

**MINUTES  
CITY COUNCIL MEETING  
JANUARY 17, 1995  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**7:00 P.M. - REGULAR MEETING**

**CALL TO ORDER:** Mayor Land called the meeting to order at 7:04 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Jeanne Dobrin.

**ROLL CALL:**

PRESENT - Koretz, Martin, Heilman and Mayor Land

ALSO PRESENT - City Manager Brotzman, City Attorney Jenkins

ABSENT - Guarriello

**REPORT OF CLOSED SESSION AGENDA:** City Attorney Jenkins reported that the Closed Session was called to order at 6:30 p.m. The City Council voted 4 to 0 to add one item to the Closed Session agenda. Discussion between the City's Negotiator and the Association of Council Deputies was added under Conference with Labor Negotiator (G.C. 54957.6). No actions were taken.

**APPROVAL OF AGENDA:** Councilmember Heilman removed Items 2.F, 2.J and 2.O.

Motion to approve as amended Koretz, seconded Heilman and unanimously carried.

Mayor Land stated the meeting would be adjourned in memory of B.J. Sultan, a City of West Hollywood employee. Councilmember Martin stated that the meeting will also adjourn in memory of Paul Sacks, a local artist and activist and Chris Blauman, owner of West Coast Cheesecake Company.

**PRESENTATIONS:           Animal Welfare Essay Contest**

Councilmember Koretz announced that the Animal Welfare Task Force and himself are sponsoring the "City of West Hollywood Animal Welfare Essay Contest." Entries will be solicited during February and March and awards will be given at the second City Council meeting in April.

**1.       CITIZEN COMMENTS:**

**A.       CITIZEN COMMENTS ON CONSENT CALENDAR ITEMS WHICH  
          HAVE NOT BEEN REMOVED FROM THE CONSENT CALENDAR:**

NONE.

**B. CITIZEN COMMENTS, GENERAL INTEREST:**

SANDY SHIRE, WEST HOLLYWOOD, commented on the Fine Arts Advisory Board and requested answers to his questions.

BUDD KOPS, WEST HOLLYWOOD, commented that the House of Blues was allowed to construct on Saturdays and Sundays.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke on an article in the *Beverly Press* regarding beer gardens in alleyways for the upcoming Mardi Gras celebration. She does not support this suggestion.

SONNDRA MAIE, WEST HOLLYWOOD, encouraged Council to support Item 2.Q - Animal Welfare Essay Contest.

**CITY MANAGER'S REPORT:**

City Manager Brotzman stated that he has four items to report on. He gave an update on the Clean City Task Force which has been meeting on a regular basis. He responded to the Council request regarding the Business Improvement District stating that approximately 94 of the required 121 businesses have stated their support. He reported on the water damage which has incurred at the new City Hall building which will delay the scheduled April 1st occupancy date. Lastly, he indicated that the rating agencies have given the City a AA rating and the City Hall Certificates of Participation have received an A rating. He also stated that the City received bids at just under 6.5 % for the issuance of Certificates of Participation.

Mayor Land indicated that there was a suspicious package in front of a restaurant on Sunset. The bomb squad was called and traffic was diverted which is the reason for the congestion on Santa Monica Boulevard.

**FISCAL IMPACT ON CONSENT CALENDAR:** City Clerk Love stated that the fiscal impact for the January 17, 1995 Consent Calendar as amended is \$34,126 in expenditures and \$10,692 in potential revenue.

**2. CONSENT CALENDAR:**

ACTION: Approve items 2.A, B, C, D, E, G, H, I, K, L, M, N, P, Q and R. Motion Koretz, seconded Heilman and unanimously carried.

**A. POSTING OF AGENDA:** The agenda for the meeting of Tuesday, January 17, 1995 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Friday, January 13, 1995.

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

**B. APPROVAL OF MINUTES: January 3, 1995**

RECOMMENDATION: Approve the minutes of January 3, 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. CLAIMS: Michael B. Sedgwick  
Marte Scott  
Helen Mashevich  
Lynne Brookman**

RECOMMENDATION: Deny the claims of Michael B. Sedgwick, Marte Scott, Helen Mashevich and Lynne Brookman without comment and refer to the City's claims adjuster. Approved as part of the Consent Calendar.

**E. DEMAND REGISTER NO. 286, RESOLUTION NO. 95-1389**

RECOMMENDATION: Approve Demand Register No. 286 and adopt Resolution No. 95-1389. Approved as part of the Consent Calendar.

**F. REORGANIZATION OF CITY CLERK'S DIVISION:**

This item appears under Excluded Consent Calendar.

