

**MINUTES
CITY COUNCIL MEETING
JULY 20, 1992
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD**

6:00 P.M. - CLOSED SESSION: This time has been set aside for the City Council to meet in closed session to discuss matters pertaining to litigation (pursuant to Government Code Section 54956.9(a), potential litigation (pursuant to Government Code Section 54956.9(b), and (c)), personnel, and/or claims. The Assistant City Attorney gave an additional oral report of the closed session at the commencement of the public portion of the meeting.

7:00 P.M. - REGULAR MEETING

CALL TO ORDER: Mayor Lang called the meeting to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Mark Winogrand.

ROLL CALL:

PRESENT: Heilman, Koretz, Land, Guarriello,
Mayor Lang

ALSO PRESENT: City Manager Brotzman
Asst. City Attorney Hogan

REPORT OF CLOSED SESSION: Assistant City Attorney Christi Hogan reported that the Council met in closed session and discussed matters pursuant to Government Code 54956.9a, Alhar Enterprises vs. The City of West Hollywood; personnel matters; and to approve the claims of Carl Robinson and Avraham Setton.

APPROVAL OF AGENDA: Remove items 2m, o and u from consent calendar for separate discussion. Table 2j and 9a. **ACTION:** Approve the agenda as amended. Motion Land second Heilman. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS: Paul Monette
Joe Jimenez
Joe Crow

Leslie Wyle, Playboy Jazz and Food Festival, presented a check for \$4,000 for the Homeless Shelter to Mayor Lang.

CITY MANAGER'S REPORT: This time has been set aside for the City Manager to update the Council on important items initiated by staff or previously requested by the City Council. The City Manager reported on two matters: 1) Update on Shuttle Service. Ridership continues to grow.
2) Salary adjustments to Department Directors, a percentage

step adjustment based on performance. There were 3 adjustments made for performance and no market adjustment for City Manager.

Mayor Lang announced that Katie Pizer had passed away last night and the meeting would be adjourned in her honor.

1. CITIZEN COMMENTS: This time has been set aside for members of the public to address the City Council on Consent Calendar Items; other agenda items if the member of the public cannot be present later in the meeting at the time the item is heard by the Council; and items of general interest. Testimony for public hearings will only be taken at the time of the hearing. This period shall be limited to 20 minutes, with no more than two minutes for each speaker. At this point in time the following persons came forward to address the Council:

Voris Grindstaff, West Hollywood, AFSCME - Fairness for employees.

Joyce Rooney, AFSCME - Fairness for employees.

Mike Radcliffe, West Hollywood - should have input in staff reports on economic impact.

Kipukai Kualii, AFSCME - Fairness for employees.

Stan Lothridge, West Hollywood - random check on Sheriff's initiative signatures - bias by City Clerk.

Sandy Shire, West Hollywood - position of Council on licensing and enforcement.

Bronwen McGarva, Community Response to Violence - task force plans.

Gloria Vassy, West Hollywood - apologize to Dean Reynolds for comment about Slum Lord. Oppose support to Marketing Corp.

Oppose the Memorial Plaque.

Budd Kops, West Hollywood - Housing Corp. request to Planning to demolish housing units - oppose.

Jeffrey Purr, West Hollywood - Parking enforcement problems. Problems with Peanuts, party continued until 7:00 a.m.

Rob Roberts, Memorial plaque - Thanks to Council and especially Abbe for all her assistance.

The 20 minute time period being over, the remainder of the speaker slips were held over to the second Citizens Comments.

2. CONSENT CALENDAR: The following routine matters were acted upon by one motion to approve with the consent of the Council or were removed by any Councilmember for separate discussion. Items removed for separate discussion will be heard following New Business Items. ACTION: Approve items 2a, b, d, e, f, g, h, i, l, n, p, q, r, s, and t. Motion Land second Heilman. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of Monday, July 20, 1992, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, July 15, 1992.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

b. Demand Register No. 225, Resolution No. 1002.

