

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, AUGUST 18, 1997
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Guarriello called the meeting to order at 7:02 p.m.

PLEDGE OF ALLEGIANCE: Barry Greenfield led the Pledge.

ROLL CALL:

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

ABSENT: Councilmembers - Koretz.

ALSO PRESENT: Acting City Manager English, City Attorney Jenkins, Acting City Clerk Thompson and Deputy Clerk Lucero.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at 6:30 p.m. the City Council called the meeting to order, and added one item to the Closed Session Agenda by a 4 to 0 vote: Existing Litigation -- California Rifle and Pistol Association v. City of West Hollywood, and then recessed into Closed Session to discuss items contained on the Closed Session Agenda. The Closed Session adjourned at 6:50 p.m. and no reportable actions were taken.

APPROVAL OF AGENDA:

Acting City Clerk Thompson clarified the correct version of the Ordinance 97-500 attached to Item 2.H read on page 2 (d)(1), "the amount of the Service Fee for Residential Premises is \$140.00 per dwelling unit."

Acting City Clerk Thompson stated that this meeting will be adjourned to a Study Session with the Public Facilities Commission on TUESDAY, September 2, 1997 at 6:00 p.m. The City Council Regular Meeting will begin at 7:30 p.m. immediately followed by a Closed Session.

Acting City Clerk Thompson stated the correct recommendation on the printed agenda for Item 5.C as, "(2) Direct staff to notify the General Manager of KCBS, Channel 2 and others as deemed necessary."

Councilmember Heilman noted his NO vote on Item 2.L and ABSTENTION on Item 2.O.

ACTION: Approve the Agenda. Motion Councilmember Prang, seconded by Councilmember Heilman and unanimously carried.

PRESENTATIONS:

Councilmember Heilman presented commendations to the following Coalition for Economic Survival Tenant's Rights Clinic volunteers: Wayne Bauer, Julia Davis, David Etezadi, Rod

Field, Tai Glenn, Bob Hodes, Carole Hossan, Wendell Jones, Nettie Mislove, Ann Polsky (posthumously), Joe Praml, Jeff Richmond, Ron Rouda, Doug Routh, Ed Sands, and Mona Tawatao.

1. CITIZEN COMMENTS:

SIEMEN VAN DER WOUDE, WEST HOLLYWOOD, commented on supposed police harassment on Santa Monica Boulevard and outlined the recent incident in New York City.

SOFIYA GELMAN, WEST HOLLYWOOD, stated that Plummer Park is very overcrowded and emphasized its importance to the Russian-speaking community and pleaded for park improvements.

CHARLOTTE BANTA, WEST HOLLYWOOD, complemented the Council and staff's prompt response to tree trimming and graffiti abatement on Almont. She also complimented staff's efforts during National Night Out.

PARVIZ EZHARI, WEST HOLLYWOOD PROPERTY OWNER, speaking in support of the Landscape and Lighting Assessment District, feels that the services provided by the assessment are essential.

BILL KARPIAK, LOS ANGELES, spoke in favor of holiday lighting along Santa Monica Boulevard and was disappointed that the business community did not fully support the Landscape and Lighting Assessment District.

DON SAVOIE, WEST HOLLYWOOD, Executive Director West Hollywood Chamber Of Commerce, commented that the problem was lack of information on the failed Landscape and Lighting Assessment District.

COUNCILMEMBER COMMENTS:

Councilmember Prang expressed his hopes that the City can rely upon the business community to support the Landscape and Lighting Assessment District next year.

Mayor Pro Tem Martin outlined the festivities of National Night Out and sent his best to Joyce Hundal who was injured.

Mayor Guarriello thanked Charlotte Banta for her generous compliments.

CITY MANAGER'S REPORT: Acting City Manager English stated that there is no City Manager's Report.

FISCAL IMPACT ON CONSENT CALENDAR: Acting City Clerk Thompson stated the fiscal impact on the Consent Calendar for Monday, August 18, 1997 is \$50,000 in expenditures and \$1,500 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. Motion Mayor Pro Tem Martin, seconded by Councilmember Prang and carried noting the No vote of Councilmember Heilman on item 2.L and also noting the ABSTENTION of Councilmember Heilman from item 2.O.

