

**MINUTES
CITY COUNCIL MEETING
FEBRUARY 21,1995
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

7:30 P.M. - REGULAR MEETING

CALL TO ORDER: Mayor Land called the meeting to order at 7:41 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Esther Baum.

ROLL CALL:

PRESENT - Guarriello, Koretz, Martin, Heilman and Mayor Land
ALSO PRESENT - Assistant City Manager Makinney, City Attorney Jenkins

APPROVAL OF AGENDA:

Mayor Land removed agenda item 2.P. and Mayor Pro Tem Heilman noted his abstention from item 2.Q. Councilmember Koretz made an announcement regarding the reward for Carol Fuller.

Mayor Land asked that the meeting be adjourned in memory of Paul Monette, who died recently of AIDS. The West Hollywood Library is currently exhibiting his works. Councilmember Koretz asked that the meeting also be adjourned in memory of Tim Boland, founder of the Cynthia Alliance of Neighbors, who also died of AIDS.

Motion to approve as amended by Guarriello, seconded by Heilman and unanimously carried.

PRESENTATIONS: NONE.

1. CITIZEN COMMENTS:

A. CITIZEN COMMENTS ON CONSENT CALENDAR ITEMS WHICH HAVE NOT BEEN REMOVED FROM THE CONSENT CALENDAR:
NONE

B. CITIZEN COMMENTS, GENERAL INTEREST:

NANCY MATTOON, West Hollywood librarian, thanked Mayor Land for suggesting the library as a location for a memorial plaque for Paul Monette.

RUTH WILLIAMS, WEST HOLLYWOOD, spoke regarding her recent letter to the editor.

BOB GREENE, WEST HOLLYWOOD, spoke regarding the takeover of Santa Monica Blvd.

DAVID WELSH, WEST HOLLYWOOD, introduced the Mardi Gras Queen for 1995, the Lovely Carol. She provided an overview of the upcoming Mardi Gras activities. She also urged the residents of West Hollywood to eat, drink, be merry, be safe, not to drink & drive, and to let glamour be their guide.

CITY MANAGER'S REPORT:

Asst. City Manager Makinney stated there was no report.

Councilmember Martin asked about the encroachment of banners from the City of Los Angeles on Beverly Boulevard, which is within West Hollywood.

FISCAL IMPACT ON CONSENT CALENDAR: The fiscal impact for the Consent Calendar as amended is \$399,368 in expenditures and \$318,016 in potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve items 2.A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, Q, R, S.
Motion Heilman, seconded Martin and unanimously carried.

A. POSTING OF AGENDA: The agenda for the meeting of February 21, 1995 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, February 16, 1995.

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

B. APPROVAL OF MINUTES: February 6, 1995

RECOMMENDATION: Approve the minutes of February 6, 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: Robert Boe Trumbell

RECOMMENDATION: Deny the claim of Robert Boe Trumbell without comment and refer to the City's claims adjuster. Approved as part of the Consent Calendar.

E. DEMAND REGISTER NO. 288, RESOLUTION NO. 95-1408 :

RECOMMENDATION: Approve Demand Register No. 288 and adopt Resolution No. 95-1408. Approved as part of the Consent Calendar.

F. ORDINANCE NO. 95-428 (2nd Reading), AMENDMENT TO THE MUNICIPAL CODE REGARDING INCLUSION OF EXPENSES FOR PROFESSIONAL SERVICES IN THE NET OPERATING INCOME FORMULA:

RECOMMENDATION: Waive further reading and adopt Ordinance No. 95-428, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING THE INCLUSION OF EXPENSES FOR PROFESSIONAL SERVICES IN THE NET OPERATING INCOME FORMULA." Approved as part of the Consent Calendar.

G. APPROVAL OF PROFESSIONAL SERVICE CONTRACT FOR CONSTRUCTION INSPECTION OF THE CRESCENT HEIGHTS BLVD. STREET IMPROVEMENT PROJECT (CIP 9502):

RECOMMENDATION: Authorize the City Manager to enter into a professional services agreement with Willdan Associates in an amount not to exceed \$24,868.17, to provide construction administration services on the Crescent Heights Street Improvement Project (CIP 9502). Approved as part of the Consent Calendar.

