

**MINUTES
CITY COUNCIL MEETING
MAY 3, 1993
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

6:00 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. The City Council immediately adjourned to a closed session where the claims of David J. Colvin and Mike Broukian were both approved by consensus of Council. The meeting was reconvened at 7:08 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Richard Maggio.

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: ACTION: Add a resolution to the Consent Calendar as an urgency item, adopting General Plan Amendment 93-04 for properties at 8500-8720 Sunset, 835-889 N. San Vicente, and 612 and 616 N. West Knoll, and rescinding Resolution No. 1125--in order to correct Resolution 1125, adopted at the previous Council Meeting, April 19. Motion Heilman second Land.

AYES: Heilman, Koretz, Land, Lang, and Mayor Guarriello.

NOES: None.

Motion carried.

FURTHER ACTION: Pull 2j, 2m, 2q, and 2r for separate discussion. Approve agenda as amended. Motion Koretz second Heilman. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS:

Mayor Guarriello proclaimed May as Water Awareness Month, and urged all citizens to support local water organizations.

Richard Maggio introduced three West Hollywood couples, married over 50 years, who were honored with commendations: Mr. and Mrs. Al Geller, Bill and Violet White, and Victor and Lena Rozman from Russia.

Mayor Pro Tem Land reminded everyone that there is a Tea Dance on Thursday, May 13, at Plummer Park, honoring Golden Anniversary couples.

Mayor Guarriello announced a Forum on May 10 at 6:30 p.m. at West Hollywood Park on the Card Club Initiative.

Mayor Guarriello presented a commendation to Elisabeth Burns as an outstanding citizen, who will also be recognized on May 12, Older Americans Recognition Day, with a luncheon at the Music Center.

Mayor Guarriello announced the week of May 3rd as Employee Recognition Week. Kevin Fridlington of Human Resources Department gave acceptance remarks on behalf of the City of West Hollywood employees, and introduced Rick Brooks, representing the Association of Confidential Employees (ACE), Don Korotsky, representing the general employees unit (AFSCME), Debbie Potter, representing the West Hollywood Management Association (WHMA), and Deanna Stevenson, representing the Council Deputies (ACD). Rick Brooks accepted the Certificate of Commendation on behalf of all City employees.

Mayor Guarriello announced that the Month of May was proclaimed Senior Citizens Month.

CityLine Driver Clifton King was presented with a Commendation for his outstanding service in locating two missing children on March 4, 1993.

Councilmember Heilman announced a public forum on gay bashing, to be held on Tuesday, May 4, at 7:30 p.m. in West Hollywood Park Auditorium.

Mayor Pro Tem Land announced Small Business Week, the second week of May. As part of Small Business Week, May 3 was proclaimed as the kickoff date for the "Shop West Hollywood" Program, a whole series of events and programs encouraging residents to patronize local businesses.

Mary Frost of the Marketing Corporation described the "Passport to West Hollywood" being launched by the Marketing Corporation-- hotel visitors will get incentives when they check into hotels, to shop, dine, etc., in the City.

Councilmember Koretz asked that the meeting be adjourned in memory of Cesar Chavez.

CITY MANAGER'S REPORT: This time has been set aside for the City Manager to update the Council on important items initiated by staff or previously requested by the City Council.

In response to Council direction, City Manager Brotzman reported on the payphones being installed on Santa Monica Boulevard. An

ordinance could be adopted to have phones on public property removed; those on private property, the City does not have jurisdiction to have removed. Sheriff's Department says it is extremely difficult to document illegal activity on phones. The City Manager suggested that the best course would be: a) ask Caltrans to remove those on their property; b) work with businesses, and c) ask that residents or businesses who see illegal activities notify Sheriff's Department.

Brotzman reported also on the panhandling issue, which was raised at the last Council meeting--the City of San Francisco has adopted an ordinance; we have obtained a copy of their initiative. With regard to the proposed budget, transmitted to Council in tonight's agenda, the City Manager asked that residents who have interests or concerns, submit them to City staff in writing by May 21st. The budget will be discussed at the first Council meeting in June, and is scheduled to be adopted the second meeting in June.