**G. BOARD/COMMISSION APPOINTMENT/REAPPOINTMENT PROCESS AND EXTENSION OF TERMS:**

RECOMMENDATION: 1) Direct City Clerk to develop a process which would give written notification to board/commission members of the end of their term and allow for a statement of interest to be submitted; and, 2) Direct the City Clerk to notify members of the Business License Commission, Human Services Commission, Planning Commission, Public Safety Commission, Rent Stabilization Commission, Transportation Commission, Cultural Heritage Advisory Board and Fine Arts Advisory Board of the extension of terms pursuant to the adoption of Ordinance No. 94-424 which moved the date of general municipal elections. Approved as part of the Consent Calendar.

**H. RESOLUTION EXPRESSING THE CITY'S SUPPORT FOR THE STATE PENAL CODE OUTLAWING THE MANUFACTURE, SALE AND DISTRIBUTION OF THE NEW "COP KILLER" OR "BLACK RHINO" BULLETS:**

RECOMMENDATION: 1) Adopt Resolution No. 95-1390, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD EXPRESSING COMPLETE SUPPORT FOR AND INTENDED COMPLIANCE WITH, THE STATE PENAL CODE WHICH BANS THE MANUFACTURE, SALE, DISTRIBUTION AND POSSESSION OF THE 'COP KILLING' OR 'BLACK RHINO' BULLETS." 2) Direct staff to send a letter from the City Council to the Federal Bureau of Alcohol, Tobacco and Firearms asking them to deny permission to anyone seeking a license to manufacture and sell "Cop Killing or "Black Rhino" bullets in the City of West Hollywood. Approved as part of the Consent Calendar.

**I. CITY COUNCIL LETTER REQUESTING THE U.S. POSTAL SERVICE TO HONOR THOSE WHO SUFFERED AND DIED IN THE NAZI CONCENTRATION CAMPS IN WWII WITH A COMMEMORATIVE STAMP:**

RECOMMENDATION: 1) Direct staff to draft a letter from the City Council of the City of West Hollywood asking that the U.S. Postal Service produce a series of stamps honoring those who suffered at the hands of the Nazis in the concentration camps throughout Europe during WWII. 2) Direct staff to send a copy of this letter, requesting a "holocaust stamp" be produced and distributed by the U.S. Postal Service in conjunction with their continuing series commemorating WWII, to the following people: The U.S. Postmaster General, President Clinton, Senators Feinstein and Boxer, Congressman Waxman, the Chairman of the Congressional Jewish Caucus, and to each of the executive directors of the Anti-Defamation League, the American Jewish Congress and the American Jewish Committee. Approved as part of the Consent Calendar.

**J. RESOLUTION DECLARING MAY 9, 1995 "VICTORY IN EUROPE DAY" IN WEST HOLLYWOOD AND APPROVAL FOR THE CITY TO PARTICIPATE IN A PARADE AND RALLY:**

This item appears under Excluded Consent Calendar.

**K. AMENDMENT TO CITY COUNCIL RESOLUTION 94-1370 RESCHEDULING THE TIME AND PLACE FOR A PUBLIC HEARING IN CONNECTION WITH THE LEVY OF A CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 94-95 TO MARCH 6, 1995:**

RECOMMENDATION: Adopt Resolution No. 95-1392, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING RESOLUTION NO. 94-1370 AND RESCHEDULING THE DATE OF THE PUBLIC HEARING IN CONNECTION WITH THE PROPOSED LEVY OF A CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST

HOLLYWOOD BUSINESS IMPROVEMENT AREA FOR FISCAL YEAR 1994-95.” Approved as part of the Consent Calendar.

**L. AMENDMENT TO AGREEMENT FOR PROFESSIONAL PLANNING SERVICES:**

RECOMMENDATION: Approve extension of contract for professional services as outlined in Exhibit A with Harden Carter, Planning Consultant, and authorize the City Manager to sign the extension agreement. Approved as part of the Consent Calendar.

**M. DESIGNATION OF 652 N. LA PEER/665 N. ROBERTSON AS A LOCAL CULTURAL RESOURCE:**

RECOMMENDATION: Adopt Resolution No. 95-1393, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING THE DESIGNATION OF 652 N. LA PEER/665 N. ROBERTSON AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD.” Approved as part of the Consent Calendar.

**N. AUTHORIZATION TO EXECUTE A MILLS ACT CONTRACT BETWEEN THE CITY OF WEST HOLLYWOOD AND THE OWNER OF UNIT NO. 67 AT 1424 N. CRESCENT HEIGHTS:**

RECOMMENDATION: Authorize the City Manager to execute an Historical Property Preservation Agreement (Mills Act Contract) between the City and the owner of unit No. 67 in the local cultural resource located at 1424 N. Crescent Heights. Approved as part of the Consent Calendar.

**O. RESOLUTION SUPPORTING METRO RED LINE WESTERN EXTENSION:**

This item appears under Excluded Consent Calendar.

