

**MINUTES  
CITY COUNCIL MEETING  
SEPTEMBER 16, 1991  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**6:00 P.M. - CLOSED SESSION:** Mayor Koretz announced that the City Council met in closed session to discuss matters pertaining to litigation, potential litigation, personnel, and/or claims.

**7:00 P.M. - REGULAR MEETING**

**CALL TO ORDER:** Mayor Koretz called the meeting to order at 7:25 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by The Honorable Helen Albert.

**ROLL CALL:**

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

**ALSO PRESENT:** City Manager Brotzman  
City Attorney Jenkins

**APPROVAL OF AGENDA:** Remove items 2l, m, o, p, r, and s for separate discussion. **ACTION:** Approve the agenda as amended. Motion Land second Heilman. Hearing no objection it was so ordered.

**PROCLAMATIONS AND COMMENDATIONS:**

West Hollywood Green Ribbon Award Recipients:

Mail Boxes, Etc.  
International Creative Management (ICM)  
The French Quarter Restaurant  
Western Dye House, Inc.  
Four Season Cleaners  
The Pacific Design Center  
The Flowering Tree (formerly Glacier Bay)  
Stella's Cafe & Catering  
Waste Management - San Fernando  
California Mobile Recycling Collection

**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:

Gloria Vassy, West Hollywood - E-mail in City Hall and request memorial for Serbians who were slaughtered.  
Gregory Makaron, West Hollywood - memorial to Babi Yar.

Andonia Katsaros, West Hollywood - memorial for Greeks who were killed by the Turks and E-mail in City Hall.  
Maureen Munce, West Hollywood - E-mail in City Hall.  
Chris Fairchild, West Hollywood - enforcement of anti-discrimination laws against gays and lesbians - Deputy Bowland.  
Steve Martin, West Hollywood - Stonewall Democratic Club - task force on AIDS Education by L.A. School District.

**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 Guarriello asked for and received agreement on sending a letter from the Council in support of the task force on AIDS education. Mayor Koretz reported that the Council and the Sheriff's Dept. are working together on the latest issues of gay bashing in the community. Councilmember Heilman stated that he and Councilmember Land will be working with the victims of these attacks.

**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, g, h, i, j, k, n, and q. Motion Land second Heilman. Hearing no objection it was so ordered.

**a. Posting of Agenda:** The agenda for the meeting of Monday, September 16, 1991, was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, September 11, 1991.  
ACTION: Receive and file.  
Approved as part of the Consent Calendar.

**b. Demand Register No. 205, Resolution No. 884.**  
ACTION: Approve Demand Register No. 205 and adopt Resolution No. 884.  
Approved as part of the Consent Calendar.

**c. Treasurer's Report - August, 1991.**  
ACTION: Receive and file.  
Approved as part of the Consent Calendar.

**d. Minutes: September 3, 1991.**  
ACTION: Approve the minutes of September 3, 1991.  
Approved as part of the Consent Calendar.

**e. Claims: Lynda Modaff  
Joeddy Brandon Giuliani-Jones III**

**ACTION:** To remove the claim of Lynda Modaff from the Consent Calendar and move into Closed Session for additional discussion. To deny the claim of Joeddy Brandon Giuliani-Jones III 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. Disclosure of Maximum Allowable Rent Notification and Disclosure on Non-Rent-Controlled Units to Prospective Tenants:** **ACTION:** Direct staff to draft an ordinance requiring apartment owners to disclose the MAR (Maximum Allowable Rent) to tenants before renting a unit and further advising prospective tenants when the annual increase may be taken on a rent controlled unit. Also, direct staff to prepare a provision requiring owners of exempt buildings to disclose prior to renting a unit that the unit is not covered by the City's rent control ordinance. Direct staff to prepare simple forms which owners could hand out to satisfy the requirements of this ordinance.  
Approved as part of the Consent Calendar.

**h. Ordinance No. 309, for Adoption - Citation Authority for Code Enforcement Officers:** **ACTION:** Adopt on second reading Ordinance No. 309, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE CODE ENFORCEMENT OFFICERS OF THE CITY TO ISSUE CITATIONS FOR VIOLATIONS OF THE WEST HOLLYWOOD MUNICIPAL CODE PURSUANT TO SECTION 836.5 OF THE CALIFORNIA PENAL CODE, ESTABLISHING PROCEDURES FOR SUCH CITATIONS PURSUANT TO SECTION 853.6 OF THAT PENAL CODE, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."  
Approved as part of the Consent Calendar.

