

**MINUTES  
CITY COUNCIL MEETING  
December 5, 1994  
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 7:07 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by City Manager Brotzman.

**ROLL CALL:**

Present - Guarriello, Koretz, Martin, Heilman, Mayor Land  
Also Present - City Manager Brotzman, City Attorney Jenkins

**REPORT OF CLOSED SESSION:** City Attorney Jenkins stated the meeting was called to order and there were a number of items which arose after the posting of the agenda. The Council unanimously voted to amend the closed session agenda to include under existing litigation; Ozeran vs. City of West Hollywood (Case #B079979), Orfirer vs. City of West Hollywood (Case #SC 03373390) and Cervantes vs. City of West Hollywood (Case #94C02881). Under threatened litigation, the agenda was amended to include one case. Also, under potential litigation, the agenda was amended from two cases to one. The City Council then recessed into closed session to discuss items on the amended agenda. A report of action taken is available with the City Clerk.

**APPROVAL OF AGENDA:**

Mayor Land stated that Item 3.A. has been tabled until a meeting in January and staff has requested the tabling of Items 5.B. and 6.A. Mayor Pro Tem Heilman requested the removal of Item 2.O. from the Consent Calendar.

Motion to approve the agenda as amended by Koretz and seconded by Heilman and unanimously carried.

**PRESENTATIONS:**

Mayor Pro Tem Heilman requested that the meeting be adjourned in memory of Jean Weinberger.

Councilmember Martin commented that Jean was a stalwart member of West Hollywood West. He requested that the meeting also be adjourned in memory of Elizabeth Glaser who was an AIDS activist. Mayor Land indicated the meeting would be adjourned in memory of Jean Weinberger and Elizabeth Glaser.

**1. CITIZEN COMMENTS:**

**A. CITIZEN COMMENTS ON CONSENT CALENDAR ITEMS WHICH HAVE NOT BEEN PULLED:**

NONE.

**B. CITIZEN COMMENTS - GENERAL:**

BILL FERRA, WEST HOLLYWOOD, responding to comments made by City Manager Brotzman at the last meeting, feels that the

Council and staff should be more responsive to the people of West Hollywood.

JEANNE DOBRIN, WEST HOLLYWOOD, praised the 10th Anniversary party which the City held on November 29th. Commenting on the Halloween Carnival, she attributed its success to the non-sale of alcohol.

THOMAS CRAIL, WEST HOLLYWOOD, thanked the Council for the recognition he received at the 10th Anniversary party.

SYDNEY GREEN, WEST HOLLYWOOD, spoke on behalf of CARPS against the Kings Road parking structure. He also commented on the lack of voter turnout for municipal elections.

SUSAN ARBETMAN, WEST HOLLYWOOD, speaking against the Kings Road parking structure, said it will increase crime and traffic congestion.

REGINA BURGER, WEST HOLLYWOOD, inquired about the City's 30-year lease with Petersen. Speaking against the proposed parking structure, she asked why more parking was not incorporated into the new City Hall.

CANDIDA MCCOLLAM, WEST HOLLYWOOD, speaking on behalf of CARPS, implied that the City will utilize the Kings Road parking structure for the House of Blues.

BUDD KOPS, WEST HOLLYWOOD, commented on statements made by City Manager Brotzman relative to the House of Blues.

KEVIN NOTRE, WEST HOLLYWOOD, stated that the anniversary celebration was wonderful.

JANE ZWEIG, WEST HOLLYWOOD, indicated she had needed some questions answered and had not received a response from City Hall regarding a garage at 7810 Fountain Avenue.

HYLAN KUNERTH, WEST HOLLYWOOD, commended the Council on the recent ban on smoking. However, he suggested that Council be concerned about carbon monoxide released due to traffic congestion.

BRIAN FREEDMAN, WEST HOLLYWOOD, made comments on the Fire Station and indicated he has not seen a study. He suggested that the Council consider height, square footage, setbacks, etc. He questioned how the \$4 million will be spent.

ROBERT GENOVESE, HOLLYWOOD, spoke regarding the continued occupancy of the House of Blues. He feels that there are still health & safety issues which have not been addressed. Also, full access to the disabled has not been achieved, in particular, an elevator which requires a security key.

**CITY MANAGER'S REPORT:**

Paul Brotzman reported that he spent the day in community oriented policing training in Long Beach which was very

enlightening.

Regarding Mayfair Market's involvement with the Kings Road parking structure. He reported that there is a proposal for Mayfair to use spaces in the structure. If the market decides to use spaces they will pay for them.

With regard to the fire station, he responded that the \$4 million is for property acquisition and construction, not equipment.

