

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, OCTOBER 16, 1995  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**7:30 P.M. - REGULAR MEETING**

**CALL TO ORDER:** Mayor Heilman called the meeting to order at 7:45 p.m. He stated that immediately prior to this meeting the City Council held a joint meeting with the Rent Stabilization Commission.

**PLEDGE OF ALLEGIANCE:** Dewey Jones led the Pledge.

**ROLL CALL:**

**PRESENT:** Councilmembers-Guarriello, Land, Martin, Koretz and Mayor Heilman  
**ALSO PRESENT:** City Manager Brotzman, City Attorney Jenkins, Assistant City Clerk Thompson, Deputy Clerk Lucero

**APPROVAL OF AGENDA:** Councilmember Land requested that the fiscal impact of Item 2J be changed to reflect a donation of \$400 to offset the expenditure. By consensus the City Council approved the agenda as amended.

Councilmember Martin requested that tonight's meeting be adjourned in memory of Holleigh Bernson, daughter of Los Angeles Councilmember Hal Bernson.

**PRESENTATIONS:**

Councilmember Guarriello, presented a commendation to the American Cancer Fund for Children, and proclaimed November 17, 1995 as Childhood Cancer Awareness Day in West Hollywood. A founding member of the American Cancer Fund accepted the commendation.

Mayor Heilman announced the West Hollywood Costume Carnival Celebration on October 31, 1995 and Proclaimed Gayle Anderson as Honorary Mayor for the Day to reign over the festivities on October 31, 1995. Ms. Anderson presented the Mayor with two Channel Five T-shirts.

The Council also commended Rose Bolotin on the advent of her 100th birthday on October 18, 1995.

1. **CITIZEN COMMENTS:**

GAIL ROLF, PASADENA, spoke in support of Item 2F Project 10 grant.

NICOLE PERLMAN, spoke in support of Item 2J the Flame of Equality installation in West Hollywood Park.

CHARLOTTE BANTA, WEST HOLLYWOOD, Kaiser Hospital is in need of donors for care of those afflicted with cancer. She feels that landlords are asked to carry the cost, and subsidize the tenants for the library assessment.

RICHARD BANTA, WEST HOLLYWOOD, feels that landlords are being asked to unfairly pay direct assessments and not be able to pass these assessments to tenants, opposed to rent control.

MARK SINAGUGLIA, INGLEWOOD, spoke against Item 5B, the proposed ban on Saturday Night Specials.

SCOTT YAZGOR, spoke in support of Item 5A of the Avenues of Design assessment district.

PHIL THOMPSON, spoke in favor of Item 5A the Avenues of Design assessment district.

NOEL BROHNER, owner of Luna Park restaurant, addressed Patty Schoenberg's allegations that she was denied wheelchair access to the club.

ELLIOTT SALTER, spoke against Item 5B, the Saturday Night Special ban.

JOHN MICHEL, spoke in favor of Item 5A Avenues of Design assessment district in light of recent decreases in business revenues.

WARWICK SIMS, spoke in favor of Item 5B the ban on Saturday Night Specials and also strongly supports the Avenues of Design Business District.

SANDY SHIRE, asked the Council to enforce the business license tax ordinance against businesses operating illegally within the City, to enforce garage sale regulations, and spoke against Item 5B gun control.

**CITY MANAGER'S REPORT:** City Manager Brotzman commented on Proposition 62, stating that it will most likely not be enforced retroactively, and is recommending to continue expenditures as budgeted this year.

**FISCAL IMPACT ON CONSENT CALENDAR:** Assistant City Clerk Thompson stated that the fiscal impact for the Consent Calendar of October 2, 1995 as amended is \$44,600. in expenditures and \$34,057 in potential lost revenue.

**2. CONSENT CALENDAR:**

**ACTION:** Approve items 2.A, B, C, D, E, F, G, H I, J, K, and L. Motion Councilmember Land, seconded by Mayor Pro Tem Koretz and unanimously carried.

