

**MINUTES  
CITY COUNCIL MEETING  
APRIL 18, 1994  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**CLOSED SESSION:** (The Closed Session was held at the end of the meeting.)

**7:00 P.M. - REGULAR MEETING**

**CALL TO ORDER:** Mayor Guarriello called the meeting to order at 7:00 P.M.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Councilmember Lang.

**ROLL CALL: PRESENT:** Heilman, Koretz, Land, Lang, and Mayor Guarriello

**ALSO PRESENT:** City Manager Brotzman  
City Attorney Jenkins

**APPROVAL OF AGENDA:**

Mayor Guarriello noted his no vote on Item 2.0. Mayor Pro Tem Land indicated that there is a correction on page 10 of the minutes of April 4, 1994--it should read Resolution No. 94-1279 instead of Resolution No. 94-1286.

Mayor Pro Tem Land moved to approve the agenda, seconded by Mayor Guarriello and unanimously carried.

**PROCLAMATIONS AND COMMENDATIONS:**

Mayor Guarriello presented an award to Councilmember Lang for her outstanding service for the last 10 years.

Mayor Guarriello presented a proclamation declaring the week of April 18-22 "The Week of the Young Child." Daphne Dennis presented T-shirts and a poster to the City Council on behalf of the preschool children.

Mr. Walter Hanna presented a plaque to Councilmember Lang on behalf of the people in the community with AIDS.

Councilmember Heilman introduced Mr. Ernie Over of the Lesbian and Gay Advisory Council, who introduced the three recipients of the Rainbow Key Award: Elena Lopez, a nurse and caregiver for women with AIDS; Walt Hanna, Executive Director of Aid for AIDS; and Tom Harkins, an adult school teacher at Hollywood Community Adult School, who has helped immigrants to learn English, and who helped establish the "Necessities of Life" program at APLA, and has participated in AIDS organizations.

Mayor Pro Tem Land asked that the meeting be adjourned in memory of Jack Bernardi who had worked closely with the Coalition of Economic Survival in the Cityhood campaign, and in memory of John "Rob" Roberts, who was instrumental in establishing the memorial at the triangle at Crescent Heights.

Councilmember Lang presented commendations to members of the Panhandling Focus Group--Donny Cacy, Donna Saur, Michaeljohn Horne, Deputy Greg Gossett, Jacqueline Suzanne Mendelson, and Deputy David Do--for developing the "Give the Right Thing" program to deter panhandling in the City.

Councilmember Heilman presented a commendation to Ms. Debbie Potter, Economic Development Manager, for her years of service to the City of West Hollywood, and outlined her many contributions to the City.

Ms. Debbie Potter thanked the Council, staff and citizens for the pleasure of working with them for the past eight and one-half years.

Mayor Pro Tem Land presented a commendation to the Pacific Hills School Basketball Team for their outstanding athletic achievements.

Mr. John Bobich, coach, thanked the City Council and indicated their pride in representing West Hollywood.

Mr. Wesley Allen, graduating senior, thanked the City of West Hollywood for their support.

Councilmember Lang thanked Walt Hanna and Aid for AIDS for the plaque, and the City of West Hollywood for the "Oscar".

**1. CITIZEN COMMENTS:**

A. Comments on Consent Calendar items which have not been removed.

None.

B. General Comments

JEANNE DOBRIN, WEST HOLLYWOOD, spoke positively about the election.

DAVID ARIAS, WEST HOLLYWOOD, spoke about a negative incident regarding the taping of Cops.

DONNY CACY, WEST HOLLYWOOD, spoke regarding panhandling in the City.

REV. JOHN VONDOURIS, WEST HOLLYWOOD, spoke about the need to keep residents in the City.

HYLAN KUNERTH, WEST HOLLYWOOD, indicated he has a money making proposal for the City and distributed a copy to Council.

BUDD KOPS, WEST HOLLYWOOD, spoke regarding items 4.B and C. He has heard that the City plans to have retail stores on the first floor of the parking structure, and he believes there are enough vacant stores in the City now; it should be used for parking space.

**CITY MANAGER'S REPORT:**

City Manager Brotzman indicated there was no report.

**REPORT ON DOLLAR AMOUNTS ON CONSENT CALENDAR:**

City Clerk Love reported that the fiscal impact of Consent Calendar items for April 18, 1994, is \$219,305 in budgeted expenditures.

**2. CONSENT CALENDAR:**

**ACTION:** Approve the Consent Calendar (Items 2.A. through 2.P.) Motion Heilman, seconded Land and unanimously carried.

**A. POSTING OF AGENDA:** The agenda for the meeting of Monday, April 18, 1994, was posted at City Hall, Plummer Park, and the Sheriff's Station on Thursday, April 14, 1994, and at the West Hollywood Library on Friday, April 15, 1994.

