Mr. Arevalo responded that if the City Council would like to explore this then direction should be given to the Finance staff to do an analysis of the future impact. The staff will come back with an analysis during the midyear budget review.

ACTION: Receive and file; direct staff to look at addressing the concerns relative to catastrophic events.

Motion Councilmember Land, seconded Councilmember Guarriello and unanimously carried.

Councilmember Land recommended that when new Commissioners and Board members are appointed they get a copy of the front page of the report as it is a very easy to understand document.

- B. LEASE AGREEMENTS WITH LOS ANGELES COUNTY FOR OPERATION OF PARKING LOTS LOCATED IN WEST HOLLYWOOD:**
This item was moved and approved as part of the Consent Calendar as Item 2.W.

EXCLUDED CONSENT CALENDAR: Item 2.G. was heard under Unfinished Business.

CITIZEN COMMENTS:

JEANNE DOBRIN, WEST HOLLYWOOD, asked for additional publicity about the reward for Lester Hirsch. She also commented about the lack of participation on the public hearing, and that should not be weighted in the Council's decision earlier.

HERB RIFKIN, LOS ANGELES, spoke about handguns. He encouraged people to contact their legislators about this issue.

6. LEGISLATIVE:

- A. URGENCY ITEM: PROPOSED ORDINANCE REPEALING THE PROHIBITION ON THE SALE AND POSSESSION OF ASSAULT WEAPONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:**

City Attorney Jenkins stated that this ordinance would repeal Section 4121 of Chapter I of Article IV of the West Hollywood Municipal Code.

Mayor Pro Tem Koretz stated when he originally proposed this ordinance they were the only City which had never had an incident that promptly adopted an ordinance and then the State adopted similar legislation, so this ordinance has served its purpose and should now be repealed

ACTION: Introduce for first reading Ordinance No. 96-456, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REPEALING THE PROHIBITION ON THE SALE AND POSSESSION OF ASSAULT WEAPONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE"

Motion Councilmember Land, seconded Councilmember Guarriello and unanimously carried.

COUNCILMEMBER COMMENTS:

Councilmember Martin commented on the positive comments on the Holiday Lights. He also asked the meeting be adjourned in memory of Calvin and Hobbs.

ADJOURNMENT: The City Council adjourned in memory of Calvin and Hobbs at 10:32 p.m. to a special study session on Wednesday, January 3, 1996 at 6:00 P.M. for continued discussion regarding the Sunset Specific Plan at West Hollywood Park, 647 N. San Vicente Boulevard. The next regular meeting will be on Tuesday, January 16, 1996 at 7:00 P.M.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 5TH DAY OF FEBRUARY, 1996.



MAYOR

ATTEST:



City Clerk