1. CITIZEN COMMENTS: This time has been set aside for members of the public to address the City Council on Consent Calendar Items; other agenda items if the member of the public cannot be present later in the meeting at the time the item is heard by the Council, and items of general interest. Testimony for public hearings will only be taken at the time of the hearing. This period shall be limited to 20 minutes, with no more than two minutes for each speaker.

Barbara Harper, West Hollywood: Presented Council with a Thank You from Tiny Tots for the funding of the building.
Jocelyne Allaverdian, Los Angeles: Work in the Tiny Tot Program. Thanked Council for the Program.
Nancy Khalil, West Hollywood: Tiny Tot Parent; thank Council for approving the Park expansion program.
Jody Glaviano, West Hollywood: Thanked Council for Tiny Tot Program.
Arthur Lindsay, Los Angeles: Instructor for Tiny Tots. Thanked Council.
Kevin Notre, West Hollywood: Poor people and their children in West Hollywood are denied access to taxi coupons. Don't give coupons only to the elderly.
Steve Martin, West Hollywood: President of West Hollywood Democratic Club. The Club unanimously took a position against the Card Club Initiative. We ask people to remember to look at their sample ballots; vote; watch the forum. Public meeting this Thursday at 7:30 at Mondrian.
Bob Davis, West Hollywood: About Prop. D--racism in a four-page brochure opposing Prop. D, which was delivered to his home. It says it is from "West Hollywood Voters League." Is Council affiliated? If so, should apologize.
Michael Belfent, West Hollywood: (Can't stay for Item 4 on Agenda.) Resident of Elevado Street--in favor of permit parking. (Also mentioned a pothole.)

2. CONSENT CALENDAR: The following routine matters can be acted upon by one motion to approve with the consent of the Council or may be removed by any Councilmember for separate discussion. Items removed for separate discussion will be heard following New Business Items. ACTION: Approve Consent Calendar Items 2a, b, c, d, e, f, g, h, i, k, l, n, o, p, s, t, u, v, and w. Motion Land second Heilman. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of Monday, May 3, 1993, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, April 28, 1993. ACTION: Receive and file. Approved as part of the Consent Calendar.

b. Demand Register No. 245, Resolution No. 1127. ACTION: Approve Demand Register No. 245 and adopt Resolution No. 1127. Approved as part of the Consent Calendar.

c. Treasurer's Report - February 1993: ACTION: Receive and file. Approved as part of the Consent Calendar.

d. Minutes: April 19, 1993. ACTION: Approve the minutes of April 19, 1993. Approved as part of the Consent Calendar.

**e. Claims: David J. Colvin
Mike Broukian
Stefanie Robin Quaranta
Hornburg Jaguar, Inc.**

ACTION: Deny the claims of Stefanie Robin Quaranta and Hornburg Jaguar, Inc. without comment and refer to the City's Claims Adjustor. Take action on the claims of David J. Colvin and Mike Broukian as discussed in Closed Session on May 3, 1993. Approved as part of the Consent Calendar.

f. 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.

g. Approval to Subordinate the \$500,000 Loan Which Was Made to West Hollywood Community Housing Corporation for Acquisition of 988 Palm Avenue: ACTION: Approve the subordination of the City's \$500,000 acquisition loan to the Southern California Collaborative's \$300,000 loan, direct the City Attorney to prepare the necessary subordination agreement and authorize the Mayor to sign the agreement. Approved as part of the Consent Calendar.

h. Resignation of Human Services Commissioner Keith Jefferies: ACTION: Accept the resignation with regret; direct the City Clerk to post the vacancy.

i. Proposition A Fund Trade with Hidden Hills: ACTIONS:

1) Authorize the City Manager to enter into an assignment agreement with the City of Hidden Hills which sets forth the terms of the proposed trade in the format recommended by the City Attorney; 2) Adopt Resolution No. 1128, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ACCEPTING THE ASSIGNMENT OF \$18,285.02 OF THE CITY OF HIDDEN HILLS' AVAILABLE PROPOSITION A LOCAL RETURN FUNDS."