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

**B. APPROVAL OF MINUTES: March 21, 1994  
April 4, 1994**

**ACTION:** Approve the minutes of March 21, 1994, and April 4, 1994. Approved as part of the Consent Calendar.

**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 be waived. Approved as part of the Consent Calendar.

**D. CLAIMS: Albert Earle Atwater, Jr.  
Kenneth H. Clarke  
Neal Eglash**

**ACTION:** Deny the claims of Albert Earle Atwater Jr. and Kenneth H. Clarke without comment and refer to the City's claims adjustor. Take action on the claim of Neal Eglash as discussed in Closed Session on April 18, 1994. Approved as part of the Consent Calendar.

**E. DEMAND REGISTER NO. 268, RESOLUTION NO. 94-1287.**

**ACTION:** Approve Demand Register No. 268 and adopt Resolution No. 94-1287. Approved as part of the Consent Calendar.

**F. TREASURER'S REPORT: February, 1994**

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

**G. ORDINANCE NO. 94-407 (2nd Reading) - REGARDING THE REGULATION OF HANDBILLS AND ADVERTISING:**

**ACTION:** Adopt Ordinance No. 94-407, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING HANDBILLS AND ADVERTISING AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Approved as part of the Consent Calendar.

- H. LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT COMPETITIVE GRANT PROGRAM:**  
**ACTION:** 1) Adopt Resolution No. 94-1288, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AN APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT URBAN TREE PLANTING COMPETITIVE GRANT PROGRAM FOR STREET TREE PLANTING"; and  
2) Adopt Resolution No. 94-1289, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AN APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT SENIOR CENTERS AND RECREATION FACILITIES COMPETITIVE GRANT PROGRAM FOR THE RENOVATION OF THE WEST HOLLYWOOD SENIOR CENTER." Approved as part of the Consent Calendar.
- I. AWARD OF THE CONSTRUCTION CONTRACT FOR CIP 9405, STREETScape MASTER PLAN STREET NAME SIGN REPLACEMENT:**  
**ACTION:** Authorize the City Manager to enter into a contract with Maneri Sign Co., Inc., in the amount of \$50,095 for the construction of CIP 9405, Streetscape Master Plan Street Name Sign Replacement Project. Approved as part of the Consent Calendar.
- J. CITY SUPPORT FOR THE 11TH INTERNATIONAL AIDS CANDLELIGHT MEMORIAL AND MOBILIZATION:**  
**ACTION:** 1) Direct staff to help advertise this event, including providing information to City employees about how to volunteer; 2) Authorize the organizers of this event to include the City's name as a sponsor in all public relations and outreach materials. Approved as part of the Consent Calendar.
- K. AUTHORIZATION TO EXECUTE AN HISTORICAL PROPERTY PRESERVATION AGREEMENT (MILLS ACT CONTRACT) BETWEEN THE CITY OF WEST HOLLYWOOD AND 20 CONDOMINIUM OWNERS OF THE GRANVILLE TOWERS, AN HISTORIC BUILDING LOCATED AT 1424 CRESCENT HEIGHTS BOULEVARD, WEST HOLLYWOOD, CALIFORNIA:**  
**ACTION:** Authorize the City Manager to execute an Historical Property Preservation Agreement (Mills Act Contract) between the City of West Hollywood and 20 owners of the local cultural resource located at 1424 Crescent Heights Boulevard, West Hollywood, California. Approved as part of the Consent Calendar.
- L. CHRISTOPHER STREET WEST, GAY AND LESBIAN PRIDE PARADE AND FESTIVAL:**  
**ACTION:** 1) Approve the use of West Hollywood Park and City property for the 1994 Gay and Lesbian Pride Festival and authorize the City Manager to sign the agreement permitting said use;  
2) Authorize the use of Santa Monica Boulevard between Crescent Heights Boulevard and Robertson Boulevard for the 1994 Gay and Lesbian Pride Parade; and  
3) Agree that the City of West Hollywood will serve as an official sponsor for both events. Approved as part of the Consent Calendar.

