

**MINUTES
CITY COUNCIL MEETING
FEBRUARY 3, 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. Mayor Koretz announced that they discussed matters pertaining to personnel and potential litigation.

7:00 P.M. - REGULAR MEETING

CALL TO ORDER: Mayor Koretz called the meeting to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Gerda Speigler.

ROLL CALL:

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Item 2n was tabled to the next meeting. Items 2g, j, l, m, o, q and v were pulled for further discussion.

PROCLAMATIONS AND COMMENDATIONS: Emmet L. Wemple & Assoc.
West Hollywood Cheerleaders

Councilmember Lang announced that the West Hollywood Homeless Organization needs donations of housekeeping items.

TREASURER'S REPORT: Jonathan Ahearn gave the Treasurer's report for December, 1991.

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. Mr. Brotzman reported on the progress of the new fire station.

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:
D'Lynda Fisher, Chair of the Women's Issues sub-committee -

reported on activities.

Roy Segura, Covina - initiative for local police department.

Stephen Pannell, West Hollywood - car alarm.

Budd Kops, West Hollywood - Ashkenazy agreement.

Jeffrey Prang, West Hollywood - Thanks to Ian Tanza for removing objectionable program that advocated gay bashing, from the Cable station.

Roslyn Krause, West Hollywood - CSW and Halloween.

Jeanne Dobrin, West Hollywood - Ashkenazy settlement agreement.

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.

Councilmember Land announced that the Senate has passed the bill the City is supporting on Cable regulation.

Mercole Disposal will provide trash service to the Adult Day Health Care Center, free of charge.

Mayor Koretz stated that President Busch has threatened to veto the Cable bill.

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, k, p, r, s, t and u. Motion Heilman second Land. Hearing no objection it was so ordered.

a. Posting of Agenda: The agenda for the meeting of February 3, 1992, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, January 29, 1992.

ACTION: Receive and file.

Approved as part of the Consent Calendar.

b. Demand Register No. 214, Resolution No. 938.

ACTION: Approve Demand Register No. 214 and adopt Resolution No. 938.

Approved as part of the Consent Calendar.

c. Treasurer's Report - December 1991: **ACTION:** Receive and file.

Approved as part of the Consent Calendar.

d. Minutes: January 21, 1992

ACTION: Approve the minutes of January 21, 1991.

Approved as part of the Consent Calendar.

e. Claims: Dawn M. Carroll

ACTION: Deny the claim of Dawn M. Carroll without comment and refer to the City's Claims Adjustor.

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 Contract with L.A. Conservation Corp for 1992-93 Street Tree Planting Project: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Heilman asked if staff checked on the trees to see if they take. Cyndy Holtz replied in the affirmative. ACTION: Approve the contract for street tree planting services, in an amount not to exceed \$17,416 for 628 trees, to the Los Angeles Conservation Corps for the 1992-93 Street Tree Planting Project, and authorize the City Manager to sign. Motion Heilman second Land. Hearing no objection it was so ordered.

h. Resolution Establishing Vacancy Rates for Multi-Family Residential Units: ACTION: Adopt Resolution No. 939, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING VACANCY RATES FOR MULTI-FAMILY RESIDENTIAL RENTAL UNITS FOR THE 1991-92 FISCAL YEAR." Approved as part of the Consent Calendar.

i. Resolution Designating Courtyard Thematic District: ACTION: Adopt Resolution No. 940, "A RESOLUTION ADOPTING, IN PART, THE RECOMMENDATION OF THE CULTURAL HERITAGE ADVISORY BOARD TO DESIGNATE THE COURTYARD THEMATIC DISTRICT, ENCOMPASSING THE PROPERTIES KNOWN AS 1400 CRESCENT HEIGHTS, 1224-26, 1230-32, AND 1255-63 FLORES STREET, 8225-29, 8468-80, AND 8491-99 FOUNTAIN AVENUE, 1300-08, 1330, AND 1338-52 HARPER AVENUE, 1400-14 HAVENHURST DRIVE, 1216-24 LA CIENEGA BOULEVARD, AND 1334-42 AND 1355 LAUREL AVENUE, AS AN HISTORIC DISTRICT." Approved as part of the Consent Calendar.

