

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, AUGUST 5, 1996
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Koretz called the meeting to order at 7:14 p.m.

PLEDGE OF ALLEGIANCE: Captain Odenthal led the Pledge.

ROLL CALL:

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

ABSENT: None.

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

REPORT OF CLOSED SESSION AGENDA: City Attorney Jenkins stated that at approximately 6:00 p.m. the City Council called the meeting to order added two items to the agenda under Initiation of Litigation by 4/5ths vote and 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 a written report of actions required by the Brown Act would be filed with the City Clerk.

APPROVAL OF AGENDA:

ACTION: Assistant City Clerk Thompson stated staff has requested the City Council to add an urgency item approving the 50th Anniversary of the Academy of Television Arts and Sciences as a City Event.

Motion Councilmember Land, seconded by Councilmember Heilman and unanimously carried to add item as Consent Calendar Item 2.V.

Assistant City Clerk Thompson stated that staff requests Item 4.D AIDS Education Programs and Item 5.A, Temporary Public Art Guidelines, be continued to Monday, August 19, 1996.

Councilmember Martin requested that Item 2.J. be removed from the Consent Calendar.

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

PRESENTATIONS:

Councilmember Heilman presented a Certificate of Achievement to the staff of the Finance Department represented by Paul Arevalo, Director of Finance and Freny Kadimi, Accounting Operations Officer for receiving an award from the Government Finance Officers for Excellence in Financial Reporting.

Councilmember Heilman also presented Commendations Dr. Nikolai Chaika, Vinay P. Saldanha, Artem V. Morozov, and Stuart R. Altschuler who are visiting dignitaries from Russia working with the International Aids Project. Each one of these persons has made outstanding contributions in the area of HIV/Aids education and awareness in Russia and former countries of the Soviet Union.

Ray Reynolds, Director of Community Development introduced the new members of the Code Compliance Division. Brent Mullins, Division Manager, Lisa Chilton, Staff Assistant; Tom Trevor, Staff Assistant; Tom Benedetti, Code Compliance Officer; Julie Burson, Code Compliance Officer; Jeff Aubel, Code Compliance Officer; Dan Smith, Code Compliance Officer; Rex Shields, Code Compliance Officer; Angelo Shannon, Code Compliance Officer; Gloria Buitrago, Code Compliance Officer; and Michelle Harris, Staff Assistant.

1. CITIZEN COMMENTS:

DR. BILL GRIFFIN, WEST HOLLYWOOD, spoke in favor of agenda Item 2.L. He reported an incident which happened last week in an area without tow-away regulations.

MARCEL VAN GERWEN, CULVER CITY, came here on behalf of the proposed Little League Program in West Hollywood and assured the City Council that this will not be a cost to the City.

STEVE VERAKUS, WEST HOLLYWOOD, spoke in favor of agenda Item 2.L. He indicated he is a resident of Havenhurst and encouraged Council support of tow-away regulations.

BERNARD DANIELS, spoke about issues relative to rent control, the amount of the general adjustment and interest on security deposits.

HALEY POWERS, WEST HOLLYWOOD CONVENTION AND VISITORS, encouraged support for Item 3.C, Avenues of Art and Design.

MARILYN MADEL, WEST HOLLYWOOD, stated her support for the Avenues of Art and Design District.

DANIEL SAXON, WEST HOLLYWOOD, stated he is on the Executive Board of the Avenues of Art and Design Business Improvement District and stated his support for the Avenues of Art and Design District

SCOTT YASGOOR, WEST HOLLYWOOD, stated his support for the renewal of the BID for the Avenues of Art and Design. He also stated his support for the angling of the parking on Melrose Avenue.

TOM MCBRIDE, WEST HOLLYWOOD, indicated he is a board member of the Avenues of Art and Design and stated his support for the district.

TED NEUBAUER, HOLLYWOOD, requested that City Council allow Community Service to be a way to work off unpaid parking tickets for low income people.

NICOLE BALICK, spoke in support of the Sunset Room.

LAURA NEUMAN, WEST HOLLYWOOD, spoke in support of the Avenues of Art and Design Business Improvement District.

JAMES BARTHOLET, WEST HOLLYWOOD, stated his support for the Sunset Room Club at 9229 Sunset Blvd.

LARI MARTIN, stated her support for the Bar One Club.

DAN HORTON, spoke against the revocation of the Substitute CUP 93-13 at Bar One.

SY WEINTRAUB, opposed to the revocation of the Substitute CUP 93-13 at 9229 Sunset Blvd.