ACTION: Approve Demand Register No. 225 and adopt Resolution No. 1002.
Approved as part of the Consent Calendar.

c. Treasurer's Report: There is no Treasurer's Report for this agenda. The Treasurer's Report for the month ending June 30, 1992, will be presented at the Council Meeting of August 3, 1992.

**d. Minutes: June 29, 1992
July 6, 1992**

ACTION: Approve the minutes of June 29, 1992 and July 6, 1992.
Approved as part of the Consent Calendar.

**e. Claims: Carl E. Robinson
Avraham Setton**

ACTION: Take action on the claims of Carl E. Robinson and Avraham Setton as discussed in Closed Session on July 20, 1992.
Approved as part of the Consent Calendar.

f. Waiver of Further Reading: ACTION: 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.

g. Approval of Residential Rehabilitation Loan for 7219 Hampton Avenue: ACTION: Approve a CDBG-funded deferred loan not to exceed \$303,000 for renovation of 7219 Hampton Avenue and authorize the City Manager to sign the Loan Agreement and amend the 1992-93 budget to reflect the County-approved Housing Rehabilitation MOU of \$419,000.
Approved as part of the Consent Calendar.

h. Adoption of a Resolution Authorizing the Issuance of Special Tax Bonds, Approving and Directing the Execution of a Fiscal Agent Agreement and Approving Other Related Documents: (Mello-Roos, Community Facilities District 92-1, Seismic Upgrade Project) **ACTION:** Adopt Resolution No. 1003, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE ISSUANCE OF SPECIAL TAX BONDS, APPROVING AND DIRECTING THE EXECUTION OF A FISCAL AGENT AGREEMENT AND APPROVING OTHER RELATED DOCUMENTS AND ACTIONS."
Approved as part of the Consent Calendar.

i. Ordinance No. 343 - Establishing Standards for Vacant, Abandoned or Undeveloped Properties: ACTION: To waive further reading and adopt on Second reading Ordinance No. 343, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING STANDARDS FOR VACANT, ABANDONED OR UNDEVELOPED PROPERTIES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."
Approved as part of the Consent Calendar.

j. Approval of Agreement with AFSCME Local #3339 Relating to Lay-Offs: THIS ITEM WAS TABLED ON APPROVAL OF AGENDA.

k. Removed from Agenda at request of staff.

l. Approval of A Notice of Termination, Cancellation and Release of Declaration of Potentially Hazardous Building (1416 Havenhurst): ACTION: Approve the amendment to the Declaration of Covenants, Conditions and Restrictions establishing a plan of Condominium Ownership for 1416 N. Havenhurst Drive and the Notice of Termination, Cancellation and Release and authorize the Mayor to execute the Notice of Termination, Cancellation and Release.

Approved as part of the Consent Calendar.

m. Approval of 1992-93 Service Agreement with W.H. Chamber of Commerce: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The following persons came forward to address the Council:

Mike Radcliff, West Hollywood - opposed.

Stan Lothridge, West Hollywood - opposed.

ACTION: Approve a \$30,000 agreement with the West Hollywood Chamber of Commerce to provide services to the small business community and authorize the City Manager to execute the agreement. Motion Heilman second Land. Noting the objection of Guarriello, it was so ordered.

n. Approval of 1992-93 Service Agreement with W.H. Community Housing Corporation: ACTION: Approve a \$163,800 service agreement with the WHCHC to provide operational support for the Corporation and authorize the City Manager to execute the agreement.

Approved as part of the Consent Calendar.

o. Approval of 1992-93 Service Agreement with W.H. Marketing Corporation: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Stan Lothridge, West Hollywood, spoke in opposition to this item. ACTION: Approve a \$169,000 agreement with the West Hollywood Marketing Corporation to promote and market the City and its major industries and authorize the City Manager to execute the agreement. Motion Heilman second Land. Noting the objection of Guarriello, it was so ordered.

p. Approval of Agreements for Architectural Services for Commercial Revitalization Project: ACTION: Approve a CDBG-funded Agreement with AKAR, Inc. and Architectural Museum Services to provide design services for the City's Commercial Revitalization Project at a total cost of \$20,000 (approx. \$10,000 each) and authorize the City Manager to sign the Agreements on behalf of the City.