**P. AWARD OF A CONTRACT TO LSA ASSOCIATES, INC. FOR THE PREPARATION OF A FOCUSED ENVIRONMENTAL IMPACT REPORT FOR A MIXED-USE DEVELOPMENT PROJECT AT 8410 SUNSET BOULEVARD:**

RECOMMENDATION: 1) Authorize the City Manager to execute an agreement with LSA Associates, Inc. in an amount not to exceed \$9,800 for the preparation of a traffic impact analysis for 8410 Sunset Boulevard. 2) Authorize the City Manager to execute an agreement with Sion Shooshani Trusts, Inc. for payment of \$10,976 for the preparation of a traffic impact analysis and contract administration fees for a proposed development at 8410 Sunset Boulevard. 3) Appropriate \$9,800 to the professional services account in the Transportation Division, following execution of agreement between West Hollywood and Sion Shooshani Trusts, Inc.

and receipt of \$10,976, pursuant to that agreement. Approved as part of the Consent Calendar.

**Q. ANIMAL WELFARE ESSAY CONTEST:**

RECOMMENDATION: Approve the "City of West Hollywood Animal Welfare Essay Contest" and direct staff to work with local educators to solicit entries from middle school students enrolled in schools serving the City of West Hollywood. Approved as part of the Consent Calendar.

**R. TRAFFIC CONTROL ROOM AND COMPUTER ROOM COMMAND CENTERS IN THE NEW CITY HALL:**

RECOMMENDATION: Authorize the City Manager to enter into an agreement with Wright Line in an amount not to exceed \$23,000 for the design and construction of the traffic control room and computer room command centers. Approved as part of the Consent Calendar.

**3. PUBLIC HEARINGS:**

**A. IMPLEMENTATION OF THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989 (HOTEL MARKETING BENEFIT ZONE) PER CITY COUNCIL RESOLUTION 94-1370, RESCHEDULED TO MARCH 6, 1995 PER CONSENT CALENDAR ITEM AMENDING RESOLUTION 94-1370:**

City Clerk Love stated that a notice of public hearing was mailed to all hotel owners within the City of West Hollywood on December 2, 1994. The notice of public hearing was also published in the West Hollywood *Independent* on January 4, 1995 and January 11, 1995.

Debby Linn, Contract Development Specialist, provided background information as outlined in the staff report dated January 17, 1995.

RECOMMENDATION: Announce rescheduling of public hearing in connection with the proposed levy of charge (Assessment) against hotels in the West Hollywood Business Improvement Area for Fiscal Year 1994-95 to Monday, March 6, 1995 at 7:00 p.m. at the City Council's regularly held meeting.

Motion Heilman, seconded Martin and unanimously carried.

**B. MUNICIPAL PARKING STRUCTURE NO. 1 - 8383 SANTA MONICA BOULEVARD - GENERAL PLAN AMENDMENT 94-03, ZONING MAP AMENDMENT 94-04, DEMOLITION PERMIT 94-06 AND FINAL**

**ENVIRONMENTAL IMPACT REPORT AND GENERAL PLAN TEXT  
AMENDMENT 94-05 AND NEGATIVE DECLARATION:**

Timothy Foy, Associate Planner, provided background information as outlined in the staff report dated January 17, 1995.

Joan English, Director of Transportation and Public Works, provided an overview of the type of public parking areas which are available in West Hollywood. She also reviewed the history of developing public parking structures in the City. She responded to the comment which had been raised at other public meetings as to why a structure was not built behind the new City Hall. Petersen, having a lease purchase agreement with the City, would not agree to a parking structure behind the building. If the City would have waited until taking possession from Peterson to build the structure, this would have eliminated parking for constituents and City staff during the lengthy construction period.

Joan English further commented that during the process they solicited input on a design which would enhance the project. The Planning Commission made three changes. Staff agreed with two of the three 1) Eliminate one of the two towers; and, 2) Retail to come out to Santa Monica Blvd. with an alcove for elevators and stairs. The recommendation which staff did not agree with was the selection of Scheme 2. Staff felt that safety was an issue and the second staircase would be closer to the residential area. Furthermore, from a usage standpoint, it is not the most convenient. Staff recommends Scheme 1. However, she indicated that one disadvantage of Scheme 1 is that potential tenants would lack visibility due to the alcove, this may affect the leasability of the retail space. The garage will have 170 parking spaces; 60 for City employees, 20 for Mayfair, 28 for the structure's retail and 62 for the general public. At night 130 spaces will be available when the roof is closed; 20 for Mayfair and 110 for the general public.

Janis Rhodes, Parking Manager, commented on the demand for the parking in the area. A consultant was hired in March of 1994 who concluded that 154 spaces were needed. In December of 1994 staff concluded that demand was closer to 170 spaces.

Arthur Strock, Project Manager for the Parking Structure, reiterated the purpose of the structure and reviewed the design. He stated that about 8,000 square feet of retail space is included in the project.

City Attorney Jenkins referred to Exhibit K, exhibit 1; the typographical error in the title will be corrected. Items 1.1 and 1.2 should be stricken and replaced with the words "this is intentionally left blank." Finally in paragraph 2.1, "this permit is for a three level municipal parking structure" must be changed to "this project is a three level municipal parking structure."