**i. Amendment of Position Specifications - Landscape Supervisor:** **ACTION:** Approve the position specifications for Landscape Supervisor, as amended.  
Approved as part of the Consent Calendar.

**j. Application for Local and Regional Bicycle and Pedestrian Funds Available under SB 821:** **ACTION:** Adopt Resolution No. 885, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE APPLICATION FOR AND EXPENDITURE OF LOCAL AND REGIONAL BICYCLE AND PEDESTRIAN FUNDS UNDER SB 821."  
Approved as part of the Consent Calendar.

**k. Adult Day Health Care Center (CIP #972) - Notice of Completion:** ACTION: Accept the work and authorize the following: 1) Filing of a Notice of Completion by the City Manager; 2) Final payment at the end of the 35-day lien period; 3) Release of the Performance Bond and Payment Bond. Approved as part of the Consent Calendar.

**l. City Hall Lease Amendment:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Land asked that the recommended action be modified. ACTION: Approve the lease amendment and direct the City Manager to sign the documents subject to directions given in closed session of alternative options. Motion Land second Heilman. Hearing no objection it was so ordered.

**m. Rolm System Upgrade (Telecommunications System):** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: 1) Approve the upgrade; 2) Reappropriate money that was budgeted in the 1990-91 fiscal year but not spent prior to year end closing. Motion Land second Heilman. Hearing no objection it was so ordered.

**n. Rideshare Week:** ACTION: Adopt Resolution No. 886, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING CALIFORNIA RIDESHARE WEEK, AS SEPTEMBER 23-27, 1991." This Resolution encourages West Hollywood community members to rideshare during California Rideshare Week, September 23-27, 1991 and pledge not to drive alone on Tuesday, September 24, which is "Keep California Moving Day". Approved as part of the Consent Calendar.

**o. Opposition to the Appointment of Clarence Thomas to the U.S. Supreme Court:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Guarriello stated that he would like this item held for more information. The following persons came forward to address the Council:

Jack Reilly, West Hollywood - Opposed  
Bruce Traub, West Hollywood - opposed  
Stan Lothridge, West Hollywood - opposed  
Robert Davis, West Hollywood Republican Club - opposed  
Tom Franklin, Los Angeles - opposed  
Steve Martin, Stonewall Democratic Club - support  
Celes King III, Los Angeles - Congress of Racial Equality of California - opposed  
Jeffrey Prang, West Hollywood Democratic Club - support

ACTION: Approve Resolution No. 887, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE APPOINTMENT OF JUDGE CLARENCE THOMAS TO THE U.S. SUPREME COURT"; authorize the City Clerk to send copies of the

Resolution to California Senators John Seymour and Alan Cranston, and to members of the Senate Judiciary Committee; authorize staff to create a statement indicating the Council's interest in having the City join the "Coalition for a Just Court." Motion Heilman second Lang. Noting the abstention of Guarriello it was so ordered.

**p. The Freedom of Choice Act - To Protect the Reproductive Rights of Women:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Mayor Koretz reported on this item. Steve Martin, West Hollywood, addressed the Council in support of this item. ACTION: Approve Resolution No. 890, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING MEMBERS OF CONGRESS TO CO-SPONSOR "THE FREEDOM OF CHOICE ACT: TO PROTECT THE REPRODUCTIVE FREEDOM OF WOMEN", S 25 AND HR 25"; Authorize the City Council to send letters to those local members of the congressional delegation who have not yet signed on as co-sponsors of HR 25, urging them to do so; Authorize the City Council to send letters to Senator Cranston and Senator Seymour (and to other local members of Congress who have already agreed to act as co-sponsors) thanking them for their support and urging them to lobby their congressional colleagues to support this essential legislation. Motion Land second Lang. Noting the abstention of Guarriello, it was so ordered.

**q. Installation of Memorial to Babi Yar Holocaust Victims:** September 29, 1991, marks the 50th anniversary of the Nazi slaughter of many thousands of Ukranian Jews. There will be the unveiling of a monument in Plummer Park. ACTION: Receive and file. Approved as part of the Consent Calendar.

**r. Proposed Bail Schedule - Parking Citations:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Heilman voiced his opposition to this item. ACTION: Approve the City's Parking Citation Bail Schedule, contingent upon the City, the County, and the Municipal Court reaching agreement on the appropriate split of the bail proceeds between the City and the Court; adopt Resolution No. 888, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD RECOMMENDING APPROVAL OF A PARKING PENALTY SCHEDULE." Motion Land second Guarriello. Noting the objection of Heilman it was so ordered.

