

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, DECEMBER 7, 1998
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Martin called the meeting to order at 7:21 P.M.

PLEDGE OF ALLEGIANCE: Jose Tasende led the Pledge.

ROLL CALL:

PRESENT: Councilmembers Guarriello, Koretz, Prang, Heilman and Mayor Martin.

ABSENT: Councilmembers - None.

ALSO PRESENT: City Manager Makinney, City Attorney Jenkins, City Clerk Thompson and Assistant City Clerk Bell.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at 6:00 P.M. the City Council called the meeting to order. The Council then recessed into Closed Session to discuss items on the Closed Session Agenda. No reportable actions were taken.

APPROVAL OF AGENDA:

Staff requested an URGENCY Item be placed on the Consent Calendar as Item 2.S. "APPROVAL OF ECONOMIC ASPECT OF MOU WITH AFSCME LOCAL 3339 FOR THE PERIOD OF JULY 1, 1998 THROUGH JUNE 30, 2001. **Motion Councilmember Prang, seconded by Councilmember Guarriello and unanimously carried.**

Staff requested Item 5.B. ASSIGNMENT AGREEMENT WITH THE CITY OF ARTESIA FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS be moved to the Consent Calendar as item 2.T. **Motion Mayor Pro Tem Heilman, seconded by Councilmember Guarriello and unanimously carried.**

Mayor Martin requested the date to submit appointments to the Library Task Force in item 2.R. be changed to January 1, 1999.

ACTION: Approve the Monday, December 7, 1998 agenda as amended. Motion Mayor Pro Tem Heilman, seconded by Councilmember Guarriello and unanimously carried.

PRESENTATIONS:

Mayor Pro Tem Heilman presented a proclamation in recognition of the 50th anniversary of the signing of the Universal Declaration of Human Rights. The City of West Hollywood joined Amnesty International is posting a photo exhibit by photographer, Phil Borges. The Councilmembers signed the Universal Declaration and invited others to do so as well.

Mayor Martin introduced the Tree People Generation Earth who audited the City of West Hollywood's use and misuse of recyclables.

Mayor Martin presented Sergeant Harmes with a plaque for his work on hate crimes.

1. PUBLIC COMMENT:

MIKE FUEUR, LOS ANGELES, Councilmember of Los Angeles, spoke in support of the one handgun per month limitation and in support of Item 4.C. Proposed Resolution In Support Of The City Of New Orleans Filing A Lawsuit Against 15 Gun Manufacturers Due To Inadequate Safety Features To Prevent Accidental Discharges By Children, Los Angeles Councilmember Fueur also spoke in support of Item 6.A.

LEWIS TALLEY, WEST HOLLYWOOD, spoke in support of Item 4.C. Proposed Resolution In Support Of The City Of New Orleans Filing A Lawsuit Against 15 Gun Manufacturers Due To Inadequate Safety Features To Prevent Accidental Discharges By Children.

DENNIS KUHL, LOS ANGELES, spoke in support of item 2.J., Creative Billboard Awards.

JUDSON GREENE, WEST HOLLYWOOD, spoke in regards of a notice received about condominiums going up along San Vicente Boulevard, south of Cynthia over to Hilldale.

JOHN D. STOUT, WEST HOLLYWOOD, spoke in regards to Item 3.C. Appeal Of Planning Commission's Approval Of Demolition Permit 98-06, Development Permit 98-26, Conditional Use Permit 98-07, Tentative Tract Map 98-03, Variances 98-09, 98-10, 98-11 And Modification 98-19 For A Six Unit Condominium Located At 1014-1020 Hilldale Avenue and in support of the appealant not to demolish homes.

ROGER DAVIS, WEST HOLLYWOOD, spoke in support of 5.D. Direct the City Manager to Create And Oversee Implementation Of The Addiction And Recovery Task Force. He offered seasoning greetings to everyone and welcomed Michael Huffington to the gay community.

IVY BOTTINI, WEST HOLLYWOOD, thanked the Fine Arts Commission for the grant to the Ivy Theatre and she spoke in support of naming Matthew Shepard Triangle. She spoke in support of Item 5.D., Direct the City Manager to Create And Oversee Implementation Of The Addiction And Recovery Task Force and encouraged the City Council to vote affirmatively to create a position for hate crimes and domestic violence.

J.W. MOORE, WEST HOLLYWOOD, complained about his Century Cable service.

ANSON SNYDER, WEST HOLLYWOOD, spoke in support of to Item 5.A. Direction For Review By The Public Facilities Commission A Proposal To Name The East Crescent Heights Triangle Xeriscape Garden – Matthew Shepard Square.

