

**MINUTES  
CITY COUNCIL MEETING  
JULY 18, 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 7:00 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Gerda Spiegler.

**ROLL CALL:** Present - Guarriello, Koretz, Martin, Heilman and Mayor Land  
Also Present - Assistant City Manager Makinney and City Attorney Jenkins

**REPORT OF CLOSED SESSION:**

City Attorney Jenkins stated that the meeting was called to order at 6:00 p.m., at which time the City Council recessed into a Closed Session to discuss those items on the closed session agenda which is contained in the agenda packet, and the written reports required for the closed session have been filed with the City Clerk.

Mayor Land announced that the meeting would be adjourned in memory of Eva Raber.

**APPROVAL OF AGENDA:** Item 2.I. was removed at the request of staff. Mayor Pro Tem Heilman noted his objection to Item 2.N. Councilmember Koretz commended Councilmember Guarriello for introducing Item 2.H. **ACTION:** Approve the agenda as amended. Motion Guarriello, seconded Koretz and unanimously carried.

**PRESENTATIONS:**

Mayor Land announced that Toyohashi, Japan, would be holding a music festival on August 20th, and as a cultural exchange, West Hollywood would be holding an open-air music festival, Live Celebration '94. A City employee, Walter Davis, will be playing in the festival. A proclamation will be presented to representatives of the festival, Steve Gold and Tom Powell.

**1. CITIZEN COMMENTS:**

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

**B. CITIZEN COMMENTS - GENERAL:**

SAMANTHA ALLEN, WEST HOLLYWOOD, block warden for Olive Drive Neighborhood Watch, urged Council to grant permit parking to her area.

SHARON O'ROURKE, DISTRICT MANAGER, SOUTHERN CALIFORNIA GAS COMPANY, informed the City Council and the public that the Gas Company has developed a "language card," for use as a tool for gas company service people to communicate with people who don't speak English.

**CITY MANAGER'S REPORT:**

Assistant City Manager Makinney stated that the first meeting of the prostitution task force would take place next Monday night at 7:00 p.m. and will be televised on the City's cable channel, and encouraged everyone to view the meeting.

**FISCAL IMPACT REPORT OF CONSENT CALENDAR:**

City Clerk Love stated that the fiscal impact of the Consent Calendar for July 18, 1994 as amended is \$7,760 in expenditures and \$232,726 in potential revenues.

**2. CONSENT CALENDAR:**

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

**A. POSTING OF AGENDA:** The agenda for the meeting of Monday, July 18, 1994, was posted at City Hall, Plummer Park, and the Sheriff's Station and at the West Hollywood Library on Friday, July 15, 1994.  
**RECOMMENDATION:** Receive and file. Approved as part of the Consent Calendar.

**B. APPROVAL OF MINUTES: June 29, 1994**  
**RECOMMENDATION:** Approve the minutes of June 29, 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: Michael Chafe  
Optical Dimensions**  
**RECOMMENDATION:** Take action on the claims of Michael Chafe and Optical Dimensions as discussed in Closed Session on July 18, 1994. Approved as part of the Consent Calendar.

**E. DEMAND REGISTER NO. 274, RESOLUTION NO. 94-1322:**  
**RECOMMENDATION:** Approve Demand Register No. 274 and adopt Resolution No. 94-1322. Approved as part of the Consent Calendar.

**F. TREASURER'S REPORT: April, 1994**  
**RECOMMENDATION:** Receive and file. Approved as part of the Consent Calendar.

**G. ORDINANCE NO. 94-415 (2nd Reading), REGARDING CITY SEWER SERVICE CHARGE:**  
**RECOMMENDATION:** Adopt Ordinance No. 94-415, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING A SEWER SERVICE CHARGE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Approved as part of the Consent Calendar.

**H. PROPOSED RESOLUTION REQUIRING COUNCILMEMBERS TO SUBMIT**

**FORMAL REPORTS OF CONFERENCES ATTENDED (WITH OR WITHOUT TRAVEL) WHEN CITY FUNDS ARE USED:**

RECOMMENDATION: Adopt Resolution No. 94-1323, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REQUIRING COUNCILMEMBERS TO SUBMIT FORMAL REPORTS OF CONFERENCES ATTENDED WHEN CITY FUNDS ARE USED." Approved as part of the Consent Calendar.