j. Resolution in Support of the "Employment Discrimination, Sexual Orientation" Statute Initiative: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Adopt Resolution No. 931, "A RESOLUTION IN SUPPORT OF THE STATUTE INITIATIVE "EMPLOYMENT DISCRIMINATION, SEXUAL ORIENTATION". Motion Land second Guarriello. Hearing no objection it was so ordered.

k. Resolution - County Aid to Cities Fund: ACTION: Adopt Resolution No. 932, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REQUESTING AN ALLOCATION AND PAYMENT OF COUNTY AID TO CITIES FUNDS FOR THE MAINTENANCE OF COUNTY HIGHWAY PLAN STREETS". Approved as part of the Consent Calendar.

l. Resolution Confirming the Amount of the Rent Registration Fee Which May be Passed Through to Tenants: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Mayme Cannady stated that this is formalizing what was done

last year. The following persons came forward to speak:
Bruce Traub, West Hollywood - opposed.
Stan Lothridge, West Hollywood - opposed.
Effie Reuveni, West Hollywood - opposed.
Norm Chramoff, West Hollywood - opposed.

The City Manager stated that this resolution does not raise the fees, it only explains how they will be split. ACTION: Adopt Resolution No. 933, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING THE AMOUNT OF THE REGISTRATION FEE WHICH MAY BE PASSED THROUGH TO TENANTS AND REPEALING RESOLUTION NO. 569". Motion Heilman second Lang. Hearing no objection it was so ordered.

m. Prime Maintenance Contract - Reduction in Cost: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Mayor Koretz noted that this will save \$13,000 for the City. ACTION: Authorize the City Manager to sign the new contract with Prime for computer maintenance. Motion Land second Heilman. Hearing no objection it was so ordered.

n. Distribution of Fines and Forfeitures Resulting from Parking Citations: REMOVED FROM THE AGENDA AT REQUEST OF STAFF.

o. Ordinance Amending the Municipal Code Regarding Peddlers and Commercial Solicitors: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Guarriello asked about the license being displayed. ACTION: Adopt on second reading Ordinance No. 322, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING VENDING ON CITY STREETS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Heilman second Land. Hearing no objection it was so ordered.

p. Approval of Resolution of Intention to Establish a Community Facilities District: ACTION: Adopt the following:
1) Resolution No. 934, "A RESOLUTION OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN";
2) Resolution No. 935, "A RESOLUTION OF INTENTION TO INCUR BONDED INDEBTEDNESS OF PROPOSED COMMUNITY FACILITIES DISTRICT";
and,
3) Resolution No. 936, "A RESOLUTION APPOINTING TAX CONSULTANT, ATTORNEYS AND UNDERWRITER".
Approved as part of the Consent Calendar.

q. Award of Contract - Bus Benches and Trash Receptacles: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Mayor Koretz asked about the shuttle bus benches and receptacles. The following persons came forward to address the Council:
Budd Kops, West Hollywood - don't understand report.
Stan Lothridge, West Hollywood - cost to City.

Effie Reuveni, West Hollywood - why put in bus benches.
Mike Radcliffe, West Hollywood - look at where they are placed.

ACTION: Award the contract to Forms and Surfaces in the amount of \$35,625.12 for the purchase of 42 bus benches and 26 trash receptacles, according to the City's specifications. Motion Land second Lang. Noting the objection of Guarriello it was so ordered.

r. Assignment Agreement Between the City of Hermosa Beach and the City of West Hollywood for the Exchange of 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 of \$106,000 General Fund money for \$200,000 Prop A funds, in the format recommended by the City Attorney.
Approved as part of the Consent Calendar.

s. Assignment Agreement Between the City of Lomita and the City of West Hollywood for the Exchange of Proposition A Local Return Funds: **ACTION:** Authorize the City Manager to enter into an assignment agreement with the City of Lomita which sets forth the terms of the proposed trade of \$364,000 General Fund for \$700,000 Prop A funds, in the format recommended by the City Attorney.
Approved as part of the Consent Calendar.

