

**MINUTES
CITY COUNCIL MEETING
MAY 6, 1991
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. Mayor Heilman announced that they discussed matters pertaining to litigation, potential litigation, personnel, and claims and direction was given to staff.

7:00 P.M. - REGULAR MEETING

CALL TO ORDER: Mayor Heilman called the meeting to order at 7:07 p.m.

PLEDGE OF ALLEGIANCE: The Pledge was led by Lance Strugar.

ROLL CALL:

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Item 5 was tabled. Items 2h and 2v were removed from the consent calendar for separate discussion.

PROCLAMATIONS AND COMMENDATIONS: National Health Fitness Week
Employee Health and Fitness
Day, May 15th
Small Business Week
Commendations:
Jamshid Shoralah & Lily Levian
Apollo Car Wash
Emser International
International House of Pancakes
Michael's Crepes and Pasta
Rosamund Felsen Gallery
Ha Ha's
Pen and Paper, Inc.
Century Cable
Red Car Grill
Pepe O'Briens
Senior Month
Commendations: Belle Weiner,
Jerry Hundal, Kate Pizer

Councilmember Land announced that the Economic Development Dept. of the State of California had requested that this be proclaimed Hire a Veterans Week and would be holding a Veterans Job Fair.

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. Testimony for public hearings will only be taken at the time of the hearing. Comments concerning other items on the agenda are preferred to be heard at the time the item is being considered

during the course of the meeting; however they may be offered at this time if the member of the public cannot be in attendance later in the meeting. The following persons came forward to address the Council:

Ron Garner, Child and Family Services - training offered.
Doug Routh, CES - flyer from group called CES, not affiliated.
Carole Hossan, West Hollywood - flier trying to trick people.
Jeanne Dobrin, West Hollywood - enforcement getting worse.
Ed Riney, West Hollywood - epidemic of garage sales on East side.
Hamp Simmons, West Hollywood - thanks for honoring Lesbian Visibility Week.
Jim Curtis, West Hollywood - against recall of John Heilman.
Ed Riney, West Hollywood - against Head Start lease.
Elizabeth Burns, West Hollywood - Favor of lease.
Glenda Tusher, West Hollywood - opposed to pass-through on water conservation.

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 State check that was presented to the Housing Corporation for the AIDS housing project and the fact that the Head of the Housing and Community Development spent the day looking at the City's housing programs as a model for the State. He also reported on the increased enforcement of the pooper scooper Ordinance and the leaf blower Ordinance.

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, i, j, k, l, m, n, o, p, q, r, s, t and u. Motion Land second Lang. Hearing no objection and noting the absence of Koretz, it was so ordered.

a. Posting of Agenda: The agenda for the meeting of May 6, 1991 was posted at City Hall, Plummer Park, the West Hollywood Library and the Sheriff's Station on Wednesday, May 1, 1991.

ACTION: Receive and file.
Approved as part of the Consent Calendar.

b. Demand Register No. 196, Resolution No. 834.

ACTION: Approve Demand Register No. 196 and adopt Resolution No. 834.
Noting the absence of Koretz, approved as part of the Consent Calendar.

**c. Minutes: April 8, 1991
April 15, 1991**

ACTION: Approve the minutes of April 8, 1991 and April 15, 1991.
Approved as part of the Consent Calendar.

- d. Claims:** Linda Cho
Donovan Winter
Samuel Bastani
Diane Silver
Joe Fusco

ACTION: Deny the claims of Linda Cho and Donovan Winter without comment and refer to the City's Claims Adjustor. Remove the claims of Samuel Bastani, Diane Silver and Joe Fusco from the Consent Calendar and move into closed session for additional discussion.
Approved as part of the Consent Calendar.

e. 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.

f. Trespassing Upon Private Property - Ordinance No. 294: **ACTION:** Adopt on second reading, Ordinance No. 294, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE CONCERNING TRESPASSES UPON PRIVATE PROPERTY". Noting the absence of Koretz, approved as part of the Consent Calendar.

g. Landscape Division Job Descriptions: **ACTION:** Approve descriptions for the positions of Landscape Maintenance Supervisor and Building Maintenance Supervisor at salary range 12.
Approved as part of the Consent Calendar.

