

**MINUTES
CITY COUNCIL MEETING
OCTOBER 3, 1994
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

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

PLEDGE OF ALLEGIANCE: The Pledge was led by Budd Kops.

ROLL CALL:

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

REPORT OF CLOSED SESSION: City Attorney Jenkins reported that the City Council called the meeting to order at 6:00 p.m. at which time they voted by a vote of 4-0 to add an item, Klaparda vs. City of West Hollywood, to the closed session agenda. They then recessed into Closed Session and discussed the items listed on the Closed Session Agenda and reconvened to the public meeting at 7:05 p.m. The items of action are reported in writing and available through the City Clerk.

APPROVAL OF AGENDA:

Mayor Land indicated the removal of item 4.C. by the staff. Motion to approve the agenda as amended by Koretz, seconded by Heilman and unanimously carried.

PRESENTATIONS:

Mayor Land announced that October is Breast Cancer Awareness Month; there will be special announcements on the City's cable channel, and events will be listed.

The County will have another public hearing on the library assessment on October 14th.

Mayor Pro Tem Heilman announced the 5K-10K Tom Procter Race this upcoming weekend. Secondly, he announced the "Spike for Pride" volleyball tournament, which benefits the UCLA alumni gay and lesbian scholarship fund, and presented a commendation to Lance La Forteza, one of the participants.

Mayor Land presented a proclamation for "Crime Prevention Month," the month of October, which was received by Public Safety Commissioners Adam Devejian and Bradley Sullivan. Mayor Pro Tem Heilman announced some of the activities that would take place for Crime Prevention Month.

Mayor Land commended the Sheriff's Department on their handling of the recent carjacking and rape.

1. CITIZEN COMMENTS:

A. CITIZEN COMMENTS ON CONSENT CALENDAR ITEMS WHICH HAVE NOT BEEN PULLED:

DAVID LACALLADE, WEST HOLLYWOOD/LOS ANGELES BORDER, urged Council to approve the resolution declaring an emergency regarding the transmission of HIV through contaminated needles.

B. CITIZEN COMMENTS - GENERAL:

MARK MARKLINE, WEST HOLLYWOOD, provided an update of Chamber meetings.

BOB GREENE, WEST HOLLYWOOD, criticized the City Manager with regard to City purchasing.

TIM MIELCAREK, WEST HOLLYWOOD, C.A.R.P.S., spoke against the EIR for the parking structure on Kings Road.

CANDIDA MCCOLLAM, WEST HOLLYWOOD, spoke on behalf of the Community Alliance for Parking Strategy. She spoke against the draft EIR on the parking structure. She requested an impartial legal reading of the document

BOE TRUMBULL, WEST HOLLYWOOD, spoke regarding the nighttime taxi stands.

BRAD SULLIVAN, WEST HOLLYWOOD, indicated that there are some upset residents on Cynthia regarding the no left hand turn. People are being ticketed; recommended an orange cone on Doheny showing no left turn.

JULIE SUMMERS, WEST HOLLYWOOD, spoke regarding agenda item 4.G. and spoke against it especially as it relates to the Homeless Shelter. This should only apply to city employees that have direct decision making in designation of funds.

SIBYL ZADEN, WEST HOLLYWOOD, addressed agenda item 5.A. and 5.B. and stated her support for agenda item 5.A. She also recommended extending the time to one week for item 5.B.

BRIAN MARQUEZ, WEST HOLLYWOOD, spoke against the EIR for the parking structure and stated it is clearly skewed in favor of the City.

RUVIM KALIKO, OWNER OF WEST HOLLYWOOD APARTMENT, asked for Council help in getting transformers moved, which are adjacent to his property. He also mentioned the noise of Barney's Beanery.

Mayor Land stated that there will be a public hearing on the draft EIR relative to the parking structure on October 20, 1994. There will also be a community meeting on the Sunset Specific Plan.

CITY MANAGER'S REPORT:

City Manager Brotzman reported on actions taken relative to the Clean and Safe City and Code Enforcement which were two priorities established at the Council retreat in August.