HOWARD ARMISTEAD, WEST HOLLYWOOD, spoke about World AIDS Day and recent deaths. He also spoke about aspirin as a cure for HIV/AIDS.

ANGEE BECKETT, WEST HOLLYWOOD, spoke in regards to the ficus trees.

CAROL RODRIGUEZ, WEST HOLLYWOOD, spoke in support of item 2.Q. to maintain the speed humps on Rosewood Avenue between Doheny Drive and Robertson Boulevard and she spoke against the London Plane trees on Santa Monica Boulevard.

ERRIE REUVENI, WEST HOLLYWOOD, spoke in support of keeping the median island intact.

MICHAELJOHN HORNE, WEST HOLLYWOOD, spoke in support of the Council approving the staff position for hate crimes and domestic violence. He also spoke in support of Item 5.A. Direction For Review By The Public Facilities Commission A Proposal To Name The East Crescent Heights Triangle Xeriscape Garden – Matthew Shepard Square.

COUNCILMEMBER COMMENTS:

Councilmember Guarriello announced that today is Pearl Harbor Day and he congratulated Mayor Pro Tem Heilman on being elected the President of the Gay and Lesbian Council of National League of Cities.

Mayor Pro Tem Heilman reported that he and Mayor Martin attended the National League of Cities Conference and took with them two resolutions, one dealing with hate crimes and condemning the murder of Matthew Shepard and calling on Congress to enact federal and state legislation. The second resolution was to support the end of the federal non discrimination act which would add sexual orientation. The resolutions were passed unanimously. Mayor Pro Tem Heilman also commented on Item 2.L. Child And Family Activities.

Councilmember Prang congratulated Norman Chramoff on his election to the Project Area Commission. He also commented that he attended the installation of Kenneth Hahn, County Assessor. He stated that he had a long coversation with Sheriff Baca in regards to West Hollywood. Councilmember Prang introduced his new deputy Howard Jacobs.

Mayor Martin congratulated Howard Jacobs and commented on the National League of Cities Conference in Kansas City, Kansas. Mayor Martin commented on clean trash cans on Santa Monica Boulevard. He asked Sabato Fiorello to report on Good Neighbors.

CITY MANAGER'S REPORT: None.

FISCAL IMPACT ON CONSENT CALENDAR: City Clerk Thompson stated the fiscal impact on the Consent Calendar of December 7, 1998, is \$703,838 in expenditures and \$150,500 in potential revenues.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., B., C., D., E., F., G., H., I., J., K., L., M., N., O., P., Q., R., URGENCY ITEM S., and 2.T. Motion Councilmember Prang, seconded by Mayor Pro Tem Heilman and unanimously carried.

2.A. POSTING OF AGENDA:

The agenda for the meeting of Monday, December 7, 1998 was posted at City hall, Plummer park, the Sheriff's Station and at the West Hollywood Library on Thursday, December 3, 1998.

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

2.B. WAIVER OF FURTHER READING:

ACTION: After the City Attorney has read the title of any ordinance on tonight's agenda, the further reading thereof shall be waived. **Approved as part of the Consent Calendar.**

2.C. CLAIMS ADMINISTRATION:

ACTION: Deny the claims of Alex Romero and Deborah Blaisdell and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

2.D. DEMAND REGISTER NO. 379, RESOLUTION NO. 98-1999:

ACTION: Approve Demand Register No. 379 and adopt Resolution No. 98-1999, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 379." **Approved as part of the Consent Calendar.**

2.E. TREASURER'S REPORT:

ACTION: Receive and file the Treasurer's Report for the month of October, 1998. **Approved as part of the Consent Calendar.**

2.F. ORDINANCE NO. 98-532 (2nd Reading), TO REQUIRE THAT LOCAL RESTAURANTS INSPECTED BY THE COUNTY HEALTH DEPARTMENTS POST THEIR GRADES AS ISSUED BY THE DEPARTMENT'S NEWLY IMPLEMENTED GRADING SYSTEM:

ACTION: Waive further reading and adopt Ordinance No. 98-532, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER 1 OF ARTICLE V OF THE WEST HOLLYWOOD MUNICIPAL CODE, ADOPTING BY REFERENCE DIVISION 1 OF TITLE 11 AND

DIVISION 1 OF TITLE 8 OF THE LOS ANGELES COUNTY CODE AND REVISING THE CITY HEALTH CODE AND PUBLIC HEALTH LICENSING REGULATIONS." **Approved as part of the Consent Calendar.**

2.G. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

ACTION: Receive and file Action Reports from the Rent Stabilization Commission of November 12, 1998; the Cultural Heritage Commission of October 26, 1998; the Disabilities Advisory Board of October 11, 1998 and November 11, 1998; the Transportation Commission of November 18, 1998; and, the Project Area Committee of November 10, 1998. **Approved as part of the Consent Calendar.**