- A. POSTING OF AGENDA:** The agenda for the meeting of Monday, October 16, 1995 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, October 12, 1995.  
RECOMMENDATION: Receive and file. Approved as part of the Consent Calendar.
- B. APPROVAL OF MINUTES:**  
RECOMMENDATION: Approve the minutes of Monday, October 9, 1995.  
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. 304, RESOLUTION NO. 95-1498:**  
RECOMMENDATION: Approve Demand Register No. 304 and adopt Resolution No. 95-1498, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 304." Approved as part of the Consent Calendar.
- E. RESOLUTION GRANTING THE APPEAL BY MARCI MILLER FOR VARIANCE 95-02 AT 9009 ELEVADO AVENUE:**  
RECOMMENDATION: Adopt Resolution No. 95-1499, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD GRANTING MARCI MILLER'S APPEAL OF THE PLANNING COMMISSION'S DENIAL OF VARIANCE 95-02 ON AN APPLICATION FILED BY MARCI MILLER FOR ENCLOSING AN EXISTING WOODEN DECK WHICH ENCROACHES INTO THE FRONT YARD OF THE PROPERTY LOCATED AT 9009 ELEVADO AVENUE, WEST HOLLYWOOD, CALIFORNIA, BY TEN (10) FEET AND SIX (6) INCHES." Approved as part of the Consent Calendar.
- F. PURCHASE OF EDUCATIONAL MATERIALS FOR PROJECT 10 AT FAIRFAX HIGH SCHOOL:**  
RECOMMENDATION: Authorize a Grant for the purchase of educational materials and books by Project 10 at Fairfax High School, in an amount not to exceed \$2,500. Approved as part of the Consent Calendar.
- G. EXTENSION OF CONTRACT FOR PLANNING SERVICES TO SARAH LEJEUNE FOR THE COMPLETION OF THE SUNSET SPECIFIC PLAN:**  
RECOMMENDATION: (1) Approve a contract extension with Sarah Lejeune for Planning Services for the Completion of the Sunset Specific Plan in an amount not to exceed \$15,000.; and (2) Authorize the City Manager to execute the agreement. Approved as part of the Consent Calendar.

- H. EXTENSION OF CONTRACT FOR THE PROVISION OF LEGAL SERVICES RELATIVE TO THE PREPARATION AND REVIEW OF THE SUNSET SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT TO McCUTCHEON, DOYLE, BROWN AND ENERSON:**  
RECOMMENDATION: (1) Approve a Professional Services contract extension with McCutcheon, Doyle, Brown and Enerson for the Provision of Legal Services for an amount not to exceed \$12,000.; and (2) Authorize the City Manager to execute the agreement. Approved as part of the Consent Calendar.
- I. EXTENSION OF CONTRACT FOR LAURA RAMBIN FOR PLANNING SERVICES FOR THE COMPLETION OF THE SUNSET SPECIFIC PLAN, AND OTHER PLANNING PROJECTS:**  
RECOMMENDATION: (1) Approve a contract extension with Laura Rabin for Planning Services for the completion of the Sunset Specific Plan and urban design projects in an amount not to exceed \$9,000.; and (2) Authorize the City Manager to execute the agreement. Approved as part of the Consent Calendar.
- J. APPROVAL OF INSTALLATION OF THE FLAME OF EQUALITY AT WEST HOLLYWOOD PARK:**  
RECOMMENDATION: (1) Approve the installation of the Flame of Equality at West Hollywood Park; (2) Direct staff to work with the artists for the installation; and (3) Direct the Public Information staff to inform the media and invite the public to attend the installation ceremonies. Approved as part of the Consent Calendar with amended fiscal impact to reflect a donation of \$400 received to partially offset the expenditure.
- K. PROPOSED RESOLUTION APPROVING A GRANT APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR HOUSEHOLD HAZARDOUS WASTE MANAGEMENT AND AUTHORIZING THE ENVIRONMENTAL SERVICES MANAGER TO EXECUTE ANY AGREEMENTS, CONTRACTS, AND REQUESTS FOR PAYMENT:**  
RECOMMENDATION: Adopt Resolution No. 95-1500, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FROM THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR THE IMPLEMENTATION OF A HOUSEHOLD HAZARDOUS WASTE DIVERSION AND RECYCLING PROGRAM AND AUTHORIZING THE POSITION OF THE MANAGER OF ENVIRONMENTAL SERVICES TO EXECUTE ANY AGREEMENTS, CONTRACTS, AND REQUESTS FOR PAYMENTS." Approved as part of the Consent Calendar.
- L. FREE HOLIDAY PARKING PROGRAM:**

RECOMMENDATION: Direct staff to (1) Approve a four-day free parking program in the City to encompass the following dates: December 23, 24, 25, and 26, 1995; (2) Direct the Public Information staff to work with local business organizations to create and disseminate information about the free parking, Cash Key, and Shop West Hollywood programs; and (3) Direct Transportation, Public Information, and Council staff to work with the above entities to create a holiday marketing and distribution program for the City's parking Cash Keys and its "Shop West Hollywood" campaign. Approved as part of the Consent Calendar.

