

**MINUTES
CITY COUNCIL MEETING
MARCH 2, 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 Mayor or the City Attorney will give an additional oral report of the closed session at the commencement of the public portion of the meeting. THERE WAS NO CLOSED SESSION AT THIS TIME.

7:00 P.M. - REGULAR MEETING

CALL TO ORDER: Mayor Pro-tem Lang called the meeting to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Jonathan Ahearn.

ROLL CALL:

PRESENT: Guarriello, Heilman, Land, Lang
ABSENT: Mayor Koretz (arrived at 7:15 p.m.)

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Remove item 2o for discussion. Table item 4 to the meeting of March 16, 1992. **ACTION:** Approve the agenda as amended. Motion Heilman second Land. Hearing no objection and noting the absence of Mayor Koretz, it was so ordered. Mayor Koretz asked that item 11 be combined with item 2g. By consensus of the Council.

PROCLAMATIONS AND COMMENDATIONS: L.A. Means Business
Mike Reynolds - W.H.Cares

Mayor Koretz arrived at 7:15 p.m.

Women's History Month
D'Lynda Fischer
Rica Burton

TREASURER'S REPORT: Jonathan Ahearn gave the treasurer's report for the month of January, 1992.

CITY MANAGER'S REPORT: This time has been set aside for the City Manager to report to the City Council on any or all matters of importance. There was no report at this time.

1. CITIZEN COMMENTS: This time has been set aside for members of the public to address the City Council on items of importance, including the Consent Calendar, but not including public hearings. The following persons came forward to address the Council: Stephen Pannell, West Hollywood - car alarm problems. Al Wright, West Hollywood - police harassment. Robert Davis, West Hollywood - fund raiser for Bruce Boland last week was a great success. Mistake to not cut budget. Ralph Feeley, West Hollywood - Head Start fence has taken over 1/4 of the park - should be left open for use when Head Start is not using it. Support trolley busses on Santa Monica Blvd. -will cut down on the emissions. Jeanne Dobrin, West Hollywood - received two mailings on neighborhood trees. Praise for Sheriff's Department. Rick Zamarripa, West Hollywood - gay bashing on Sunday morning. Elliot Fields, West Hollywood - business on Beverly Blvd., being evicted tomorrow unless gets permission for cleaning shop.

Anne Browning, Planning Director, gave the Council an update on the situation and the proposed code changes that will go before the Planning Commission in April.

Robert John Pierson, West Hollywood - gay bashing on Sunday. File felony hate crime charges against the perpetrators. Gloria Vassy, West Hollywood - watch for candidates' forums. Bus stops take out parking meters and cost the City money. Protest on show on City Channel. Kevin Notre, West Hollywood - gay bashers. Community Services Liaison should not be made 1/2 time. W.H. WHIGLE should exist. Thomas Crail, West Hollywood - CityLine debut - PDC Parking promotion, usage up. Council make sure DA sends out clear signal on bashing in the Community. Chris Lariviere, West Hollywood - remove billboard, Fairfax and Santa Monica, about Navy. Gay bashing. Effie Reuveni, West Hollywood - support for Sheriff. Jeff Prang, West Hollywood - Protest literature in back of the building. Roselyn Krause, West Hollywood - Happy Birthday to Sal - stay out of parks and alleys at night - tired of Sheriff bashing.

COUNCILMEMBERS COMMENTS: This time has been set aside for Councilmembers to direct comments to staff and/or the public on any and all matters of interest.

Land - direction to staff to write a letter to the District Attorney urging prosecution of gay-bashers to the full extent of the law. Sheriff's have been working with conference to stop bashing and hate crimes. People calling get voice mail and phone mail -use department numbers and receptionists.

Lang - candidates forum by Senior Advisory Council at 3:00 p.m. on March 19th at the Werle Building.

Heilman - car alarms - deputy researching what other cities are doing.

Gay bashing - glad the perpetrators were caught - response from gay and lesbian community very poor when brochures were handed out

at the gay bars - off-duty sheriff's showed and helped. DA is taking the gay bashing seriously.
Sal - phone mail - too many meetings? New Service Directory available at City Hall.
Congratulations to Chris Patrouch, Rick Munoz and John Heilman for completing the L.A. Marathon.
Koretz - Whistleblower Ordinance delayed for 2 years because of Management opposition - direction was given to the Asst. City Manager to prepare for approval - refused to bring to Council tonight on orders of the City Manager - refused to allow Mayor to see before it goes to ad hoc committee - management run wild - if happens again, will bring item to Council to dismiss City Manager for insubordination.