Mayor Land indicated that L.A. Magazine printed some false information regarding crime in West Hollywood and staff has been directed to draft a letter to L.A. Magazine regarding this. She asked that City Manager Brotzman elaborate on the issues.

City Manager Brotzman replied that the magazine reported response time for West Hollywood at 9 minutes when the average is actually closer to 4 minutes. He added that the crime statistics are misleading because many of the altercations within West Hollywood occur between the great number of non-residents who happen to be in the City for employment or entertainment purposes.

**FISCAL IMPACT REPORT ON CONSENT CALENDAR:**

City Clerk Love stated that the fiscal impact for the Consent Calendar, as amended, is \$54,000 in expenditures and \$0 in potential revenue.

**2. CONSENT CALENDAR:**

**ACTION:** Approve the Consent Calendar as amended. Motion Heilman seconded Guarriello and unanimously carried.

**A. POSTING OF AGENDA:** The agenda for the meeting of Monday, December 5, 1994, was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Friday, December 2, 1994.  
**RECOMMENDATION:** Receive and file. Approved as part of the Consent Calendar.

**B. APPROVAL OF MINUTES: November 21, 1994**  
**RECOMMENDATION:** Approve the minutes of November 21, 1994. 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 be waived. Approved as part of the Consent Calendar.

**D. CLAIMS: Harriet Tannenbaum  
Scott Greene  
Myrna S. Lieberman  
Evaline Irwin Sosin**  
**RECOMMENDATION:** Deny the claims of Harriet Tannenbaum, Scott Greene, Myrna S. Lieberman and Evaline Irwin Sosin without comment and refer to the City's claims adjustor. Approved as part of the Consent Calendar.

- E. DEMAND REGISTER NO. 283, RESOLUTION NO. 94-1372.1**  
RECOMMENDATION: Approve Demand Register No. 283 and adopt Resolution No. 94-1372.1. Approved as part of the Consent Calendar.
- F. ORDINANCE NO. 94-425 (2nd Reading) ZONING TEXT AMENDMENT 94-03: PRESERVING INCLUSIONARY HOUSING IN THE EVENT OF CONVERSION TO COMMON INTEREST DEVELOPMENT:**  
RECOMMENDATION: Waive further reading and adopt Ordinance No. 94-425, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AMENDMENTS TO CHAPTER 9400 OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE)." Approved as part of the Consent Calendar.
- G. EXTENSION OF CONTRACT WITH JL ASSOCIATES FOR PARKING METER COLLECTION SERVICES:**  
RECOMMENDATION: Exercise the option to extend the contract with JL Associates for a period of one year effective January 1, 1995. Approved as part of the Consent Calendar.
- H. RESOLUTION SETTING THE DATE AND LOCATION FOR A PUBLIC HEARING REGARDING A PROPOSED VACATION OF A PORTION OF LA BREA AVENUE:**  
RECOMMENDATION: Adopt Resolution No. 94-1373.1, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO VACATE A PORTION OF LA BREA AVENUE IN THE CITY OF WEST HOLLYWOOD AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON." Approved as part of the Consent Calendar.
- I. RESOLUTION NOTIFYING THE REGIONAL WATER QUALITY CONTROL BOARD OF THE CITY'S INTENT TO PARTICIPATE IN RENEWAL OF THE MUNICIPAL/URBAN RUNOFF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT:**  
RECOMMENDATION: Adopt Resolution No. 94-1374, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING ITS INTENTION TO PARTICIPATE IN THE RENEWAL OF THE MUNICIPAL/URBAN RUNOFF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR LOS ANGELES COUNTY AND CO-PERMITTEES." Approved as part of the Consent Calendar.
- J. DENIAL OF DESIGNATION OF 824 N. ROBERTSON BOULEVARD AS A LOCAL CULTURAL RESOURCE:**  
RECOMMENDATION: Adopt Resolution No. 94-1375, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE DESIGNATION OF 824 N. ROBERTSON BOULEVARD AS A LOCAL CULTURAL RESOURCE OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA." Approved as part of the Consent Calendar.
- K. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING A STATE OF LOCAL EMERGENCY IN WEST HOLLYWOOD REGARDING THE TRANSMISSION OF HIV THROUGH CONTAMINATED NEEDLES AND IN SUPPORT OF NEEDLE EXCHANGE PROGRAMS THROUGHOUT SOUTHERN CALIFORNIA:**

RECOMMENDATION: 1) Endorse needle exchange programs in West Hollywood and throughout Southern California to prevent the spread of AIDS. 2) Declare that a local state of emergency exists in West Hollywood and throughout Southern California regarding the transmission of HIV through contaminated needles and other contaminated injection drug equipment. 3) Adopt Resolution No. 94-1376, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING A STATE OF LOCAL EMERGENCY IN WEST HOLLYWOOD REGARDING THE TRANSMISSION OF HIV THROUGH CONTAMINATED NEEDLES AND IN SUPPORT OF NEEDLE EXCHANGE PROGRAMS IN WEST HOLLYWOOD AND THROUGHOUT SOUTHERN CALIFORNIA." Approved as part of the Consent Calendar.