Approved as part of the Consent Calendar.

j. Rejection of Bids for Retractable Bollards at 1000 block of Hammond Street: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Koretz questioned Sharon Schiffman, City Engineer, about getting lower bids. Schiffman said the two bids received were substantially higher than anticipated based on information from the manufacturer. ACTION: Reject all bids received by the City Clerk on April 20, 1993 for construction of Roadway Design Feature Project No. 9303. Direct staff to readvertise the project for new bids. Motion Koretz second Land. Hearing no objection it was so ordered.

k. Approval of Final Tract Map No. 48405, Located at 1323 Sweetzer Avenue: ACTION: Approve Final Tract Map No. 48405; instruct the City Clerk to endorse on the face of Final Tract Map No. 48405 the certificate which embodies the approval of said map, upon payment of the Quimby Fee by the developer. Approved as part of the Consent Calendar.

l. Road Deed for 1049 Fuller Avenue: ACTION: Accept the offer of dedication from the property owner at 1049 Fuller Avenue, and direct staff to record the Road Deed with the Office of the County Recorder. Approved as part of the Consent Calendar.

m. Construction contract with Custom Pacific Signs for Installation of "No Parking" Street-Sweeping Signs at Various Locations Citywide: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Koretz commented that some of the signs which faced the sun were faded; we should ask the company which did the signs to make good on the poor quality; if this is the same company, he would hesitate to approve until they did that. Sharon Schiffman, City Engineer, said that this is not the same company. Councilmember Koretz said that there are still problems with the design of the permit parking signs--still hard to read, too much small print. He asked that, before the next batch of signs is done for permit parking, staff run the design by the Council offices for approval. The court judges have received complaints about faded signs, small print, placement too far apart.

ACTION: Authorize the City Manager to enter into a contract with Custom Pacific Signs for installation of "No Parking" street sweeping signs in an amount not to exceed \$8,190; with the

additional direction to staff to try to correct those elements of the permit parking signage which were mentioned. Motion Koretz second Land. Hearing no objection it was so ordered.

n. Professional Service Contract with MCE Corporation for FY '93-'94 Street Maintenance Services for the City of West Hollywood: ACTION: Authorize the City Manager to enter into a professional service contract with MCE Corporation for street maintenance services for Fiscal Year '93-'94. Approved as part of the Consent Calendar.

o. Appoint New Alternate to the Sanitation District: ACTION: Designate Councilmember Lang as Alternate Director to the Sanitation District and adopt Resolution No. 1129, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPOINTING AN ALTERNATE MEMBER OF THE BOARD OF DIRECTORS OF LOS ANGELES COUNTY SANITATION DISTRICT NO. 4." Approved as part of the Consent Calendar.

p. Taxi Coupon/Lift Van Program: ACTION: Authorize the City Manager to execute an agreement with St. Barnabas Senior Center for a one year extension of the term of the taxi program, at a cost not to exceed \$673,600. Approved as part of the Consent Calendar.

q. Approval for Purchase of Natural Gas Vehicle in Conformance with Findings of Alternative Fuel Committee: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Koretz commended staff on this Item. Dave Hare, Environmental Services, explained that an electrical vehicle would cost about \$32,000, and didn't meet the needs; also, getting subsidy from the Gas Company. ACTION: 1) Approve the purchase of a compressed natural gas vehicle in conformance with the findings of the Alternative Fuel Committee. 2) Approve the expenditure of \$16,126.59 of budgeted funds for the purchase of a 1993 GMC CNG Sierra Classic. Motion Koretz second Land. Hearing no objection it was so ordered.

r. Adoption of Zoning Map Amendment 92-05 and Zoning Map Amendment 90-01 - Ordinance 363; and Resolution Adopting General Plan Amendment 93-04, Rescinding Resolution No. 1125: THIS ITEM WAS DISCUSSED UNDER EXCLUDED CONSENT CALENDAR, BUT IS LISTED HERE FOR CLARITY. Councilmember Heilman explained that he had pulled this Item for separate discussion because the motion which he made on April 19 did not correspond with his intent, and therefore it is necessary to amend and reintroduce the Ordinance. A revised Ordinance has been prepared and is before Council tonight, which allows the entire site at 612 and 616 N. West Knoll to be zoned commercial. However, it is necessary to first adopt the Resolution amending the General Plan and rescinding Resolution No. 1125, which was adopted on April 19. ACTION: Adopt Resolution No. 1135, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ADOPTING GENERAL PLAN AMENDMENT 93-04 FOR PROPERTIES

LOCATED AT 8500-8720 SUNSET BOULEVARD, 835-889 N. SAN VICENTE BOULEVARD, AND 612 AND 616 N. WEST KNOLL DRIVE, WEST HOLLYWOOD, CALIFORNIA AND RESCINDING RESOLUTION NO. 1125." Motion Land second Heilman.