Secondly, City Manager Brotzman invited Captain Mangan to speak on several incidents within the City.

Captain Mangan reported on arrests of gay bashers which have taken place in the City and commended the community on getting involved.

FISCAL IMPACT REPORT ON CONSENT CALENDAR: City Clerk Love stated that the fiscal impact for the October 3, 1994 Consent Calendar is \$169,372 in expenditures and \$10,400 in potential revenue.

2. CONSENT CALENDAR:

ACTION: To approve the Consent Calendar, Items 2.A. through 2.O. Motion Guarriello, seconded Heilman and unanimously carried.

A. POSTING OF AGENDA: The agenda for the meeting of Monday, October 3, 1994, was posted at City Hall, Plummer Park, and the Sheriff's Station on Thursday, September 29, 1994, and at the West Hollywood Library on Friday, September 30, 1994.

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

B. APPROVAL OF MINUTES: 1) September 6, 1994
2) September 19, 1994

RECOMMENDATION: Approve the minutes of September 6, 1994, and September 19, 1994. 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 be waived. Approved as part of the Consent Calendar.

D. DEMAND REGISTER NO. 279, RESOLUTION NO. 94-1351.

RECOMMENDATION: Approve Demand Register No. 279 and adopt Resolution No. 94-1351. Approved as part of the Consent Calendar.

E. ORDINANCE NO. 94-421 (2nd Reading), REGULATING SIDEWALK AND CURB REPAIR:

RECOMMENDATION: Adopt Ordinance No. 94-421, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING SIDEWALK AND CURB REPAIR AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Approved as part of the Consent Calendar.

F. EAST SIDE REVITALIZATION PLAN: RESOLUTION APPROVING GENERAL PLAN AMENDMENT 94-01 AND MITIGATED NEGATIVE DECLARATION:

RECOMMENDATION: Adopt Resolution No. 94-1352, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, AMENDING CHAPTER ONE, LAND USE AND URBAN DESIGN, OF THE GENERAL PLAN AND APPROVING A MITIGATED NEGATIVE DECLARATION." Approved as part of the Consent Calendar.

G. PROPOSED INSTALLATION OF NIGHTTIME TAXI STANDS AT SPECIFIED LOCATIONS IN THE CITY:

RECOMMENDATION: Adopt Resolution No. 94-1353, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, INSTALLING NIGHTTIME TAXI STANDS AT SPECIFIED LOCATIONS IN THE CITY, SUPERSEDING RESOLUTION NO.

94-1342." Approved as part of the Consent Calendar.

H. CONTRACT RENEWAL FOR DEMAND RESPONSE TRANSPORTATION WITH JEWISH FAMILY SERVICE:

RECOMMENDATION: Authorize the City Manager to execute an agreement with Jewish Family Services in an amount not to exceed \$159,043 for transportation services for seniors and people with disabilities effective October 1, 1994 through September 30, 1995. Approved as part of the Consent Calendar.

I. DENIAL OF THE DESIGNATION OF 945 N. FAIRFAX AVENUE AS A LOCAL CULTURAL RESOURCE:

RECOMMENDATION: Adopt Resolution No. 94-1354, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, AFFIRMING THE RECOMMENDATION OF THE CULTURAL HERITAGE ADVISORY BOARD AND DENYING THE DESIGNATION OF 945 N. FAIRFAX AVENUE AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA." Approved as part of the Consent Calendar.

J. DESIGNATION OF 8954-56 NORMA PLACE AS A LOCAL CULTURAL RESOURCE:

RECOMMENDATION: Adopt Resolution No. 94-1355, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, AFFIRMING THE RECOMMENDATION OF THE CULTURAL HERITAGE ADVISORY BOARD AND DESIGNATING 8954-56 NORMA PLACE AS A CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA." Approved as part of the Consent Calendar.

K. CALIFORNIA HEALTHY CITIES PROJECT: ACCEPTANCE OF 1994-95 RENEWAL:

RECOMMENDATION: To provide for activities of the Healthy Cities program in Fiscal Year 1994/95, increase revenue line item 01-000-36-440 by \$5,000, and increase expenditure line item 01-530-53-789 by \$5,000. Approved as part of the Consent Calendar.