Approved as part of the Consent Calendar.

q. Approval of Amendments to Agreement with Valley Economic Development Corp. for Small Business Technical

Assistance: ACTION: Approve an amendment adding \$23,901, extending the time of performance until June 30, 1993, and expanding the Scope of Services to provide assistance to qualified home-based businesses to the agreement with the Valley Economic Development Center, Inc. for provision of small business technical assistance, and authorize the City Manager to sign the amendment.
Approved as part of the Consent Calendar.

r. Reclassification, Recreation Supervisor, Human Services Department: ACTION: Approve a reclassification of Recreation Supervisor at grade GE-11 to Recreation Supervisor at grade GE-13 and approve new position specifications.
Approved as part of the Consent Calendar.

s. Assignment Agreement with City of Hermosa Beach for \$200,000 in Proposition A Local Return Funds: ACTION: Authorize the City Manager to enter into an assignment agreement with the City of Hermosa Beach which sets forth the terms of the proposed trade in the format recommended by the City Attorney.
Approved as part of the Consent Calendar.

t. Resolution Urging LACTC to Include Santa Monica Blvd. as Candidate Corridor for Transportation Improvements Over the Next 30 Years: ACTION: Adopt Resolution No. 1004, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE LOS ANGELES COUNTY TRANSPORTATION COMMISSION TO INCLUDE SANTA MONICA BOULEVARD AS A CANDIDATE CORRIDOR AND TO EVALUATE IT ALONG WITH OTHER CORRIDORS ACCORDING TO ADOPTED CRITERIA."
Approved as part of the Consent Calendar.

u. AB 101 Memorial Plaque: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Guarriello stated he is not against the memorial but wants a format/policy for memorials throughout the City. The following persons came forward to address the Council:
Effie Reuveni, West Hollywood - send to committee.
Allan Levinson, West Hollywood - support.
Richard Gray, West Hollywood - support.
Julie Heckman, Community Church - support.
Budd Kops, West Hollywood - opposed.

ACTIONS: 1) Approve the installation of the AB 101 Memorial Plaque on the Crescent Heights/Santa Monica Blvd. median strip; 2) Direct the City Engineer, the City's Risk Manager, and the Landscape and Maintenance Manager to review and approve the final plans; 3) Direct the Landscape and Maintenance Manager to oversee the installation of the plaque so that any of the City's concerns regarding the installation are addressed; and 4) Direct Dottie Gibbons White to return with policy considerations for placement of memorials and plaques in the future. Motion Land second Heilman. Hearing no objection it was so ordered.

PUBLIC HEARINGS

3. ALHAR ENTERPRISES, INC. DBA PEANUTS, APPEAL OF BUSINESS LICENSE COMMISSION RESOLUTION 91-03, SPECIFICALLY, CONDITION 9.A RELATING TO REQUIREMENT OF "LICENSED SECURITY GUARDS":

The staff report was given by Derek Widdiss and Anne Browning. It was stated that "licensed security guard" means that they are armed, which is not what staff recommends. Mayor Lang opened the public hearing and the following persons came forward to address the Council:

Jeffrey Purr, West Hollywood - in favor of guards.

Joshua Feld, Peanuts - appellant - Do not wish to have armed security people. No complaints against the present security service.

Councilmembers asked questions of the appellant.

John Phillip Nieto, West Hollywood - letters and petition from Neighborhood Watch in the area.

Britt Saans, West Hollywood - problems with club clientele. Want guards that can circle the block.

Mike Radcliffe, West Hollywood - opposed to armed guards at Peanuts.