COUNCILMEMBER COMMENTS:

Councilmember Land asked that Bernard Daniels speak with Mayme Cannady, Director of Rent Stabilization Department, directed Ted Neubaur with parking tickets to speak with Joan English, Director of Transportation.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Thompson stated the fiscal impact of the Consent Calendar for Monday, August 5, 1996 as amended is \$86,435. in expenditures and no potential revenue.

2. CONSENT CALENDAR:

ACTION: Approve items 2.A, B, C, D, E, F, G, H, I, K, L, M, N, O, P, Q, R, S, T, U and Urgency Item V. Motion by Councilmember Heilman, seconded by Councilmember Land and unanimously carried.

A. POSTING OF AGENDA:

RECOMMENDATION: Receive and file. The agenda for the meeting of Monday, August 5, 1996 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 1, 1996. **Approved as part of the Consent Calendar.**

B. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of Monday, May 6, 1996; Monday, May 20, 1996; and Monday, July 15, 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. CLAIMS ADMINISTRATION:**
RECOMMENDATION: Deny the claim of George Chakmakis Jr., and refer to the City's claims adjuster. **Approved as part of the Consent Calendar.**
- E. DEMAND REGISTER NO. 323, RESOLUTION NO. 96-1611:**
RECOMMENDATION: Approve Demand Register No. 323 and adopt Resolution No. 96-1611, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 323." **Approved as part of the Consent Calendar.**
- F. AWARD OF CONTRACT FOR HOLIDAY LIGHTING DECORATION ON SANTA MONICA BOULEVARD FOR THE 1996 HOLIDAY SEASON:**
RECOMMENDATION: (1) Accept the bid and approve an agreement with Event Technical Services in the amount of \$73,035. to provide temporary decorative lighting for the Santa Monica Boulevard 1996 holiday decorations; and (2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**
- G. PROPOSED RESOLUTION SETTING THE DATE AND LOCATION FOR A PUBLIC HEARING REGARDING THE PROPOSED VACATION OF PORTIONS OF SUNSET BOULEVARD AND OLIVE DRIVE:**
RECOMMENDATION: Adopt Resolution No. 96-1612, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO VACATE PORTIONS OF SUNSET BOULEVARD AND OLIVE DRIVE IN THE CITY OF WEST HOLLYWOOD AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON." **Approved as part of the Consent Calendar.**
- H. REPORT OF THE RENT STABILIZATION COMMISSION ANNOUNCEMENT OF INTEREST RATES TO BE PAID ON SECURITY DEPOSITS EFFECTIVE JANUARY 1, 1997:**
RECOMMENDATION: Receive and file the report of the Rent Stabilization Commission's announcement of the interest rates to be paid on security deposits effective January 1, 1997. **Approved as part of the Consent Calendar.**

- I. AWARD OF CONTRACT FOR TRAINING ALL CITY EMPLOYEES ON SEXUAL HARASSMENT IN THE WORKPLACE:**
RECOMMENDATION: Approve an agreement with Parallax Education in an amount not to exceed \$8,000. to provide education and training services for all City employees on the subject of sexual harassment; and (2) Authorize the City Manager to execute the agreement. **Approved as part of the Consent Calendar.**
- J. PROPOSED RESOLUTION IN OPPOSITION TO FEDERAL LEGISLATION THAT WOULD ELIMINATE ALL FEDERAL WELFARE BENEFITS FOR LEGAL IMMIGRANTS IN THE US:**
This item was removed and appears under Excluded Consent Calendar.
- K. PROPOSED RESOLUTION ESTABLISHING A VACANCY RATE FOR MULTI-FAMILY RESIDENTIAL UNITS:**
RECOMMENDATION: Adopt Resolution No. 96-1614, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING VACANCY RATES FOR MULTI-FAMILY RESIDENTIAL RENTAL UNITS FOR FISCAL YEAR 1996-97." **Approved as part of the Consent Calendar.**
- L. ESTABLISHING A TOW-AWAY ZONE ON HAVENHURST DRIVE BETWEEN SUNSET BOULEVARD AND FOUNTAIN AVENUE:**
RECOMMENDATION: Adopt Resolution No. 96-1615, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD INSTITUTING TOW-AWAY REGULATIONS ON HAVENHURST DRIVE BETWEEN FOUNTAIN AVENUE AND SUNSET BOULEVARD." **Approved as part of the Consent Calendar.**
- M. PROPOSED RESOLUTION IN SUPPORT OF THE LIVING WAGE ACT OF 1996:**
RECOMMENDATION: Adopt Resolution No. 96-1616, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE LIVING WAGE ACT OF 1996." **Approved as part of the Consent Calendar.**
- N. PROPOSED RESOLUTION IN SUPPORT OF AB 1332, WHICH PROHIBITS INDIVIDUALS WHO HAVE VIOLATED CERTAIN STATE LAWS FROM SERVING ON STATE BOARDS AND COMMISSIONS RESPONSIBLE FOR ENFORCING THOSE LAWS:**
RECOMMENDATION: (1) Adopt Resolution No. 96-1617, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF AB 1332, WHICH WOULD PROHIBIT INDIVIDUALS WHO HAVE VIOLATED CERTAIN STATE LAWS FROM SERVING ON STATE