H. 1993-1994 SOCIAL SERVICES CONTRACTS: YEAR-END EVALUATIONS:

RECOMMENDATION: Receive and file this report. Approved as part of the Consent Calendar.

I. ASSIGNMENT AGREEMENT BETWEEN THE CITY OF SIERRA MADRE AND THE CITY OF WEST HOLLYWOOD FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS:

RECOMMENDATION: Authorize the City Manager to enter into an assignment agreement with the City of Sierra Madre which sets forth the terms of the proposed trade in the format recommended by the City Attorney. Approved as part of the Consent Calendar.

J. APPROVAL OF A SUPPLEMENTAL AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE MELROSE AVENUE/ROBERTSON BOULEVARD TRAFFIC SIGNAL RECONSTRUCTION, CIP 9504:

RECOMMENDATION: Approve the supplemental agreement with INCA Engineers, Inc., in an amount not to exceed \$20,000.00 for construction management services for CIP 9504, Traffic Signal Reconstruction, Melrose

Avenue/Robertson Boulevard, and authorize City Manager to sign. Approved as part of the Consent Calendar.

- K. APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH PSOMAS AND ASSOCIATES FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) DATA COLLECTION:**
RECOMMENDATION: Approve the agreement with Psomas and Associates in an amount not to exceed \$196,000.00 for professional geographic information system (GIS) data collection services and authorize the City Manager to sign. Approved as part of the Consent Calendar.
- L. CITY COUNCIL LETTER TO LEADERSHIP OF CONGRESS REQUESTING THEY TAKE THE LEAD IN DEFEAT OF UPCOMING LEGISLATION BY JESSE HELMS WHICH WILL CALL FOR THE TOTAL RESTRICTION ON HOMOSEXUALS, WHO WORK FOR THE FEDERAL GOVERNMENT, TO FORM EMPLOYEE ASSOCIATIONS:**
RECOMMENDATION: 1) Direct staff to draft a letter from the City Council asking that leadership in Congress take the lead in the defeat of Jesse Helm's discriminatory legislation against homosexual employees of the Federal Government. 2) Direct staff to send a copy of this letter and agenda item to Senators Feinstein and Boxer and Congressman Waxman along with an accompanying letter asking that they follow up with the Congressional leadership to see that this type of hate legislation is no longer tolerated by Congress. Approved as part of the Consent Calendar.
- M. RESOLUTION OF THE CITY COUNCIL TO INCLUDE THE BURGLARY/HOMICIDE OF MS. CAROL FULLER IN THE CITY OF WEST HOLLYWOOD CRIME TIPS PROGRAM:**
RECOMMENDATION: 1) Adopt Resolution No. 95-1409, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INCLUDING THE BURGLARY/HOMICIDE OF CAROL FULLER IN THE CITY OF WEST HOLLYWOOD CRIME TIPS PROGRAM." 2) Direct City staff to publicize the offer of reward in the community and to work with the Los Angeles County Sheriff's Department in an effort to locate the perpetrator or perpetrators of this crime. Approved as part of the Consent Calendar.
- N. AWARD OF BID FOR SHERIFF'S STATION COMPUTER SYSTEM, FOR THE CAREER CRIMINAL APPREHENSION PROGRAM:**
RECOMMENDATION: Approve the proposal from Novaquest Infosystems and authorize staff to negotiate a contract. Approved as part of the Consent Calendar.
- O. GRADING CORRECTION - ASSISTANT CITY CLERK:**

RECOMMENDATION: Modify salary grading of Assistant City Clerk to ACE-10 (Non-exempt). Approved as part of the Consent Calendar.

P. HUMAN RESOURCES ANALYST I AND HUMAN RESOURCES ANALYST II CLASSIFICATION:

This item will appear on a future City Council agenda.

