

**MINUTES
CITY COUNCIL MEETING
FEBRUARY 22, 1994
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

6:30 P.M. - CLOSED SESSION: This time has been set aside for the City Council to meet in closed session to discuss matters pertaining to litigation (pursuant to Government Code Section 54956.9(a), potential litigation (pursuant to Government Code Section 54956.9(b), and (c)), personnel, and/or claims. The Mayor or the City Attorney will give an additional oral report of the closed session at the commencement of the public portion of the meeting.

7:00 P.M. - REGULAR MEETING

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

PLEDGE OF ALLEGIANCE: The Pledge was led by Councilmember Heilman.

ROLL CALL: PRESENT - Heilman, Koretz, Lang, Land and Mayor Guarriello
ALSO PRESENT- City Manager Brotzman
City Attorney Jenkins

REPORT OF CLOSED SESSION:

City Attorney Jenkins reported that the meeting was called to order at 6:30 p.m. and recessed to a closed session for the purpose of discussing three matters of litigation titled Darshad v. City of West Hollywood, R.O.A.R. v. City of West Hollywood, and Terry v. City of West Hollywood, and for the purpose of discussing acquisition of real property located at 8383 Santa Monica Blvd. pursuant to Government Code Section 54956.8 and to discuss a claim against the City by Ella Naroditskaya pursuant to Government Code Section 54956.95. The claim of Ella Naroditskaya was approved by the City Council.

APPROVAL OF AGENDA:

Agenda item 2.F. was tabled to March 7 at the request of staff.

ACTION: Approve agenda as amended. Motion Heilman, seconded Guarriello and unanimously carried.

PROCLAMATIONS AND COMMENDATIONS:

Councilmember Heilman requested adjournment in memory of Randy Shilts, a well-known author who brought public awareness to the AIDS epidemic, and Steve Holley, writer and former long-time West Hollywood resident, who both died of AIDS.

1. CITIZEN COMMENTS:

BUDD KOPS, WEST HOLLYWOOD, provided comments to Councilmember Koretz.

LARRY SALAZAR, LOS ANGELES, CONSULTANT WORKING FOR WEST HOLLYWOOD FREE ENTERPRISE PROJECT, thanked Council for meeting with the organization. He commented on various documents which the City provided to the organization.

BOB WARBURTON, WEST HOLLYWOOD, MEMBER OF COMMITTEE ON DISABILITY, stated his support for the affordable housing project that is proposed for Palm Avenue.

MICHAEL RUSSNOW, WEST HOLLYWOOD, indicated his concern about a notice which was mailed by the Rent Stabilization Department.

TIM OLSON, WEST HOLLYWOOD, asked two questions regarding public safety. He inquired regarding the study of costs of a local police department vs. Sheriff's Department and asked for clarification regarding the charges against Captain Clarence Chapman.

JIM PHIPPS, LOS ANGELES, representing Freedom Project Los Angeles, stated they will be asking for endorsement of their organization. Their goal is to end discrimination at UCLA against gay and lesbian students with regard to the ROTC program.

MADLINE ARAKELIAN, GLASWMA, indicated her company was disallowed in the RFP process and spoke against the exclusive franchise process.

KEVIN MESKIN, WEST HOLLYWOOD, indicated his disagreement with an exclusive franchise for trash pickup.

MICHAEL YATES, WEST HOLLYWOOD CHAMBER OF COMMERCE, reported on the Mardi Gras valet parking service and stated it was a success.

THOMAS CRAIL, WEST HOLLYWOOD, CHAMBER OF COMMERCE, reported that Mardi Gras was celebrated and was very successful.

CITY MANAGER'S REPORT:

City Manager Brotzman reported that the City is still looking for citizens to sit on the committee to review the cost analysis of having a local police department versus the Sheriff's Department. The City received two proposals for the cost study, from Ralph Anderson and Associates and David Griffith and Associates, and is currently evaluating the proposals.

REPORT ON DOLLAR AMOUNTS ON CONSENT CALENDAR:

City Clerk Love stated that the fiscal impact of the Consent Calendar, as amended, for February 22, 1994 is \$175,049 in expenditures and \$115,684 of potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve the Consent Calendar as amended. Motion Land, seconded Guarriello and unanimously carried.