BOARDS AND COMMISSION RESPONSIBLE FOR ENFORCING THOSE LAWS; and (2) Forward copies of the Resolution to Governor Pete Wilson, Assembly Speaker Curt Pringle, and the local legislative delegation." **Approved as part of the Consent Calendar.**

O. PROPOSED RESOLUTION PLEDGING SUPPORT FOR THE ESTABLISHMENT OF A CHARTERED LITTLE LEAGUE PROGRAM IN WEST HOLLYWOOD:

RECOMMENDATION: (1) Adopt Resolution No. 96-1618, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PLEDGING SUPPORT FOR THE ESTABLISHMENT OF A CHARTERED LITTLE LEAGUE PROGRAM IN WEST HOLLYWOOD;" (2) Direct staff to assist Little League organizers, if requested, in accordance with Little League Rules and Regulations; (3) Direct staff to publicize the activities of Little League organizers; and assist Little League organizers identify prospective sponsors within the City; and (4) Forward copies of the Resolution to all members of the Families and Communities Program Task Force. **Approved as part of the Consent Calendar.**

P. PROPOSED RESOLUTION IN SUPPORT OF THE "CALIFORNIA FIRST" CONGRESSIONAL LEADERSHIP:

RECOMMENDATION: (1) Adopt Resolution No. 96-1619, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF A 'CALIFORNIA FIRST' CONGRESSIONAL LEADERSHIP SUMMIT, SPONSORED BY THE LEGISLATIVE SUBCOMMITTEE OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENT;" and (2) Forward copies of this resolution and a cover letter to Southern California's Congressional delegation, inviting them to the Summit. **Approved as part of the Consent Calendar.**

Q. RECLASSIFICATION OF PLANNING TECHNICIAN TO ASSISTANT PLANNER:

RECOMMENDATION: Approve the reclassification of the Planning Technician position (GE-09) to Assistant Planner (GE-11). **Approved as part of the Consent Calendar.**

R. RESIGNATIONS FROM THE WOMEN'S ADVISORY COUNCIL:

RECOMMENDATION: (1) Accept with regret the resignations of Karyl Draper and Nicole A. Perlman; and (2) Direct the City Clerk to post and publish a Notice of Vacancies. **Approved as part of the Consent Calendar.**

S. RESIGNATIONS FROM THE DISABILITY ADVISORY COUNCIL:

RECOMMENDATION: Accept with regret the resignation of Louis Barrios; and (2) Direct the City Clerk to post and publish a Notice of Vacancies. **Approved as part of the Consent Calendar.**

T. REQUEST FOR ALL-WAY STOP CONTROL INTERSECTION HANCOCK AVENUE AND WEST KNOLL DRIVE:

RECOMMENDATION: (1) Adopt Resolution No. 96-1620, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE INTERSECTION OF HANCOCK AVENUE AND WEST KNOLL DRIVE AS AN ALL-WAY STOP CONTROL INTERSECTION AND DIRECTING STAFF TO ERECT APPROPRIATE SIGNS AND MARKINGS." **Approved as part of the Consent Calendar.**

U. NATIONAL NIGHT OUT STREET CLOSURES:

RECOMMENDATION: Approve street closures on Tuesday, August 6, 1996 on: (1) Westmount Drive, between 923 and 927 Westmount Drive from 7:00 p.m. to 9:00 p.m.; and (2) Rugby Drive, between Westmount and Westbourne from 7:00 p.m. to 10:00 p.m., for National Night Out block parties. **Approved as part of the Consent Calendar.**

V. URGENCY ITEM: APPROVAL OF THE ACADEMY OF TELEVISION ARTS AND SCIENCES 50TH ANNIVERSARY AS A CITY EVENT:

RECOMMENDATION: Approve the Academy of Television Arts and Sciences 50th Anniversary as a City Event and direct the City Engineer to work with event organizers to allow the Academy to hang event banners on La Brea Avenue between Fountain Avenue and Romaine. **Approved as part of the Consent Calendar.**

3. PUBLIC HEARINGS:

A. APPROVAL OF AN INTERIM URGENCY ORDINANCE TO ESTABLISH A MORATORIUM ON CERTAIN LAND USE ENTITLEMENTS AND SUBDIVISION APPROVALS:

Assistant City Clerk Thompson stated a Notice of Public Hearing was published on July 25 and July 31, 1996. He stated this was an urgency ordinance and will require 4/5ths approval for adoption.