**L. STATUS ON LIBRARY SERVICES:**

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

**M. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH SUPERVISORY CONFIDENTIAL EMPLOYEES BARGAINING UNIT - ASSOCIATION OF CONFIDENTIAL EMPLOYEES (ACES):**

RECOMMENDATION: Approve the agreement with ACES contained in the Memorandum of Understanding and authorize the City Manager to sign the document. Approved as part of the Consent Calendar.

**N. APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH NON-SUPERVISORY CONFIDENTIAL EMPLOYEES BARGAINING UNIT - ASSOCIATION OF CONFIDENTIAL EMPLOYEES (ACE):**

RECOMMENDATION: Approve the agreement with ACE contained in the Memorandum of Understanding and authorize the City Manager to sign the document. Approved as part of the Consent Calendar.

**O. APPROVAL OF PROFESSIONAL SERVICES CONTRACT TO FACILITATE ECONOMIC SUMMIT MEETINGS AND PREPARATION OF RELATED MATERIALS:**

This item appears under Excluded Consent Calendar.

**P. AUTHORIZATION TO EXTEND THE PERIOD TO REVIEW CENTURY CABLE'S FCC 1200 SERIES FILING AND ISSUE AN ACCOUNTING ORDER TO CENTURY CABLE AS ALLOWED BY FCC REGULATION 76.933:**

RECOMMENDATION: 1) Authorize staff to extend the review period for Century Cable's 1200 Series filing as specified by FCC 76.933; and 2) Authorize staff to issue an Accounting Order to Century Cable by the December 11, 1994 deadline. Approved as part of the Consent Calendar.

**3. PUBLIC HEARINGS:**

**A. DENIAL OF DESIGNATION OF 623 N. ROBERTSON BOULEVARD AS A LOCAL CULTURAL RESOURCE:**

This item was tabled due to inadequate public notice.

**B. PROPOSAL TO REPLACE TWO-TIERED TAXI COUPON PRICES WITH ONE FLAT RATE:**

Lucy Dyke, Transportation Manager, provided background information as outlined in the staff report dated December 5, 1994.

City Clerk Love stated that a notice of public hearing was published in the West Hollywood Independent on November 23 and 30, 1994.

Mayor Pro Tem Heilman indicated he agreed with the direction but suggested a fee of \$5.50.

The public hearing was opened.

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

Councilmember Koretz stated that he was more concerned with the people who would pay more for their passes and is not entirely convinced the fee should go up.

Councilmember Martin concurred with Councilmember Koretz.

Mayor Land interrupted the discussion to give an update on the two earthquakes which occurred during the meeting.

Mayor Pro Tem Heilman suggested that this item should be held off in order to do some kind of survey.

Councilmember Guarriello concurred with Councilmembers Koretz and Martin.

Council directed staff to retain the current fee structure and survey the program participants for feedback.

**COUNCILMEMBER COMMENTS:**

Mayor Land thanked both the staff and citizens committee that put on the Cityhood Celebration.

Mayor Pro Tem Heilman indicated that there were a few people who were not invited and apologized for the oversight. He also gave the City Manager direction to follow up regarding the garage on Fountain. He also requested that some type of report on the disability issues relative to the House of Blues be presented to Council either orally or in writing.

City Manager Brotzman replied that it is his understanding that the House of Blues disability access issues have been fully resolved, however he will provide a report to Council. He also stated that the garage on Fountain was addressed by staff this afternoon.

Councilmember Martin commended the Sheriff's Department, the Public Safety Commission and neighborhood groups on their efforts to eliminate prostitution on Santa Monica Boulevard.

He also thanked the Planning Commission for the hearing held last week regarding the House of Blues. He is concerned that even though the nightclub is in full compliance with 92 of 93 conditions it is still having a tremendous impact on the neighborhood. He feels that the process seems flawed because the Planning Commission and staff were not able to anticipate such an impact. He fears that staff may not be able to predict the impact future projects may have on the community.

Mayor Land stated her concern about the House of Blues and suggested that members of the Planning Commission attend a meeting between neighbors and the nightclub staff.