2.H. RESIGNATION FROM THE BUSINESS LICENSE COMMISSION:

ACTION: Accept with regret the resignation of Peter Kreysa from the Business License Commission. **Approved as part of the Consent Calendar.**

2.I. AGREEMENT FOR PARKING ADJUDICATION SERVICES:

ACTION: 1) Approve a one-year (1) extension to the original agreement with Sherman and LeVine for an amount not to exceed \$25,000 to provide parking adjudication services beginning January 1, 1999 through December 31, 1999; and, 2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**

2.J. ESTABLISHMENT OF ANNUAL CREATIVE BILLBOARD AWARDS:

ACTION: 1) Approve the creation of the Annual Creative Billboard Awards; and, 2) Direct the City Manager to appoint an ad hoc committee comprised of members of the City of West Hollywood's Fine Arts Advisory Board, the West Hollywood Convention and Visitors Bureau (CVB) staff and representatives of local billboard companies to develop a plan for the Annual Creative Billboard Awards. **Approved as part of the Consent Calendar.**

2.K. APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE WEST HOLLYWOOD MANAGEMENT ASSOCIATION (WHMA) FOR THE PERIOD OF JULY 1, 1998 THROUGH JUNE 30, 2001:

ACTION: 1) Approve the Memorandum of Understanding with WHMA which incorporates the agreements contained in the Tentative Agreement Packet; and, 2) Authorize the City Manager to execute the Memorandum of Understanding on behalf of the City. **Approved as part of the Consent Calendar.**

2.L. CHILD AND FAMILY ACTIVITIES:

ACTION: Sponsor a series of "Saturday in the Park" events at our parks for local parents and children to meet informally. **Approved as part of the Consent Calendar.**

- 2.M. DECLARE CURRENT POSTAGE EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZE THE DISPOSAL THEREOF:**
ACTION: 1) Declare Ascom/Hasler Postage Machine Model No. F305 and IMS Model No. 2500 as surplus property; and, 2) Authorize the City Clerk to dispose of the surplus property by using it as trade-in for new equipment. **Approved as part of the Consent Calendar.**
- 2.N. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH BING YEN AND ASSOCIATES FOR CONSULTING SERVICES TO PROVIDE TECHNICAL REVIEW AND COMMENT ON THE PROPOSED SEISMIC HAZARD ZONE MAPS AND TRAINING TO IMPLEMENT THE REQUIREMENTS OF THE ACT:**
ACTION: 1) Approve the professional services agreement with Bing Yen and Associates; 2) Authorize the City Manager to execute the agreement; and, 3) Authorize the Finance Director to appropriate \$17,500 from undesignated reserves to Account No. 100-7060-8561. **Approved as part of the Consent Calendar.**
- 2.O. 50TH ANNIVERSARY OF THE SIGNING OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS:**
ACTION: 1) Proclaim Thursday, December 10, 1998, a "Day of Human Rights in the City of West Hollywood" in commemoration of the 50th Anniversary of the signing of the Universal Declaration of Human Rights; and, 2) Direct staff to work with Tasende Gallery and Amnesty International to promote the "Enduring Spirit" photo exhibit and the 50th Anniversary of signing of the Universal Declaration of Human Rights. **Approved as part of the Consent Calendar.**
- 2.P. APPROVAL OF POSITION SPECIFICATIONS – MANAGEMENT SERVICES ANALYST AND MANAGEMENT SERVICES SPECIALIST:**
ACTION: 1) Adopt the classification specifications for the Management Services Analyst and Management Services Specialist; and, 2) Approve the salary range of ACE-EX-13 (Supervisor) for Management Services Analyst and ACE-11 (Non-Exempt) for Management Services Specialist. Both positions are full-time. **Approved as part of the Consent Calendar.**
- 2.Q. ROSEWOOD SPEED HUMP REVIEW:**
ACTION: Adopt Resolution No. 98-2000, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DIRECTING THAT SPEED HUMPS BE MAINTAINED ON ROSEWOOD AVENUE BETWEEN DOHENY DRIVE AND ROBERTSON BOULEVARD AND RESCINDING CITY COUNCIL RESOLUTION NO. 97-1805." **Approved as part of the Consent Calendar.**

2.R. WEST HOLLYWOOD LIBRARY ADVISORY COMMITTEE:

ACTION: 1) Accept the members appointed by the Steering Committee which are Charlotte Banta, Louix Escobar-Matute, Michael Gottfried, Mark Honzel, Sandra Jacoby-Klein, Bernice Lipsky, Donald Randall, Harold Ring, Stephen Rose, Christian Scali, Alan Uphold, Rita Norton – Friends of the Library, Paul Hamel – Fairfax Adult School and Ex-Officio members Laura Frakes and Ruth Venarante from the L.A. County Library; and, 2) Each Councilmember make an individual direct appointment to the Advisory Committee and forward names to the Management Services Director no later than January 1, 1999. **Approved as part of the Consent Calendar.**

2.S. URGENCY ITEM – APPROVAL OF ECONOMIC ASPECTS OF A MEMORANDUM OF UNDERSTANDING WITH WEST HOLLYWOOD MUNICIPAL EMPLOYEES, AFSCME LOCAL 3339 FOR THE PERIOD OF JULY 1, 1998 THROUGH JUNE 30, 2001:

ACTION: 1) Approve amendment to the Memorandum of Understanding with WeHoME which incorporates the economic agreements; and 2) Authorize the City Manager to execute these economic agreements. **Approved as part of the Consent Calendar.**

2.T. ASSIGNMENT AGREEMENT WITH THE CITY OF ARTESIA FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS:

Joyce Rooney, Associate Transportation Planner provided background information as outlined in the staff report dated December 7, 1998.

ACTION: 1) Approve a Proposition A fund trade agreement with the City of Artesia for \$97,500 West Hollywood General Funds in exchange for \$150,000 City of Artesia Prop A Funds; 2) Authorize the City Manager to execute the agreement; and, 3) Authorize the Finance Director to modify the budget in the following ways:

*Account No. 100-8030-7580 – Increase by \$97,500 from unallocated reserves.

*Account No. 218-0000-4800 – Prop A Revenue Increase \$150,000. This increases General Fund appropriation for Expenditure for traded funds by \$97,500. This will allow the purchase of an additional \$52,500 in Prop A funds for a total of \$150,000. Designate the increment (Prop A) funds for the Santa Monica Boulevard Rehabilitation Project. **This Item was on the Agenda as Item 5.B and was moved to the Consent Calendar as Item 2.S. and Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

3.A. PUBLIC HEARING REGARDING THE PROPOSED VACATION OF A PORTION OF PUBLIC RIGHT-OF-WAY ON HOLLOWAY DRIVE:

City Clerk Thompson stated that a Notice of Public Hearing was published in the West Hollywood Independent on November 25, 1998 and December 2, 1998, Notice of Public hearing was posted on the subject property.

Sharon Perlstein, City Engineer provided background information as outlined in the staff report dated December 7, 1998.

Mayor Martin opened the Public Hearing and no speakers coming forward, the Public Hearing was closed.

ACTION: 1) Make a finding that the subject five-foot strip of land on the frontage of 8742 Holloway Drive is unnecessary for present or prospective public street purposes; 2) Adopt Resolution No. 98-2001, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ORDERING THE VACATION OF A PORTION OF HOLLOWAY DRIVE AT 8742 HOLLOWAY DRIVE, IN THE CITY OF WEST HOLLYWOOD;" and, 3) Direct the City Clerk to submit a certified copy of Resolution No. 98-2001 for recordation by the Office of the Recorder of the County of Los Angeles.

Motion Mayor Pro Tem Heilman, seconded by Councilmember Guarriello and unanimously carried.

3.B. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING LOADING ZONE REGULATIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

City Clerk Thompson stated that a Notice of Public Hearing was published in the West Hollywood Independent on November 25, 1998 and December 2, 1998 and notice was mailed to all businesses in the commercial zone.

Oscar Delgado, Parking Analyst, provided background information as outlined in the staff report dated December 7, 1998.

Mayor Martin opened the Public Hearing and the following speaker addressed the City Council.

JEANNE DOBRIN, WEST HOLLYWOOD, asked what color is a valet loading zone and how will staff designate the valet parking and why is there no time limit.

No further speakers coming forward and the Public hearing was closed.

ACTION: Introduce on first reading Ordinance No. 98-535, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING COMMERCIAL AND PASSENGER LOADING ZONE REGULATIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Motion Concilmember Guarriello, seconded by Mayor Pro Tem Heilman and unanimously carried.

3.C. APPEAL OF PLANNING COMMISSION'S APPROVAL OF DEMOLITION PERMIT 98-06, DEVELOPMENT PERMIT 98-26, CONDITIONAL USE PERMIT 98-07, TENTATIVE TRACT MAP 98-03, VARIANCES 98-09, 98-10, 98-11 AND MODIFICATION 98-19 FOR A SIX UNIT CONDOMINIUM LOCATED AT 1014-1020 HILLDALE AVENUE:

City Clerk Thompson stated that a Notice of Public Hearing was published in the West Hollywood Independent on November 25, 1998.