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.
ACTION: Approve items 2a, b, c, d, e, f, h, i, j, k, l, m, n, Motion Heilman second Land. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of Monday, March 2, 1992, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Thursday, February 27, 1992.
ACTION: Receive and file.
Approved as part of the Consent Calendar.

b. Demand Register No. 216, Resolution No. 944.
ACTION: Approve Demand Register No. 216 and adopt Resolution No. 944.
Approved as part of the Consent Calendar.

c. Treasurer's Report - January 1992: **ACTION:** Receive and file.
Approved as part of the Consent Calendar.

d. Minutes: February 18, 1992.
ACTION: Approve the minutes of February 18, 1992.
Approved as part of the Consent Calendar.

e. Claims: There are no claims this period.

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. Resolution of Approval - Raleigh Project: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Item 11 was advanced and heard along with this item, but will be listed under Legislative for clarity. The staff report was given by Jennifer Davis. Jeanne Dobrin, West Hollywood addressed the Council to again protest the Community Room being changed to a theatre.

ACTION: Adopt Resolution No. 945, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING A COMPREHENSIVE DEVELOPMENT PLAN, DEVELOPMENT PERMIT 89-36, MINOR CONDITIONAL USE PERMITS 90-12, 90-13 AND 90-14; CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT; AND APPROVING THE MITIGATION MONITORING PLAN FILED BY RALEIGH ENTERPRISES TO CONSTRUCT AN OFFICE/RETAIL DEVELOPMENT AT 8580 SUNSET BOULEVARD." Motion Heilman second Land. Noting the objection of Guarriello it was so ordered.

h. Resolution Urging RTD to Defer Consideration of Santa Monica Blvd. as Electric Trolley Bus Route: **ACTION:** Adopt Resolution No. 946, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT TO DEFER CONSIDERATION OF SANTA MONICA BOULEVARD AS AN ELECTRIC TROLLEY BUS ROUTE AT THIS TIME."
Approved as part of the Consent Calendar.

i. Agreements for Professional Services Pertaining to Assessment District Formation and Renewal: **ACTION:** Authorize the City Manager to sign agreements with Willdan Associates and Robert N. Brown, CPA, for engineering and tax consulting services with respect to the City's Landscape and Lighting and Sewer Benefit Assessment Districts.
Approved as part of the Consent Calendar.

j. Resolution Adopting Conflict of Interest Codes: **ACTION:** Adopt Resolution No. 947, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING CONFLICT OF INTEREST CODES WHICH INCORPORATE BY REFERENCE THE STANDARD CONFLICT OF INTEREST CODE PREPARED BY THE FAIR POLITICAL PRACTICES COMMISSION AND SUPERSEDING RESOLUTIONS NO. 180 AND 306."
Approved as part of the Consent Calendar.

k. Resolution Ordering the Canvass of the General Municipal Election by the City Clerk: **ACTION:** Approve and adopt Resolution No. 948, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ORDERING THE CANVASS OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 14, 1992, BE MADE BY THE CITY CLERK."
Approved as part of the Consent Calendar.

l. Amendment to Rent Stabilization Regulations Regarding Posting Requirements: **ACTION:** Approve Rent Stabilization Commission Resolution 92-13 regarding posting requirements for Certificates of Compliance and Exemption Certificates.
Approved as part of the Consent Calendar.

m. Amendment to Rent Stabilization Regulations Regarding Rent Reimbursement Orders: **ACTION:** Approve Rent Stabilization Commission Resolution 92-14, regarding reimbursement of illegal rent overcharges, amending Paragraph C of Regulation 60038 of the Rent Stabilization Regulations, providing that orders issued by the Department for reimbursement of illegal rent charges not be made effective prior to the date by which an appeal or legal

challenge to the order must be filed.
Approved as part of the Consent Calendar.

n. Women's History Month: ACTION: Direct the Women's Issues Subcommittee to carry out this year's programming for Women's History Month.
Approved as part of the Consent Calendar.

o. California Holocaust Memorial Week: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Guarriello gave the staff report. ACTION: Direct staff to draft a letter to Assembly Member Richard Katz, author of ACR 78, indicating that the City Council of the City of West Hollywood fully supports this resolution. Motion Guarriello second Land. Hearing no objection it was so ordered.

PUBLIC HEARINGS

3. AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO APPROVE DEVELOPMENT PERMIT 91-22, DEMOLITION PERMIT 91-11 AND A MITIGATED NEGATIVE DECLARATION FOR 8282 SUNSET BOULEVARD: THIS HEARING WAS CONTINUED OPEN TO THE MEETING OF APRIL 6, 1992.

4. APPEAL OF CONDITIONS OF APPROVAL OF C.U.P. 91-17, TO CONVERT A DUPLEX TO A SINGLE-FAMILY HOME - 923-925 N. HAVENHURST DR.: THIS HEARING WAS CONTINUED ON REQUEST OF STAFF TO THE MEETING OF MARCH 16, 1992.