**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 December 5, 1994.

Councilmember Guarriello inquired about businesses which have not paid a business license tax.

Paul Arevalo responded that currently all businesses are required to file an annual report. He stated that they are being aggressive in identifying businesses which are not in compliance.

Councilmember Martin asked if staff has consulted any business organizations such as the Alliance or the Chamber of Commerce.

Paul Arevalo stated that they will utilize the period between now and the public hearing to contact such organizations.

JEANNE DOBRIN, WEST HOLLYWOOD, stated she is in support of the business license tax on showrooms. She also suggested increasing the business license tax for food and beverage service from \$.96 to \$1.44 per thousand on restaurants, bars and hotels. She also suggested that a fee for gross receipts on nightclubs which function as theatres be imposed.

**RECOMMENDATION:** Schedule a public hearing for January 3, 1995.

Motion Koretz, seconded Guarriello and unanimously carried.

**B. FIRE STATION 7:**

Nancy Greenstein, Public Safety Administrator, provided background information as outlined in the staff report dated December 5, 1994.

Fire Chief Jim Shepherd spoke regarding the process which he has personally participated in over the last four years. He indicated that the timing is right for

negotiations. He also provided an update on the earthquake.

Mayor Land stated that those who have expressed concerns about the design of the new Fire Station should get involved in the process as these issues have not been decided.

BUDD KOPS, WEST HOLLYWOOD, asked Council to approve this item and suggested that a small model be made so that people can see how it will look. He also suggested deleting Section 7 of the contract.

BRAD SULLIVAN, WEST HOLLYWOOD, spoke in favor of this item and indicated the Public Safety Commission will stay on top of this.

Councilmember Guarriello stated his support.

Mayor Pro Tem Heilman asked why he should believe the statements describing this site as ideal are in fact true as the Council has been told the same thing for several other sites.

Fire Chief Shepherd responded that originally the San Vicente property was ideal as the Cynthia property was not available. He assured that if they receive support from the Council they will move ahead very quickly.

Public Safety Administrator Nancy Greenstein and Fire Chief Shepherd outlined the history of a stand alone station as opposed to a joint-use project.

Mayor Pro Tem Heilman observed a contradiction in that the old San Vicente site had been deemed perfect because it was closer to Santa Monica Boulevard. Now Shepherd claims the Cynthia site is preferable because it is closer to Sunset.

Shepherd responded that proximity to Sunset is preferable because there are more nightclubs on that street and the incline to Sunset increases the response time.

Councilmember Martin inquired whether they will avoid having to back up into traffic.

Shepherd assured the Council that a study had been done regarding access.

RECOMMENDATION: 1) Recommend to the Fire District they consider the property at the southeast corner of Cynthia Street and San Vicente Boulevard for the replacement station for Fire Station #7. 2) The Fire District proceed with the land acquisition and development of the Station replacement under the contract negotiated between the County and City last year and approved by the West Hollywood City Council and Board of Supervisors.



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

AYES - Guarriello, Koretz, Martin, Land  
NOES - Heilman

The Fire Department reported that there was no damage from the earthquakes.

**C. COMMISSION/BOARD APPOINTMENTS:**

The City Council made the following appointments and Mayor Land asked that the Women's Advisory Board vacancies be placed on the next agenda.

FINE ARTS ADVISORY BOARD:

Mayor Pro Tem Heilman nominated Gloria Goldsmith, Dee Trattman, Susan Batton and Eugene Castillo for reappointment and Hamp Simmons, David Steinberg and Jerry Hyde for appointment to the Fine Arts Advisory Board with terms ending May 31, 1996.

ACTION: Appoint nominees as recommended by Mayor Pro Tem Heilman.

CULTURAL HERITAGE ADVISORY BOARD:

Mayor Land recommended reappointing William Scott Field, Sabin Gray, and Augustus Higginson.

Councilmember Koretz nominated Amy Anderson and Stephen Thomas Powell.

ACTION: Reappoint William Scott Field, Sabin Gray and Augustus Higginson and appoint Amy Anderson and Stephen Thomas Powell to two year terms ending May 31, 1996.

LESBIAN & GAY ADVISORY COUNCIL:

Mayor Pro Tem Heilman recommended re-appointing Patricia Ryan.

He nominated Paul Dooks, Peter Kreysa, Vince Roncone, David Fischer, Heather Hinkel and Renee Rosenfeld.

He indicated that there are still openings for two lesbians.

ACTION: Appoint Paul Dooks, Peter Kreysa, Vince Roncone to two year terms ending May 31, 1996; appoint David Fischer to fill an unexpired term ending May 31, 1995; and, appoint Heather Hinkel and Renee Rosenfeld to two year terms ending May 31, 1996.