Jeanne Dobrin, West Hollywood - no appeal form in the packet. Support means to curb these problems.

Joshua Feld spoke in rebuttal.

No one else coming forward to speak, Mayor Lang returned this item to the Council for discussion.

Joshua Feld, in reply to a question from Council, stated he would be opposed to firing his security people and hiring a private security company. Will meet with neighbors next week to try to come to workable solutions.

ACTION: Continue item open until after the neighborhood and Mr. Feld meet, and then incorporate agreed-upon specifications about security and monitoring, noise control, etc., into the Resolution. Note the intent of the Council to remove the "licensing" requirement, but maintain the condition requiring "security guards". To be brought back to the Council on August 17, 1992. Motion Heilman second Guarriello. Hearing no objection it was so ordered.

Jonathan Golden, Attorney for Mr. Held stated this was a narrow appeal and he is opposed to anything except the removal of the condition.

City Attorney Christi Hogan stated that the action the Council was taking was consistent and legal.

4. APPEAL OF PLANNING COMMISSION APPROVAL OF D.P. 91-44, ALLOWING THE EXPANSION OF AN APARTMENT UNIT LOCATED AT 1300 N. LARRABEE:

The staff report was given by Jennifer Davis. Mayor Lang opened the Public Hearing and the following persons came forward to address the Council:

Russell Blackstone, representing Ms. Wood: Offered compromise to solve problems. Set forth 2 substitute conditions, 1.5 and

1.7. Condition 1.5 would eliminate the Planning Commission provision for a trellis/sunshade for 8 feet of patio; Condition 1.7 would require that the project be scaled back 5 feet, a loss of 180 square feet, which would allow both properties to share the view.

David Yardley, Attorney for appellant: status of Mr. Ozeron's residence.

Shirley Wood, West Hollywood - appellant -

Rosario Perry, attorney representing Ozeron - applicant within the law - not within the law to protect views.

Russell Blackstone, rebuttal for the appeal.

Rosario Perry, rebuttal against the appeal.

No one else coming forward to speak, Mayor Lang closed the public hearing and returned this item to the Council for discussion.

ACTION: Support compromise proposal with substitute conditions 1.5 and 1.7, as proposed by the appellant's representative, and add language from the Community Development Department for landscaping. Staff to bring back the appropriate resolution. Motion Heilman second Koretz. Hearing no objection it was so ordered.

5. PUBLIC HEARING ON THE LEVY OF THE ANNUAL ASSESSMENT FOR 1991 LIGHTING AND LANDSCAPING ASSESSMENT DISTRICT: Staff report from Joan English. Mayor Lang opened the public hearing and the following persons came forward to address the Council: Mike Radcliffe, W. H. Community Alliance - opposed to this district.

Donny Cacy, 7-11 - opposed to budget and removal of ficus trees and replacement by palm trees.

Charlie Mercer, Sunset Strip Association - opposed - question validity.

Jeanne Dobrin, West Hollywood - opposed to removal of ficus trees.

Bob Greene, West Hollywood - opposed to assessment to take down ficus trees and put in palm trees.

No one else coming forward to speak, Mayor Lang closed the public hearing and returned this item to the Council for discussion.

Lloyd Long, Director of Human Services, stated that the palm tree issue only applies to the landscape district to which various businesses contribute.

The City Manager stated that staff would hold up any further removal of trees on any commercial street until looked at by Council.

The City Attorney stated that the mistake in the hearing notice stating the date by which mailed protests were to be received, was not significant. The date and time and place of the hearing were correct, and written and/or oral protests were being accepted up until the close of this hearing.

ACTION: Adopt Resolution No. 1005, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONFIRMING A DIAGRAM AND ASSESSMENT FOR THE 1992-93 FISCAL YEAR IN CONNECTION WITH 1991 LIGHTING AND LANDSCAPING ASSESSMENT DISTRICT PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE." Motion Land second Guarriello. Noting the objection of Koretz, it was so ordered.