A. POSTING OF AGENDA:

The agenda for the meeting of Monday, August 18, 1997 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 14, 1997.

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

B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of Monday, June 16, 1997 and Monday, August 4, 1997. **Approved as part of the Consent Calendar.**

C. WAIVER OF FURTHER READING:

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

D. CLAIMS ADMINISTRATION:

RECOMMENDATION: Deny the claim of **Raisa Mindel** and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**

E. DEMAND REGISTER NO. 348, RESOLUTION NO. 97-1785:

RECOMMENDATION: Approve Demand Register No. 348 and adopt Resolution No. 97-1785, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 348." **Approved as part of the Consent Calendar.**

F. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

RECOMMENDATION: Receive and file Action Reports from the Transportation Commission. **Approved as part of the Consent Calendar.**

G. ORDINANCE NO. 97-495 (2nd Reading), "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING TEXT AMENDMENT 96-02:"

RECOMMENDATION: Waive further reading and adopt Ordinance No. 97-495, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING ZONING TEXT AMENDMENT 96-02" **Approved as part of the Consent Calendar.**

H. ORDINANCE NO. 97-500 (2nd Reading), "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING A SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE FEE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:"

RECOMMENDATION: Waive further reading and adopt Ordinance No. 97-500, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING A SOLID WASTE AND RECYCLABLE COLLECTION AND DISPOSAL SERVICE FEE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

I. ORDINANCE NO. 97-502(2nd Reading), "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING A SEWER SERVICE CHARGE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:"

RECOMMENDATION: Waive further reading and adopt Ordinance No. 97-502, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING A SEWER SERVICE CHARGE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

J. ADJUSTMENT OF INCOME GUIDELINES AND RENTS FOR INCLUSIONARY HOUSING UNITS:

RECOMMENDATION: Adopt Resolution No. 97-1786, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE RENT LEVELS AND INCOME REQUIREMENTS FOR THE INCLUSIONARY HOUSING PROGRAM." **Approved as part of the Consent Calendar.**

K. RESIGNATION FROM THE SENIOR ADVISORY COUNCIL:

RECOMMENDATION: Accept with regret the resignation of Ruby B. Yaryan. **Approved as part of the Consent Calendar.**

L. APPROVAL OF AGREEMENT FOR CONSULTING SERVICES FOR DEVELOPMENT OF 8769 SANTA MONICA BOULEVARD:

RECOMMENDATION: Approve the agreement with Keyser Marston & Associates for consulting services in an amount not to exceed \$50,000. and authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar, noting the NO vote of Councilmember Heilman.**

M. REQUEST OF OWNERS OF UNITS 27, 64 AND 68 OF THE GRANVILLE TOWERS (1424 N. CRESCENT HEIGHTS) FOR APPROVAL OF MILLS CONTRACTS:

RECOMMENDATION: (1) Accept the recommendation of the Cultural Heritage Advisory Board to approve contracts with the owners of units 27, 64, and 68 at 1424 Crescent Heights Boulevard; and (2) Authorize the City Manager to execute those contracts. **Approved as part of the Consent Calendar.**

N. PROPOSED RESOLUTION OPPOSING SENATOR HELMS' FREEDOM OF SPEECH ACT:

RECOMMENDATION: Adopt Resolution No. 97-1787, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING SENATOR HELMS' FREEDOM OF SPEECH ACT (S. 147)." **Approved as part of the Consent Calendar.**

O. PROPOSED RESOLUTION URGING IMPOSITION OF A PRISON SENTENCE ON LEONORA LEGASPI DEPTOWICZ WHO WAS CONVICTED OF FIDUCIARY ABUSE OF AN ELDER:

RECOMMENDATION: Adopt Resolution No. 97-1788, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING IMPOSITION OF A PRISON SENTENCE ON LEONORA LEGASPI DEPTOWICZ." **Approved as part of the Consent Calendar, noting the ABSTENTION of Councilmember Heilman.**

3. **PUBLIC HEARINGS:** None.