L. NOTICE OF COMPLETION FOR CIP 9405, STREETSCAPE MASTER PLAN STREET NAME SIGN REPLACEMENT PROJECT:

RECOMMENDATION: Accept the work and authorize the following: 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; 3) Release of the Performance Bond and Payment Bond. Approved as part of the Consent Calendar.

M. RESOLUTION DECLARING A STATE OF LOCAL EMERGENCY REGARDING THE TRANSMISSION OF HIV THROUGH CONTAMINATED NEEDLES AND IN SUPPORT OF NEEDLE EXCHANGE PROGRAMS THROUGHOUT SOUTHERN CALIFORNIA:

RECOMMENDATION: 1) Endorse needle exchange programs prevent the spread of AIDS; 2) Declare that a local state of emergency exists regarding the transmission of HIV through contaminated needles and other contaminated injection drug equipment; 3) Adopt Resolution No. 94-1356, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING A STATE OF LOCAL EMERGENCY

REGARDING THE TRANSMISSION OF HIV THROUGH CONTAMINATED NEEDLES AND IN SUPPORT OF NEEDLE EXCHANGE PROGRAMS THROUGHOUT SOUTHERN CALIFORNIA." Approved as part of the Consent Calendar.

- N. LEASE BETWEEN CITY OF WEST HOLLYWOOD AND LOS ANGELES COUNTY BAR ASSOCIATION DISPUTE RESOLUTION SERVICES FOR PARTIAL PREMISES LOCATED AT 7362 SANTA MONICA BOULEVARD:**
RECOMMENDATION: Authorize the Mayor to enter a one-year lease, beginning October 1, 1994, and ending September 30, 1995, with Los Angeles County Bar Association for partial premises located at 7362 Santa Monica Boulevard. Approved as part of the Consent Calendar.
- O. CONFLICT OF INTEREST CODE 1994 BIENNIAL NOTICE:**
RECOMMENDATION: Adopt Resolution No. 94-1357, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING AN UPDATED CONFLICT OF INTEREST CODE WHICH INCORPORATES BY REFERENCE THE STANDARD CONFLICT OF INTEREST CODE PREPARED BY THE FAIR POLITICAL PRACTICES COMMISSION AND REPEALING RESOLUTION NO. 947." Approved as part of the Consent Calendar.

3. PUBLIC HEARINGS: NONE

COUNCILMEMBER COMMENTS:

Councilmember Guarriello provided a report which included responses to a newsletter/survey which he sent out several months ago, regarding debt for a parking structure and transient occupancy tax. He also provided a report on the seminar he attended relative to debt financing.

Councilmember Koretz stated that the signs relative to the 'no left turn' on Cynthia Street are not particularly visible. He suggested a large orange cone similar to those in Beverly Hills. He also suggested that the Sheriff's Department issue warnings. Councilmember Koretz commented that the synchronization on Sunset Blvd. needs to be adjusted so that it works.

Mayor Land commended the staff and the committee members who put together the Cityhood celebration which was held two weeks ago at Plummer Park.

4. UNFINISHED BUSINESS:

- A. APPROVAL OF EXPENDITURES FROM THE INFORMATION SYSTEMS MASTER PLAN BUDGET:**
Mark Johnson, Computer Master Plan Coordinator, provided background information as outlined in the staff report dated October 3, 1994.

Councilmember Guarriello asked who would be receiving the training.

Mark Johnson responded that the majority would be for Information Systems Division staff.

Councilmember Guarriello asked Finance Director Arevalo if

the training would include Finance Staff and how this will be paid for.

Finance Director Arevalo responded that this budget will allow at least one finance person to get training; they will receive basic training plus training pertaining to finance. There will be some sort of financing mechanism which will be spread over five years.

Mayor Pro Tem Heilman asked the Finance Director to look into the best financing method.