- I. **NOTICE OF COMPLETION FOR CIP 9403 STREET, TRAFFIC SIGNAL, SIGNING, AND STRIPING IMPROVEMENTS ON LA CIENEGA BOULEVARD:**  
Removed from the Agenda, under approval of agenda, at the request of staff.
- J. **RESOLUTION SUPPORTING THE "SANTA MONICA BAY RESTORATION PLAN":**  
RECOMMENDATION: Adopt Resolution No. 94-1324, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE SANTA MONICA BAY RESTORATION PLAN: A COMPREHENSIVE CONSERVATION & MANAGEMENT PLAN FOR THE BAY." Approved as part of the Consent Calendar.
- K. **APPROVAL OF AMENDMENT TO JOB TRAINING CONTRACT WITH PROJECT NEW HOPE TRINITY LEARNING CENTER:**  
RECOMMENDATION: Approve \$5,000 contract amendment with Project New Hope Trinity Learning Center to provide computer job training services to residents who are homeless, or at risk of homelessness, and living with HIV and AIDS. Approved as part of the Consent Calendar.
- L. **AUTHORIZATION TO EXECUTE AN HISTORICAL PROPERTY PRESERVATION AGREEMENT (MILLS ACT CONTRACT) BETWEEN THE CITY OF WEST HOLLYWOOD AND ROBERT MATTESON, JAMES REITZEL AND JACK BEHRENDT, OWNERS OF THE BUILDING LOCATED AT 1334-42 N. LAUREL AVENUE, WEST HOLLYWOOD, CALIFORNIA.**  
RECOMMENDATION: Authorize the City Manager to execute an Historical Property Preservation Agreement (Mills Act Contract) between the City of West Hollywood and Robert Matteson, James Reitzel and Jack Behrendt, owners of the local cultural resource located at 1334-42 N. Laurel Avenue, West Hollywood, California. Approved as part of the Consent Calendar.
- M. **DENIAL OF THE DESIGNATION OF 8477-81 DE LONGPRE AVENUE/1326-32 OLIVE DRIVE AS A LOCAL CULTURAL RESOURCE:**  
RECOMMENDATION: Adopt Resolution No. 94-1325, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, AFFIRMING THE RECOMMENDATION OF THE CULTURAL HERITAGE ADVISORY BOARD AND DENYING THE DESIGNATION OF 8477-81 DE LONGPRE AVENUE/1326-32 OLIVE DRIVE AS A LOCAL CULTURAL RESOURCE IN THE CITY OF WEST HOLLYWOOD, CALIFORNIA." Approved as part of the Consent Calendar.
- N. **APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMUNITY DEVELOPMENT COMMISSION OF THE COUNTY OF LOS**

**ANGELES AND THE CITY OF WEST HOLLYWOOD REGARDING A REIMBURSABLE CONTRACT FOR THE NORTHRIDGE EARTHQUAKE RECOVERY GRANT:**

**RECOMMENDATION:** Approve the Memorandum of Understanding between the Community Development Commission of the County of Los Angeles and the City of West Hollywood in substantial accord with Exhibit A, and authorize the City Manager to sign the Memorandum of Understanding. Noting the objection of Heilman, approved as part of the Consent Calendar.

- O. APPLICATION FOR BICYCLE AND/OR PEDESTRIAN FUNDS:**  
**RECOMMENDATION:** Adopt Resolution No. 94-1326, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE APPLICATION FOR BICYCLE AND/OR PEDESTRIAN FUNDS UNDER SB 821 AND APPROVING THE ADOPTION OF ITS BICYCLE AND/OR PEDESTRIAN PLAN." Approved as part of the Consent Calendar.
- P. WESTMOUNT DRIVE AND WEST KNOLL DRIVE - REQUEST FOR FOUR WAY STOP CONTROL:**  
**RECOMMENDATION:** Adopt Resolution No. 94-1327, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE INTERSECTION OF WESTMOUNT DRIVE AND WEST KNOLL DRIVE AS A FOUR WAY STOP CONTROL INTERSECTION." Approved as part of the Consent Calendar.
- Q. WEST HOLLYWOOD TOURISM AND CULTURAL EXCHANGE INITIATIVES WITH THE CITY OF TOYOHASHI, JAPAN:**  
**RECOMMENDATION:** 1) Direct the appropriate City staff to work with representatives of the Southern California Media Productions Company and the leadership of Toyohashi, Japan, to encourage tourism and cultural and entertainment exchanges between our two cities;  
2) Incorporate the efforts of the Marketing Corporation in helping to market West Hollywood to Japanese visitors. Approved as part of the Consent Calendar.
- R. LEVY OF ANNUAL ASSESSMENT FOR 1991 LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT:**  
**RECOMMENDATION:** Ratify staff's correction of Section 4 of Resolution No. 94-1310 to read as follows:  
Section 4. The assessments to be levied and collected against certain assessable lots and parcels of property within the District for fiscal year 1994-95 are proposed to increase from the assessment levied and collected for fiscal year 1993-94. Approved as part of the Consent Calendar.