AYES: Heilman, Koretz, Land, Lang.

NOES: Mayor Guarriello. (He does not agree regarding 612 and 616 N. West Knoll.)

Motion carried.

FURTHER ACTION: Introduce on first reading revised Ordinance No. 363, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, ADOPTING ZONING MAP AMENDMENT 92-05 AND ZONING MAP AMENDMENT 90-01 FOR PROPERTIES LOCATED AT 835-889 N. SAN VICENTE BOULEVARD, AND 612 AND 616 N. WEST KNOLL DRIVE, WEST HOLLYWOOD, CALIFORNIA." Motion Land second Heilman. Noting the objection of Mayor Guarriello, it was so ordered.

City Attorney Jenkins added for the record that the Resolution was added to tonight's agenda by a four-fifths vote earlier in the evening because the need to take action arose after the agenda was posted; that the Resolution pertains to the exact same subject as the Ordinance; the Resolution merely makes the correct designations in the General Plan; and the Ordinance makes corresponding changes to the designations in the Zoning Map.

s. Time Limitation in Rent Increase Cases: ACTION: Adopt on second reading Ordinance No. 364, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING EXTENSIONS OF TIME FOR ISSUANCE OF FINAL DECISIONS IN RENT INCREASE CASES." Approved as part of the Consent Calendar.

t. Amendments to the Zoning Ordinance (To Correct Errors, Simplify Procedures, Clarify Standards, Eliminate Conflicts and Reflect Policy Changes) - For Adoption. ACTION: Adopt on second Reading Ordinance No. 365, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD, AMENDING CHAPTERS 9210, 9220, 9300, 9380, 9510, 9560, 9620 AND 9700 OF ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE)." Approved as part of the Consent Calendar.

u. Shop West Hollywood Program: ACTION:
1) Express the support of the Council for the SHOP WEST HOLLYWOOD program; 2) direct staff to implement the program.
Approved as part of the Consent Calendar.

v. Award of Contract for West Hollywood Park Improvement Project: ACTION: Accept the bid dated February 16, 1993, submitted by Gamma Constructors, Inc., in the amount of \$58,720, in response to contract plans and specifications for the West Hollywood Park Improvement Project (C.I.P. #164); reject all other bids; authorize the City Manager to sign the Contract; and authorize a supplemental appropriation from the Park Development Fund in the amount of \$64,510 (bid amount of \$58,720, plus 7% contingency of \$4,100 and \$1,690 for asbestos removal).

Approved as part of the Consent Calendar.

w. Transmittal of Fiscal Year 1993-94 Preliminary Budget:
ACTION: 1) Accept report and schedule budget deliberation for June 21. 2) Encourage all written public input to be submitted to the City Clerk's office on or before May 21, so that staff can formally respond at the June 7 meeting.
Approved as part of the Consent Calendar.

PUBLIC HEARINGS

3. FLORES STREET PARKING STUDY - REQUEST FOR PERMIT PARKING AND PROPOSAL TO APPROVE BOUNDARIES FOR PREFERENTIAL PARKING DISTRICT NO. 7: The Deputy City Clerk reported that a notice of public hearing had been published on April 21 and 28, 1993, in the Los Angeles Independent Newspaper, and notices had been posted at City Hall, the Library, the Sheriff's Station, and at Plummer Park.

Don Korotsky, Transportation Department, gave the staff report.

The following persons came forward to address the City Council:
Ken Baumer, West Hollywood: Don't need permit parking where I am.

Arthur Gordon, West Hollywood: In favor of permit parking on Flores. It is needed earlier than 7:00 p.m.--between 5:00 and 7:00 p.m.

C.E. Thompson, West Hollywood: Live on Flores; unbearable parking situation and traffic is bad. Hours need to be expanded.

Steve Levitt, West Hollywood (owner, Coast Playhouse): I have nowhere to send anyone to park. Against parking district.