John Keho, Associate Planner, provided background information as outlined in the staff report dated December 7, 1998.

Mayor Martin opened the Public Hearing and the following speakers addressed the City Council.

GREY LE CUYER, WEST HOLLYWOOD, spoke in support of his appeal and stated that the buildings are culturally significant and he spoke against the removal of the trees.

GREG CULLEN, LOS ANGELES, spoke in support of the Planning Commission's decision and thanked the staff. The project will replace three houses with two single family townhouses. He stated that twelve units could have been built but he didn't want to maximize the area.

Councilmember Guarriello asked what was being done about the rats on the property.

RICK KRUEGER, WEST HOLLYWOOD, spoke in support of the applicant.

EFFIE REUVENI, WEST HOLLYWOOD, the properties used to belong to Lester Hirsch and spoke in support of saving the trees and keeping the property as it is.

ANGEE BECKETT, WEST HOLLYWOOD, spoke in support of the appealant.

JANET DIXON, WEST HOLLYWOOD, spoke in support the development.

TIM HIRSCH, THOUSAND OAKS, spoke in support of the development and the applicant.

TOM HOLZBOG, LOS ANGELES, architect of the project, he spoke in support of the development.

HOWARD ARMISTEAD, WEST HOLLYWOOD, spoke in support of the project and stated that it was in scale with the neighborhood. He spoke in support of park space in the City.

SHERMAN SYLVAN, ENCINO, spoke about the trees.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of the development project. She stated that, as a real estate agent, she sold the property to Mr. Hirsch, but there is no conflict of interest.

GREY LA CUYER, WEST HOLLYWOOD, outlined his rebuttle in the packet. The site should be redesigned to keep the existing trees.

GREG CULLIN, LOS ANGELES stated that unfortunately some of the trees will not be saved and that the design is of a place that he would like to live in.

No further speakers coming forward and the Public Hearing was closed.

Councilmember Guarriello asked where the ficus trees are located.

John Keho stated that there were three ficus trees and one large pine tree and the trees have to moved due to the location of the driveway.

Mayor Pro Tem Heilman asked what was the justification to allow the six foot high wall.

John Keho stated that the permit process required him to apply for and receive a varience for fronting the building from the streets for security reasons.

Mayor Pro Tem Heilman asked the architect if the front unit particularly the master bedroom had a wall where a bed could be put.

Tom Holzbog responded that he went through every unit putting furniture and he knows that every unit has a wall that will handle a large bed.

Councilmember Guarriello asked what have happened had the developer built as many units as he could have.

John Keho stated that all the trees would have been removed and there would have to have been subterranean.

Mayor Martin stated that some of the walls do not have neighborhood appeal because they are solid without vegetation.

Tom Holzbog, the architect, stated that the wall was designed to provide a noise barrier.

Councilmember Prang stated that a wall looks like a fortress and where it may not be a problem for those who live in the building it is unattractive to others who would like to live a neighborhood environment.

Mayor Pro Tem Heilman stated that a wall creates a false sense of security and recommended that the wall be redesigned. He stated that he disagreed with the appeal.

ACTION: RECOMMENDATION: 1) Adopt Resolution No. 98-2002, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF GREY LE CUYER, AND UPHOLDING THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF DEMOLITION PERMIT 98-06, DEVELOPMENT PERMIT 98-26, CONDITIONAL USE PERMIT 98-07, VARIANCES 98-09, 98-10, 98-11 AND MODIFICATION 98-19 LOCATED AT 1014-1020 HILLDALE AVENUE;" and, 2) Adopt Resolution No. 98-2003, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF GREY LE CUYER, AND UPHOLDING THE PLANNING COMMISSION'S CONDITIONAL APPROVAL OF TENTATIVE TRACT MAP 98-03 LOCATED AT 1014-1020 HILLDALE AVENUE" as amended to require the Developer to modify the front wall and to bring in a certified arborhist to assist in saving the trees if possible. Motion Mayor Pro Tem Heilman, seconded by Councilmember Prang and unanimously carried.

CITY COUNCIL RECESSED AT 9:32 P.M.

THE CITY COUNCIL RECESSED AT 9:50 P.M. AS THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION.

THE CITY COUNCIL RECESSED AT 9:53 P.M. AS THE PUBLIC FACILITIES CORPORATION.

THE CITY COUNCIL RECONVENED AT 9:55 P.M.

4. UNFINISHED BUSINESS:

4.A. GRANTS TO ARTS ORGANIZATIONS RECOMMENDED BY THE FINE ARTS COMMISSION AND BUDGET AMENDMENT TO APPROPRIATE FUNDS FROM THE PUBLIC ART AND BEAUTIFICATION FUND:

Alison Maxwell, Development Specialist III, provided background information as outlined in the staff report dated December 7, 1998.