Q. RESOLUTION SUPPORTING THE CONTINUED OPERATION OF THE LONG BEACH NAVAL SHIPYARD AND OTHER SOUTHERN CALIFORNIA MILITARY FACILITIES:

RECOMMENDATION: Adopt Resolution No. 95-1410, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE CONTINUED OPERATION OF THE LONG BEACH NAVAL SHIPYARD AND OTHER SOUTHERN CALIFORNIA MILITARY FACILITIES." 2) Direct staff to send a copy of this resolution to the President of the United States, members of the California Congressional delegation, and to the Southern California Association of Governments. Approved as part of the Consent Calendar, noting the abstention of Mayor Pro Tem Heilman.

R. APPROVAL OF ECONOMIC ISSUES - ASSOCIATION OF COUNCIL DEPUTIES (ACD) 1994-96 MEMORANDA OF UNDERSTANDING:

RECOMMENDATION: 1) Approve new salary grades for Deputies of SCD 13 effective 07/01/94; 2) approve monthly administrative leave roll-back to 4 hours per agreement; 3) approve participation of Deputies in Flexible Benefit program effective March 1, 1995. Approved as part of the Consent Calendar.

S. CITY COMPUTER MASTERPLAN - PURCHASE OF INFORMIX LICENSE FOR CITYWIDE COMPUTER SYSTEM:

RECOMMENDATION: Authorize City Manager to execute an agreement with Pentamation for the purchase of an Informix License contract and maintenance agreement for \$89,000. Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS:

A. CONTINUED PUBLIC HEARING: APPROVAL OF 21ST YEAR (FY 1995-1996) COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS AND COST SUMMARY:

City Clerk Love stated that a notice of public hearing was published in the West Hollywood *Independent* on February 15, 1995. In addition, this item is a continued public hearing and was noticed as legally required.

Allyne Winderman, Economic Development and Housing Manager, provided background information as outlined in the staff report dated February 21, 1995.

Mayor Land opened the public hearing.

LESLIE FRIEDMAN, LOS ANGELES, Director of the Home Secure Program encouraged the Council to approve this item.

Mayor Land inquired regarding next year since we are using the savings from last year to help.

Allyne Winderman responded that staff is looking at other funding sources.

Mayor Land suggested a Council sub-committee to work with Allyne to pursue other funding options.

RECOMMENDATION: 1) Approve the CDBG Project and Cost Summary (attached) based on the public hearing and staff recommendations and instruct staff to submit the document for approval to the CDC. 2) Approve funding and changes to existing programs as outlined in this report.

Motion Heilman, seconded Martin and unanimously carried.

Mayor Land appointed Councilmember Martin and herself to the subcommittee.

B. CONTINUED PUBLIC HEARING: EXTENSION OF HOURS OF ENFORCEMENT FOR PARKING METERS ON EASTERN PORTION OF SUNSET BOULEVARD:

Donald Korotsky, Associate Transportation Planner, provided background information as outlined in the staff report dated February 21, 1995.

City Clerk Love stated that a Notice of Continuance of Public Hearing was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on February 7, 1995.

Mayor Pro Tem Heilman stated that he does not feel the employees are parking at the parking meters on Sunset and does not feel that this is the whole issue. He also indicated that the delay would not resolve his concerns.

Councilmember Martin indicated there are only six meters between La Cienega and Olive Drive and asked if these could be exempted from this proposal.

Donald Korotsky stated that exempting these meters is a possibility.

Councilmember Guarriello expressed concerns that vending trucks are traveling the wrong way on a one way street.

Mayor Land opened the public hearing.

As there were no speakers on this item the hearing was closed.

RECOMMENDATION: Delay the decision to adopt a resolution extending the hours of enforcement for meters on the eastern portion of Sunset Boulevard until 10 p.m., for one month.

Motion Koretz, seconded Heilman and unanimously carried.

C. SANTA MONICA BOULEVARD RELINQUISHMENT:

Lucy Dyke, Transportation Manager, provided background information as outlined in the staff report dated February 21, 1995.

Sharon Perlstein, City Engineer, provided an overview of the benefits and costs of this relinquishment.