Ray Reynolds, Director of Community Development, provided background information as outlined in the staff report dated August 5, 1996.

Mayor Koretz opened the public hearing.

As there were no public speakers on this item, the public hearing was closed.

ACTION: Adopt Ordinance No. 96-471U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD EXTENDING A MORATORIUM ON CERTAIN LAND USE ENTITLEMENTS AND SUBDIVISION APPROVALS AND DECLARING THE URGENCY THEREOF."

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

B. ADOPTING A PROCEDURE FOR THE FORMATION AND ELECTION OF A PROJECT AREA COMMITTEE WITH REGARD TO THE PROPOSED EAST SIDE REDEVELOPMENT PROJECT AREA:

Assistant City Clerk Thompson stated a Notice of Public Hearing was published in the West Hollywood Independent on July 24, 1996.

Allyne Winderman, Economic Development and Housing Manager, provided background information as outlined in the staff report dated August 5, 1996.

Mayor Koretz opened the public hearing and the following speakers came forward to address the City Council:

DR. BILL GRIFFIN, WEST HOLLYWOOD, indicated he has been serving since the formation of the committee. He encouraged Council support to adopt the resolution.

No other speakers coming forward, Mayor Koretz closed the public hearing.

Councilmember Land asked for clarification on whether it was one representative for each of the eight organizations or could there be eight from one organization.

Ms. Winderman responded that it is one representative from each organization.

ACTION: Adopt Resolution No. 96-1621, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING A PROCEDURE PURSUANT TO HEALTH AND SAFETY CODE SECTION 33385 FOR THE FORMATION AND ELECTION OF A PROJECT AREA COMMITTEE."

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

C. AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT ASSESSMENT IMPLEMENTATION OF REQUIREMENTS

OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989, AND APPROVAL OF CONTRACT WITH THE WEST HOLLYWOOD CHAMBER OF COMMERCE TO ADMINISTER THE 1996-97 AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT ASSESSMENT FUNDS FOR THE AVENUES OF ART AND DESIGN:

Assistant City Clerk Thompson stated the Resolution of Intent including the Notice of Public Hearing was published in the West Hollywood Independent on July 17, and July 24, 1996. He reported that the City Clerk received no letters of protest to the proposed assessment.

Rhonda Sherman, Economic Development Specialist, provided background information as outlined in the staff report dated August 5, 1996. She indicated that the City Attorney has requested the Council to approve the agreement as substantially submitted as he has a few minor modification.

Mayor Koretz opened the public hearing and the following speakers came forward to address the City Council:

GINA MACIAS, AVENUES OF ART & DESIGN, outlined some of the accomplishments of the Board during this past year.

ELAINE MUNCHNIK, PACIFIC DESIGN CENTER, stated her support for this item. She indicated that the Pacific Design Center will be working with the Board.

DON SAVOIE, WEST HOLLYWOOD CHAMBER OF COMMERCE, stated his support for the renewal of the BID. He outlined the accomplishments of the last five months.

GRANT SELTZER, BUSINESS OWNER, provided a history of the business on Melrose. He stated his support for the BID.

WANDA WEN, BUSINESS OWNER ON MELROSE, stated her support for the BID.

No other speakers coming forward, Mayor Koretz closed the public hearing.

Councilmember Land congratulated to the Board and all the Businesses. In such a short period of time they have accomplished a lot. She suggested that they also target the residents of West Hollywood as part of their outreach.

Councilmember Heilman asked staff and the Chamber to work with the residents, in particular, when there is any planning of additional banners, furniture or signage.

ACTION: (1) Adopt Resolution No. 96-1622, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING THE REPORT OF THE ADVISORY BOARD FOR FISCAL YEAR 1996-97 AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 1996-97 IN CONNECTION WITH THE AVENUES OF ART AND DESIGN BUSINESS IMPROVEMENT DISTRICT;" and (2) Approve an agreement with the West Hollywood Chamber of Commerce to administer the 1996-97 Avenues of Art and Design Business Improvement District assessment funds for the Avenues of Art and Design Business Improvement District and authorize the City Manager to execute the agreement; and (3) Approve the advancement of 50% of the proposed BID budget, to begin the implementation of the 1996-97 Avenues of Art and Design BID work program.

Motion Councilmember Heilman, seconded by Councilmember Land and passed, noting the NOE vote of Mayor Pro Tem Guarriello.