City Clerk Love stated that a notice of public hearing was published in the West Hollywood *Independent* on December 28, 1994 and January 4, 1995.

The public hearing was opened.

BRIAN LANTIN, WEST HOLLYWOOD, stated he was originally in support however, he has a number of questions primarily regarding the number of spaces which will be available to businesses.

SANDY SHIRE, WEST HOLLYWOOD, made comments regarding the lack of participation on both sides of this issue.

CANDIDA MCCOLLAM, WEST HOLLYWOOD, stated the City Council was irresponsibly spending public funds on this parking structure. She also commented on the percentages of allocated parking spaces.

SYDNEY GREEN, WEST HOLLYWOOD, stated that this item should be before the electorate. He is not in support.

REGINA BURGER, WEST HOLLYWOOD, spoke in support of a parking structure behind the new City Hall and is against the proposed structure at 8383 Santa Monica Blvd.

ESTHER MONTAGNER, WEST HOLLYWOOD, spoke against the parking structure. However, she indicated that Basix, Marix and Capone's need additional parking.

DIANA GOULD, REPRESENTATIVE OF WEST HOLLYWOOD TRANSPORTATION MANAGEMENT ORGANIZATION, an affiliate of the Chamber of Commerce, stated that the organization supports the parking structure.

THOMAS CRAIL, WEST HOLLYWOOD, stated his support for this parking structure. He indicated the Leadership Council of the Chamber of Commerce is in support of the project.

JOHN ALTSCHUL, WEST HOLLYWOOD, stated his support for the parking structure. He indicated that the voter mandate has taken place as many candidates have campaigned on the basis of additional parking.



JEANNE DOBRIN, WEST HOLLYWOOD, speaking against this project, stated that the area restaurants will benefit most from this project. She commented that the Mayfair lot is large enough for a parking structure.

NITA CASAR, WEST HOLLYWOOD, stated her support for the parking structure.

DIANA GRAHAM, PRESIDENT, WEST HOLLYWOOD CHAMBER OF COMMERCE, indicated she understands the parking problems. She stated her support for this project and urged Council to approve.

CHRISTOPHER PATROUCH, WEST HOLLYWOOD BUSINESS OWNER, stated his opposition to this structure. He indicated that alternative solutions would be less expensive such as improving local transit.

RUTHE JACOBSON, WEST HOLLYWOOD, stated there is not enough parking anywhere in this City, however the new parking structure may add to traffic congestion in the vicinity. She also commented that the proposed design is ugly.

MARY SWEENEY, WEST HOLLYWOOD, congratulated the Council stating that in ten years of Cityhood there has never been a Council that succeeded in providing a parking structure.

Other constituents which had contacted the City Clerk in support, Bill Karpiak, Robert Simeone, Rebecca Miles, Russ Wilson, Deborah O' Flannigan, Jack Forman, Kip Marsh, Molly & Abe Zucker, Rae Mitchell, Gretchen Kubacky, Ronald Kates, Robert Stiles. In opposition Jim Gant and Susan Abbott.

Paul Arevalo, Director of Finance, provided an overview of the parking structure's financing options although he noted this information is preliminary.

Mayor Pro Tem Heilman asked for clarification that the parking structure will operate at a deficit.

Mr. Arevalo responded that the structure would operate with an annual subsidy from the parking trust fund.

Councilmember Martin asked if the reimbursement to the trust fund is an absolute.

Mr. Arevalo responded that Council can make that decision, however, he strongly recommends reimbursement.

Councilmember Koretz asked about the marketability of the bonds.

Mr. Arevalo stated there were seven bids to buy, the highest being 6.6% and the low 6.5 %. He felt that the marketability of the City's municipal debt is surprisingly healthy especially during the tail end of a recession and the recent financial collapse of Orange County. The City received a AA rating and the parking structure project received an A rating.

Councilmember Koretz indicated it was his understanding that the leases would be short term.

Ms. English responded that a long term lease has only been discussed with Mayfair Market.

Councilmember Koretz asked if other businesses have approached the City for long term leases.

Ms. English responded that there have not been any other businesses approaching the City.

Councilmember Martin inquired on the cost of security cameras at the structure.

Ms. English responded that costs are unknown at this time and security cameras are still being debated as they provide a false sense of security.

Councilmember Martin asked about the prohibition of car alarms.

Ms. English responded that a fine system could be implemented.

Mayor Pro Tem Heilman clarified that the Mayfair is primarily interested in the 20 sites for employee parking. He asked if the power lines on the east side could be placed underground.

Ms. English responded that the City has granted an easement to Edison on the north side to underground the power lines.

Mayor Pro Tem Heilman clarified that a traffic signal at the structure's entrance is part of the staff recommendation.