A. POSTING OF AGENDA: The agenda for the meeting of Tuesday, February 22, 1994, was posted at City Hall, Plummer Park, and the Sheriff's Station on Thursday, February 17, 1994, and at the West Hollywood Library on Friday, February 18, 1994.

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

**B. APPROVAL OF MINUTES: February 7, 1994
January 31, 1994**

ACTION: Approve the minutes of February 7, 1994 and January 31, 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. CLAIM: ELLA NARODITSKAYA

ACTION: Take action on claim of Ella Naroditskaya as discussed in Closed Session on February 22, 1994. Approved as part of the consent calendar.

E. DEMAND REGISTER NO. 264, RESOLUTION NO. 94-1261

ACTION: Approve Demand Register No. 264 and adopt Resolution No. 94-1261. Approved as part of the consent calendar.

F. REQUEST FOR USE OF CITY FACILITIES BY CHRISTOPHER STREET WEST, GAY AND LESBIAN PRIDE PARADE AND FESTIVAL:

ACTION: This item was tabled until March 7, 1994 at the request of staff.

G. AWARD OF CONTRACT FOR STREET TREE PLANTING PROJECT (C.I.P. #341):

ACTION: Accept the bid dated January 31, 1994, submitted by Golden Bear Arborists, in the amount of \$22,941.75 and the respective unit prices, in response to contract specifications for the Street Tree Planting Project (C.I.P. #341); reject all other bids; and authorize the City Manager to sign the Contract. Approved as part of the consent calendar.

H. RECREATION DIVISION FUNDS TRANSFER FOR PURCHASE OF PROP A FUNDS:

ACTION: Authorize transfer of \$3000 from account number 01-510-53-607, Excursions, to purchase Prop. A funds for transportation services for Recreation Excursions. Approved as part of the consent calendar.

- I. PROFESSIONAL ENGINEERING SERVICE CONTRACT FOR PROJECT REVIEW AND CONSTRUCTION ENGINEERING SERVICES FOR THE WEST HOLLYWOOD TRAFFIC MANAGEMENT SYSTEM PROJECT, (CIP 9404):**
ACTION: Authorize the City Manager to enter into a professional service contract with INCA Engineers, Inc. in the amount of \$83,049.00, for plan review, construction administration, construction inspection, construction survey, and materials testing services for the West Hollywood Traffic Management System Project. Approved as part of the consent calendar.
- J. STATE OFFICE OF CRIMINAL JUSTICE PLANNING CAREER CRIMINAL APPREHENSION PROGRAM GRANT (C-CAP):**
ACTION: Adopt Resolution No. 94-1262, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE CITY MANAGER TO SUBMIT A PROPOSAL AND EXECUTE AN AGREEMENT FOR CAREER CRIMINAL APPREHENSION FUNDING FOR THE WEST HOLLYWOOD CAREER CRIMINAL APPREHENSION PROGRAM" Approved as part of the consent calendar.
- K. RESOLUTION SUPPORTING S 55, A BILL TO AMEND THE RAILWAY LABOR ACT TO PREVENT DISCRIMINATION BASED ON PARTICIPATION IN LABOR DISPUTES:**
ACTION: Adopt Resolution No. 94-1263, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING S 55, A BILL TO AMEND THE NATIONAL RAILWAY LABOR ACT TO PREVENT DISCRIMINATION BASED ON PARTICIPATION IN LABOR DISPUTES." Approved as part of the consent calendar.
- L. APPROVAL OF A SUPPLEMENTAL CONTRACT FOR ADDITIONAL LEGISLATIVE ADVOCACY AND SUPPORT:**
ACTION: 1) Approve an additional \$10,000 in funding for the Rent Stabilization Department; 2) Approve a \$20,000 contract between the City and Lenny Goldberg and Associates to provide for a report on the impact of rent control and coordination of additional lobbying efforts statewide. Approved as part of the consent calendar.
- M. RESOLUTION PROCLAIMING THE TERMINATION OF A LOCAL EMERGENCY:**
ACTION: Adopt Resolution No. 94-1264, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROCLAIMING THE TERMINATION OF A LOCAL EMERGENCY" Approved as part of the consent calendar.