5. APPEAL OF A DECISION OF THE CULTURAL HERITAGE ADVISORY BOARD'S (CHAB) DECISION NOT TO DESIGNATE THE STRUCTURE AT 8760 SHOREHAM DRIVE AS AN HISTORIC RESOURCE: John Jakupcak gave the staff report. The City Clerk reported that this item was noticed in the L. A. Independent Newspaper and posted at Plummer Park, the San Vicente Library, the Sheriff's Station and City Hall. Mayor Koretz opened the public hearing and the following persons came forward to testify:
Michael C. Donaldson, Los Angeles, for the appellant.
Jeanne Dobrin, West Hollywood - dangerous precedent.

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

ACTION: Direct staff to come back with a resolution of denial based on the fact that the criteria are not met by this property. Motion Heilman second Guarriello. Hearing no objection it was so ordered.

Roger Lockhart, appellant- want to stay in the City -good neighbor -will work with staff - asks stay of prosecution.

ACTION: Direction was given to more clearly define the guidelines for designation. Staff to meet with Omega to try to keep them in the City and stay the prosecution in the interim. Motion Heilman

second Koretz. Hearing no objection it was so ordered.

UNFINISHED BUSINESS

6. STATUS REPORT ON THE COMMUNITY DEVELOPMENT PERMIT EXPEDITING AND CODE CONSOLIDATION PROJECT: Gay Forbes and Anne Browning gave the staff report. **ACTION:** Direct staff to take the following actions: 1) Complete a comprehensive strategy addressing goals and regulatory requirements, procedures, and levels of service including short, medium, and long range action plans. This should be accomplished by evaluating input from applicants via the Ad Hoc Committee, commission and board members, staff, and the public; 2) Proceed with implementing first phase actions outlined in the staff report including the interdepartmental review committee and code changes; 3) Coordinate staff discussion of the specific recommendations of the Ad Hoc Committee with all relevant staff and make recommendations; 4) Prepare a second status report, with further recommendations, for presentation to the City Council in May; 5) Include this project in the 1992 work program for the Department of Community Development and other City Departments as needed. Motion Heilman second Land. Hearing no objection it was so ordered.

Mayor Koretz called a recess at 8:50 P.M., during which time, cake was served in honor of Councilmember Guarriello's Birthday.

The meeting was reconvened at 9:20 P.M.

7. MIDYEAR BUDGET ANALYSIS AND BUDGET REDUCTIONS: Paul Arevalo gave the staff report. The City Manager reported on the meetings that have been held during the last two weeks. Councilmember Heilman stated that he would prefer to continue making cuts in the 91-92 budget to better prepare for next year. Mr. Arevalo stated that he could continue to work with the Council and come back in a few weeks with further revisions.

Councilmember Land, with consensus of the Council, directed staff to do an analysis on the sales tax revenue to see which categories of business are doing well and what can be done to improve the city's economic development.

The following persons came forward to address the Council:
Bruce Traub, West Hollywood - how are you going to balance the budget in June? Council won't cut so what are you going to raise?
Cheryl Mendoza, GLCSC - information referral service asks continued funding.
Stan Lothridge, West Hollywood - cut the Marketing Corporation.
Gloria Vassy, West Hollywood - support recreation services - don't close the pool.

ACTION: Defer the \$200,000 for street paving and look for more cuts in the next few meetings. Discuss Cable/Arts budget. Seek further reductions as part of the 1992-93 budget process. Adopt

Resolution No. 949, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE BUDGET FOR FISCAL YEAR 1991-92," amending the 1991-92 Budget with revenues of \$35,029,372 and appropriations of \$34,804,493. Motion Land second Heilman. Hearing no objection it was so ordered.

NEW BUSINESS

8. PROPOSED AMENDMENT TO ORDINANCE ESTABLISHING COMMISSIONS AND BOARDS: Councilmember Guarriello gave the staff report. The following persons came forward to address the Council:
Rachelle Sommers Smith, West Hollywood - support.
Robert John Pierson, West Hollywood - support.
Norman Chramoff, West Hollywood - support.
Effie Reuveni, West Hollywood - support.
Gloria Vassy, West Hollywood - support.
Jeanne Dobrin, West Hollywood - support.

Councilmember Land asked for further research from other cities on their appointment process. Councilmember Lang stated she felt that all Commissions and Boards should be appointed at-large. Councilmember Heilman stated that he is opposed to this amendment as this was a compromise to those who wanted all members to be appointed at-large. There has only been one case where the nominee was not ratified. Mayor Koretz spoke in support of the proposed change. **ACTION:** Direct the City Attorney and City Clerk to amend Ordinance No. 90, Ordinance No. 262 and Ordinance No. 306 to provide that direct appointments by a Councilmember to a board or commission post be permitted without accompanying Council ratification. This would apply to initial appointments and any posts that become vacant during the Councilmember's term of office, but would not apply to at-large positions. Motion Guarriello second Koretz. Noting the objection of Heilman and Lang it was so ordered.