Carla Vaughn, West Hollywood: (Live on Hacienda.) Agree with previous gentleman. City should give an incentive to an empty lot owner.

Lance Hickman, West Hollywood: (Flores Street) Desperately need permit parking. Disagree with the density issue. After businesses are closed, there is plenty of parking.

Paul Doremus, West Hollywood: (N. Flores) Take exception to staff report. There was not an in-depth study. Recommendation falls short. Remember Flores is a residential street. A few suggestions: 6 p.m to 7 p.m., 24 hour on Sat. and Sun.

William Hill, West Hollywood: (Flores) In support of permit parking on my street.

Alex Miranda, West Hollywood: Support permit parking on Flores.

Julie Semonez, West Hollywood: (N. Flores) Support permit parking.

The Deputy City Clerk read a brief statement from Laurie Gorman, a resident on Hacienda Place, who wants her street to be part of Parking District 7.

Following the public testimony, this Item was returned to Council for discussion, and the public hearing was closed.

ACTION: To amend the ordinance to have the restricted parking hours start at 6:00 p.m., and introduce on first reading Ordinance No. 366, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE, ESTABLISHING PREFERENTIAL PARKING DISTRICT NO. 7, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE," with additional direction that staff work with the businesses regarding shared parking and other options for the businesses. (For instance, Coast Playhouse--maybe actors could park in PDC and shuttle back and forth. Important to work closely with businesses and quickly.) Add direction to explore the possibility of making Flores a one-way street and any parking issues that go with that; look at the feasibility of "port-a-park." Motion Land second Heilman.

AYES: Heilman, Koretz, Land, Lang, Mayor Guarriello.

NOES: None.

Motion carried.

Councilmember Heilman added for clarification that the parking restrictions are on weekends as well as weekdays.

At this time Councilmember Heilman requested that a brief closed session be held at the end of tonight's meeting to discuss a matter of personnel.

Mayor Guarriello called a recess at 8:33 p.m.
Council reconvened at 8:56 p.m.

4. PROPOSAL TO ADD ELEVADO AVENUE BETWEEN DOHENY DRIVE AND LLOYD PLACE TO PREFERENTIAL PARKING DISTRICT NO. 5: The Deputy City Clerk reported that this hearing had been advertised in the Los Angeles Independent on April 21 and 28, 1993, and notice had been posted at City Hall, the Sheriff's Station, the Library, and at Plummer Park.

Don Korotsky gave the staff report; requested approval to add Elevado Street as part of Parking District 5.

Mayor Guarriello opened the public hearing and the following person came forward to speak:

Leonard Kaufman, West Hollywood: We suffer because we are the only street in the area that does not have permit parking. Raucous behavior, etc. Broken beer, vodka bottles on lawn. Eminently unfair for us to suffer.

ACTION: Introduce on first reading, Ordinance No. 367, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD EXPANDING PREFERENTIAL PARKING DISTRICT 5 TO INCLUDE THE NORTH AND SOUTH SIDES OF ELEVADO AVENUE BETWEEN DOHENY DRIVE AND LLOYD PLACE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Motion to Heilman second Lang. Hearing no objection it was so ordered.

COUNCILMEMBER COMMENTS: This portion of the meeting shall be set aside for general comments, announcements, requests of staff,

and/or other issues of concern from members of the City Council. Mayor Pro Tem Land reported that she had attended a League of California Cities meeting, where the State budget was discussed. The League is working with counties to come up with a joint solution; they are working on proposals. If action needed, will bring to Council. Urge people to contact our legislators.

Mayor Pro Tem Land also reported that she and Councilmember Koretz had met with Beverly Hills judges and discussed the issue of pay phones on Santa Monica Blvd. and prostitution, and the enforcement of the pooper scooper and leafblower ordinances; it had been a productive meeting.

Councilmember Heilman requested that staff look at the problem with the light on the corner of Flores and Santa Monica; there is also a problem with the cars coming out of Kings Road at the same time.