**3. PUBLIC HEARINGS:** None.

**COUNCILMEMBER COMMENTS:**

Councilmember Land commented on the success of the Tom Proctor 5/10K held earlier this month, and thanked the Parks and Recreation Staff for the success of that event.

**4. UNFINISHED BUSINESS:**

- A. PARKING POLICY FOR WEST HOLLYWOOD PARK PARKING LOT:**  
Curtis Brown, Jr., Recreation Administrator, provided background information as outlined in the staff report dated October 16, 1995.

NEIL WEINER, spoke in favor of the proposal.

By consensus the City Council directed staff to address the two hour maximum time limit, the location of the 15 minutes spaces, and strongly urged Environmental Services staff to re-locate the trash receptacles and return to the Council with recommendations.

RECOMMENDATION: (1) Adopt Resolution No. 95-1501, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING THE PARKING POLICY FOR WEST HOLLYWOOD PARK; and (2) Direct Environmental Services staff to review the possible removal and relocation of trash containers out of the West Hollywood Park Parking Lot.

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

- B. SIX MONTH REPORT AND ESTABLISHMENT OF PRIORITIES FOR THE SHERIFF'S DEPARTMENT DIRECTED PATROL AND SPECIAL PROBLEMS UNIT (SPU):**  
Nancy Greenstein, Public Safety Administrator provided background information as outlined in the staff report dated October 16, 1995.

Sgt. Buddy Goldman, Sheriffs Department SPU Team Member, stated the Department is pleased with the results in the "vice" area with prostitution. The

SPU is developing new ways to address the problem of auto burglary. He stated that the unit is going to continue taxi sting operations with the Department of Transportation, on a monthly basis or as needed.

Ruth Williams, Public Safety Commission, focused on the positive aspects of Plummer Park, as a safe place to visit and suggested changing the park hours.

Mayor Pro Tem Koretz stated he would like to add the scavenging problem.

Mayor Heilman directed staff to seek funds to add security and security lighting to residential parking garages throughout the City.

RECOMMENDATION: (1) Receive and file the report on the Sheriff's Department SPU for the period of April 1995 through September 1995; and (2) Establish SPU priorities, continue current activities and added the items as discussed, for the period of October 1995 through March 1996.

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

**C. WEST HOLLYWOOD CONVENTION AND VISITORS BUREAU, FIRST QUARTER REPORT:**

Rhonda Sherman, Housing and Economic Development Specialist, provided background information as outlined in the staff report dated October 16, 1995, and introduced Hailey Powers, Executive Director of the West Hollywood Convention and Visitor's Bureau.

Hailey Powers outlined many of the activities of the Convention & Visitor's Bureau over the last quarter.

RECOMMENDATION: Receive and file the Quarterly Report for the West Hollywood Convention and Visitors Bureau for the Quarter ending September 30, 1995.

Motion Councilmember Martin, seconded by Councilmember Land and carried with Councilmember Guarriello abstaining from voting on this item.

**D. FINE ARTS ADVISORY BOARD APPOINTMENT:**

RECOMMENDATION: Appoint Sabato Fiorello to the Fine Arts Advisory Board for a term ending May 31, 1997.

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

**5. NEW BUSINESS:**

**A. PROPOSED AVENUES OF DESIGN BUSINESS IMPROVEMENT DISTRICT:**

Allyne Winderman, Housing and Economic Development Manager, provided background information as outlined in the staff report dated October 16, 1995.

Grant Seltzer and Ron Kates, provided additional background information on the proposed assessment district.

GRANT SELTZER, REPRESENTING JULES SELTZER & ASSOCIATES, spoke in favor of the proposed assessment district.

Rhonda Sherman, Housing and Economic Development Specialist, outlined the technical aspects of the bid process.