**s. U.S. LOAN GUARANTEES FOR ISRAEL TO SUPPORT THE RESETTLEMENT OF SOVIET AND ETHIOPIAN JEWS:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Heilman voiced his opposition to this item and

Councilmember Lang wanted to hold this item to make sure houses are not to be built in the West Bank. The following persons addressed the Council:

Stanley Kandel, Santa Monica - support  
Effie Reuveni, West Hollywood - opposed  
Bruce Traub, West Hollywood - opposed  
Robert Davis, West Hollywood - support.

**PROPOSED ACTION:** Approve Resolution No. 889, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE UNITED STATES CONGRESS TO APPROVE \$10 BILLION IN LOAN GUARANTEES TO ISRAEL"; send letters of support from the City Council to Southern California elected officials in the U.S. House of Representatives and Senate, and to President George Bush. Motion Land second Koretz.

**AYES:** Land, Mayor Koretz

**NOES:** Heilman, Lang

**ABSTAIN:** Guarriello

Motion fails.

#### **PUBLIC HEARINGS**

**3. ROSSMOOR REGENCY - PUBLIC HEARING ON AN APPEAL OF A DECISION OF THE PLANNING COMMISSION, AND AN ENVIRONMENTAL IMPACT REPORT INCLUDING AN ADDENDUM, FOR A 138-ROOM CONGREGATE CARE FACILITY FOR SENIOR CITIZENS AT 700 N. DOHENY DRIVE:** The staff report was given by Anne Browning. The City Clerk reported that this item was noticed in the Post Newspaper on August 16, 1991, 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 address the Council:

Jeff Seymour - representing project.

Helen Albert, West Hollywood - support of project, oppose appeal.

Ronald Toplitzki, Beverly Hills - oppose project

Andonia Katsaros, West Hollywood - oppose project

Lester Stein, Beverly Hills - oppose project.

Jeanne Dobrin, West Hollywood - oppose project.

Budd Kops, West Hollywood - oppose project - water retrofit.

Christina Babst, West Hollywood - not over 45 feet.

Rochelle Sommers Smith, West Hollywood - oppose project.

Roslyn Krause, West Hollywood - oppose project.

Effie Reuveni, West Hollywood - oppose project.

Gloria Vassy, West Hollywood - oppose project.

Stephanie Kubotsu, West Hollywood - traffic mitigation measures.

Steve Martin, West Hollywood - oppose project.

David Finkelstein, West Hollywood - oppose project.

Frances Finkelstein - oppose project, read letter from others in opposition.

Bruce Traub, West Hollywood - oppose project.  
Jeffrey Prang, West Hollywood - Democratic Club opposed.  
Stan Lothridge, West Hollywood - oppose project.  
Douglas Lowe, Architect for Project - outlined mitigating changes.  
Lester Stein, Beverly Hills - appellant - rebuttal - no compensating mechanism.  
Jeff Seymour - rebuttal.

Mayor Koretz closed the public hearing and returned this item to the Council for discussion. Councilmember Heilman asked staff about adding water conservation and retrofitting requirements. Questions were asked about Title 24, Life Care Community, and lowering the height limit in the EIR. Councilmember Guarriello asked about excavation problems, height measurement, water table, and drainage plan, where they would pump the water. Gay Forbes, Director of Community Development, stated that provisions for grading and drainage would cover these issues. Douglas Lowe, architect, stated that they would not want to build on this site if it were a problem. As to the concerns about this building becoming condominiums, Anne Browning stated that there is a requirement that this remain a congregate care, life care project for the life of the project. Mayor Koretz expressed concern that this project not be turned into condos. Anne Browning stated that she has reviewed Mr. Stein's letter and feels that his concerns have been mitigated, the noticing requirements have been met, it is a qualified project, and the shade and shadow study shows no problems. ACTION: 1) Certify the Final Environmental Impact Report (including the Addendum); 2) Approve Resolution No. 891, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT PERMIT 88-23, CONDITIONAL USE PERMIT 88-03, AND DEMOLITION PERMIT 88-07 FILED BY SOLBERG AND LOWE ARCHITECTS TO CONSTRUCT A RESIDENTIAL/LIFE CARE FACILITY FOR SENIOR CITIZENS AT 702-714 DOHENY DRIVE, WEST HOLLYWOOD, AND SUPERSEDING RESOLUTION NO. 702." with the additions of zero waste water flow, drought tolerant landscaping, spell out "Life Care Facility" in Section 1.6 and add a statement that permits will lapse if any other use. Motion Lang second Land.