City Clerk Love stated that a notice of public hearing was mailed, as a courtesy on February 10, 1995, to the neighborhood watch list, all businesses on Santa Monica Boulevard and to the Santa Monica Boulevard Association's Steering Committee.

Mayor Land opened the public hearing.

ESTHER BAUM, WEST HOLLYWOOD, noted that the storm drains must be brought up to standard.

THOMAS CRAIL, WEST HOLLYWOOD, stated his support for this item if the City can afford it. If the relinquishment does take place, he suggested wider sidewalks, a smaller median strip, and improved crosswalks.

Mayor Pro Tem Heilman asked if the figures included in the staff report are accurate.

Sharon Perlstein commented that staff has not yet responded to the \$7 million figure submitted by Cal Trans. However, staff has made their own calculations, examining many issues not considered by Cal Trans, and came up with a figure which was higher than \$7 million.

Mayor Pro Tem Heilman asked if the street would be concrete or asphalt.

Sharon Perlstein commented that Culver City recently chose concrete over asphalt for a project due to the decreased long term maintenance costs.

Mayor Pro Tem Heilman supports this item but indicated that a number of cities are receiving different figures from Cal Trans. Perhaps these cities should collaborate to increase their bargaining power.

Councilmember Martin inquired, if we do not go forward with this proposal, where could we obtain funds for sidewalk repairs?

Sharon Perlstein responded that there were no funds available.

Councilmember Koretz stated he is skeptical about the funding for the ongoing maintenance of this roadway.

Councilmember Guarriello commented that West Hollywood is the only city that still has railroad tracks along Santa Monica Boulevard. He requests that all tracks be removed.

RECOMMENDATION: Direct staff to proceed with negotiations with Cal Trans for full funding for the cost of bringing Santa Monica Boulevard up to standard and negotiate, along with other cities, to provide ongoing revenue for maintenance and liability costs.

Motion Martin, seconded Koretz and unanimously carried.

COUNCILMEMBER COMMENTS:

Mayor Land announced that a film, "Ride the Gale," will be screened next Tuesday at the Werle Building.

Mayor Pro Tem Heilman stated that his office and Councilmember Martin's office will be sponsoring an agenda item, which will be presented to the Council, proposing other ways of honoring the memory of Paul Monette.

Councilmember Martin announced that on the weekend of March 3rd the Gay & Lesbian Veterans are holding their international conference at the Ramada.

4. UNFINISHED BUSINESS:

A. REQUEST FOR APPROVAL OF ADDITIONAL FULL-TIME CODE ENFORCEMENT OFFICER FOR NIGHTTIME SHIFT:

Bob Meyer, Senior Code Enforcement Officer, provided background information as outlined in the staff report dated February 21, 1995.

Councilmember Koretz inquired whether a part-time person would suffice instead of a full-time person.

Bob Meyer responded that the City needs code enforcement of nightclubs, particular on Thursday through Sunday. A part-time person would only provide two days, resulting in taking a daytime person and the loss of 25% of day staff. In addition, training a part-time person is costly and once trained, they would probably pursue a full-time code enforcement position elsewhere.

Mayor Pro Tem Heilman expressed his concern about a full-time Code Enforcement Officer.

Bob Meyer requested further direction from the Council regarding priorities in Code Enforcement.

Councilmember Guarriello stated that the Council would provide a report.

Councilmember Koretz inquired about Bob Meyers' concerns regarding AB 13, the California smoking legislation.

Bob Meyer responded that AB 13 allows local entities to enforce it and the City Attorney is drafting an ordinance which designates the Code Enforcement and Sheriff's Department as the enforcement agency.

RECOMMENDATION: Appropriate funding in the amount of \$17,000 for Fiscal Year 1994-95, for the additional full-time Code Enforcement Officer.

Motion Heilman, seconded Guarriello and unanimously carried.

B. AMENDMENT TO SOLID WASTE FRANCHISE AGREEMENT BY AND BETWEEN THE CITY OF WEST HOLLYWOOD AND WEST HOLLYWOOD RECYCLING SERVICES:

David Hare, Environmental Services Manager, provided background information as outlined in the staff report dated February 21, 1995.