ELAINE MUCHNICK, EXECUTIVE DIRECTOR OF THE WEST HOLLYWOOD CHAMBER OF COMMERCE, provided background information on the assessment district and spoke in support of the district.

PHILLIP MILLER, WEST HOLLYWOOD BUSINESS OWNER, expressed concerns as to why the Pacific Design Center is being excluded from the proposed district.

Ron Kates explained that the Pacific Design Center already conducts its own collective marketing campaign.

Mayor Heilman stated that efforts to include the Pacific Design Center must be pursued in the future.

RECOMMENDATION: (1) Approve in concept the Avenues of Design Business Improvement District proposal; (2) Direct staff to schedule a Public Meeting on Monday, November 6, 1995, and a Public Hearing on Monday, December 4, 1995; (3) Direct staff to mail the Notice of hearings to each business in the proposed BID and publish the Notice of Hearings; and (4) Direct staff to publish the Notice of Hearings.

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

**B. PROPOSED ORDINANCE BANNING THE SALE OF "SATURDAY NIGHT SPECIAL" FIREARMS IN THE CITY OF WEST HOLLYWOOD:**

Councilmember Land and Councilmember Koretz, provided background information as outlined in the staff report dated October 16, 1995.

RANDY HERRST, spoke against the proposed ban. He asserted that gun control increases violent crime and asked the City Attorney to review legal issues such as Doe v. San Francisco.

BOB KRAMER, REDONDO BEACH, spoke against the ban as a violation of Constitutional rights, the people have a right to defend themselves.

MARK GIBSON, RN, stated that the proposed ban will benefit criminals.

FRED KONG, stated this item will take way the right of poor people to defend themselves and the ban will violate Constitutional rights.

JOHN SCHAEFER, LOS ANGELES, stated that the ban will not hamper criminals. He spoke in favor of concealed permits.

SANDY SHIRE, WEST HOLLYWOOD, warned that the ban will lead to a costly law suit that the City cannot afford. He stated that there is no evidence that gun control laws inhibit crime.

ALAN WONG, feels that the individual's right to protect his or her property will be diminished by the proposed ban.

LUCILLE SAULS, feels that the ban would take away an individual's right to defend themselves.

HERB RIVKIN, LOS ANGELES, feels that the ban is a start in the right direction. He pleaded for an end to the profit making as a result of the alliance between the NRA and the gun manufacturers.

City Attorney Jenkins stated that the State has allowed local regulation with respect to licensing, registration, and possession of firearms. The State of California has not explicitly precluded local regulation of certain firearms. Interpretation of the State's silence on this issue is in the hands of the courts. The State Legislature's silence could mean that further local regulation is allowed. The question of how the courts would rule is an open question which he cannot answer. He further stated that a valid argument can be made for no preemption in this area.

RECOMMENDATION: (1) Direct the City Attorney to draft an ordinance banning the sale and possession "Saturday Night Specials;" and (2) Direct staff to continue to work with other cities to draft similar legislation.

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



**EXCLUDED CONSENT CALENDAR:** None.

**CITIZEN COMMENTS:** None.

**6. LEGISLATIVE:** None.

**COUNCILMEMBER COMMENTS:**

Councilmember Martin commented on the Million Man March of African Americans which took place in Washington D.C. today.

Councilmember Koretz directed staff to make a presentation on the status of electric vehicle charging stations in municipal parking structure currently under construction.

**RECESS TO CLOSED SESSION:** The City Council recessed at 10:10 p.m. to a Closed Session for the purpose of discussion of matters on the posted Closed Session Agenda. No reportable actions were taken.

**RECONVENE TO PUBLIC MEETING:** The City Council reconvened at 10:30 p.m.


**REPORT OF CLOSED SESSION:** City Attorney Jenkins stated that the City Council recessed to a closed session to discuss items as posted on the Closed Session Agenda.

**ADJOURNMENT:** The City Council adjourned at 10:30 p.m. in memory of Holleigh Bernson to a special meeting on Monday, October 30, 1995 at 6:00 p.m. for the purpose of continued discussion on the Sunset Specific Plan. The next regular meeting will be held on Monday, November 6, 1995 at 7:00 p.m. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 20TH DAY OF NOVEMBER, 1995.

  
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MAYOR

ATTEST:

  
Vivian M. Love, City Clerk