RECOMMENDATION: Approve the expenditure of funds to be reimbursed from the proceeds of obligations issued by the City pursuant to Resolution No. 94-1318, for the purpose of purchasing computer hardware and certain software for the new computer system, and for the purpose of acquiring training and the services of a technical advisor related to the installation and integration of that system, for an estimated cost of \$546,000 as set forth generally in attachment "A".

Motion Heilman, seconded Guarriello and unanimously carried.

B. AUTHORIZATION OF BID PROCESS FOR SOME ASPECTS OF MASTER PLAN IMPLEMENTATION:

Mark Johnson provided background information as outlined in the staff report dated October 3, 1994.

RECOMMENDATION: 1) Authorize Petersen Publishing Co. to enter into agreements for the LAN computer drops, and procurement and installation of a gas fire suppression system provided that (a) Petersen solicits a minimum of three bids for each of these services and (2) the selected contractor has first been approved by the City Manager; 2) Authorize Petersen Publishing Co. to add procurement and installation of computer cable trays to the electrical contractor's scope of work; 3) Authorize Petersen Publishing Co. to bill the City directly for the services listed in items (1) and (2) above.

Motion Guarriello, seconded Heilman and unanimously carried.

C. ALL WAY STOP DESIGNATION FOR THE INTERSECTIONS OF PHYLLIS AVENUE AND CORY AVENUE AND PHYLLIS AVENUE AND CAROL DRIVE (CONTINUED FROM 9-19-94):

This item was tabled until November.

D. 1993-1994 SOCIAL SERVICES CONTRACT - AID FOR AIDS:

Jodi Curlee, Social Services Administrator, provided background information as outlined in the staff report dated October 3, 1994 and the supplemental information which was provided to Council.

Mayor Pro Tem Heilman asked what items are required under the current contract.

Jodi Curlee responded that the current contract is for direct financial assistance and vitamin/pharmacy services.

WALT HANNA, WEST HOLLYWOOD, indicated that Aid for Aids does provide residents with services. He commended both Jodi Curlee and Mike Jenkins for their work on helping with the legal issue. He urged Council to approve the second option which would expand the services to include holiday gift baskets, transportation and outreach.

JEFFREY PRANG, WEST HOLLYWOOD, spoke on behalf of full funding for Aid for AIDS.

Councilmember Koretz stated that he would like to see Aid for AIDS fully funded.

Councilmember Martin concurred with full funding of Aid for AIDS.

Councilmember Guarriello stated that Aid for AIDS should be fully funded.

Mayor Pro Tem Heilman stated he does not agree with full funding. The original contract was for certain services and they only met 40% of goal. He indicated that this could create problems later with other agencies. He also stated his concern for the apparent lack of cooperation over the last four or five months.

Mayor Land indicated she shares some of the same concerns as Mayor Pro Tem Heilman however, she will concur with the other Councilmembers regarding the funding. She stated that Council must guard against setting a precedent. She values the services of Aid for AIDS but in the future would like to emphasize the original services and outreach; she doesn't see a great need for holiday baskets and transportation.

Mayor Pro Tem Heilman stated that in the future there will be the expectation of cooperation with staff and compliance with service levels.

RECOMMENDATION:

Accept contracted service levels as provided by Aid for AIDS as 80% of the contract value for 1993-94, and to accept holiday gift baskets, transportation, and outreach as the other 20% of the 1993-94 social services contract and authorize the release of the full \$75,612.

Motion Koretz, seconded Guarriello and carried on a roll call vote.

ROLL CALL:

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

- E. AUTHORIZATION OF THE LOCATION FOR THE "CUERVOTIVITY ...1800 VISIONS OF ART" PROGRAM SCULPTURE:**
Council Deputy Fran Solomon provided background information as outlined in the staff report dated October 3, 1994.

Jill Lockheart, representing the program sponsors, spoke about the program, which features the art and culture of Mexico and will raise money for AIDS charities, and introduced the videotape.

A short tape was shown of a television segment, which featured interviews about the program and more than a dozen canvasses by Mexican artists.