Councilmember Guarriello indicated that he has received comments about an increase in their rates.

Mayor Pro Tem Heilman asked how the integrity of the information which they provide us is protected.

David Hare responded that the City has developed a computer linkup and has access to both service and financial information at any given time during the month.

Mayor Pro Tem Heilman complimented David Hare on the staff report.

RECOMMENDATION: Approve the amendment to the Agreement by and between the City of West Hollywood and West Hollywood Recycling Services by revising the Agreement under the direction of the City Attorney and include additional requirements which shall incorporate the City's Multi-unit residential recycling program into the Franchise Agreement.

Motion Guarriello, seconded Koretz and unanimously carried.

5. NEW BUSINESS: NONE

EXCLUDED CONSENT CALENDAR: NONE.

CITIZEN COMMENTS: NONE.

6. LEGISLATIVE:

A. ORDINANCE AMENDING THE MUNICIPAL CODE REGARDING PAYMENT OF RENT IN EXCESS OF THE MAXIMUM ALLOWABLE RENT, REMEDIES AVAILABLE FOR VIOLATIONS OF THE ORDINANCE AND CRIMINAL AND CIVIL ENFORCEMENT MECHANISMS:

Beverly Cook, Legal Counsel, provided background information as outlined in the staff report dated February 21, 1995.

Mayor Pro Tem Heilman indicated that it was always the intent of the City and the drafters of the original ordinance that tenants not be allowed to pay in excess of the maximum allowable rent.

RECOMMENDATION: 1) Adopt Urgency Ordinance 95-430U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING PAYMENT OF RENT IN EXCESS OF THE MAXIMUM ALLOWABLE RENT, REMEDIES AVAILABLE FOR VIOLATIONS OF THE ORDINANCE AND CRIMINAL

AND CIVIL ENFORCEMENT MECHANISMS.”; 2) Introduce on first reading Ordinance No. 95-431, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING PAYMENT OF RENT IN EXCESS OF THE MAXIMUM ALLOWABLE RENT, REMEDIES AVAILABLE FOR VIOLATIONS OF THE ORDINANCE, AND CRIMINAL AND CIVIL ENFORCEMENT MECHANISMS.”

Motion Heilman, seconded Guarriello and unanimously carried.

COUNCILMEMBER COMMENTS: NONE.

City Attorney Jenkins indicated that several items arose today. Three items fall under existing litigation *West Hollywood v. Buckley*, *West Hollywood v. Lannoc & Hannah* and *Klaparda v. West Hollywood*. The fourth item will be under conference with real property negotiator, concerning the property immediately adjacent to 1033 N. La Brea Ave. The City negotiator is Lloyd Long and the negotiating party is Myron Stahl.

Motion to add the above items to the Closed Session agenda Heilman, seconded Martin and carried on a 4/5 vote.

RECESS TO CLOSED SESSION:

City Council recessed to Closed Session at 9:20 p.m.

RECONVENE AND REPORT OF CLOSED SESSION AGENDA: The City Council reconvened at 10:15 p.m. and City Attorney Jenkins stated that the Council has no action on which to report at this time.

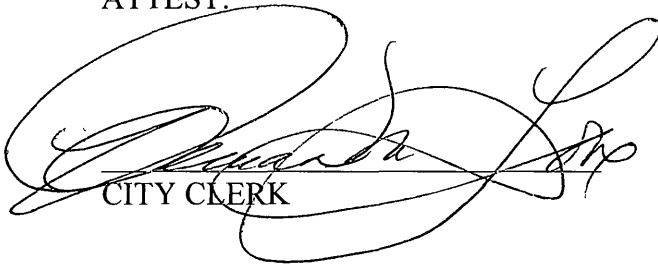
ADJOURNMENT: The City Council adjourned at 10:16 p.m. in memory of Paul Monette and Tim Boland to their next regular meeting on March 6, 1995 at 7:00 p.m. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 6TH DAY OF MARCH, 1995.



MAYOR

ATTEST:



CITY CLERK