t. Approval of the Agreement with Federal Armored Express, Inc. for Parking Meter Collection and Verification Services: **ACTION:** Approve a one-year agreement dated February 3, 1992 between the City of West Hollywood and Federal Armored Express, Inc., for the collection and verification of parking meter revenue and authorize the City Manager to sign.
Approved as part of the Consent Calendar.

u. Request to do a Formal Parking Study from Fuller Avenue to Detroit Street from Santa Monica Boulevard to Fountain Avenue: **ACTION:** Review the proposed district boundaries and direct staff to perform a study of all streets within the proposed district.
Approved as part of the Consent Calendar.

v. Initiation of the Zip Code Boundary Review Process with the U. S. Postal Service: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Guarriello stated that he wanted to make sure that this would not lead to higher insurance premiums. The following persons came forward to speak:
Jeanne Dobrin, West Hollywood - Busy Work - Postal employees not doing their job.
Effie Reuveni, West Hollywood - Why change.

ACTION: Direct staff to 1) draft a letter for Council's

signature to formally apprise the Post Office that the City will participate in the Zip Code review process; 2) create a rationale and justification for a single Zip Code and provide a copy of same to the Council offices for review; 3) continue follow-up and participation in the review process, with interim reports to the Council offices, until the process is completed. Motion Heilman second Land. Noting the objection of Guarriello it was so ordered.

PUBLIC HEARINGS

3. PROJECTS TO BE SUBMITTED TO HUD FOR FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM: The City Clerk reported that this item was noticed in the Los Angeles Independent Newspaper and posted in the three required places and at City Hall. The staff report was given by Debbie Potter. Councilmember Heilman expressed his concerns with continuing to fund the storefront renovation program. Mayor Koretz opened the public hearing and the following person came forward to give testimony:

Mike Radcliffe, West Hollywood - agreed with Councilmember Heilman. ACTION: Instruct staff to submit the CDBG Project and Cost Summaries for approval by the County. In addition, as the CDBG allocation is based on planning figures and not on the actual amount budgeted, approve a proportionate increase/decrease in funding for all of the approved projects, should this allocation be increased/decreased. Direction to staff to study the facade renovation program and come back at the next CDBG funding meeting with some innovative ideas for the East-end revitalization program. Motion Heilman second Guarriello. Hearing no objection it was so ordered.

4. AMENDMENT TO THE ZONING CODE TO ESTABLISH A SUNSET BOULEVARD INTERIM ENTERTAINMENT USE INCENTIVE ZONE: The City Clerk reported that this item was noticed by a display ad in the Los Angeles Independent Newspaper, posted at the three required places, and at City Hall. The staff report was given by Rhonda Sherman. Mayor Koretz opened the public hearing and the following persons came forward to give testimony:

Charlie Mercer, Sunset Strip Association - support.
Bob Pohle, Business owner in West Hollywood - support.
Mark Lehman, West Hollywood Chamber of Commerce - support.
Thomas Crail, West Hollywood Chamber of Commerce - support.
Budd Kops, West Hollywood - neutral on this item. Do not relax parking requirements.
Effie Reuveni, West Hollywood - oppose.
Jeanne Dobrin, West Hollywood - oppose.
Mark Buchman, Los Angeles - President of Bank of Los Angeles - support. Retention of business in these times is vital.

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

behind the recommendation to waive fees. Debbie Potter stated this would allow the City to compete and would cost approximately \$3,000 per project. They felt it was a cost to the City but could be considered to be an investment.

ACTION: Introduce on first reading, Ordinance No. 323, AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTERS 9223 AND 9700 OF ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE AND THE WEST HOLLYWOOD ZONING MAP ESTABLISHING A SUNSET BOULEVARD INTERIM ENTERTAINMENT USE INCENTIVE ZONE AND DEFINING ENTERTAINMENT USE." Motion Land second Lang.