- M. CITY COUNCIL APPROVAL OF REQUEST FOR GRANT MONIES FROM THE CALIFORNIA STATE OFFICE OF HISTORIC PRESERVATION:**  
ACTION: Adopt Resolution No. 94-1290, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING THE GRANT APPLICATION AND REQUEST FOR FUNDS FROM THE OFFICE OF HISTORIC PRESERVATION IN ORDER TO COMPLETE THE NATIONAL REGISTER APPLICATION FOR THE HARPER AVENUE HISTORIC DISTRICT AND FOR FUNDS TO PROVIDE TRAINING TO THE CULTURAL HERITAGE ADVISORY BOARD MEMBERS AND STAFF." Approved as part of the Consent Calendar.
- N. RESOLUTION IN SUPPORT OF SB 1448, A BILL TO PERMIT LOCAL AGENCIES TO CREATE AN ASSESSMENT DISTRICT TO FUND LIBRARY SERVICES:**  
ACTION: Adopt Resolution No. 94-1291, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING SB 1448, A BILL TO ALLOW LOCAL AGENCIES TO CREATE ASSESSMENT DISTRICTS TO FUND LIBRARY SERVICES." Approved as part of the Consent Calendar.
- O. RESOLUTION IN OPPOSITION TO THE "CALIFORNIA UNIFORM TOBACCO CONTROL ACT" INITIATIVE:**  
ACTION: 1) Adopt Resolution No. 94-1292, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE "CALIFORNIA UNIFORM TOBACCO CONTROL ACT" INITIATIVE; 2) Direct staff to provide a copy of the resolution to the CEO of the Philip Morris Company. Approved as part of the Consent Calendar with Mayor Guarriello noting his no vote.
- P. WEST HOLLYWOOD STATE OF THE ENVIRONMENT REPORT:**  
ACTION: Receive and file the West Hollywood State of the Environment Report, a progress report on the City's environmental programs. Approved as part of the Consent Calendar.

**3. PUBLIC HEARINGS:**

- A. CONGESTION MANAGEMENT PLAN AND IMPLEMENTATION REPORT:**  
City Clerk Love reported that notice of this public hearing was published on April 6, 1994, in the West Hollywood Independent.

Director of Transportation Joan English provided background information as outlined in the staff report dated April 18, 1994.

There were no public speakers.

ACTION: Adopt Resolution No. 94-1293, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD FINDING THE CITY TO BE IN CONFORMANCE WITH THE LOS ANGELES COUNTY CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089."

Motion Heilman, seconded by Lang and unanimously carried.

**COUNCILMEMBER COMMENTS: NONE**

**4. UNFINISHED BUSINESS:**

**A. COMMUNITY NEEDS ASSESSMENT:**

Jodi Curlee provided background information as outlined in the staff report dated April 18, 1994. She introduced Mr. Dan Flaming of The Economic Roundtable, the consultant who prepared the Community Needs Assessment, who gave an overview on the methodology of the survey, the organization of the report and the recommendations.

Mayor Guarriello stated that the report says there is no fiscal impact at this time and asked whether there will be any future fiscal impact.

Ms. Curlee indicated that there is no intention at this time to increase the budget.

Mayor Pro Tem Land and Councilmember Heilman thanked staff and the consultant for an excellent report.

**ACTION:** Receive and file.

Motion Heilman, seconded Lang and unanimously carried.

**B. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH NELLO INC. TO PROVIDE PROJECT AND CONSTRUCTION MANAGEMENT SERVICES FOR CONSTRUCTION OF A PARKING STRUCTURE AT 8383 SANTA MONICA BOULEVARD:**

Mr. Don Korotsky provided background information as outlined in the staff report dated April 18, 1994.

Mayor Guarriello asked for clarification of recommendation number 3.

Don Korotsky responded that the \$110,000 is an estimated amount.

Director of Transportation Joan English explained that \$90,000 is for their services and if they finish 20 working days early then they would receive the other \$20,000.

**ACTION:** 1) Authorize the City Manager to enter into an Agreement between Nello, Inc. and the City of West Hollywood for project/construction management services; 2) Approve an initial expenditure not to exceed \$15,000 for services performed prior to the execution of the agreement; 3) Approve total expenditures not to exceed \$110,000 plus reimburseables for project/construction management services.

Motion Land, seconded Heilman and unanimously carried.

**C. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS FOR ARCHITECTURAL/ENGINEERING SERVICES FOR THE DESIGN OF A PARKING STRUCTURE LOCATED AT 8383 SANTA MONICA BOULEVARD:**

Mr. Don Korotsky provided background information as outlined in the staff report dated April 18, 1994.

**ACTION:** Authorize staff to issue a Request for Proposals (RFP) for Architectural/Engineering Services for the design of a public parking structure at 8383 Santa Monica Boulevard.

Motion Heilman, seconded Koretz and unanimously carried.

**D. APPROVALS TO PROCEED WITH CONSTRUCTION OF THE MOMENT FRAME AND OTHER APPROVED CHANGES FOR CITY HALL:**

Ms. Meg Gilbert provided background information as outlined in the staff report dated April 18, 1994.