**3. PUBLIC HEARINGS:**

- A. APPEAL OF A DENIAL BY THE PLANNING COMMISSION OF THE DEVELOPMENT OF A BILLIARD PARLOR, BAR AND RESTAURANT AT 8760 SUNSET BOULEVARD INCLUDING A PROPOSAL OF OFF-SITE PARKING:**  
City Clerk Love stated that a Notice of Public Hearing was published on June 8, 1994 in the West Hollywood

Independent and a first class mailing went to a radius of 500' on June 9, 1994. In addition a Notice of Continuance was posted as required by law on June 18, 1994.

Acting Assistant Planner Elizabeth Bar-el presented the background information as outlined in the staff report dated July 18, 1994. The staff recommendation was to "grant the appeal of David Benshian and Mark Lehman, and approve Conditional Use Permit 94-01, Minor Conditional Use Permit 94-02, Development Permit 94-02 and parking Use Permit 94-01 for the Iguana Cafe located at 8760 Sunset Boulevard to permit the change of use of an existing building to a billiard hall, bar and restaurant with off-site parking."

Mayor Land opened the public hearing and the following persons addressed the Council.

MARK LEHMAN, ATTORNEY FOR APPLICANT, presented arguments in favor of the project. He described the auto-lift mechanism which is being proposed, and indicated that this is a small restaurant and not an intense use.

DAVID GRUBER, LOS ANGELES, indicated he would be taking over Micky Blair's restaurant. He was concerned about the parking problem, and concerned that customers would use the parking at his restaurant.

DANIEL BUSBY, attorney for a property owner, indicated concerns about noise and parking.

LENORE GERMANIDES, MIRABELLE RESTAURANT, was concerned about the parking.

GEORGE GERMANIDES, OWNER, MIRABELLE RESTAURANT, spoke in opposition to the project.

DAVID BENSHIAN, LOS ANGELES, indicated he was here to answer any questions.

JOHN ALTSCHUL, WEST HOLLYWOOD, spoke in opposition to the project because of the parking problem.

MARK LEHMAN gave his rebuttal. He stated this would not negatively impact the Mirabelle Restaurant and that he feels there would be no traffic back-up on Sunset, and that this would be a positive addition to the area.

Following the public speakers, the Councilmembers directed questions to staff and held discussion regarding auto-lifts, noise, and employee parking.

A motion was made by Councilmember Koretz to approve the project conditionally, and give the applicant the option of finding a different solution to the parking, rather than the auto-lifts. Also, ask staff to look at

the location of the lifts for aesthetics and if necessary ask for a screen. The motion died for lack of a second.

Mayor Pro Tem Heilman proposed a motion to approve the development in concept, continue the issue about the parking, and have the applicant bring back a different parking solution. There was no second to the motion.

A substitute motion was made by Councilmember Martin and seconded by Heilman, to approve in concept, except for parking, and remand the parking issue back to the Planning Commission. After discussion the motion was withdrawn.

A motion was made by Councilmember Martin to approve the project, seconded by Koretz. The following roll call vote was taken, and the motion failed:

Ayes: Koretz, Martin

Noes: Guarriello, Heilman, Land

**ACTION:** Continue this hearing for thirty days to give the applicant opportunity to find another solution to the parking problem, noting that the City Council approves the project in concept. Motion Heilman, seconded Koretz and carried on a four-fifths vote, with Councilmember Guarriello voting no.

At this time Mayor Pro Tem Heilman suggested that the owners of Mirabelle Restaurant meet with his deputy to see if staff can find ways to help Mirabelle to improve their parking problems.

At this time Mayor Land presented a proclamation to Steve Gold and Tom Powell, who had arrived late, proclaiming August 20th as Toyohashi, Japan, day in West Hollywood.

**COUNCILMEMBER COMMENTS:**

Councilmember Guarriello commented that the new Parking Manager had left the City, and that qualified City employees should have been considered for the position.

Mayor Land suggested that the Assistant City Manager could meet with Councilmember Guarriello to explain the hiring process that was followed.

Councilmember Koretz commented in support of the proclamation for Toyohashi Day, and gave his best wishes to Walter Davis, a City employee who will perform in the festival.