4. **UNFINISHED BUSINESS:**

A. LESBIAN AND GAY ADVISORY COUNCIL APPOINTMENTS:

Pam Texada was nominated for appointment for a term ending May 31, 1998. Kellie Figoten was nominated for appointment for a term ending May 31, 1999.

ACTION: Appoint Pam Texada to the Lesbian and Gay Advisory Council to fill one unexpired term ending May 31, 1998 and Kellie Figoten to one unexpired term ending May 31, 1999.

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

B. BUS SHELTERS IN THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT:

Lester Burg, Development Specialist, provided background information as outlined in the staff report dated August 18, 1997.

Mayor Pro Tem Martin and Councilmember Heilman both stated their preference for purple shelters.

ACTION: Accept the recommendation of the Avenues of Art and Design Business Improvement District to paint existing shelters in the District.

Motion Councilmember Prang, seconded by Councilmember Heilman and unanimously carried.

C. CONTRACT WITH GOLD GRAPHICS FOR AVENUES OF ART AND DESIGN BANNER PRINTING:

Lester Burg, Development Specialist, provided background information as outlined in the staff report dated August 18, 1997.

Councilmember Heilman is concerned that the text of the banners is too light for the dark background and may not be legible at night.

ACTION: (1) Approve a contract with Gold Graphics in an amount not to exceed \$10,000 for the printing of the Avenues of Art and Design Banners and authorize the City Manager to sign; (2) Direct staff to ensure that the banners will be legible; and (3) Direct Staff to review the proposed design for night-time visibility and the size of the print for readability.

Motion Councilmember Heilman, seconded by Councilmember Prang and unanimously carried.

D. PROPOSED INTERIM ALLOCATION OF CITY FUNDS FOR THE LANDSCAPE LIGHTING DISTRICT:

Allyne Winderman, Housing and Economic Development Manager, provided background information as outlined in the staff report dated August 18, 1997.

TODD ELLIOT, WEST HOLLYWOOD, spoke in favor of the Council allocating the interim funding.

Acting City Manager English stated that initial indications are that general funds may be available.

Mayor Pro Tem Martin suggests appropriating approximately \$7,000 to the Chamber to raise money from the business community to fund this year's holiday lighting.

Mayor Guarriello inquired as to where past surpluses have gone.

Ms. Winderman emphasized the symbolic importance of holiday lighting to the City as a whole.

Councilmember Heilman suggested tabling the item until a fiscal report may be provided.

Acting City Manager English stated that waiting two weeks will create a difficulty for the lighting contractor.

Councilmember Prang supports soliciting the business community for funds.

DON SAVOIE, Executive Director, West Hollywood Chamber Of Commerce, commented that it would be difficult to solicit approximately \$80,000 from the business community in such a short period of time.

ACTION: (1) Appropriate and increase the City's General Fund contribution to \$87,500 to fund the maintenance programs identified in the staff report dated August 18, 1997; and (2) Welcome any funding alternatives that the business community will initiate.

Motion Mayor Pro Tem Martin, seconded by Councilmember Prang and carried on a Roll Call vote:

AYES: Councilmembers - Martin, Prang, Mayor Guarriello.

NOES: Councilmembers - Heilman.

ABSENT: Councilmembers - Koretz.

5. NEW BUSINESS:

A. DESIGNATION OF THE VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE:

Acting City Clerk Thompson provided background information as outlined in the staff report dated August 18, 1997.

ACTION: (1) Appoint Councilmember Prang the Voting Delegate and Joan English, Director of Transportation and Public Works, the Alternate to attend the League of California Cities Business Meeting on October 14, 1997; (2) Direct the City Clerk to submit the required forms to the League for the Appointments.