SENIOR ADVISORY COUNCIL:

Councilmember Martin nominated Gerda Spiegler.

Mayor Pro Tem Heilman nominated Marge Fleming and Zina

Shusterman.

Councilmember Koretz and Councilmember Guarriello nominated Budd Kops.

**ACTION:** Appoint Gerda Spiegler to the Senior Advisory Council with a term ending August 15, 1996, carried on a roll call vote:

AYES - Guarriello, Koretz, Martin, Heilman, Land  
NOES - None

**ACTION:** Appoint Marge Fleming to the Senior Advisory Council with a term ending August 15, 1996, carried on a roll call vote:

AYES - Guarriello, Koretz, Martin, Heilman, Land  
NOES - None

**ACTION:** Appoint Zina Shusterman to the Senior Advisory Council with a term ending August 15, 1996, carried on a roll call vote:

AYES - Guarriello, Koretz, Martin, Heilman, Land  
NOES - None

**ACTION:** Appoint Budd Kops to the Senior Advisory Council with a term ending August 15, 1996, carried on a roll call vote:

AYES - Guarriello, Koretz, Land  
NOES - Heilman  
ABSTAIN - Martin

**5. NEW BUSINESS:**

**A. AWARD OF CONTRACT TO THE MODEL SHOP FOR CONSTRUCTING A MODEL FOR THE SUNSET SPECIFIC PLAN OF SUNSET BOULEVARD AND THE SURROUNDING AREA:**

Gay Forbes, Director of Community Development, provided background information as outlined in the staff report dated December 5, 1994.

Mayor Pro Tem Heilman stated he will be voting no on this item because the Sunset Specific Plan has been in the works for a long time and staff continually requests more funding. He would like to see the Plan finalized and brought before Council.

**RECOMMENDATION:** Authorize the City Manager to execute an agreement, not to exceed \$25,000, between the City of West Hollywood and The Model Shop for services required to supply a model of Sunset Boulevard and the immediately surrounding area for use in the public review process.

Motion carried on a roll call vote:

AYES - Guarriello, Martin, Land

NOES - Koretz, Heilman

- B. HART HOUSE RENOVATION AND THE ACTORS STUDIO:**  
This item was tabled at the request of staff.

**EXCLUDED CONSENT CALENDAR:**

- 2. O. APPROVAL OF PROFESSIONAL SERVICES CONTRACT TO FACILITATE ECONOMIC SUMMIT MEETINGS AND PREPARATION OF RELATED MATERIALS:**

Mayor Pro Tem Heilman stated he will be voting no on this item because it was originally supposed to be an expanded Council meeting and now there is a request for \$8,500 for an Economic Summit Meeting facilitator.

Allyne Winderman, Manager of Housing and Economic Development, favors hiring outside consultants who have specific experience in this area to act as an independent voice. She also believes that the end product will be much better.

Councilmember Martin stated that the Economic Summit should be a little less elaborate.

Councilmember Guarriello stated his support for this item.

City Manager Brotzman indicated that there may have been a misunderstanding as to the Council direction. He requested a clarification from Council.

Mayor Land indicated that the Summit would be an opportunity to see if economic development is headed in the right direction.

Mayor Pro Tem Heilman stated that he feels staff clearly misunderstood the direction of the Council at the budget meetings.

Motion to approve the staff recommendation for entering a professional services contract by Guarriello. Motion died for lack of a second.

Mayor Land asked for direction to staff.

**MOTION:** Hold the Economic Summit and have the manager of Housing and Economic Development assume the role which had been recommended for the outside consultants, Councilmember Koretz, seconded Heilman and unanimously carried.

**CITIZEN COMMENTS:** None.

**6. LEGISLATIVE:**

- A. PROPOSED ORDINANCE AMENDING THE TAXICAB CHAPTER OF THE WEST HOLLYWOOD MUNICIPAL CODE:**  
This item was tabled at the request of staff.

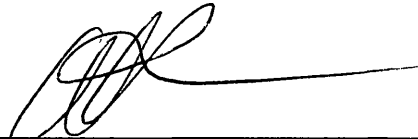
**COUNCILMEMBER COMMENTS:** None.

**ADJOURNMENT:** The City Council adjourned at 9:15 p.m. in memory of Jean Weinberger and Elizabeth Glaser to the next regular meeting to be held on December 19, 1994, at 7:00 p.m. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 3RD DAY OF JANUARY, 1995.

ATTEST:

  
CITY CLERK

  
MAYOR