Ms. English responded that a traffic signal is recommended at Santa Monica Boulevard and Kings Road.

Mayor Pro Tem Heilman reiterated the inquiry as to why the structure is not larger.

Ms. English responded that the proposal is at the height limit of the commercial area and if more floors were added, the structure would be out of character with the business district.

Mayor Pro Tem Heilman inquired as to what is the general height of the building.

Tim Foy responded, 38 feet.

Mayor Pro Tem Heilman asked if there was any consideration given to placing the tower closer to the parking attendant.

Ms. English responded that if moved, the tower would then be closer to the residential area and patrons may hesitate walking away from Santa Monica Blvd. to an area with far less pedestrian traffic.

Mayor Land inquired about delivery trucks and whether it was possible to have the leases specify the loading and unloading zone. In addition, she questioned the eleven foot height restriction.

Ms. English responded that this height would accommodate the average delivery truck.

Mayor Pro Tem Heilman stated he would prefer to direct staff to develop the operation plan and return to Council. He indicated there should be some discussion regarding spaces for compact cars and the restriction on leasing to food service.

Ms. English responded that of the 170 spaces, 124 are standard, 6 are handicapped and 40 are compact.

Janis Rhodes, Parking Manager, stated that there are problems with food service in parking structures which include ventilation, disposal of garbage and deliveries.

Mayor Land indicated that there should be some discussion on the design of the parking structure.

Councilmember Martin inquired if the Planning Commission had specific design concerns which would warrant the design going back to them.

Ms. English responded that the Commissioners felt Scheme 2 would result in more readily leasable space due to the increased visibility. However, staff was concerned with safety issues.

Mayor Land indicated she is leaning toward Scheme 1 due to the added security.

Councilmember Koretz concurred with Mayor Land and stated that aesthetically he prefers Scheme 1.

Mayor Pro Tem Heilman initially preferred Scheme 3 but is convinced of the security issues and therefore concurs with Mayor Land and Councilmember Koretz.

Mayor Pro Tem Heilman further indicated that his concerns were to direct staff to develop a security and operation plan including possible cameras, the hours of operation, cost of hiring a cashier, cleaning and maintenance plan and a specific prohibition for usage by the House of Blues. Additionally, developing a plan for use by residents that could incorporate Ms. Rhodes concerns regarding food service.

Councilmember Martin expressed concerns about deliveries, time of operation, car alarms and would like the Transportation Commission to review this after six months relative to speed bumps on the southern end of Kings Road.

Councilmember Koretz expressed his concern over delivery trucks which are larger than eleven feet.

Ms. English responded that this restriction could be incorporated into the lease agreements.

Councilmember Koretz added his concern about the times of operation which should not necessarily preclude late night usage. He stated he would like to have security cameras.

Councilmember Martin added that the proposed operation plan should include the City Hall lot after hours and the possibility of utilizing the City Hall lot for night time parking for Mayfair.

RECOMMENDATION: 1) Adopt Resolution No. 95-1395, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING GENERAL PLAN AMENDMENT 94-03, AND DEMOLITION PERMIT 94-06 AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTING GENERAL PLAN TEXT AMENDMENT

94-05 AND CERTIFYING THE NEGATIVE DECLARATION.” 2) Introduce for first reading Ordinance No. 95-428, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE ZONING MAP BY CHANGING THE ZONING CATEGORY OF THE PARCEL LOCATED AT 8383 KINGS ROAD TO PUBLIC AND AMENDING ARTICLE IX CHAPTER 9230 OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE).” 3) Approve design Scheme 1 including the direction given above.

Motion Heilman, seconded Koretz and carried on a roll call vote:

AYES: Councilmembers-Koretz, Martin, Heilman and Mayor Land.

NOES: Councilmembers-None.

ABSENT: Councilmembers-Guarriello.

City Council recessed at 9:25 p.m.

City Council reconvened at 9:40 p.m.

**C. APPEAL OF CHAB’S DESIGNATION OF 623 N. ROBERTSON BOULEVARD AS A LOCAL CULTURAL RESOURCE:**

Timothy Foy, Associate Planner, provided background information as outlined in the staff report dated January 17, 1995.

City Attorney Jenkins indicated he must abstain from this item.

City Clerk Love stated that a notice of public hearing was published in the West Hollywood *Independent* on January 4, 1995.

The public hearing was opened.

As no one wished to speak on this item the public hearing was closed.

Councilmember Koretz inquired if there was any public input regarding this issue.

Mr. Foy responded that no one has contacted staff.

Councilmember Koretz commented that the building, although not a notable style, is unusual enough that it is worth preserving, therefore he must vote against the appeal.

RECOMMENDATION: Grant the appeal and overturn CHAB’s recommendation to designate 623 N. Robertson as a local cultural resource. Adopt Resolution No. 95-1396 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE DESIGNATION OF 623 N.

ROBERTSON BOULEVARD AS A CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD.”