D. CONTINUATION OF THE APPEAL OF THE PLANNING COMMISSION'S DECISION TO REVOKE THE SUBSTITUTE CONDITIONAL USE PERMIT 93-13 FOR THE SUNSET ROOM CLUB LOCATED AT 9229 SUNSET BOULEVARD:

Assistant City Clerk Thompson stated a Notice of Continuance was published in the West Hollywood Independent on July 10, 1996, mailed to a 500-foot radius of the subject property on July 10, 1996 and posted in all places as required by the West Hollywood Municipal Code.

Lisa Heep, Planning Manager, provided background information as outlined in the staff report dated August 5, 1996.

Mayor Koretz opened the public hearing and the following speakers came forward to address the City Council:

JOEL FREIS, LEGAL COUNCIL THE SUNSET ROOM CLUB, stated that they did not have the Sheriff's Department reports for the period from January through April. He stated the owners of the Club hired new Security in December and addressed the progress that has been made since then. He challenged comments made by Sgt. Goldman regarding the crime statistics of the club. He outlined measures taken by the club to alleviate problems at two hot spots, the Hamburger Hamlet parking lot and the City National Bank, ATM machine. He stated they have covered every issue with Lisa Heep, and Mr. Besson has been working daily

to bring the CUP and his club into compliance. Mr. Fries outlined the finished parking plan, and the stepped up security plan.

MIKE MAGLIERI, CONTROLLER SUNSET ROOM, indicated he functions as the Head of the Restaurant/ Nightclub Council which is addressing issues of clean up, security and parking issues. He outlined his history with Mr. Besson and the various policies which have been implemented to help address the concerns of the City. He noted the decrease in crime statistics.

SCOTTIE HOOD, WEST HOLLYWOOD RESIDENT, EMPLOYEE OF BAR ONE, oppose the revocation.

CARRIE ANN GROSPE, PATRON OF BAR ONE, stated her support for Bar One.

MONICA KUSLEY, WEST HOLLYWOOD, EMPLOYEE OF BAR ONE, stated her support for the club.

KIMMIE WHORLEY, VENICE, EMPLOYEE OF BAR ONE, stated her support for the Club.

TERRY PARK, WEST HOLLYWOOD, spoke on behalf of the Board and Residents of Sierra Towers. He reviewed the information which was provided to Planning Manager, Lisa Heep and outlined the history of the complaints on this site. He indicated that the board is very skeptical that it takes a revocation hearing to get any response from the club.

PHILIPPE BESSON, WEST HOLLYWOOD, stated he is the owner's son. Stated this club is an upscale establishment. He indicated that his father will do whatever it takes to remedy this situation. He stated he is against the revocation.

BOB TINSLEY, WEST HOLLYWOOD, stated the problems he has witnessed with this establishment. He indicated he is skeptical about what is being done.

ROBERT HUSTON, CHEVIOT HILLS, his office is in the building of the Sunset Club. He urged the Council to give the ownership, management and employees the benefit of having the opportunity to prove they are addressing the problems.

IRVING SCHOENFELD, WEST HOLLYWOOD, indicated that everyone is comfortable with the club except for the people who live in the neighborhood. This establishment does not belong in the residential neighborhood. He spoke in favor of the revocation.

DR. GARTH FISHER, stated his support for the bar and is against the revocation. He urged Council to look at this very closely and allow them to modify it so it may continue.

STEVE DIMOND, WEST HOLLYWOOD, spoke in favor of Bar One and against the revocation.

HARRY PRONGUE, WEST HOLLYWOOD, stated his support for the revocation of Bar One.

DONALD SAVOIE, CHAMBER OF COMMERCE, stated he is against the revocation of Bar One. He cited communication problems between the club owners and the Sheriff's Department. The Nightclub Council has met and discussed this issue.

DENIS KURUTZ, WEST HOLLYWOOD, spoke against Bar One and in favor of the revocation.

WENDY SHEAR, WEST HOLLYWOOD, stated she lives behind the club and is not in favor of Bar One and encouraged Council to revoke the Substitute Conditional Use Permit.

BARBARA LAZAROFF, BEVERLY HILLS, outlined the various problems which have occurred on a continuous basis for six years.

WOLFGANG PUCK, BEVERLY HILLS, stated there are many problems with this establishment. The area is a neighborhood, not a nightclub district and the owners should be allowed to open a restaurant business but not to continue the way they are currently doing business.

ROBERT CAMILLETI, WEST HOLLYWOOD, stated he has worked for Bar One for a number of years and indicated that this business is no different than any of the other clubs, and the owner is taking steps to correct problems.

MICHAEL KING, LOS ANGELES, refers clients to Bar One and with the changes that they are making it will only get better. He is against the revocation.