AYES: Heilman, Land, Lang, Mayor Koretz

NOES: Guarriello

Motion carried.

Mayor Koretz called a Recess at 8:45 p.m.

The meeting was reconvened at 9:00 p.m.

5. APPEAL OF THE PROPOSED PROJECT AT 8580 SUNSET BOULEVARD; MIXED USE RETAIL/OFFICE DEVELOPMENT BY RALEIGH ENTERPRISES:

The City Clerk reported on noticing. Gay Forbes, Director of Community Development Department, Jennifer Davis, Associate Planner, and Lucy Dyke, Transportation Manager, gave the staff report. Mayor Koretz opened the public hearing, with 10 minutes for each appellant and 2 minutes for others, and the following persons came forward to testify on this item:

Debra Rosenthal, VP Raleigh Enterprises - slide presentation followed by a history of the development of the project.

Bill Edwards, West Hollywood (ROAR) - parking, EIR, carriage lane, noticing deficiencies, build to existing code.

Corin Kahn, Shermin Oaks - Attorney for ROAR - inadequacies of the EIR - no mention of the Sunset Incentive Zone and it's anticipated increase in density and traffic - not adequate for CEQA - question where the fault runs - not consistent with the General Plan.

George Rosenthal, Santa Monica - Raleigh Enterprises - stated commitment to W.H.

Harriet Segal, West Hollywood - attended the community meetings - support.

John Altschul, West Hollywood - project contributes to the ambiance of Sunset - support.

Alan Cantor, Los Angeles - hills above Sunset - oppose.

Francis Montgomery, Los Angeles - concerned with number of parking spaces.

Wendy Wexsler, West Hollywood - traffic, air pollution.

Rachelle Sommers-Smith, West Hollywood - support.

Charlie Mercer, Sunset Strip Association - support.

Irving Fein, West Hollywood - traffic - oppose.

Jeanne Dobrin, West Hollywood - support - member of review committee - no performing arts in community room.

Stan Lothridge, West Hollywood - oppose.

Dorothy Dorben, Los Angeles - oppose - traffic.

Arlene Cohen, Los Angeles - above Sunset - traffic - oppose.

Dorothy Levinson, Alta Loma - traffic, parking - oppose.
Judith Cassover, Park Wellington - oppose, build to code.
Mark Buchman, Los Angeles - support.
Mark Lehman, West Hollywood - support.
Thomas Crail, West Hollywood - support.
Russell Blackstone, Alta Loma Towers Homeowners Assn.-support.
Mike Radcliffe, West Hollywood Community Alliance - support.
Donny Cacy, 711 Store - support.
Norman Chramoff, West Hollywood - maximum amount of parking.
Dr. Alfred Coodley, Los Angeles - traffic - oppose.
Christina Babst, West Hollywood - support.
Budd Kops, West Hollywood - support. (make Alta Loma 1 way).
David Behr, West Hollywood - not enough parking - need 645.
Sibyl Zaden, Shoreham Heights Homeowners Assn. - support with
645 parking spaces, 2 hr. free parking, conditions by P.C.
Dave Weissfeld, West Hollywood - 645 parking spaces, 2 hour
validation - support with conditions.
Debra Rosenthal - rebuttal
Bill Edwards (ROAR) - rebuttal - height major concern.

No one else coming forward to speak, this item was returned to the Council for discussion. Staff was questioned about the EIR comments, conformity to the General Plan and the Zoning Ordinance, requirements of mitigation measures and overriding considerations, alternatives for the Community Room and validated parking.

Councilmember Heilman and Corin Kahn, Attorney for ROAR, held a short discussion on their "expert" on our General Plan and Mr. Kahn's charge that his comments were not addressed in the EIR. Councilmember Heilman stated that, "They were responded to. You may not like the answers but they are there".