COUNCILMEMBER COMMENTS: This portion of the meeting shall be set aside for general comments, announcements, requests of staff, and/or other issues of concern from members of the City Council.

Councilmember Koretz asked what happened to the air conditioner.

Councilmember Land asked that Anne Browning and Gay Forbes work with Boulevard Association on the issue of street vendors. Levi Strauss Co. under attack from fundamentalists - show support.

Councilmember Guarriello stated he had received a response from Congressman Bielson in support of opposing discharge of gays and lesbians from the armed forces.

Councilmember Heilman - G&L Visibility Week.

UNFINISHED BUSINESS

6. APPOINTMENTS TO COMMISSIONS/BOARDS: Councilmember Koretz reappointed Stephen Smith to the Planning Commission; Jay Greenstein to Human Services; Harry Rebhuhn to Rent Stabilization; Scott Forbes to Business License and Bronwen McGarva to Public Safety. He thanked Rick Saslow for his service on the Transportation Commission. He appointed Barbara Hewitt, presently a member of the Fine Arts Board, to the Transportation Commission. The at-large appointments were continued to a future meeting.

7. EXPANSION OF MULTI-UNIT RECYCLING COLLECTION PROGRAM:

The staff report was given by Kevin Hendrick. The following persons came forward to address the Council:

Marty Simonoff, West Hollywood Recycling Services.

Jeanne Dobrin, West Hollywood -Comments on watching scavengers - wants code enforcement.

ACTION:

- 1) Approve funding appropriation of \$396,657.00 consisting of:
 - A) Recycling Collection Service Contract \$337,440.00
(Cost estimated based on rate of \$1.48 per residential unit per month. Estimated 18,245 units equals \$324,031 per year, plus contingency for increased unit costs of \$13,409 = \$337,440.)
 - B) Environmental Enforcement Officer - \$46,160.00
(Full time salary and benefits.)
 - C) Compressed Natural Gas Truck - \$13,057.00
- 2) Direct staff to negotiate contract with West Hollywood Recycling Services Inc. and return for final approval.

3) Direct staff to draft fee ordinance based on 25% subsidy of residential service costs presented in Appendix A. Motion Heilman second Land. Hearing no objection it was so ordered.

NEW BUSINESS

8. APPOINTMENT OF DELEGATE/ALTERNATE TO LEAGUE OF CALIFORNIA CITIES: The staff report was given by Mary Tyson, City Clerk. **ACTION:** Designate Abbe Land voting representative and Sal Guerriello alternate who will be present at the Business Session of the Annual League Conference and direct the City Clerk to file the proper registration of the voting delegates with the League of California Cities. Motion Heilman second Koretz. Hearing no objection it was so ordered.

9. AMERICANS WITH DISABILITIES ACT - WEST HOLLYWOOD'S TRANSITION PLAN: Staff report by Bob Edgerly. Jeanne Dobrin, West Hollywood, spoke in favor of this item. **ACTION:** Receive and file the Transition Plan with the following directions: a) Complete the Facilities Transition Plan section of the document, incorporate it into the overall Transition Plan, and publish the Transition Plan; b) Finalize and publish the administrative regulations regarding complaints and grievances relating to the ADA; c) Update all sections of the Transition Plan based upon staff input and public comment; and d) Return to Council with a report of action on ADA requirements no later than December 1, 1992. Include more study and attention to issues dealing with AIDS and Transportation. Motion Heilman second Koretz. Hearing no objection it was so ordered.

9-A. APPROVAL OF MOU WITH WEST HOLLYWOOD MANAGEMENT ASSOCIATION (WHMA): RECOMMENDED ACTION: TABLE TO AUGUST 3, 1992, AT REQUEST OF STAFF.

EXCLUDED CONSENT CALENDAR: Items removed from the Consent Calendar for separate discussion shall be considered at this time.