DOUGLAS DONATELLI, LOS ANGELES, employee of Bar One, stated his support for Mr. Besson, outlining the changes the owner has made recently and is against the revocation.

CHRISTOPHER DOUGLAS, MANHATTAN BEACH, stated he is the manager of the club. He indicated he meets with the owner of the club on a weekly basis to

discuss and try to resolve problems which the City has pointed out. He is against the revocation.

RAYMOND MCGRATH, LOS ANGELES, EMPLOYEE OF BAR ONE, requested another chance and is against the revocation.

AL VALENCIA, BURBANK, indicated he is not affiliated with this nightclub. He indicated that Mr. Besson is asking the right questions and he believes he is on the right path. He is against the revocation.

MIKE LEE, LOS ANGELES, stated his support for Bar One and is against the revocation.

HOWARD OLGIN, BEVERLY HILLS, stated he has frequented Bar One. He is against the revocation.

ANDREA BOUDREUX, STUDIO CITY, patron and employee of the Sunset Room. She indicated that the owner has taken every precaution to ensure the safety of the patrons and the residents. She is against the revocation.

MICHAEL NAJJAR, former manager of Bar One. He stated his support for the owner and the employees and is against the revocation.

NIKO GREKO, stated his support for Bar One and is against the revocation.

BRUNO DOYON, stated his support for this restaurant and asked for another chance. He indicated the employees are behind Mr. Besson and will help him address the issues. He stated he is against the revocation.

GEORGE BESSON, WEST HOLLYWOOD, he personally has visited the neighbors behind the club. He indicated that the closure of the Sunday program was 95% of the trouble. He also clarified that the club was only closed for two weeks for remodeling.

Councilmember Heilman asked if Mr. Besson remembers a meeting in the summer of 1994 and again, in October, 1994.

He responded that he did remember the meetings but they were primarily discussions about noise, not crime.

JAYSON PASQUARELLA, EMPLOYEE OF BAR ONE, stated his support for the club and indicated that there is more security and a better parking plan. He is against the revocation.

DAN HURLEY, EMPLOYEE OF BAR ONE, indicated he has seen great improvements made by Mr. Besson. He spoke against the revocation.

BOB SELVIN, WESTWOOD, stated his support for the club and is against the revocation.

MATHEW GREEN, WEST HOLLYWOOD, indicated he has been to the club and was very surprised to hear of this revocation hearing. He is against the revocation.

THE CITY COUNCIL RECESSED AT 9:40 P.M.

THE CITY COUNCIL RECONVENED AT 9:58 P.M.

BAXTER RICE, SAN FRANCISCO, stated he previously served with the ABC and was able to see many things during this time. He indicated that Mr. Besson had requested his review of their compliance with the conditions of the SCUP. The Parking Plan and the Security Plan for the club is one of the finest in the state. He recommended that the appellant be given a chance to implement their programs.

KARIN SETON, spoke against this club. She is in support of the revocation.

JOSHUA GODDARD, new employee of the club, stated his support for the club and is against the revocation.

ANTHONY BERNARDINO, TARZANA, spoke against the revocation of the SCUP. He stated that with more effective communication with the neighbors the club will be more successful in meeting the needs of the neighbors.

ELAINA LIPKIN, BEVERLY HILLS, requested the Council to allow the club to continue and is against the revocation.

PAUL GRACE, SAN FERNANDO VALLEY, stated his support for Bar One and is against the revocation.

DON HAMPTON, WEST HOLLYWOOD, employee of Bar One stated his support for Bar One and is against the revocation.

ERIK DE SANDO, WESTWOOD, stated that he has seen a significant improvement during the last six months. He is in support of Bar One and against the revocation.

MICHAEL MIRISCH, WEST HOLLYWOOD, spoke against the revocation of the SCUP. He indicated that Mr. Besson has made many changes over the last six months.

CASSEY GRAY, WESTWOOD, stated that the closure of this club will put a lot of people out of work.

GIL SEFON, stated he supports the revocation of the SCUP.

JEANNE DOBRIN, WEST HOLLYWOOD, stated she supports the revocation.

GEORGE ANN MASON, BEVERLY HILLS, stated she has been working with Mr. Besson on correcting problems which they have been made aware of recently. She indicated she will continue to work with Mr. Besson on solving the issues. She is against the revocation.

THOMAS WHITE, LOS ANGELES, stated he is concerned about the parking on his street which is a restricted permit parking area and he supports the revocation.

FRANK ZELAYA, VALET PARKING MANAGER, spoke about the changes in the clientele for Bar One. He is against the revocation.

MANANGELA MALESPIN, WEST HOLLYWOOD, indicated she is not directly affected by this club she has many of the same concerns. She suggested an escalating fee schedule for violations which may induce Mr. Besson to listen more effectively.

