

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, DECEMBER 2, 1996
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Koretz called the meeting to order at 7:15 p.m.

PLEDGE OF ALLEGIANCE: Bruce Traub led the Pledge.

ROLL CALL:

PRESENT: Councilmembers - Heilman, Land, Martin, Guarriello and Mayor Koretz.

ABSENT: None.

ALSO PRESENT: Interim City Manager Makinney, City Attorney Jenkins, City Clerk Love, Assistant City Clerk Thompson.

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at approximately 6:30 p.m. the City Council called the meeting to order, and unanimously added to the Closed Session agenda one item, under Personnel G.C. 54957, appointment of Rent Stabilization Director and then recessed into a closed session for discussion of the items on the Closed Session Agenda. The closed session adjourned at 7:05 p.m. City Attorney Jenkins stated that no reportable actions were taken.

APPROVAL OF AGENDA:

West Hollywood Housing Corporation requested that Item 4.A. be tabled until it is ready to allow for negotiations and review by their legal counsel. Mayor Koretz tabled item 2.G. until the first meeting in January. Councilmember Heilman requested the meeting be adjourned in memory of Mike Reynolds.

ACTION: Approve the agenda as amended. Motion Councilmember Land, seconded by Mayor Pro Tem Guarriello and unanimously carried.

PRESENTATIONS: Councilmember Land acknowledged and thanked the members of the Task Force: Susan Holtz, Tim Trusky, Norm Levitan, Sharon Hamilton, Nancy Greenstein and Helen Levin. She then presented commendations to persons who participated in the Domestic Violence Training: Tim Trusky, Marilyn Sayegh, Norm Levitan, Debbie Sandy, Betty Levinson, Kay Kaplan, Marie Louise Morgan, Sharon Hamilton, Carrie Van Zant, Roxanne Earls, Pam Mason, Elisa Haber, and Barbara Blitzstein.

Captain Odenthal made a few positive remarks regarding this program, and stated this program fits well with the Community Oriented policing policy.

1. CITIZEN COMMENTS:

ADELE KLATE, WEST HOLLYWOOD, resident of West Hollywood for 27 years. Indicated she found out about this cat issue at 4:00 p.m. today. She spoke against the proposed ordinance relative to feral cats.

ANSON SNYDER, WEST HOLLYWOOD, spoke on the Palm Project and stated they have been in active negotiations. He supports the tabling of Item 4.A. He also spoke as a member of the PAC, in support of the items before the Community Development Commission.

RICHARD MAGGIO, WEST HOLLYWOOD, spoke about the abandoned project at 1145 N. Horn Avenue. He requested that the City look into the issue of this abandoned building on which is currently a fire hazard.

RICHARD ANDERSON, WEST HOLLYWOOD, he described the condition of the building at 1145 N. Horn Avenue.

SIBYL ZADEN, WEST HOLLYWOOD, spoke on behalf of the Shoreham neighborhood and concurs with comments made by Richard Maggio.

HOLLY ENGLEMAN, WEST HOLLYWOOD, indicated she lives next door to this abandoned property on Horn and indicated it is a real hazard. She asked the City to look in the demolishing of this building.

SIEMEN VAN DER WONDE, WEST HOLLYWOOD, indicated that his apartment is infested with termites.

BARBARA HAMAKER, WEST HOLLYWOOD, representing the Formosa/Detroit neighborhood. She indicated there is a problem with street lighting on their street since they now have trees. She requested the City to look at this issue. Another incident occurred relative to a Community Garden but City staff did not attend.

ELIAS MAGID, WEST HOLLYWOOD, complained about the Recycling fees. He spoke against the increase Item 3.B. He asked the City Council to look into why there is an increase.

HOWARD ARMISTEAD, WEST HOLLYWOOD, spoke about World Aids Day and the re-dedication of the Palm Trees. He spoke about the effects of aspirin on persons with AIDS.

DAVID MORTON, WEST HOLLYWOOD, spoke about the abandoned building on Horn Avenue and the various problems.

SHARON O'ROURKE, SOUTHERN CALIFORNIA EDISON, stated her support for the item which is before the Community Development Commission.