Items 2m, 2o, and 2u were discussed at this time, but are listed in the Consent Calendar for clarity.

CITIZEN COMMENTS: This time has been set aside for the public to address the Council on any item of interest that could not be heard under Item 1 at the beginning of the meeting.

Bob Greene, West Hollywood - owner of small Sign Shop. Complaint about bid on banners. The City Manager was asked for report on this item.

Jeanne Dobrin, West Hollywood - CUP's and TUP's not being enforced by Code Enforcement - they don't work at night.

Rob Robertson, West Hollywood - statement in support of plaque.

LEGISLATIVE

10. ORDINANCE ADOPTING BY REFERENCE TITLE 10, ANIMALS, OF THE LOS ANGELES COUNTY CODE - INTRODUCE ON FIRST READING: Jeanne Dobrin, West Hollywood spoke against the Ordinance as written.

ACTION: City Attorney's office to bring back an urgency Ordinance "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING BY REFERENCE, TITLE 10, ANIMALS, OF THE LOS ANGELES COUNTY CODE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE;" set the date for the public hearing for August 3, 1992; and instruct the City Clerk to publish the Notice of Hearing.
By consensus of the City Council.

11. ORDINANCE ADOPTING THE 1991 UNIFORM BUILDING CODES, INCLUDING ALTERNATIVE AND REVISIONS: Staff report by Brent Mullins. Jeanne Dobrin, West Hollywood spoke on this item.

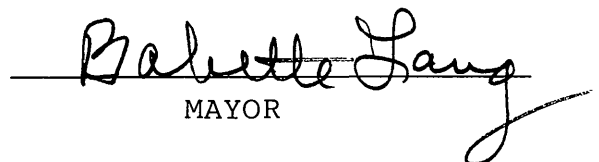
ACTION: Adopt as an urgency ordinance, Ordinance No. 345U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING BY REFERENCE THE UNIFORM BUILDING CODE, 1991 EDITION, AND AMENDMENTS THERETO; LOS ANGELES COUNTY CODE, BUILDING CODE, TITLE 26, AND AMENDMENTS THERETO; LOS ANGELES COUNTY CODE, ELECTRICAL CODE, TITLE 27; THE UNIFORM PLUMBING CODE, 1991 EDITION, AND AMENDMENTS THERETO; LOS ANGELES COUNTY CODE, PLUMBING CODE, TITLE 28, AND AMENDMENTS THERETO; THE UNIFORM MECHANICAL CODE, 1991 EDITION, AND AMENDMENTS THERETO; LOS ANGELES COUNTY CODE, MECHANICAL CODE, TITLE 29, AND AMENDMENTS THERETO; ADOPTING FURTHER AMENDMENTS TO SAID CODE, READOPTING PORTIONS OF ARTICLE VIII OF THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF." Motion Heilman second Koretz. Hearing no objection it was so ordered.

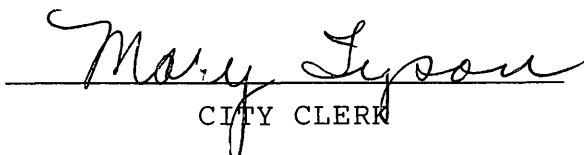
12. RE-ADOPTION OF FIRE CODE: **ACTION:** Adopt as an urgency ordinance, Ordinance No. 346U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING BY REFERENCE AND AMENDING THE UNIFORM FIRE CODE, 1991 EDITION, AMENDING THE MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF." Motion Heilman second Koretz. Hearing no objection it was so ordered.

ADJOURNMENT Mayor Lang adjourned the meeting at 11:10 p.m. in memory of Katie Pizer, to a regular adjourned meeting on August 3, 1992, at West Hollywood Park Auditorium at 6:00 p.m. for Closed Session and 7:00 p.m. for meeting.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 3RD DAY OF AUGUST, 1992.

ATTEST:


MAYOR


CITY CLERK