Mayor Pro Tem Heilman indicated that the staff concerns with respect to the Sunset/Horn/Holloway triangle were coordinating this with the Sunset Specific Plan, and also the visibility with people turning from Sunset onto Horn.

RECOMMENDATION: 1) Authorize the location of the donated sculpture at the Sunset/Horn/Holloway triangle; with the Doheny/Santa Monica gateway as the alternative; 2) Authorize the City Manager to complete negotiations with the program sponsors for the receipt of the work of art, the appropriate standards for the donation, and to work with the program sponsors in the drafting of a contract.

Motion Heilman, seconded Martin and unanimously carried.

- F. RESOLUTION DESCRIBING AND ADOPTING DISCLOSURE OF INFORMATION PROVISIONS:**
Councilmember Koretz provided background information as outlined in the staff report dated October 3, 1994.

BUDD KOPS, WEST HOLLYWOOD, stated his support of this resolution.

JEFFREY PRANG, WEST HOLLYWOOD, commended Councilmember Koretz for bringing this forward. He urged the support of this resolution.

Mayor Pro Tem Heilman indicated that he has some questions especially regarding section 6 and would like to see these discussed during the negotiation process. He was not sure whether it was necessary to have someone on retainer to serve as an ombudsperson.

His questions were: 1) what protections already exist under State law; 2) what would the cost be of keeping someone on retainer as ombudsperson. 3) the resolution is not just for alleged mismanagement; it can be a rank and file employee reporting another rank and file employee-- there is potential for misuse by people who have differences of opinion. The ordinance should include the definition of abuse of authority; 4) more clarification as to how the process works; 5) some discussion at some point on the ombudsperson's recommendation; the recommendation should go into effect after the Council

approves it; 6) how does this interact with other types of discipline which can be imposed; is it consistent with our current process; 7) the remedies section--should it be expanded to include damage from any kind of misconduct by anyone; 8) definition of employee--will that include Councilmembers; will Councilmembers be able to initiate a complaint or be complained against, or is that already covered under State law.

Mayor Land indicated that she is glad to be moving forward with this; the resolution will go through changes; however, whether there is consensus or not by the bargaining units, it will come back to Council for a decision one way or the other. She would like to get more information on fiscal impact.

Councilmember Martin had questions about the cost of an ombudsperson. He felt that the ombudsperson should not conduct an investigation without interviewing the accused.

Councilmember Koretz indicated there is the possibility of getting an ombudsperson "pro bono." He stated that philosophically this resolution is where the Council is at.

City Attorney Jenkins indicated that he had made a number of recommendations, of which some were incorporated into the resolution and others were not. However, they are still important issues. He indicated that there is ambiguity and in some instances inconsistency with the City's Municipal Code. He set forth the following concerns: 1) he agrees with Councilmembers Martin and Heilman that the items in 2.f and in Section 5 should be better defined; 2) in Section 3, it states that a written summary of discussions shall be prepared--it should specify who prepares it; it should be signed by the supervisor and the employee who is making the allegations; 3) he has serious doubts whether the identity of the employee may be maintained confidential during an investigation where the person accused of misconduct is given opportunity to hear the allegations and defend themselves; 4) the sentence "shall insure that no act of reprisal occurs" should be modified, as no one can insure anything; 5) in 5.b, that the information be put in written form by the ombudsperson increases the City's costs; he recommends it be put in written form by the employee making the disclosure; 6) that ombudsperson review the complaint with the employee--should be all the time, not "whenever possible," and the employee should be required to sign the statement, preferably under penalty of perjury; 7) in 5.c, it says the recommendation is to go to the City Council; the recommendation should go to the City Manager for action, with a report to the City Council; 8) Council should take another look at the time periods in 5.c, to encourage prompt resolution of these problems; 9) paragraph 5.e contains the problem of confidentiality already mentioned; 10) paragraph 5.f contains the same problem regarding implementation, which

should be by the City Manager; 11) he concurs with Councilmember Heilman concerning Section 7.

Councilmember Koretz responded that the City Attorney's recommendations would cut into the philosophical basis of the resolution and therefore he would not include those recommendations in his motion.