CRAIG COOGAN, WEST HOLLYWOOD, spoke in support of keeping the ficus trees.

MARIAN JONES, LOS ANGELES, founder and artistic director of the Ivy Theatre thanked the commission for considering them for a grant.

SCOTT LEO, LOS ANGELES, General Manager of Theatre L.A. – Times Half-Price Tix, thanked the commission for their support and vote of approval.

SABATO FIORELLO, WEST HOLLYWOOD, spoke in support of the proposed grants.

ACTION: 1) Appropriate \$20,000 from the unallocated reserve in the Public Art and Beautification Fund to Line Item No. 220-7040-8520 as recommended by the Fine Arts Commission; 2) Approve the award of Fiscal Year 1998-99 Art Grants, as recommended by the Fine Arts Commission, and authorize the City Manager to execute the Grant Agreements with Theatre LA (\$5,000), Outfest (\$5,000), Vox Femina (\$5,000), and, Ivy Theatre (\$2,500); and, 3) Approve the recommendation of the Fine Arts Commission not to award a grant to Gallery 825. **Motion Councilmember Guarriello, seconded by Councilmember Prang and unanimously carried.**

4.B. DIRECT APPOINTMENT TO THE BUSINESS LICENSE COMMISSION BY COUNCILMEMBER JEFFREY PRANG:

ACTION: Councilmember Prang appointed Peter Mackler to the Business License Commission, effective December 7, 1998, to fill an unexpired term ending May 31, 2001.

4.C. PROPOSED RESOLUTION IN SUPPORT OF THE CITY OF NEW ORLEANS FILING A LAWSUIT AGAINST 15 GUN MANUFACTURERS

DUE TO INADEQUATE SAFETY FEATURES TO PREVENT ACCIDENTAL DISCHARGES BY CHILDREN:

Councilmember Koretz provided background information as outlined in the staff report dated December 7, 1998.

Mayor Martin commented that the basis of the lawsuit of New Orleans and Chicago is reimbursement for their medical expenses and as a City we do not pay for hospitalization.

Mayor Pro Tem Heilman stated that his recommendation is to review the lawsuit to see if we have standing.

Mayor Martin stated that we should support the lawsuit with a resolution.

Mayor Pro Tem Heilman stated that we should support the lawsuit however he doubted that the City would have standing.

ACTION: 1) Adopt Resolution No. 98-2004, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE CITIES OF NEW ORLEANS AND CHICAGO FILING A LAWSUIT AGAINST 15 GUN MANUFACTURERS DUE TO INADEQUATE SAFETY FEATURES TO PREVENT ACCIDENTAL DISCHARGES BY CHILDREN;" **as modified to include support for the County of Los Angeles and District Attorney Gil Garcetti to file a lawsuit if appropriate on behalf of Los Angeles County;** 2) Direct the City Attorney to evaluate the case filed by the City of New Orleans against the gun industry and report back to the City Council, if participation in an amicus brief is appropriate. **Motion Mayor Martin, seconded by Mayor Pro Tem Heilman and unanimously carried.**

4.D. PROPOSAL TO CREATE A ONE-HANDGUN-PER-MONTH ORDINANCE:

Councilmember Prang Koretz provided background information as outlined in the staff report dated December 7, 1998.

HOWARD ARMISTEAD, WEST HOLLYWOOD, spoke in support of one handgun per month.

ACTION: Direct the City Attorney to draft an ordinance that would implement a one-handgun-per-month limit, and work with the City of Los Angeles. **Motion Mayor Pro Tem Heilman, seconded by Councilmember Guarriello and unanimously carried.**

5. NEW BUSINESS:

5.A. DIRECTION FOR REVIEW BY THE PUBLIC FACILITIES COMMISSION A PROPOSAL TO NAME THE EAST CRESCENT HEIGHTS TRIANGLE XERISCAPE GARDEN – MATTHEW SHEPARD SQUARE:

Rich Ryan, Deputy to Mayor Martin, provided background information as outlined in the staff report dated December 7, 1998.

MORRIS KIGHT, WEST HOLLYWOOD, spoke in support of the Proposal To Name The East Crescent Heights Triangle Xeriscape Garden – Matthew Shepard Square.

Mayor Martin stated that Matthew Shepard represents a national phenomenon that went in to millions of hearts and this is an opportunity to put up a sign with his name to remind people that homophobia exists. He stated that he wanted a sign akind to a road sign and work with the Lesbian and Gay Advisory Board on an appropriated ceremony.

Councilmember Guarriello stated that he it was his pleasure to co-sponsor 5.A.