Motion Heilman, seconded Martin and carried on a roll call vote:

AYES: Councilmembers-Martin, Heilman and Mayor Land.

NOES: Councilmembers-Koretz.

ABSENT: Councilmembers-Guarriello.

**D. APPEAL OF CHAB'S DESIGNATION OF 8756-8766 HOLLOWAY DRIVE, AS A LOCAL CULTURAL RESOURCE:**

Timothy Foy, Associate Planner, provided background information as outlined in the staff report dated January 17, 1995.

City Clerk Love stated that a notice of public hearing was published in the West Hollywood *Independent* as required by law.

Mayor Land inquired what CHAB's vote was on this item.

Tim Foy replied that he does not have that information.

The public hearing was opened.

CLARE BRONOWSKI, CHRISTENSEN, WHITE, MILLER, FINK & JACOBS, requested that there be some limitations on this designation. She indicated that only two of the four buildings were designed by Schindler. She requested that only the portions of the building which were designed by Schindler be designated.

Mayor Pro Tem Heilman clarified that 8758, 8760 and 8766 which were definitely designed by Schindler should be designated and preserved. However, 8762 and 8764 do not seem as if they were designed by the architect. Regardless, he agrees with CHAB that all of the buildings should be considered as a group. For future redevelopment purposes, a need may arise to separate out the buildings which were not designed by Schindler. But in terms of the ordinance, the whole property deserves designation.

Councilmember Koretz concurred to some degree. However, he sees no value in preserving buildings which were not designed by Schindler. He would like to separate out the buildings which were not designed by the architect.

Tim Foy indicated that the Council could designate this a district and identify certain buildings as non-contributing which would prevent those from going through certain procedures but would allow review by CHAB.

Mayor Land stated that she wanted to preserve the buildings designed by Schindler but she was not sold by the other buildings. She agrees that the properties should be designated as a district.

Mayor Pro Tem Heilman stated he is troubled by the direction of this discussion. In particular, the demolition of one of the buildings to accommodate a driveway.

Mayor Land indicated she does not feel comfortable demolishing one of the building to allow access.

Mayor Pro Tem Heilman stated he was not comfortable with the concepts presented in the letter submitted.

Councilmember Koretz concurred that he would rather not see a driveway going through this property.

Gay Forbes, Community Development Director stated that when staff provided an alternative to a district, they did not have the concept submitted.

Councilmember Koretz moved to table this item until there is a full Council.

Motion died for a lack of second.

Mayor Pro Tem Heilman believes that the issues can be resolved at this meeting while allowing the property owner flexibility in redeveloping the site.

Mayor Land asked the City Attorney if there could be a condition placed upon the district to restrict demolition of the two buildings (8760 and 8762) in order to provide access.

City Attorney Jenkins responded it is his recollection that if it is not a contributing building then such a condition cannot be attached.

Mayor Pro Tem Heilman asked if by designating it as a district then CHAB would have jurisdiction over redevelopment of the site.

Tim Foy responded that CHAB would have jurisdiction.

The Council discussed whether designating the site as a cultural district would enable CHAB to review and/or prevent the demolition of the non-contributing buildings.

Councilmember Koretz stated that it would not be likely that CHAB would approve a demolition for such a purpose. This would only occur if it were appealed to the Council and the Council then approved it.

RECOMMENDATION: Designate this as a cultural district with both 8760 and 8762 Holloway Drive as non-contributing; direct staff to return with a revised resolution.

Motion Heilman, seconded Koretz and carried on a roll call vote:

AYES: Councilmembers-Koretz, Martin, Heilman and Mayor Land.

NOES: Councilmembers-None.

ABSENT: Councilmembers-Guarriello.

**COUNCILMEMBER COMMENTS:**

Mayor Land announced that she has drafted a letter to our representatives in Washington D.C. opposing proposed federal funding cuts for the public broadcasting system.

Councilmember Martin announced that this being the anniversary of the Northridge earthquake urged earthquake preparedness. He requested that contributions for victims of this morning's earthquake in Kobe, Japan should be sent to the American Red Cross at 11355 Ohio Avenue, Los Angeles, CA 90025.

**4. UNFINISHED BUSINESS:**

**A. PROPOSED CHANGES TO THE WEST HOLLYWOOD MUNICIPAL CODE, ARTICLE VI, CHAPTER VII, BUSINESS LICENSE TAX:**

Paul Arevalo, Director of Finance, provided background information as outlined in the staff report dated January 17, 1995.

RECOMMENDATION: Waive further reading and adopt Ordinance No. 95-426, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUSINESS LICENSE TAX OF THE CITY IN VARIOUS RESPECTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Motion Heilman seconded Koretz and unanimously carried.

**B. FURNISHINGS FOR NEW CITY HALL:**

The City Hall space planning team provided background information as outlined in the staff report dated January 17, 1995.