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

**4. DESIGNATION OF THE OLD SHERMAN THEMATIC GROUPING AS AN HISTORIC DISTRICT:** Amy Anderson gave the staff report. The City Clerk reported that this item was noticed in the Post Newspaper on September 6, 1991, 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 address the Council:

Jeanne Dobrin, West Hollywood - opposed  
Cassian Elwes, West Hollywood - make a decision - cloud over his property.  
Mark Lehman, West Hollywood - oppose whole grouping - no architectural or historical merit.  
Tom Bernath, West Hollywood - early tract home.  
Budd Kops, West Hollywood - eliminate 838-850 San Vicente.  
Marianne Martin, South Bay - 950 Palm Ave. Opposed.  
Scott Meehan, Owners on Palm - Opposed.  
Jose Ortiz Jimenez, Los Angeles - opposed.  
Charles Loveman, West Hollywood - Cultural Heritage Advisory Board.  
John Chase, Los Angeles, need to preserve original buildings.  
David Cameron, Santa Monica, member of County Landmark Commission - economics dealt with in Ordinance. Need to preserve all different elements of our past.  
Jamie Wolf, Los Angeles - let the ordinance work. Support.  
Bruce Traub, West Hollywood - support Planning Commission.  
Effie Reuveni, West Hollywood - oppose.

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

**ACTION:** Deny the recommendation without prejudice to individual owners who may want to have their property included. Motion Heilman second Guarriello. Noting the objection of Mayor Koretz it was so ordered.

**5. 1038 CAROL DRIVE - APPEAL OF PLANNING COMMISSION APPROVAL:** THIS ITEM WAS HEARD BEFORE ITEM 4 BUT IS LISTED HERE FOR CLARITY. Tim Gawronski gave the staff report. The City Clerk reported that this item was noticed in the Post Newspaper on August 16, 1991, and posted at Plummer Park, the San Vicente Library, the Sheriff's Station and City Hall. In addition, the appellants have submitted letters which have been distributed to the Councilmembers. Mayor Koretz opened the public hearing and the following persons came forward to address the Council:

Niccolo Valerio, Architect for the project.  
Richard Shapiro, property owner  
Kevin O'Shay, West Hollywood - rental housing all becoming condos.  
Jeanne Dobrin, West Hollywood - need more families.  
Stan Lothridge, West Hollywood - properties on Rugby Drive.  
Councilmember Heilman stated that he had received and read the letters from the appellants and had gone and looked at the property. The owner has done everything to meet the zoning ordinance requirements, and this building is allowed. Mayor Koretz closed the public hearing. **ACTION:** Deny the



appeal and adopt Resolution No. 892, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING DEVELOPMENT PERMIT 90-41 AND CONDITIONAL USE PERMIT 90-20 AND DEMOLITION PERMIT 90-30 ON AN APPLICATION OF SHAPIRO-FOGELMAN PARTNERSHIP TO DEMOLISH FOUR APARTMENT UNITS AND CONSTRUCT FOUR CONDOMINIUM TOWNHOUSE UNITS AT 1038 CAROL DRIVE," with the addition of the standard Maintenance of Property condition and the proviso that the owner will retain the tenants in the building until such time as demolition occurs and the permit is exercised. Motion Land second Lang. Hearing no objection it was so ordered.

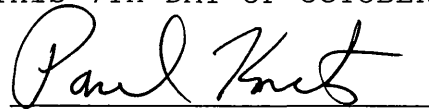
**CITIZEN COMMENTS:** This time has been set aside for the public to address the Council on any item of interest that could not be heard under Item 1 at the beginning of the meeting. The following persons came forward to address the Council:

Stan Lothridge, West Hollywood - City E-mail.  
Effie Reuveni, West Hollywood - City E-mail.  
Budd Kops, West Hollywood - selective code enforcement.  
Jeanne Dobrin, West Hollywood - citizen comments at the beginning of the meeting.

**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. There were no comments at this time.

**ADJOURNMENT** The meeting adjourned at 11:50 p.m., to a regular scheduled meeting on October 7, 1991, 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 7TH DAY OF OCTOBER, 1991.

  
MAYOR

ATTEST:

  
CITY CLERK