Mayor Pro Tem Heilman stated he does agree that some of his questions were philosophical; however, he would like to see both his questions and the City Attorney's concerns addressed through the process.

Councilmember Koretz stated that the Council is to serve as the reality check for the ombudsperson.

City Manager Brotzman stated for the record that the managers, directors and employees support in concept the resolution and their main concern has been due process for false accusations.

City Attorney Jenkins stated that there are some legal issues of due process which must be addressed and in addition this is in conflict with the municipal code and the basic city manager form of government.

The Council discussed numerous issues including the resolution as a working document, concerns for due process and legal concerns raised by the City Attorney.

Councilmember Heilman stated for the record that he will vote for the motion but will not vote for the resolution if it doesn't address the City Attorney's concerns and the concern of due process.

RECOMMENDATION: 1) Instruct the City to offer the draft resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESCRIBING AND ADOPTING DISCLOSURE OF INFORMATION PROVISIONS" to each bargaining unit; and 2) Instruct the City to negotiate in good faith with the bargaining units, and come to a conclusion with each bargaining unit (tentative agreement or a formal impasse) within 90 days of adoption of this motion.

Motion Koretz, seconded Martin and unanimously carried.

Recessed at 9:44 p.m.
Reconvened at 9:56 p.m.

G. RESOLUTION PROHIBITING THE CITY OF WEST HOLLYWOOD FROM FUNDING ANY NON-PROFIT ORGANIZATION THAT HAS ANY SPECIFICALLY DESIGNATED CITY OFFICIAL ON ITS BOARD OF DIRECTORS:

Council Deputy Rich Ryan provided background information as outlined in the staff report dated October 3, 1994. He explained changes which had been made since the last Council meeting to address concerns of Council and staff. He indicated that there is an additional Section 6 which has been added to cover cases where the bylaws of an

organization require that a Councilmember sit on the Board, or when it is in the best interests of the City.

Councilmember Guarriello suggested deleting Section 6.

Jodi Curlee of Social Services Division explained that in some cases State licensing requires a Councilmember to sit on the Board, and in those cases she could bring an item to Council for their approval.

Mayor Pro Tem Heilan indicated that would not be a problem.

Councilmember Martin indicated that the resolution is substantially cleaned up and the resolution is strengthened. He also stated that Section 4 allows flexibility.

JEFFREY PRANG, WEST HOLLYWOOD, urged the Council to pass the resolution.

BRIAN MARQUEZ, WEST HOLLYWOOD, stated his support for this resolution.

CANDIDA MCCOLLAM, WEST HOLLYWOOD, stated her support for the resolution.

Mayor Pro Tem Heilman inquired what the process has been in the past regarding participation.

Ms. Curlee indicated that no social services employee may serve on the Board of Directors of non-profit organizations. However social services staff members are encouraged to sit on advisory committees.

Mayor Pro Tem Heilman and City Attorney Jenkins recommended changing the language of sections 4 and 5, to clarify those sections.

Councilmember Koretz suggested that April 1, 1995 may be too short and would like to see it amended to July 1, 1995.

City Attorney Jenkins clarified the changes: Section 5 will be consistent with section 4, to say "Notwithstanding the foregoing, City employees covered by this resolution may with Council approval, sit . . ." Section 6 will be amended to read "The City Council may waive the foregoing restrictions either when funding or licensing requirements conflict with said restrictions or when the City Council finds by a majority vote, that such a waiver is in the best interests of the City." He also suggested rewording Section 1 and Section 2 to clarify those sections.

RECOMMENDATION: Adopt Resolution No. 94-1347, with the language changes proposed by the City Attorney and the change by Councilmember Koretz to make it effective July 1, 1995, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROHIBITING THE CITY FROM FUNDING ANY

NON-PROFIT ORGANIZATION THAT HAS ANY SPECIFICALLY DESIGNATED CITY OFFICIAL ON ITS BOARD OF DIRECTORS."

Motion Martin, seconded Heilman.

Mayor Pro Tem Heilman clarified that the phrase in section 5 which says "for a limited duration not to exceed two years", means not to exceed two years from the date of approval of an exemption.