FURTHER ACTION: Direct staff to re-examine how an obstructive or non-functioning commissioner can be removed. Motion Land second Koretz.

AYES: Land, Mayor Koretz
NOES: Guarriello, Heilman, Lang
Motion fails.

9. OFFICE SPACE AND CLASSROOM FACILITIES FOR THE WEST HOLLYWOOD INSTITUTE OF GAY AND LESBIAN EDUCATION: Councilmember Heilman gave the staff report. Chris Patrouche spoke to the question of types of classes and Dr. LeVay spoke about the vision of the school. The following persons came forward to address the Council:

Henderson Miller-Hays, Vancouver, Washington - here to offer his services.
Bruce Traub, West Hollywood - place limits on this.
Rick Zamarripa, West Hollywood - support.
Norman Chramoff, West Hollywood - support - need to address some concerns.
John Stout, West Hollywood - benefits to community.

Robert John Pierson, West Hollywood - support.
Jeanne Dobrin, West Hollywood - creating separate systems.
Chris Lariviere, West Hollywood - support.
Gloria Vassy, West Hollywood - need to look at parking and other problems.

ACTIONS: 1) Direct the Department of Human Services to provide office and classroom space in the Werle Building; 2) Direct Parks and Recreation staff to work with representatives of the Institute to schedule classroom usage in the Werle Building and in park buildings, when possible; 3) Direct Landscape and Buildings Maintenance staff to oversee minimal renovation, such as partitioning, in the Werle building so that both storage and office space can be provided; 4) Direct Recreation, Risk Management, and Landscape and Buildings staff, and the City Attorney to draw up a contract for the use of City facilities for this educational purpose. Motion Land second Lang. Hearing no objection it was so ordered.

10. EVALUATION OF THE SERVICE REQUEST PROGRAM; SUGGESTIONS FOR REVAMPING AND IMPROVING: Mayor Koretz gave the staff report. **ACTION:** Refer this item to staff to review the proposed action and come back with recommendations on how to revamp and improve the service request system. Motion Land second Heilman. Hearing no objection it was so ordered.

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.

Bruce Traub, West Hollywood - electrified cars cut pollution.
Chris Lariviere, West Hollywood - leaflet about Councilmembers - trash.
Christian Shea, West Hollywood - innocent until proven guilty.

COUNCILMEMBERS COMMENTS: This time has been set aside for the Councilmembers to direct comments to staff and/or the public on any and all matters of interest. Mayor Koretz stated that he is embarrassed when he has to remove people from the meetings. Councilmember Heilman stated that he felt the Mayor's comments on the Whistleblower Ordinance were ill advised and that staff has been trying to bring this to resolution. Mayor Koretz and Councilmember Guarriello felt too much time had been taken. Heilman felt Council had not given clear direction and labor negotiations are involved. Mr. Brotzman stated that he was looking for wording to satisfy the union and bargaining units and keep from going to impasse.

LEGISLATIVE

11. ORDINANCE APPROVING A DEVELOPMENT AGREEMENT - RALEIGH PROJECT: THIS ITEM WAS HEARD ALONG WITH ITEM 2g ON THE CONSENT CALENDAR, BUT IS LISTED HERE FOR CLARITY. **ACTION:** To introduce

on first reading Ordinance No. 327, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT AGREEMENT NO. 89-01 IN CONNECTION WITH RALEIGH ENTERPRISES DEVELOPMENT LOCATED AT 8580 SUNSET BOULEVARD" Motion Land second Lang. Noting the objection of Guarriello it was so ordered.

12. AMENDING BUSINESS LICENSE ORDINANCE TO REMOVE "INTRODUCTORY SERVICES" FROM BUSINESS ACTIVITIES REQUIRING A PUBLIC HEARING:

Mayor Koretz gave the staff report. ACTION: Table to the next meeting for staff analysis on the impact of not having a public hearing; and definitions of escort services and introductory services. Motion Land second Heilman. By consensus of the Council.

CLOSED SESSION: Mayor Koretz adjourned the meeting to a closed session at 11:10 p.m. for the purpose of discussing personnel matters and litigation - SORE vs The City of West Hollywood.

ADJOURNMENT The meeting was adjourned at 11:45 p.m. to a regular adjourned meeting on March 16, 1992 at West Hollywood Park Auditorium at 6:00 p.m. for a closed session and 7:00 p.m. for the regular meeting.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 16TH DAY OF MARCH, 1992.



MAYOR

ATTEST:



CITY CLERK