Mayor Land announced that the City had received a commendation from L.A. Unified School District for the Communities and Families Project. She also reminded everyone to participate in National Night Out, at the beginning of August.

Councilmember Martin stated that Mark Slavkin was elected President of the School Board, and suggested that Council send a letter of congratulations.

**4. UNFINISHED BUSINESS:**

**A. APPOINTMENTS AND RE-APPOINTMENTS TO COMMISSIONS AND BOARDS:**

Mayor Land indicated that appointments would not be made at this time to the Fine Arts Advisory Board, Lesbian and Gay Advisory Council, and Women's Advisory Council.

Mayor Pro Tem Heilman made the following appointments:

Jeff Richmond - Planning Commission  
David Eichman - Transportation Commission  
Steven Davis - Human Services Commission  
Doug Routh - Rent Stabilization Commission  
John Altschul - Public Safety Commission  
Maxine Sonnenberg - Business License Commission

Nominations were taken and the following at-large appointments were made:

Thomas Jones, Brad Crowe - Planning Commission  
Stephanie Hart, Margot Siegel - Transportation  
Commission  
Peter Mackler, Leslie Hull - Human Services Commission

**5. NEW BUSINESS:**

**A. MODIFICATION OF THE CODE ENFORCEMENT UNIT'S 1994-95 BUDGET AND WORK PROGRAM:**

Bob Meyer, Code Enforcement Officer, provided background information as outlined in the staff report dated July 18, 1994. The staff recommendation was to amend the 1994/95 Budget by modifying revenues from Code Enforcement activities by \$75,000 and adding 1.5 full-time employees (FTE) for Code Enforcement activities; amend workload for division to reflect higher goals established within the staff report.

The following persons addressed the Council:

GERDA SPIEGLER, WEST HOLLYWOOD, indicated that she agreed with staff; however she feels scheduling should be re-prioritized. She commented on the problem of excessive garage sales.

RUTH WILLIAMS, WEST HOLLYWOOD, indicated she was speaking as Public Safety Commissioner, and asked for more code enforcement.

DONNY CACY, WEST HOLLYWOOD BUSINESS OWNER, commented that there are illegal things occurring at night and on weekends.

JOHN ALTSCHUL, WEST HOLLYWOOD, commented on the importance of enforcement.

Following the speakers the Councilmembers directed questions to staff and discussed the various options for improving enforcement, as well as financing.

Mayor Pro Tem Heilman indicated he would like to receive updates, and Bob Meyer stated that reports already exist.

**ACTION:** Hire one full-time person on a six-month trial basis to perform the functions that have been outlined by staff, to be reassessed in six months. At that time, if Council feels secure about the revenue and what is being done, consider making it a permanent position. Staff is to come back to Council regarding where the half-time person would be coming from. In addition, staff was given the flexibility of using current full-time staff some of the time on weekends for enforcement with regard to garage sales, so that the new person can do nighttime enforcement every weekend, and in order to get maximum code enforcement coverage. Staff was also directed to submit a status report to Council deputies each month.

Motion Land, seconded Koretz and unanimously carried.

**EXCLUDED CONSENT CALENDAR: NONE**

**CITIZEN COMMENTS:**

PETER MACKLER, WEST HOLLYWOOD, thanked the Council for appointing him to the Human Services Commission, and indicated his commitment.

**6. LEGISLATIVE: NONE**

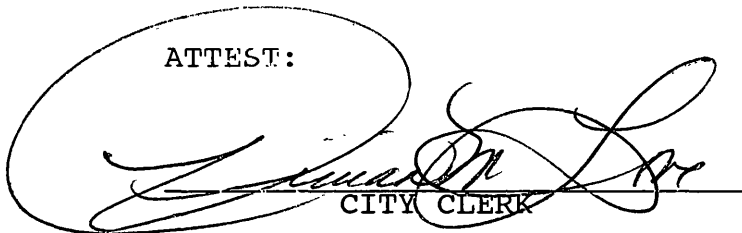
**COUNCILMEMBER COMMENTS:**


Mayor Land wished a happy birthday to Mayor Pro Tem Heilman, whose birthday is Tuesday.

**ADJOURNMENT:** The City Council adjourned in memory of Eva Raber at 9:01 p.m., to a closed session on Monday, July 25, at 6:00 p.m. at Fiesta Hall, Plummer Park.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 15TH DAY OF AUGUST, 1994.

ATTEST:

  
CITY CLERK

  
MAYOR