UNFINISHED BUSINESS

5. TEMPORARY USE PERMIT 93-16 ALLOWING PARKING FOR EMPLOYEES OF CEDARS SINAI MEDICAL CENTER AT THE SURFACE PARKING LOT LOCATED AT 365 N. SAN VICENTE BLVD.: Jennifer Davis, Community Development Department, gave the staff report--this TUP has been reviewed and approved by Council since 1989; staff requests that the permit be granted for two years as opposed to one year; staff would like to change the recommendation in the written staff report and recommend that the Council adopt a resolution approving TUP 93-16, which contains the same language as Resolution No. 973, but with the following changes: 1) the title of the Resolution should be, "A Resolution of the City Council of the City of West Hollywood Approving Temporary Use Permit 93-16 on an Application of Cedars-Sinai Medical Center For a Temporary Parking Lot at 365 N. San Vicente, West Hollywood"; Section 4, where it refers to Temporary Use Permit, change the number to 93-16; on page 3, condition d, the second sentence should read "Cedars shall be permitted to operate this lot for a period of two years, commencing from the adoption date of this resolution"; the final sentence in condition d, "City Council shall review a new temporary use permit at the end of this one year period", should be deleted; and the last sentence should read "Approved, passed and adopted at the regular meeting of May 3, 1993."

The following persons came forward to address the City Council:

Erin Leta, West Hollywood: Director of Last Chance for Animals, residents of West Hollywood. We have a strong issue with Cedars-Sinai biomedical research center. Dealers have sold stolen pets to Cedars. No employees of the biomedical research portion should be allowed to use that parking lot.

June Averseng, West Hollywood: Urge Council not to give any consideration to Cedars; cruelty to animals; they are aiding and abetting pet theft. New evidence that they are doing business

with another unscrupulous dealer.

Roslyn Krause, W.H.: Opposed to giving permit to Cedars until we are sure the torture and testing stops.

Jeff Haber, L.A.: Represent Cedars; here to answer questions.

Stan Lothridge, W.H.: A great opportunity to use leverage. These people are torturing animals.

Response from Jeff Haber: What we are talking about here is a parking lot; inappropriate to talk about the research.

One year ago Cedars agreed to meet with Council; that meeting did occur; the veterinarian in charge went through a description of everything that occurs. Everything was satisfactory.

Following the public testimony there were questions and discussion by Council regarding the treatment of animals, where the animals are obtained, complaints about a dealer in Mississippi who provides animals.

Councilmember Heilman emphasized that the issue before Council is an issue of land use and parking, and their decision should not be based on other issues.

Councilmember Koretz stated that he would like to set up a meeting between Cedars-Sinai, some members of the Animal Welfare Task Force, Councilmember Lang, and himself, to look into charges against the Mississippi animal dealer.

Jeff Haber replied that Cedars would be happy to set up a meeting.

Mayor Guarriello commented that Cedars has been charging a ten percent surcharge for parking in the lot.

ACTION: To approve the staff recommendation and adopt Resolution No. 1130, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING TEMPORARY USE PERMIT 93-16 ON AN APPLICATION OF CEDARS-SINAI MEDICAL CENTER FOR A TEMPORARY PARKING LOT AT 365 NORTH SAN VICENTE BOULEVARD, WEST HOLLYWOOD," with direction to staff to look at the reasons for the surcharge, and whether they should in fact be charging employees any parking surcharge.

Motion Heilman second Lang.

AYES: Heilman, Koretz, Land, Lang, Guarriello.

NOES: None.

Motion carried.

NEW BUSINESS

6. 1993 HALLOWEEN CELEBRATION: RECOMMENDED ACTION:

1) Authorize the City Manager to enter into an agreement with Tom Shapiro of Academy Tent and Canvas to co-produce the 1993 Halloween Festivities; 2) Approve the closure of Santa Monica Boulevard between La Cienega and Almont Drive and approve the closure of Robertson Boulevard between Melrose and Santa Monica Boulevard on October 31, 1993, during the hours of 6:00 p.m. to 4:00 a.m.; 3) Approve the closure of San Vicente Boulevard between

Santa Monica and Melrose on October 31, 1993 during the hours of 6:00 p.m. to 6:00 a.m.; 4) Direct staff to notify Cal-Trans that the City accepts liability for traffic re-routing caused by the closure of the street; 5) Direct staff to request that the Pacific Design Center parking structure remain open until 4:00 a.m.; 6) Authorize the sale of beer and wine on Santa Monica Blvd., if it is deemed necessary to obtain corporate sponsorship for the event.