BARBARA ZAMPELLI, WEST HOLLYWOOD, member of the Project Area Committee stated her support for the item which is before the CDC and requested humane treatment for all animals.

LOIS SYDNEY, WEST HOLLYWOOD, read the text of the petition, The West Hollywood City Council with NO notice to or consultation with adjacent residents, voted to install a Hueblein/Cuervo 1800 sponsored sculpture at the intersection of Doheny Drive and Santa Monica Boulevard (photo enclosed). We, the residents find this object tasteless, offensive, of no redeeming artistic value, and as object of derision is reducing our property values. We have been informed that this thing does not even resemble the sketch that was submitted for Council approval. We are respectfully requesting that Hueblein/Cuervo 1800 remove this thing as soon as possible. Until that time we have mutually agreed not to buy or serve Hueblein products in our homes, at our Holiday parties, or at our motion picture and television wrap parties; our caterers have also been informed and requested to cooperate with us and spread the word. Our fiscal impact may be minimal, but our home owners sophisticated in Public Relations techniques will know how to maximize a negative image of your products.

AMY ANDERSON, WEST HOLLYWOOD, stated her support by the Community Development Commission of the resolutions which are before them tonight.

BRUCE TRAUB, WEST HOLLYWOOD, spoke against the Cuervotivity Sculpture.

DONALD DELUCCIO, WEST HOLLYWOOD, stated that the West Hollywood West Association voted to request the removal of the Cuervotivity Art.

EFFIE RENVENI, spoke against the angled parking on Melrose.

COUNCILMEMBER COMMENTS:

Mayor Pro Tem Guarriello indicated that the City needs to look at 1145 Horn issue. He also stated that staff is looking into the tree and lighting issue near Formosa and Detroit.

Councilmember Heilman stated that Community Development Director Ray Reynolds should set a meeting with the Horn/Shoreham residents to discuss the Horn property. He also addressed the street light problem on Formosa and requested that Sam Baxter and Sharon Perlstein meet with Barbara Hamaker and those neighbors. Relative to the issue of aspirin and Aids, it does help. He encouraged testing and consulting a Doctor. He asked that Interim City Manager Charlie Makinney take the lead relative to the termite issue.

Councilmember Land concurred with Councilmember Heilman. She indicated that there was a scheduling mistake that was made regarding the Community Garden and staff has called Barbara and apologized and will attend their next Neighborhood Watch meeting.

Councilmember Martin concurred with Councilmember Land and apologized for the scheduling problem regarding the Community Garden.

CITY MANAGER'S REPORT: Interim City Manager Makinney provided an update on the feral cat issue. The City Attorney has advised that the code does not require the return of feral cats to the neighborhood, the Code is permissive, not mandated. Short term and long term plan has been developed by staff. Short term: the City will contract with an appropriate agency, to capture the colony cats. The City will arrange for veterinary exams and sterilization. Those cats who are healthy and adoptable will be boarded for 30 days, while adopted owners are sought for the cats. The City will coordinate an aggressive adoption campaign. Long term: the Code requires the City evaluate sections 3305 and 3306 and require review. Staff recommends the City Manager to appoint an ad hoc committee, who report its findings to the City Manager, who will then report to the City Council. He announced the Angels Amidst Ceremony which the City Council, City Manager and staff recognize at 8491 Santa Monica, on Tuesday, December 3, 1996. As is customary on New Year's Eve, the nightclubs, that qualify, will be allowed to stay open to 4:00 a.m.

Assistant City Clerk Thompson announced that applications are still being accepted for the Public Facilities Commission.

By consensus of the City Council, a special meeting was set for January 21 at 6:00 p.m. to 7:00 p.m. and directed staff to keep the agenda light. Closed session will immediately follow the Regular meeting.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Thompson stated the Fiscal Impact on the Consent Calendar, as amended for December 2, 1996, was zero dollars in expenditures and potential revenues.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A, B, C, D, E, F, and H. Motion Councilmember Land, seconded by Councilmember Heilman and unanimously carried.

A. POSTING OF AGENDA:

The agenda for the meeting of Monday, December 2, 1996 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Wednesday, November 27, 1996.