CHARLENE SARSTEDT, she indicated many of the patrons are young and underage and are drinking in their cars and are drunk before they go in and drunker when they come out.

JOEL FREIS, REBUTTAL, stated that one of the conditions of approval indicate a review of this permit on an annual basis and since the permit was issued in 1993, there has never been any review of the CUP. He suggested a tow-away zone in the area around the club. The valet crew writes the number of people on the back of the ticket which indicates to the doorman how many people can still be admitted. They have showed results by removing the "attractive nuisance" of parking. Neighbors are partially at fault for not reporting problems with parking. Sunday events have been canceled New and improved security. The permittee has the plan in place and has the ability to address the issues, the owners are willing and capable to correct the situation. He requested the City Council to overturn the Planning Commission decision.

No other speakers coming forward, Mayor Koretz closed the public hearing.

Mayor Koretz stated that he has great difficulty with this issue. The neighbors need to be protected in this area. If we cannot protect the neighbors, we must shut it down. He indicated that there was testimony given the night of the Planning Commission which indicated a high level of crime in and around this club. However, since this time the actual Sheriff's reports have proven otherwise. This is a compelling argument to allow Mr. Besson an opportunity to rectify the situation. If we come back with conditions, I would like him to have a hearing with the Director of Community Development on a monthly basis for the first six months so the community has input and doesn't have to wait more than a few weeks with a problem.

Councilmember Martin asked how many of the clubs have these annual reviews and how they were handled. He requested that staff come back with a review of that program and whether or not the review should be done on an administrative level or include a public process with the Planning Commission. He also added that he is not sure that revocation should not still be on the table. The only thing which is positive is the fact that Michael Maglieri is coming in to help turn this around. He stated he would be more inclined to put this hearing over 4-6 months and see where we are at that time.

Mayor Pro Tem Guarriello stated he knows the location very well and that location has been a high class restaurant which became a nightclub without permits and without the City's knowledge. He stated that Mr. Besson did not do a good job on policing.

Councilmember Land indicated that as a Council they like to come up with win-win situations. This case is particularly difficult as it is hard to find the win-win solution. Time and time again, it is not until the threat of revocation that the owners take notice of the problems. It is not only what goes on in the nightclub but what goes on outside, too. She indicated that she knows that the Sunset Club is trying to address some of these issues but she didn't think having the neighbors meet on a monthly basis is fair to the neighbors.

Councilmember Heilman indicated that he brought this matter to the Council several months ago due to the problems and the apparent lack of response to the neighbors. He did not hear anything tonight which changes his mind. He stated he does not feel that the statement that the owner did not know of the problems is not a truthful response. The problems were clearly documented back in 1994 and if Mr. Besson did not know of the problems he is not a good manager and should not be managing the club. On the other hand, if he did know and came here

tonight saying he did not then he is not truthful and again, should not be managing the club.

Councilmember Martin stated he agrees with most everything said by Councilmember Heilman. He indicated that with Michael Maglieri coming on board it does change the management of the club.

Councilmember Heilman indicated that this effort is simply too little, too late. Although he does indicate that the addition of Mr. Maglieri is a step in the right direction.

Councilmember Land suggested that this hearing be continued for 90-days, however, she would prefer that there be some sort of checkpoint.

Mayor Pro Tem Guarriello indicated he would like to hear from the residents and if there is a problem they should call the Council offices.

Councilmember Heilman stated that if the goal is to have some sort of review period then it should be from the time the club is open.

The City Council provided the public with direct numbers to them for complaints.

ACTION: Continue the hearing for a period of 90-days to November 4th, with the condition that staff monitor the activities and if there are any problems they can bring this item back at the next regular City Council meeting. Direction to staff to organize a community meeting when deemed necessary; direct Capt. Odenthal to work with LA Police Department regarding the parking issues and Code Compliance to review regularly.

Motion Councilmember Land, seconded by Councilmember Martin and carried on roll call vote:

AYES: Councilmembers - Land, Martin, Koretz

NOES: Councilmembers - Heilman, Guarriello

THE CITY COUNCIL RECESSED AT 11:15 P.M.

THE CITY COUNCIL RECONVENED AT 11:21 P.M.

4. UNFINISHED BUSINESS:

- A. PROPOSED RESOLUTION TO EXTEND PARKING METER ENFORCEMENT HOURS AND HOURS OF OPERATION AND PARKING METER RATES FOR ADDITIONAL PARKING METERS AT**

VARIOUS COMMERCIALY ZONED LOCATIONS WITHIN THE CITY:

Janis Rhodes, Parking Manager, provided background information as outlined in the staff report dated August 5, 1996. She also indicated that they would like to add 20 additional meter spaces.