RECOMMENDATION: 1) Authorize Petersen Publishing to enter into an agreement with Associates Purchasing for the purchase of City Hall furniture,



including acoustical panels and articulating keyboards in an amount not to exceed \$269,000, and 2) Transfer \$64,000 to account number 40-110-81-810 from the Unallocated Reserve.

Motion Koretz, seconded Martin and unanimously carried.

**C. CITYLINE NIGHTLINE SERVICE HOUR CHANGES, TO RECONSIDER OFFERING SUNDAY NIGHTLINE SERVICE:**

Lucy Dyke, Transportation Manager, provided background information as outlined in the staff report dated January 17, 1995.

Mayor Land inquired what the cost would be for Sunday day service.

Ms. Dyke responded that it would depend on the number of hours.

Mayor Pro Tem Heilman indicated that he would like to see Sunday night service continued.

Mayor Land concurred with Mayor Pro Tem Heilman and supports Sunday night service.

Mayor Pro Tem Heilman stated he would like to see alternative funding options for the continued night service.

RECOMMENDATION: 1) Continue Sunday night service of CityLine; and 2) Authorize the City Manager to modify the agreement with Diversified Paratransit, Inc. to reflect this change.

Motion Heilman, seconded Koretz and unanimously carried.

**D. AN AMENDMENT OF MUNICIPAL CODE SECTION 2961 ALLOWING FOR THE TEMPORARY EXPANSION OF THE FINE ARTS ADVISORY BOARD FROM NINE TO ELEVEN MEMBERS AND THE ADOPTION OF NEW GUIDELINES FOR THE APPOINTMENT AND TERMINATION OF MEMBERS OF ALL BOARDS AND COMMISSIONS:**

Council Deputy Sweeney provided background information as outlined in the staff report dated January 17, 1995.

Mayor Pro Tem Heilman inquired if this recommendation is consistent with Item 2.G approved earlier. He also suggested that perhaps the terms should be extended to July 31, 1995 to allow for additional meetings.

SANDY SHIRE, WEST HOLLYWOOD, thanked Council for their prompt action on this issue. He suggests that the Commission chair recommend appointments, reappointments and/or terminations to Council. He also supports the extension of the terms of Stephen Dick and Florence Sinay to July 31, 1995.

Councilmember Martin responded that the suggestion Mr. Shire made would not necessarily work as the chair of each board either rotates or is elected.

RECOMMENDATION: Direct the City Attorney to 1) draft an ordinance which temporarily amends Municipal Code Section 2961, to allow for the temporary expansion of the Fine Arts Advisory Board from nine to eleven members for a time period ending on July 31, 1995 with the intent to reappoint Stephen Dick and Florence Sinay.

Motion Heilman, seconded Koretz and unanimously carried.

**E. PHASE I HARDWARE AND SYSTEMS SOFTWARE:**

Mark Johnson, Master Plan Coordinator, provided background information as outlined in the staff report dated January 17, 1995.

RECOMMENDATION: Authorize the City Manager to enter into purchasing agreements with vendors as outlined in the staff report dated January 17, 1995.

Motion Koretz, seconded Martin and unanimously carried.

**5. NEW BUSINESS:**

**A. HART HOUSE RENOVATION AND THE ACTORS STUDIO:**

Lloyd Long, Director of Human Services, provided background information as outlined in the staff report dated January 17, 1995.

BARBARA BAIN, WEST HOLLYWOOD, commented that the Hart House has been there since 1965. She gave an overview of the Actors' Studio and the work done there. She urged Council approval.

SANDY SHIRE, WEST HOLLYWOOD, indicated that the sub-committee of the Fine Arts Board met in December and was very impressed. He stated his support for this item.

JEANNE DOBRIN, WEST HOLLYWOOD, congratulated Ms. Bain on her dedication over the years to her profession. She commented on the condition of the theater. She also suggested that a condition be imposed if fund raising efforts are not successful by January 31, 1996 to avoid depletion of Quimby funds.

BARBARA BAIN, responded that there was no motivation to renovate if there was not a lease. The intent is to move forward.

Mayor Pro Tem Heilman indicated his concerns about the use of Quimby funds. He asked if the group will be able to conduct the fund raising.

Lloyd Long responded that of the \$30,000 they have raised \$20,000 and that there have been a number of organizational changes.

BARBARA BAIN added that she only came into the organization about ten months ago. She reviewed the structure of the studio and feels confident about the direction of the organization. She stated they have both long and short range goals and want to raise funds for an artistic director.

Mayor Land stated that the City will pursue obtaining funding from Sacramento for this project.

RECOMMENDATION: 1) Authorize the City Manager to enter into an agreement with the Actors Studio for funding of the renovation of the first floor of Hart House and to negotiate a long term sublease agreement for their partial use of the Hart House and for their use of the adjoining theater. 2) Authorize a supplemental appropriation from the Quimby Fund in the amount of \$80,000.00 of which \$50,000.00 will be reimbursed to the Fund by January 31, 1996.