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

- B. APPROVAL OF MINUTES:**
RECOMMENDATION: Approve the minutes of November 18, 1996. **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. DEMAND REGISTER NO. 331, RESOLUTION NO. 96-1674:**
RECOMMENDATION: Approve Demand Register No. 331 and adopt Resolution No. 96-1674, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 331." **Approved as part of the Consent Calendar.**
- E. RESIGNATION FROM THE LESBIAN & GAY ADVISORY COUNCIL:**
RECOMMENDATION: 1) Accept with regret the resignation of Julia Salazar. 2) Direct the City Clerk's Office to advertise the vacancy and accept applications. **Approved as part of the Consent Calendar.**
- F. REPORT ON THE CITY OF WEST HOLLYWOOD DOMESTIC VIOLENCE PROGRAM:**
RECOMMENDATION: Receive and file. **Approved as part of the Consent Calendar.**
- G. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE REMOVAL OF THE CUERVOTIVITY SCULPTURE LOCATED AT THE INTERSECTION OF SANTA MONICA BLVD. AND DOHENY DRIVE:**
This Item was tabled until January 6, 1997.
- H. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DIRECTING STAFF TO ANALYZE THE IMPACTS OF REQUIRING ALL MUNICIPAL CONTRACT HOLDERS TO PAY A LIVING WAGE:**
RECOMMENDATION: 1) Adopt Resolution No. 96-1675, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DIRECTING STAFF TO ANALYZE THE IMPACTS OF REQUIRING ALL MUNICIPAL CONTRACT HOLDERS TO PAY A LIVING WAGE." and, 2) Direct staff to explore and analyze the impacts of implementing a living wage ordinance similar to the legislative measure proposed by Councilwoman Jackie

Goldberg in the City of Los Angeles. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

A. ZONING TEXT AMENDMENT 96-02 CHANGES TO PERMITTED USES, MINOR CHANGES IN DESIGN REGULATIONS AND CORRECTION OF INCONSISTENCIES:

ACTION: Continue the public hearing to the meeting of December 16, 1996.

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

B. PROPOSED INCREASE TO SOLID WASTE COLLECTION SERVICE FEE:

Assistant City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood Independent on November 20 and November 27, 1996.

David Hare, Environmental Services Manager provided background information as outlined in the staff report dated December 2, 1996.

Mayor Koretz opened the Public Hearing.

ESTHER BAUM, WEST HOLLYWOOD, spoke about the fact that large condos were not designed for recycling and now the residents need to pay more attention to items they discard.

Discussion was held regarding the average increase in cost.

Councilmember Heilman asked if this could be done more as an incentive. If residents do not want an increase they can meet with staff to design how they individually can reduce their costs. He also commented on comments made by Ms. Baum. He asked staff to work with the buildings to design convenient recycling bins and let the building maintenance take down to the main recycling bin.

Councilmember Land requested more information at the December 16th meeting regarding education and a possible joint education campaign with surrounding cities.

ACTION: (1) Continue the Public Hearing to December 16, 1996; and (2) direct the City Clerk to post a Notice of Continuance, by consensus of the City Council.

RECESS TO THE PUBLIC FACILITIES CORPORATION:

The City Council recessed at 8:17 p.m. as the Public Facilities Corporation.

RECONVENE AS CITY COUNCIL:

The City Council reconvened at 8:18 p.m.

4. UNFINISHED BUSINESS:

A. APPROVAL OF RESTRUCTURING OF LOAN AGREEMENT WITH THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION FOR 988 PALM AVENUE TO ACCOMMODATE CHANGES REQUESTED BY CO-LENDERS AND INVESTORS:

This item was tabled by request of the West Hollywood Marketing Corporation to allow for further review.

B. AN ORDINANCE ESTABLISHING ADMINISTRATIVE PROCEDURES AND CIVIL PENALTIES FOR VIOLATIONS OF THE MUNICIPAL CODE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE:

Christof Schroeder, Interim Management Analyst, provided background information as outlined in the staff report dated December 2, 1996.