The following issues were discussed and consensus arrived at:

1. Carriage Lane - delete - by consensus
2. Parking - 574 spaces - by consensus
2 hour free w/validation - review 2 years
3. Cul-de-sac on Alta Loma - do neighborhood traffic study - if cul de sac is best developer will pay - if better solution maybe use mitigation dollars for signals, etc.
4. Development Agreement - in accord.
5. Community Room - Alternative A
6. Mitigation - Study intersection at Holloway
drop consideration of 3rd left turn lane on SMB
at La Cienega.

Environmental Consultant - Dr. Duane Vanderplum - spoke.
Mayor Koretz closed the public hearing.

ACTION: Direct staff to bring back Resolution reflecting the above noted consensus items. Motion Land second Heilman. Hearing no objection it was so ordered.

Mayor Koretz called a recess at 11:28 p.m.
The meeting was reconvened at 11:40 p.m.

NEW BUSINESS

6. APPOINTMENT OF MAYOR AND MAYOR PRO TEMPORE: The staff report was given by Councilmember Guarriello. The following persons came forward to address the Council:
Effie Reuveni, West Hollywood - support.
Stan Lothridge, West Hollywood - support.

ACTION: The City Council expresses its desire to reorganize at the first meeting in May and to look at seniority as a top priority. This is a statement of policy. Motion Land second Lang.

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

7. AMENDMENT TO CATASTROPHIC ILLNESS FUND REQUIREMENTS: THIS ITEM WAS HEARD FOLLOWING ITEM 5 BUT IS LISTED HERE FOR CLARITY. The staff report was given by Kevin Fridlington.
ACTION: Approve the proposed amendments to the Catastrophic Illness Fund Program guidelines as outlined by the Employee Assistance Committee. Motion Land second Lang. Noting the absence of Heilman it was so ordered. (Councilmember Heilman left the meeting at recess and returned immediately following this item)

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.

Rick Zamarripa, West Hollywood - bike traffic creating sidewalk hazards.
Stan Lothridge, West Hollywood - protest - being discriminated against at the meetings.

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.

Councilmember Heilman requested that staff talk to the people on Clinton who are requesting rezoning.
Rick Zamarripa's comment on sidewalks; please give locations to staff. He further requested that staff explore changing amortization period for improvements requested by tenants.

LEGISLATIVE

8. ORDINANCE BANNING CIGARETTE VENDING MACHINES IN PLACES ACCESSIBLE TO MINORS IN WEST HOLLYWOOD: The staff report was given by Mayor Koretz. The following persons came forward to

address the Council:

Rick Zamarippa, West Hollywood - support.

Mike Radcliffe, West Hollywood - very little need.

Donny Cacy, 7-11 - State law covers.

Effie Reuveni, West Hollywood - ban cigarettes in restaurants.

ACTION: Introduce on first reading Ordinance No. 324, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE MUNICIPAL CODE TO PROHIBIT THE DISTRIBUTION OF TOBACCO AND TOBACCO PRODUCTS THROUGH VENDING MACHINES IN PUBLIC PLACES WHERE MINORS HAVE ACCESS," and provide a 2 year amortization. Motion Land second Lang. Noting the objection of Guarriello it was so ordered.

9. ORDINANCE - REIMBURSEMENT OF RENTAL OVERCHARGES:

ACTION: Introduce on first reading Ordinance No. 325, AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING THE REIMBURSEMENT OF ILLEGAL RENT OVERCHARGES. Motion Heilman second Land. Hearing no objection it was so ordered.

10. AMEND BUSINESS TAX ORDINANCE:


ACTION: Adopt Urgency Ordinance No. 326U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING THE DUE DATE FOR BUSINESS LICENSE TAXES, AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE, AND DECLARING THE URGENCY THEREOF." Motion Land second Heilman. Hearing no objection it was so ordered.

ADJOURNMENT The meeting was adjourned at 12:20 p.m. to a regular adjourned meeting on February 18, 1992, at West Hollywood Park Auditorium at 6:00 p.m. for a closed session and 7:00 p.m. for the regular meeting. Councilmember Heilman expressed his admiration to Mayor Koretz for the manner in which he conducted a very difficult meeting.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 18TH DAY OF FEBRUARY, 1992.


MAYOR

ATTEST:


CITY CLERK