**ACTION:**

1. Authorize the City Manager to execute a lease amendment with Petersen Publishing Co., that includes:
  - (a) compensation for construction management services beginning February 10, 1995, in an amount not to exceed \$1,900 per working day to be capped at forty (40) days (this may be reduced to \$950/day);
  - (b) lease extension payments in an amount not to exceed \$666.67 per calendar day for each day of non-occupancy effective March 10, 1995, forward;
  - (c) approval of an updated and amended Project Design and Construction Schedule;
  - (d) acknowledgment that all costs of the construction of the moment frame are the City's responsibility and shall be reimbursed to Petersen by the City; and
  - (e) acknowledgment that the costs of the emergency generator, the fuel tank related thereto, the electrical charging station and the natural gas fueling station are the City's responsibility and shall be reimbursed to Petersen by the City.
2. Authorize the City Manager to execute a contract amendment with the firm of Ellerbe Becket to design and provide structural engineering service for the moment frame in an amount not to exceed \$21,900.
3. Authorize the City Manager to execute a contract amendment with the firm of Gilbert and Associates to provide for an extension of their project management services due to the extended date of project completion in an amount not to exceed \$15,000.

Motion Heilman, seconded Koretz and unanimously carried.

**E. APPROVAL TO AMEND THE CITY HALL LEASE TO ALLOW FOR A DESIGN-BUILD CONTRACTOR FOR THE EXTERIOR BUILDING FACADE OF THE NEW CITY HALL; APPROVAL REGARDING THE PERCENT FOR ART REQUIREMENT FOR THE NEW CITY HALL:**

Ms. Meg Gilbert provided background information as outlined in the staff report dated April 18, 1994.

Mayor Pro Tem Land commented on the importance of this project happening on time and within the budget.

**ACTION:**

- 1) Authorize the City Manager to execute a lease amendment with Petersen Publishing Co. that allows Petersen to enter into a design-build contract with a building facade contractor provided that: (a) Said contractor has first been approved by the City Manager; (b) Said contractor agrees to perform the contract for an amount not to exceed the currently approved budget for the construction of the facade; and that (c) Said contractor agrees to perform the contract in conformance with the updated and amended Project Design and Construction Schedule.
- 2) Authorize the City Manager to execute a lease amendment with Petersen Publishing Co. which provides for Petersen entering into an artist contract for a fixed sum and further provides for the handling of any difference between the fixed amount of the artist contract and the amount required pursuant to the City's Percent for Art Program.

Motion Land, seconded Koretz and unanimously carried.

**5. NEW BUSINESS: NONE**

**EXCLUDED CONSENT CALENDAR: NONE**

**CITIZEN COMMENTS: NONE**

**6. LEGISLATIVE: NONE**

**COUNCILMEMBER COMMENTS:**

Mayor Guarriello commended Mr. Steve Martin on his election to Council and commended the rest of the candidates on a clean campaign.

Councilmember Koretz gave direction to the City Manager, Transportation staff and the owner of Jerry's Deli to get together and try to work out an ongoing problem with regard to parking in the front of Jerry's Deli.

Councilmember Heilman stated he was in Sacramento lobbying on the Domestic Partners bill which would allow PERS to offer benefits to domestic partners for those agencies that choose to provide that benefit. The bill got reported out of the first committee on a three to one vote. He thanked Helyne Meshar, the City's lobbyist, Kevin Fridlington, and Bob Edgerly, former Assistant City Manager, for their hard work.



**CLOSED SESSION:**

City Attorney Jenkins asked the Council to make a finding that there is a need to add two items to the Closed Session agenda, on the ground that the need to take immediate action on these items came to the attention of Council and the City Attorney after the agenda was posted. They would be items 4 and 5 under existing litigation, the first being Century Cable Television vs. City of West Hollywood and the other, Ozeran vs. City of West Hollywood.

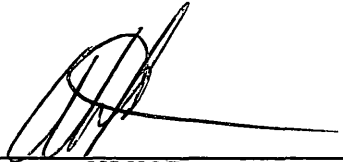
Motion Land, seconded Koretz and unanimously carried.

The Council recessed to a closed session at 8:10 p.m.  
The City Council reconvened at 8:35 p.m.

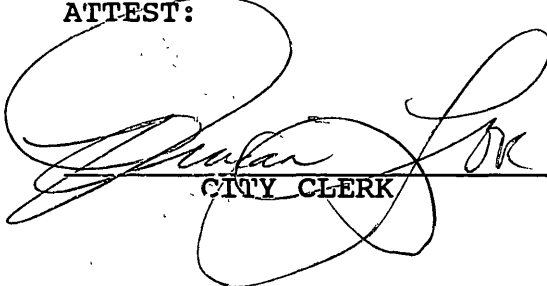
**REPORT ON CLOSED SESSION:** City Attorney Jenkins stated that reports of actions taken in Closed Session are available with the City Clerk.

**ADJOURNMENT:** The meeting was adjourned at 8:35 p.m. in memory of Jack Bernardi and John "Rob" Roberts to Tuesday, April 19, 1994, at 7:00 p.m., West Hollywood Park for the Canvass of the Election and Council reorganization.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 2ND DAY OF  
MAY, 1994.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
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CITY CLERK