3. PUBLIC HEARINGS:

- A. APPROVAL OF 20TH YEAR (FY 1994-1995) COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT AND COST SUMMARIES:**
City Clerk Love indicated that the public hearing was noticed in the West Hollywood Independent on February 9, 1994.

Debbie Potter, Economic Development Manager, provided background information as outlined in the staff report

dated February 22, 1994.

Mayor Guarriello opened the public hearing.

As there was no one who wished to speak on this item the public hearing was closed.

Councilmember Heilman complimented Ms. Potter on the proposed residential improvement program. He also stated the program is most successful when completed a block at a time, rather than focussing on isolated storefronts. He asked Ms. Potter if that would be part of her program in the coming year.

Ms. Potter responded that she has been working to make that happen, and in fact there is a two-block area that is planned for renovation.

Mayor Pro Tem Land commented with regard to the new holiday sparkle project, that cleaning up is a good idea, but we should get businesses to clean up on an ongoing basis.

Councilmember Lang indicated it is very important to involve businesses, residents, etc. There should be a concerted effort on this.

ACTION:

- 1) Instruct staff to submit the CDBG Project and Cost Summaries for approval by the CDC.
- 2) In addition, as the CDBG allocation is based on planning figures and not necessarily on the actual amount of funding awarded, approve an allocation of any additional funds received to the Residential Rehabilitation Program as described in the staff report.

Motion Land, seconded Lang and unanimously carried.

B. PUBLIC HEARING TO DETERMINE THE NECESSITY OF AN UNDERGROUND UTILITY DISTRICT ON SANTA MONICA BLVD. FROM PALM AVENUE TO DOHENY DRIVE:

City Clerk Love indicated that a notice of public hearing was published in the West Hollywood Independent on February 9, 1994 and notices were mailed to affected property owners on February 10, 1994.

City Engineer Sharon Perlstein provided background information as outlined in the staff report dated February 22, 1994.

Mayor Guarriello opened the public hearing.

As no one wished to speak on this item the public hearing was closed.

ACTION: Find that such a public necessity exists and adopt Resolution No. 94-1265, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING

UNDERGROUND UTILITY DISTRICT NO. 4."

Motion Land, seconded by Koretz and unanimously carried.

COUNCILMEMBER COMMENTS:

Mayor Guarriello read a memo regarding the availability of Section 8 registration forms beginning March 7, 1994.

Mayor Pro Tem Land thanked the Sheriff's Activity League which had presented cookies and cards to the Council.

Mayor Pro Tem Land also announced that on Monday, February 28th, Dr. Karry Sieh will talk about what's happening in the earth below West Hollywood at 7:00 p.m. at West Hollywood Park Auditorium. In addition, she announced that March is Women's History Month, and announced several activities.

She suggested making a short video regarding rent control and the purposes of it. She directed Mark Johnson to look into producing a video using the results of the study approved on tonight's consent calendar. The video could help educate our legislators in Sacramento about rent control.

Councilmember Koretz stated for clarification that the Council is not considering banning smoking in bars and nightclubs.

4. UNFINISHED BUSINESS:

A. PURCHASE OF PROPERTY AT 8383 SANTA MONICA BOULEVARD FOR PUBLIC PARKING:

Acting Parking Manager Don Korotsky provided background information as outlined in the staff report dated February 22, 1994.

THOMAS CRAIL, WEST HOLLYWOOD, stated there was tremendous support from the businesses in the area.

ACTION:

1) Adopt Resolution No. 94-1266, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A MITIGATED NEGATIVE DECLARATION FOR 8383 SANTA MONICA BLVD" pursuant to Section 15074 of the California Environmental Quality Act (CEQA); 2) Authorize the City Manager to enter into a Purchase Agreement with Thrifty Oil Company, the owner of the property located at 8383 Santa Monica Boulevard.

Motion Land, second Koretz and unanimously carried.

B. REPAIRS TO PARTNERS ADULT DAY HEALTH CARE CENTER:

Sam Baxter provided background information as outlined in the staff report dated February 22, 1994.

ACTION: 1) Accept bid dated February 14, 1994 by West Valley Investment Group in the amount of \$25,950; 2) reject all other bids; 3) authorize City Manager to sign contract; and 4) authorize a supplemental

appropriation in the amount of \$28,026 (bid amount of \$25,950 plus 8% contingency of \$2,076) from the General Fund Reserve and create a new revenue line item for project cost reimbursements from the Federal Emergency Management Agency and City's insurance provider.