Mayor Pro Tem Heilman stated that perhaps there is a way to make it Human Rights Square or Freedom Square to commemorated the fight for freedom and feature people like Matthew Shepard and include others to make it an ongoing location whereas he would be a part of a larger project

Councilmember Prang recommended that Public Facilities Commission create a process by which we will name public places after people who have reached a level of distinction. He also spoke of

Councilmember Guarriello supported the recommendation to name the square Human Rights Square.

Councilmember Koretz supports naming the square Matthew Shepard.

Mayor Martin stated that naming public places should encompass other people outside the City of West Hollywood, but the death of Matthew Shephard was well known and his memory symbolizes so much, we would not have to educate people on who is was.

ACTION: 1) Direct the Public Facilities Commission to review and bring back to City Council a proposal for the naming of the eastern Crescent Heights Triangle Xeriscape Garden as The Matthew Shepard Square **but also incorporated the ideas of a Human Rights or Freedom Square which would**

commemorates the fight of other for freedom; and, 2) Direct the Public Facilities Commission and the Lesbian and Gay Advisory Board to work together to come up with placement and language for a permanent plaque to be placed in the square honoring Matthew Shepard. **Motion Mayor Martin, seconded by Councilmember Koretz and unanimously carried.**

5.B. ASSIGNMENT AGREEMENT WITH THE CITY OF ARTESIA FOR THE EXCHANGE OF PROPOSITION A LOCAL RETURN FUNDS:

This Item was moved to the Consent Calendar as Item 2.T.

5.C. PARKING AT WEST HOLLYWOOD PARK DURING CITY COUNCIL MEETINGS:

Vit Vittatoo, Parking Manager, provided background information as outlined in the staff report dated December 7, 1998.

ACTION: 1) Approve stationing a Recreation Services staff person at the San Vicente Boulevard entrance to the parking lot serving the West Hollywood Park Auditorium to screen parking for the City Council Meeting from 6 PM until 7:30 PM; 2) Approve the positioning of signs near the entrance to the West Hollywood Park parking lot advising the staff and park attendees of free parking along San Vicente Boulevard, on the parking lot to the north and around the corner of Melrose Avenue; and, 3) Encourage staff to park along San Vicente Boulevard, on the parking lot to the north, and around the corner at Melrose Avenue to allow more constituents to park at the West Hollywood Park parking lot. **Motion Mayor Pro Tem Heilman, seconded by Mayor Martin and unanimously carried.**

5.D. DIRECT THE CITY MANAGER TO CREATE AND OVERSEE IMPLEMENTATION OF THE ADDICTION AND RECOVERY TASK FORCE:

Rich Ryan, Deputy to Mayor Martin, provided background information as outlined in the staff report dated December 7, 1998.

MORRIS KIGHT, WEST HOLLYWOOD, spoke in support of the task force.

CHARLES EDWARDS, LOS ANGELES, Community Liaison for the Lesbian and Gay chapter of the ACLU, spoke in support of the task force and stated that their January meeting will feature a discussion about crystal.

IVY BOTTINI, WEST HOLLYWOOD, spoke in support of the task force and commented that she read that fifty percent of all the new HIV/AIDS cases are crystalmeth users.

ACTION: 1) Direct the City Manager to create and assign staff for the implementation of an Addiction and Recovery Task Force as outlined in the staff report; 2) Direct the staff to do public outreach so that all applications for Task Force membership will be in to the City Clerk by the end of January, 1999. It is hoped that the Task Force may hold its first meeting in mid to late February; and, 3) Direct staff to work with the Addiction and Recovery Task Force at its first meeting to come up with a working timeline for each of the drugs or specific areas of work to be done. **Motion Councilmember Guarriello, seconded by Mayor Pro Tem Heilman and unanimously carried.**

5.E. EXPENDITURE PROPOSAL FOR FUNDS FROM SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF), AB 3229 (BRULTE) CITIZENS OPTIONS FOR PUBLIC SAFETY PROGRAM:

David C. Petersen, Public Safety Administrator, provided background information as outlined in the staff report dated December 7, 1998

IVY BOTTINI, WEST HOLLYWOOD, spoke in support of the proposal and finding a staff person who will be inovative and creative.

ACTION: Authorize the expenditure of the SLESF funds as outlined in the expenditure plan. **Motion Councilmember Prang, seconded by Councilmember Guarriello and unanimously carried.**

EXCLUDED CONSENT CALENDAR: None.

PUBLIC COMMENT:

DANIEL KOVATCH, WEST HOLLYWOOD, spoke in support of keeping the ficus trees.

LOIS SIDNEY, WEST HOLLYWOOD, spoke against the proliferation of billboards in the City.