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

B. DIRECTION TO REVIEW FUNDING OPTIONS FOR UPCOMING CAPITOL PROJECTS AND ON-GOING GENERAL FUND PROJECTS

WHICH COULD BE PLACED AS AN INITIATIVE ON THE JUNE, 1998 ELECTION BALLOT:

Rich Ryan, Deputy to Mayor Pro Tem Martin, provided background information as outlined in the staff report dated August 18, 1997.

ACTION: (1) Direct the City Manager and the Finance Director to review and bring back to Council possible funding options with the intent to place on the June, 1998 Election Ballot for approval of the voters of West Hollywood; (2) Direct the City Attorney and City Clerk to begin preparations to place a ballot initiative on the ballot in June, 1998.

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

C. PROPOSED RESOLUTION CONDEMNING KCBS, CHANNEL 2 FOR THEIR UNBALANCED JOURNALISM IN THE JULY 30, 1997 SEGMENT TITLED "SPECIAL ASSIGNMENT: GAY TO STRAIGHT:"

Councilmember Prang provided background information as outlined in the staff report dated August 18, 1997.

SIEMEN VAN DER WOUDE, WEST HOLLYWOOD, commented that the item is inappropriate and that there are other more pressing issues facing the City.

ACTION: (1) Adopt Resolution No. 97-1789, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING KCBS, CHANNEL 2, FOR THEIR UNBALANCED JOURNALISM IN THE JULY 30, 1997 SEGMENT TITLED "SPECIAL ASSIGNMENT: GAY TO STRAIGHT;" (2) Direct staff to notify the General Manager of KCBS, Channel 2 and others as deemed necessary.

Motion Councilmember Prang seconded by Councilmember Heilman and unanimously carried.

EXCLUDED CONSENT CALENDAR: None.

CITIZEN COMMENTS: None.

6. LEGISLATIVE:

A. CHANGE NAME OF FINE ARTS ADVISORY BOARD TO FINE ARTS COMMISSION:

Lester Burg, Development Specialist, provided background information as outlined in the staff report dated August 18, 1997.

SABATO FIORELLO, WEST HOLLYWOOD, member of the Fine Arts Advisory Board, spoke in favor of the name change.

ACTION: (1) Accept the recommendation of the Fine Arts Advisory Board; (2) Introduce for first reading Ordinance No. 97-504, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER IX, PART E AND SECTIONS 9502, 9505 AND 9507 OF ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE, RENAMING THE FINE ARTS ADVISORY BOARD TO THE FINE ARTS COMMISSION."; and (3) Direct the City Clerk's staff to prepare a report on consistency among all Commission and Advisory Boards regarding naming, status, membership and the number of members on the board.


Motion Councilmember Heilman seconded by Mayor Pro Tem Martin and carried noting the No vote of Councilmember Prang.

COUNCILMEMBER COMMENTS:

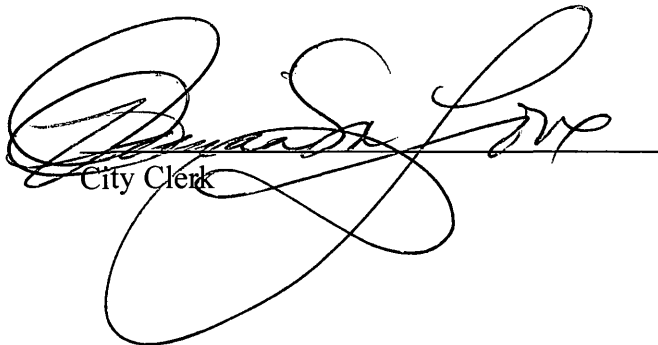
Mayor Pro Tem Martin commented on Sofia Gelman's observation regarding Plummer Park.

ADJOURNMENT: The City Council adjourned at 8:20 p.m. to their next meeting on **TUESDAY**, September 2, 1997 at 6:00 p.m. - a Study Session with the Public Facilities Commission at West Hollywood Park, 647 N. San Vicente Boulevard. The Regular Meeting will begin at 7:30 p.m., immediately followed by a Closed Session.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS 2ND DAY OF SEPTEMBER, 1997.


MAYOR

ATTEST:


City Clerk