Lloyd Long, Human Services Department Director, gave the staff report.

Following the staff report, the Councilmembers questioned Lloyd Long regarding why he recommends contracting with Mr. Shapiro and why he recommends five years instead of a shorter period, and why proposals were not solicited.

The Deputy City Clerk read a statement from Michel leChasseur, the Manager of Rage, opposing the serving or sale of beer and wine on Santa Monica Boulevard for Halloween night.

The following persons came forward to address the City Council:
Thomas Crail, Chamber of Commerce: Chamber is disappointed in the staff recommendation. The Chamber managed an event that got 80,000 people in and out of West Hollywood safely with no arrests. Academy Tent hires someone to produce events; has no experience or knowledge of West Hollywood. The Chamber has one year experience, six months planning, and the desire to work with the City.
Stan Lothridge, West Hollywood: We were told citizens would have a part. Think it over before you go ahead.

Councilmember Heilman made a motion to approve the staff recommendation, but for one year only, to include greater involvement of the Chamber of Commerce, to waive permit parking, and to begin in November of this year to solicit proposals for next year's event. The motion was seconded by Land for purposes of discussion.

Councilmember Guarriello said he agreed with the motion except that he does not feel the Chamber should be involved at all.

Councilmember Heilman commented that it is important to have the businesses involved in the planning; the Chamber has that expertise.

Lloyd Long stated that he also felt it is important for the Chamber to be involved, and also the citizens' group which will be set up.

Councilmember Koretz said that he would prefer to table this Item for two weeks and get a proposal from the Chamber.

City Manager Brotzman stated that an accounting was received in January from the Chamber, on how the money was spent last year; he can't reveal it because there is a litigation issue involved.

A proposal had been requested from the Chamber (for next Halloween); they did not have a proposal in time. He is looking for involvement of both the Chamber and the community advisory group.

ACTION: To approve staff's recommendation, but for a one-year period only; direct staff to work with Academy Tent and Canvas to see if there can be greater involvement of the Chamber in this year's event; also waive permit parking in the area (which was not requested last year but should have been requested); direct staff to begin the process in November of this year to solicit proposals for the future of this event. Motion Heilman second Land.

AYES: Heilman, Land, Lang

NOES: Koretz, Mayor Guarriello

Motion carries.

7. LEGISLATIVE ADVOCACY - 1993: Helyne Meshar and Lennie Goldberg, City lobbyists, both gave reports. Lennie Goldberg reported that there are a number of bills on rent control this year--some very anti-rent control; some trying to limit it. One is sponsored by mobile home park owners. One major fight is the landlord tenant bill by Kopp regarding a deposit in unlawful detainer proceedings. Helyne Meshar reported that there is concerted effort by local governments to convince the State not to take money from local governments; one of the major problems, there is a perception that there is still some AB 8 funding around and that it is funding they are taking back--AB 8 is not available; we continue urging and educating legislators. Shifting 2.6 billion dollars is not the way to solve the State problem. Other issue, domestic partners--we have raised the issue of including domestic partners in PERScare system; have a favorable response. Regarding AIDS, the State funding remains flat this year; having conversations about the city becoming a Title I City.

ACTION: To adopt Resolution No. 1131, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SETTING FORTH LEGISLATIVE POLICY POSITIONS RELATING TO 1993-94 CALIFORNIA STATE LEGISLATIVE ACTIVITY"; and direct the City's legislative advocates to pursue avenues to address issues identified in Resolution No. 1131. Motion Heilman second Koretz. Hearing no objection it was so ordered.

8. RESOLUTION OPPOSING GOVERNOR WILSON'S PROPOSAL TO REPEAL ONE-HALF CENT FROM THE CURRENT SALES TAX: Mayor Guarriello gave the report on this Item. **ACTION:** 1) Adopt Resolution No. 1132, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING GOVERNOR PETE WILSON'S PROPOSAL TO REPEAL ONE-HALF CENT FROM THE CURRENT SALES TAX." 2) Direct staff to send copies of this resolution to Governor Wilson and to appropriate elected representatives. Motion Heilman second Land. Hearing no objection it was so ordered.