Councilmember Heilman indicated he has some serious concerns about this issue. He indicated he is very skeptical about it.

Councilmember Land indicated that she also has some concern and has given information to staff on areas to monitor.

Councilmember Heilman indicated he would be willing to go along as long as there is some sort of monitoring. He would like to see a 30-day period of not issuing citations but instead a warning.

Councilmember Martin requested that the Parking Division publicize the new regulations.

ACTION: Adopt Resolution No. 96-1623, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE EXTENSION OF ENFORCEMENT HOURS OF EXISTING METERS, THE INSTALLATION OF PARKING METERS, HOURS OF OPERATION, AND PARKING RATES FOR PARKING SPACES IN VARIOUS COMMERCIALY ZONED STREET LOCATIONS", as amended.

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

Item 6.A was taken out of order and heard as the next item by consensus of the City Council.

6. A. PROPOSED ORDINANCE REPEALING SECTION 15.64.340 OF THE LOS ANGELES COUNTY TRAFFIC CODE FROM THE WEST HOLLYWOOD TRAFFIC CODE:

City Attorney Jenkins provided background information as outlined in the staff report dated August 5, 1996.

LAWRENCE SHANDLEY, WEST HOLLYWOOD, indicated he received a violation under this section and it is an infringement of his first amendment rights.

JEANNE DOBRIN, WEST HOLLYWOOD, stated she feels neutral on this issue. She referred to a court decision which was reached in Arlington, Virginia.

ACTION: Introduce on first reading Ordinance No. 96-472, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REPEALING SECTION 15.64.340 OF THE LOS ANGELES COUNTY TRAFFIC CODE AND AMENDING SECTION 3202 OF ARTICLE III, CHAPTER II, PART A OF THE WEST HOLLYWOOD MUNICIPAL CODE."

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

B. DISABILITY ADVISORY COUNCIL APPOINTMENTS:

Councilmember Land nominated Pamela Marie Comac, Irving Harrison and Frida Aizeman to be appointed to the Disability Advisory Council.

ACTION: Appoint Pamela Marie Comac, Irving Harrison, Frida Aizeman to the Disability Advisory Council for a term ending May 31, 1997.

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

C. APPOINTMENT AND/OR REAPPOINTMENTS TO THE SENIOR ADVISORY COUNCIL:

ACTION: (1) Reappoint Elizabeth Burns, Gus Gardner, Bessie Gardner, Goldie Kahn, Bernice Levin, Jerry Levine, Mike "Rocky" Mansdorf, Joan O'Brien, Kathryn Page, Ann Polsky, Victor Rozman, Janet Siegel, Mark Skibinski, and Belle Wiener and appoint Esther Baum, to the Senior Advisory Council for terms ending August 15, 1998; and (2) Direct staff to appropriately acknowledge members who are not interested in reappointment.

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

D. 1996-98 SOCIAL SERVICES PROGRAM AIDS EDUCATION PROGRAM:

This item was tabled at the request of staff.

5. NEW BUSINESS:

A. PROPOSED RESOLUTION ADOPTING TEMPORARY PUBLIC ART GUIDELINES:

This item was tabled at the request of staff.

EXCLUDED CONSENT CALENDAR:

2.J. PROPOSED RESOLUTION IN OPPOSITION TO FEDERAL LEGISLATION THAT WOULD ELIMINATE ALL FEDERAL WELFARE BENEFITS FOR LEGAL IMMIGRANTS IN THE US:

Councilmember Land indicated that this staff report was prepared before President Clinton announced that he would sign the bill. Councilmember Martin's office and Councilmember Land will work on this issue and bring back an item.

ACTION: Tabled by consensus of the City Council.

The City Council recessed at 11:45 p.m. to hold a special meeting as the West Hollywood Community Development Commission.

The City Council reconvened at 11:46 p.m.

CITIZEN COMMENTS:

JEANNE DOBRIN, WEST HOLLYWOOD, spoke about promoters and an upcoming event at the Roxy which included distasteful invitations.

6. LEGISLATIVE:

A. PROPOSED ORDINANCE REPEALING SECTION 15.64.340 OF THE LOS ANGELES COUNTY TRAFFIC CODE FROM THE WEST HOLLYWOOD TRAFFIC CODE:

This item was considered earlier and following agenda item 4.A.

COUNCILMEMBER COMMENTS: Councilmember Heilman stated he will be late at the meeting of August 19, 1996.

ADJOURNMENT: The City Council adjourned at 11:48 p.m. to their next regular meeting on Monday, August 19, 1996 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 19TH DAY OF AUGUST, 1996.

ATTEST:


City Clerk


MAYOR