JEANNE DOBRIN, WEST HOLLYWOOD, urged the audience to sign the Human Rights Declaration book. She thanked the City Clerk's Office for their help and assistance.

TODD ROSKIN, WEST HOLLYWOOD, stated that there is harrassment and an illegal structure on 9031 Phyllis Avenue and gave the Councilmembers a copy of his report.

ERIN FINN, WEST HOLLYWOOD, stated that the owner of the property of 9031 Phyllis Avenue is harrassing her.

NICHOLAS WADE, WEST HOLLYWOOD, spoke in regards of the manager of 9031 Phyllis Avenue and his abusive behavior.

CAROLINE OSBORNE, WEST HOLLYWOOD, spoke in regards to the noise of the builders of the structure at 9031 Phyllis Avenue.

WENDY GREINER, WEST HOLLYWOOD, spoke in regards to fining the builder for the illegal structure at 9031 Phyllis Avenue.

GREG LECUYER, WEST HOLLYWOOD, apologized for his remarks in his appeal regarding Lester Hirsch.

DONALD BRUHNKE, WEST HOLLYWOOD, asked the Councilmembers to respond to the constituents complaint regarding 9031 Phyllis Avenue.

City Manager Makinney stated that he would speak to Code Enforcement regarding complaints of harassment and an illegal structure at 9031 Phyllis Avenue and to find out why it is taking this long.

LEGISLATIVE:

- 6.A. PROPOSED URGENCY ORDINANCE REPEALING THE PROHIBITION OF CAMPAIGN CONTRIBUTIONS FROM REGISTERED LOBBYISTS:**
James Thompson, CMC, City Clerk provided background information as outlined in the staff report dated December 7, 1998.

JEANNE DOBRIN, WEST HOLLYWOOD spoke in support of this ordinance repealing the prohibition of campaign contributions from registered lobbyists.

ACTION: 1) Adopt Ordinance No. 98-533U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REPEALING THE PROHIBITION OF ACCEPTING CAMPAIGN CONTRIBUTIONS FROM REGISTERED LOBBYISTS AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF;" and, 2) Introduce for the first reading Ordinance No. 98-534, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REPEALING THE PROHIBITION OF ACCEPTING CAMPAIGN CONTRIBUTIONS FROM REGISTERED LOBBYISTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Motion Mayor Pro Tem Heilman, seconded by Guarriello and unanimously carried.

- 6.B. TOBACCO BILLBOARDS:**

Councilmember Koretz provided background information as outlined in the staff report dated December 7, 1998.

Mayor Martin commented that the ban against tobacco and tobacco product industry advertising was recently adopted on April 25, 1999.

JEANNE DOBRIN, WEST HOLLYWOOD, stated that no one in the billboard business would volunteer to stop advertising tobacco and tobacco product advertising.

Mayor Pro Tem Heilman stated that the fact that the ban doesn't go into effect until a year and it needs approval from Congress this Ordinance would give the City their own ban in place.

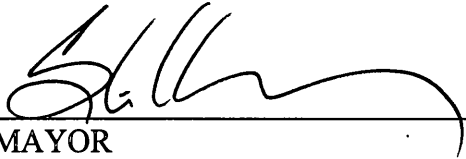
ACTION: Re-introduce for the first reading Ordinance No. 98-527, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING THE OFF-SITE ADVERTISING OF TOBACCO PRODUCTS" and amend 85504 (d.) to read: Signs or advertising displays which educate the public about the tobacco product. **Motion Councilmember Prang, seconded by Councilmember Koretz and unanimously carried.**

COUNCILMEMBER COMMENTS:

Councilmember Prang thanked Eric Moreno for acting as his Interim Deputy.

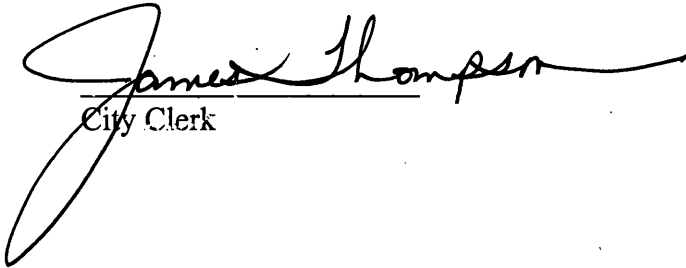
ADJOURNMENT: The City Council adjourned the meeting at 11:37 p.m. in memory of those lost at Pearl Harbor, to a Special Closed Session at 1:00 p.m. on Saturday, December 12, 1998 for the Review of the City Manager. The next Regular Meeting will be held on Monday, December 21, 1998 at 7:00 p.m. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 1ST
DAY OF FEBRUARY, 1999.



MAYOR

ATTEST:



City Clerk