9. RESOLUTION IN SUPPORT OF HR 1152, "THE HATE CRIMES SENTENCING ACT OF 1993": Councilmember Koretz reported that this bill would increase the time served for a hate crime by about one-third. ACTION: Adopt Resolution No. 1133, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF HR 1152, 'THE HATE CRIMES SENTENCING ACT OF 1993'"; 2) direct staff to provide a copy of the City Council's Resolution No. 1133 to the appropriate representatives in the United States House of Representatives and Senate. Motion Guarriello second Heilman. Hearing no objection it was so ordered.

10. RESOLUTION IN SUPPORT OF HR 1025, "THE BRADY BILL": Councilmember Koretz reported that this bill provides ability to do background checks and a five day waiting period. ACTION: 1) Adopt Resolution No. 1134, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING HR 1025, "THE BRADY BILL." 2) Direct Staff to provide a copy of this Resolution to the appropriate representatives in the United States House of Representatives and Senate. Motion Lang second Heilman. Hearing no objection it was so ordered.

EXCLUDED CONSENT CALENDAR: Items removed from the Consent Calendar for separate discussion were be considered at this time. Items 2j, 2m, 2q, and 2r were considered at this time, but are listed in their original position for clarity.

CITIZEN COMMENTS: There were no citizen comments at this time.

LEGISLATIVE

11. LOCAL MERCHANT PREFERENCE ORDINANCE: Councilmember Land reported that this Ordinance would give preference to local merchants; if there is a four percent difference (or less) between bids, the bid would be awarded to a local merchant. City Attorney Jenkins commented that the requirement of the ordinance only applies to goods and supplies; Section 1404 requires the City Manager to make a good faith effort to get service from local providers. Councilmember Heilman said he is concerned about the fiscal impact; would like a two-year sunset provision or two-year review. ACTION: Introduce on first reading, Ordinance No. 368, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A LOCAL MERCHANT PREFERENCE IN THE PURCHASE OF SUPPLIES AND EQUIPMENT BY THE CITY, DIRECTING THE CITY MANAGER TO MAKE A GOOD FAITH EFFORT TO CONTACT LOCAL SERVICE PROVIDERS IN THE AWARD OF CONTRACTS WITH THE CITY, AND AMENDING THE MUNICIPAL CODE," with direction to staff to schedule a review of the Ordinance for a Council Meeting in May, 1995 (in two years). Motion Land second Heilman. Hearing no objection it was so ordered.

12. AMENDMENT TO CONTRACT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC

EMPLOYEES' RETIREMENT SYSTEM (PERS): Kevin Fridlington, Human Resources Division, gave the staff report. ACTION: Introduce on first reading Ordinance No. 369, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)." Motion Heilman second Guarriello. Hearing no objection it was so ordered.

13. PROPOSED URGENCY ORDINANCE ESTABLISHING ENHANCED DISCLOSURE REQUIREMENTS FOR FINANCIAL BACKERS OF INITIATIVES:

RECOMMENDED ACTION: Adopt as an urgency ordinance, Ordinance No. _____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING ENHANCED DISCLOSURE REQUIREMENTS FOR FINANCIAL BACKERS OF INITIATIVES AND AMENDING THE WEST HOLLYWOOD CODE AND DECLARING THE URGENCY THEREOF."

Councilmember Koretz explained that in some cases a special interest will spend thousands of dollars to fund an initiative, and people are not always aware of it; if people knew where the money was coming from, they would have a better perspective.

Councilmember Heilman was concerned that some provisions of the ordinance might not be legal.

City Attorney Jenkins commented that some of the provisions may be preempted by State law, and there does need to be some cleanup of the proposed ordinance.

ACTION: Table this Item indefinitely, with direction to the City Attorney to review the proposed ordinance. Approved by consensus of Council.

Council adjourned at 10:42 p.m. to a brief closed session to discuss a personnel matter. Council reconvened at 10:55 p.m. and adjourned in memory of Cesar Chavez to May 17, 1993, at West Hollywood Park, for a closed session at 6:00 p.m. and a regular meeting at 7:00 p.m.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 7TH DAY OF JUNE, 1993.

ATTEST:



MAYOR



CITY CLERK