Mayor Land stated her support that the idea of conflict of interest is talked about. She indicated she is not comfortable with the fact that it limits our employees from participating in the community.

Carried on a roll call vote:

AYES - Guarriello, Koretz, Martin, Heilman
NOES - None
ABSTAIN - Land

5. NEW BUSINESS:

A. DIRECTION TO STAFF AND TRANSPORTATION COMMISSION TO DESIGN THE IMPLEMENTATION OF A PILOT PROJECT TO BE USED FOR THE DISMISSAL OF ONE PERMIT PARKING VIOLATION:

Mayor Pro Tem Heilman provided background information as outlined in the staff report dated October 3, 1994.

Councilmember Koretz expressed his support for this program.

RECOMMENDATIONS: 1) Direct staff to develop a one-year pilot project whereby every household that purchases a residential parking permit will receive a one time only "Get Out of Jail Free" voucher, good for the dismissal of one permit parking ticket; 2) Direct staff to review the budget ramifications of the proposal with the Finance Department and City Manager; 3) Direct staff to bring details of project to Transportation Commission for its evaluation and analysis; 4) Direct staff to bring the finalized proposal to Council for approval.

Motion Heilman, seconded Koretz and unanimously carried.

Mayor Land indicated that she would like the report on cramped wheel tickets on the next agenda.

B. DIRECTION TO PARKING ENFORCEMENT TO ALLOW SEVENTY-TWO HOURS AFTER THE TIME OF EXPIRATION OF PREFERENTIAL PARKING PERMITS BEFORE GIVING CITATIONS:

Mayor Pro Tem Heilman provided background information as outlined in the staff report dated October 3, 1994.

He indicated that a member of the public, John Trumpler, was here to speak in support, but had left.

Councilmember Koretz suggested that the period be lengthened from three days to one week and have parking

enforcement issue warnings.

Transportation Director responded that she has some concern with parking enforcement issuing warnings.

Mayor Land stated that 72-hours is ample time.

Mayor Pro Tem Heilman amended the recommendation to extend the 72 hours to five days.

RECOMMENDATION: Direct Parking Enforcement to allow for a five day "grace period" in the renewal of preferential parking permits.

Motion Heilman, seconded Koretz and unanimously carried.

EXCLUDED CONSENT CALENDAR: None

CITIZEN COMMENTS: None

6. LEGISLATIVE:

A. EAST SIDE REVITALIZATION PLAN - ORDINANCE APPROVING ZONING TEXT AMENDMENT 94-01:

Assistant Planner Tim Foy provided background information as outlined in the staff report dated October 3, 1994.

RECOMMENDATION: Introduce on first reading Ordinance No. 94-422, removing 'residential transition zone' from Section 5, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, APPROVING AMENDMENTS TO CHAPTERS 9220 AND 9380 OF ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE)."

Motion Heilman, seconded Koretz and carried on a roll call vote.

ROLL CALL:

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

Mayor Land appointed Mayor Pro Tem Heilman and Councilmember Martin as the subcommittee to look into the parking issue.

COUNCILMEMBER COMMENTS:

Mayor Pro Tem Heilman stated that at a prostitution task force meeting someone from an agency made a statement that seemed to indicate he was opposed to HIV testing. He pointed out since it has been found that early intervention is important, it has been the City's position to encourage HIV testing. He gave direction to Jodi Curlee to work with that agency to make sure they are following the City's policy regarding HIV testing.

Councilmember Martin announced Ride Share Week. He also thanked Councilmember Koretz for the whistleblower item.

The City Council recessed to Closed Session at 10:50 p.m.
The Council reconvened at 11:26 p.m.

ADJOURNMENT: The City Council adjourned at 11:26 p.m. to the next regular meeting to be held on Monday, October 17, 1994, at West Hollywood Park, 647 N. San Vicente Boulevard, for a closed session at 6:00 p.m. and the regular meeting at 7:00 p.m.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 17TH DAY OF OCTOBER, 1994.



MAYOR

ATTEST:



CITY CLERK