Motion Heilman, second Koretz and unanimously carried.

5. NEW BUSINESS:

A. DESIGNATION OF MAY 25, 1993 MURDER FOR INCLUSION IN CRIME TIPS PROGRAM:

Councilmember Koretz provided background information as outlined in the staff report dated February 22, 1994.

Councilmember Heilman stated he had spoken with Nancy Greenstein about unsolved murders and she indicated there were a few. He inquired whether there would be a problem with extending the offer of a reward to any of the unsolved murders in the City.

Councilmember Koretz stated that there must be a formal motion for each specific crime.

Direction was given to Nancy Greenstein, Public Information Officer, to work with Councilmember Koretz to bring the details of the other unsolved murders before Council for inclusion in the program.

ACTION: 1) Designate the May 25, 1993 murder of Yuri Filler for inclusion in the Crime Tips Reward Program; 2) Offer a reward in the amount of \$5,000 for information leading to the arrest and conviction of the person responsible for the May 25, 1993 murder of Yuri Filler; 3) Direct the City to publicize this reward to elicit information to share with the Sheriff's Department.

Motion Koretz, second Lang and unanimously carried.

B. ADDITIONAL LANGUAGE FOR ALL FUTURE JANITORIAL CONTRACTS AND ASSOCIATED DOCUMENTS:

Councilmember Koretz provided background information as outlined in the staff report dated February 22, 1994.

CARMINE BUONAURO, GARDENA, LOCAL 250, REFRIGERATION PIPEFITTERS LOCAL, stated his strong support of this item.

DAVID STILWELL, LOS ANGELES, stated his support of this item.

Councilmember Heilman stated his concern about the cost of the contract. This contract may go up \$3,000 to \$4,000 per year, which is not substantial. However, there are many other contracts which do not have union representation. If we use this same policy for all contracts we are looking at a substantial cost. He supports this item; however, he hopes we can work with

our current contractor and keep them on, as the individuals who currently do the work are hard-working and are doing a very good job.

Councilmember Lang stated that the dollar figure is somewhat inaccurate; she feels the cost is actually about \$12,000 a year. However, she definitely supports this item, inasmuch as our in-house employees are union employees. She expressed her concern about balancing the budget when the Council gets into the budget process.

Mayor Pro Tem Land stated that all the comments are valid and she is in support. She indicated, also, that the concerns about where this could lead should be taken up as part of the budget process.

ACTION:

- 1) Approve the proposed language for inclusion in all future janitorial contracts and associated documents; and
- 2) Direct staff to include these requirements in all future RFP's for janitorial services, including the one that will be issued at the end of February.

Motion Land, second Koretz and unanimously carried.

EXCLUDED CONSENT CALENDAR: None.

CITIZEN COMMENTS:

XAVIER AYENDES, WEST HOLLYWOOD, stated his concern regarding the solid waste franchise process.

City Manager Brotzman responded that the City Council began this process approximately five years ago. He explained that the staff is currently reviewing the proposals to ensure that we get improved service at a lower price.

VICTOR GRANADOS, WEST HOLLYWOOD, stated his concern about the exclusive franchise. He does not want to be told who can pick up his trash.

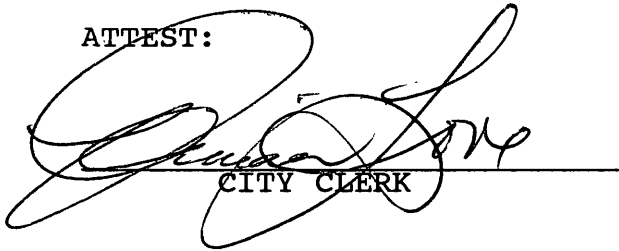
6. LEGISLATIVE: None.

COUNCILMEMBER COMMENTS: None.

ADJOURNMENT: The City Council adjourned at 8:15 p.m. in memory of Randy Shilts and Steve Holley, to the next regular meeting to be held on March 7, 1994, at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 7TH DAY OF MARCH, 1994.

ATTEST:


CITY CLERK


MAYOR