ACTION: Re-introduce for first reading Ordinance No. 96-479, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING ADMINISTRATIVE PROCEDURES AND CIVIL PENALTIES FOR VIOLATIONS OF THE MUNICIPAL CODE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

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

RECESS TO COMMUNITY DEVELOPMENT COMMISSION:

The City Council recessed at 8:20 p.m. as the West Hollywood Community Development Commission.

RECONVENE AS CITY COUNCIL:

The City Council reconvened at 8:40 p.m.

5. NEW BUSINESS:

A. WESTSIDE CITIES TELECOMMUNICATIONS CONFERENCE:

Paul Arevalo, Director of Finance, provided background information as outlined in the staff report dated December 2, 1996.

ACTION: Appoint Councilmember Heilman and Mayor Pro Tem Guarriello to represent the City of West Hollywood and attend the workshop. Jim Sweeney, Deputy to Mayor Pro Tem Guarriello is appointed if Mayor Pro Tem Guarriello is unable to attend.

Motion Mayor Koretz, seconded by Councilmember Land and unanimously carried.

Councilmember Heilman asked that there should be actual resolutions which were brought back to each City Council. There should also be an action plan which all the cities would buy into.

EXCLUDED CONSENT CALENDAR: None.

CITIZEN COMMENTS: None.

6. LEGISLATIVE:

A. PROPOSED ORDINANCE AND URGENCY ORDINANCE AMENDING SECTION 3306 REGARDING FERAL CAT COLONIES:

Councilmember Martin provided background information as outlined in the staff report dated December 2, 1996.

Mayor Koretz indicated that there was a misinterpretation of the code which was clarified by the City Attorney. He feels this ordinance would restrict options

City Attorney Jenkins indicated that the section 3306 provides that the City may contract with volunteer humane organizations, humane welfare volunteers or private citizens in efforts to reduce the population of feral cats colonies by trapping the cats, bringing the cats to a licensed veterinarian for sterilization, and then returning the cats to their colony. The proposed change to the last clause would be from "returning the cats to their colony" to "aggressively promoting the adoption of the cats by owners outside the colony area." This provision was part of a major overhaul of the animal ordinance that was conducted several years ago and a process which took a lot of time. The way it was worded that it was more an expression of policy rather than a mandate. It is a permissive enabling section and it does not preclude the City from abating a nuisance. Mr. Makinney's

suggestion is to reinstate the task force and have them do an evaluation of the implementation of Section 3306.

Councilmember Land stated that she is unclear of why this item is before the Council, and recommends the plan of action outlined by the City Manager in his report earlier this evening.

Councilmember Heilman stated to return the cats to the neighborhood is clearly a mistake. He is supportive of this program. He also supports Interim City Manager's suggestion and would like residents input on this issue in terms of the task force.

MICHAEL GOTTFRIED, LOS ANGELES, neighbor to Ms. Klate, thanked the City Council for responding to this issue quickly and taking so much time on this issue. He appreciates the suggestion as dealing with this single issue. It has been a very emotional issue.

WAYNE BLANKENSHIP, WEST HOLLYWOOD, indicated that he agrees with the previous speaker and thanked Councilmember Heilman's office and Councilmember Martin's office for working so quickly on this issue. He suggested bringing in County Health representative and residents of the community be appointed the Animal Welfare Task Force.

EDWARD ZAVORA, WEST HOLLYWOOD, he encouraged aggressive action on this item. He made comments about a letter sent out by Ms. Klate in May.

Mayor Koretz indicated that the Animal Welfare Task Force originally had 12 members of which there were residents, County representation, veterinarians and other professionals.

ACTION: Table the item and direct the City Manager to continue the course of action as outlined in the City Managers report of December 2, 1996.

Motion Councilmember Land, seconded by Councilmember Martin and unanimously carried.

COUNCILMEMBER COMMENTS:

Councilmember Heilman requested that there be no further discussion of cats. He requested the neighbors on both sides of the dispute to be patient and try to mend fences.

ADJOURNMENT: The City Council adjourned at 9:05 p.m. in memory of Mike Reynolds to its next regular meeting on Monday, December 16, 1996 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 16TH, DAY OF DECEMBER 1996.

Paul Kretz

MAYOR

ATTEST:

Paula Love

City Clerk