Motion Heilman, seconded Koretz and unanimously carried.

**B. APPROVAL OF AGREEMENT WITH 1320 ASSOCIATES FOR PAYMENT OF AFFORDABLE HOUSING IN-LIEU FEES FOR THE CONDOMINIUM PROJECT LOCATED AT 1320 NORTH HARPER AVENUE:**

Allyne Winderman, Manager of Economic Development and Housing, provided background information as outlined in the staff report dated January 17, 1995.

Councilmember Martin inquired when the building permit was originally issued.

BOYD WILLAT, builder of the project, responded that permits were issued over 18 months ago.

Councilmember Martin indicated he did not understand how the in-lieu fees were not paid within the 30 days of issuance of the building permits and believes that the City is due interest on these funds. He inquired whether the City would consider taking units versus taking money.

Councilmember Koretz stated he liked the idea of taking units versus money also but would like to hear from the residents.

JEANNE DOBRIN, WEST HOLLYWOOD, stated her disbelief that these fees were not paid. She also commented that this is a hardship case but we cannot have this happen in the future.

Mayor Pro Tem Heilman stated that there must be a system set up so this does not happen. Also, it may be necessary to reexamine in-lieu fees or perhaps stretch them over a longer period of time. He indicated he does not feel it is fair to penalize this development because the City did not take action. In addition, he does not support taking units because the \$260,000 can be leveraged to fund more than two units. He indicated he would consider additional interest and is willing to support the staff recommendation.

Mayor Land stated that staff must examine the in-house procedures.

Mayor Pro Tem Heilman requested that staff provide a report on the new procedures which will be implemented.

RECOMMENDATION: 1) Approve the agreement providing terms by which affordable housing in-lieu fee will be paid to the City and the City will issue a Certificate of Occupancy for the project located at 1320 North Harper. 2) Direct staff to provide a report on new in-lieu fee procedures.

Motion Koretz, seconded Heilman and unanimously carried.

#### **EXCLUDED CONSENT CALENDAR:**

##### **2.F REORGANIZATION OF CITY CLERK'S DIVISION:**

Mayor Pro Tem Heilman stated that he received the clarification he requested regarding how the reorganization would affect the current division staff.

RECOMMENDATION: 1) Approve the City Clerk's Division Reorganization. 2) Approve new specification for Deputy Clerk (GE-05). 3) Approve new specification for Assistant City Clerk (ACE-10, Exempt).

Motion Heilman, seconded Martin and unanimously carried.

**2.J RESOLUTION DECLARING MAY 9, 1995 "VICTORY IN EUROPE DAY" IN WEST HOLLYWOOD AND APPROVAL FOR THE CITY TO PARTICIPATE IN A PARADE AND RALLY:**

Mayor Pro Tem Heilman asked for clarification on the funding source.

Councilmember Martin stated that the City Manager assured him that funding is available from several sources.

City Manager Brotzman and Mayor Pro Tem Heilman then concurred that there is a certain amount of money set aside in the budget for Council projects that might arise throughout the year.

RECOMMENDATION: 1) Adopt Resolution No. 95-1391, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING MAY 9, 1995 'VICTORY IN EUROPE DAY'." 2) Direct staff to help the Red Army Veterans organization with the planning and implementation of parade and rally on May 9, 1995 in Plummer Park. 3) Direct staff to send copies of this resolution and a letter inviting officials, veterans organizations and dignitaries from the Los Angeles mission of the Russian Consulate to join the people of West Hollywood in thanking our many veterans by participating in this rally and celebration. Approved as part of the Consent Calendar.

Motion Heilman, seconded Koretz and unanimously carried.

**2.O RESOLUTION SUPPORTING METRO RED LINE WESTERN EXTENSION:**

Mayor Pro Tem Heilman stated that he does not support the particular alignment of the line now being proposed. However, he does support funding for a western metro extension.

RECOMMENDATION: Adopt Resolution No. 95-1394, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE METRO RED LINE WESTERN EXTENSION, IN COORDINATION WITH OTHER WESTSIDE CITIES."

Motion Heilman, seconded Martin and unanimously approved.

**CITIZEN COMMENTS:**

SANDY SHIRE, WEST HOLLYWOOD, spoke on Item 2.H. and thanked Councilmember Martin and Koretz. In addition, he thanked the Council for approving the item.

6. **LEGISLATIVE: NONE**

**COUNCILMEMBER COMMENTS: NONE**

**ADJOURNMENT:** The City Council adjourned at 11:44 p.m. in memory of B. J. Sultan, Paul Sacks and Chris Blauman to their next regular meeting on Monday, February 6, 1995 at 7:00 p.m. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 6TH DAY OF FEBRUARY, 1995.

  
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MAYOR

ATTEST:

  
\_\_\_\_\_  
City Clerk