h. Pilot Recycling Program to Collect from Apartments with Six or More Units: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Mayor Heilman asked questions of Kevin Hendrick about the current contract with Waste Management. **ACTION:** Authorize the City Manager to enter into a contract with the Los Angeles Conservation Corps (LACC) for a six month pilot program to collect recycling from apartments in the City at a cost of \$4000 from the solid waste fund. Appropriate \$4000 from Fund 50 (solid waste unappropriated fund balance) to the contract services line. Motion Heilman second Land. Hearing no objection it was so ordered.

i. Child and Family Services Letter of Agreement--Amendment **ACTION:** Authorize the City Manager to execute an amendment to the agreement with Child and Family Services to include \$12,000 for the family child care provider enhancement program first quarter expenses.
Approved as part of the Consent Calendar.

j. Use of Rebate from Retirement Funds--Jewish Family Services: REMOVED FROM AGENDA BY STAFF.

k. Lesbian Visibility Week: ACTION: Proclaim the week of July 7-14, 1991, as Lesbian Visibility Week and the Council sponsor a week-long roster of activities in conjunction with the Lesbian and Gay Advisory Council and various community groups and businesses.
Approved as part of the Consent Calendar.

l. Head Start Lease: ACTION: Authorize the City Manager to execute a three-year lease agreement between the City of West Hollywood and Child and Family Services, Head Start Program, for a 2,100 square foot area next to the children's play area at Plummer Park for the location of a portable building.
Approved as part of the Consent Calendar.

m. Proposed Resolution Prohibiting Overnight Parking from 2 AM to 5 AM on Poinsettia Place between Santa Monica Blvd. and Romaine Street: ACTION: Adopt Resolution No. 835, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROHIBITING OVERNIGHT PARKING FROM 2 AM - 5 AM ON POINSETTIA PLACE BETWEEN SANTA MONICA BOULEVARD AND ROMAINE STREET".
Noting the absence of Koretz, approved as part of the Consent Calendar.

n. Agreement for Bond Counsel: ACTION: Authorize the City Manager to execute the agreement for bond counsel with Jones, Hall, Hill and White in an amount not to exceed \$5,000 for services and advice concerning Tax and Revenue Anticipation Notes.
Approved as part of the Consent Calendar.

o. Renewal of Crime Insurance Coverage and Fiduciary Insurance Coverage: ACTION: Authorize the expenditure of \$39,262.00 for the purchase of a \$1,000,000 crime insurance policy and a \$1,000,000 fiduciary liability coverage policy. Transfer \$39,262 from 01-290-52-656, Liability Insurance Premiums, to 01-290-52-662, Surety/Fidelity Bonds.
Approved as part of the Consent Calendar.

p. Letter in Support of SB 593, The Roberti Housing and Homeless Bond Act of 1992. ACTION: Endorse and sign the letter of support to Senator Roberti, dated May 7, 1991.
Approved as part of the Consent Calendar.

q. Resolution in Support of SB 1106, the Child Care Bond Act and SB 900: ACTION: Adopt Resolution No. 836, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF SENATE BILL 1106, THE CHILD CARE BOND MEASURE, AND SENATE BILL 900, WHICH WOULD ESTABLISH A REVOLVING LOAN PROGRAM FOR FAMILY DAY CARE PROVIDERS", and direct the City's lobbyist in Sacramento to work for the passage of these bills during the current legislative session.
Noting the absence of Koretz, approved as part of the Consent Calendar.

r. Gay Law Day: ACTION: Co-sponsor the Lawyers for Human Rights Gay Law Day by providing space without charge at Plummer Park for the conference and assist with the design and duplication of the conference brochure.
Approved as part of the Consent Calendar.

s. Resolution in Support of Civil Rights Act of 1991: ACTION: Adopt Resolution No. 837, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE CONGRESS OF THE UNITED STATES TO ADOPT LEGISLATION TO RESTORE CIVIL RIGHTS PROTECTIONS NOW LOST BECAUSE OF SUPREME COURT RULINGS", and endorse the Southern California Civil Rights Coalition letter supporting the passage of H.R. 1, to be distributed to members of the U. S. Senate. Noting the absence of Koretz, approved as part of the Consent Calendar.

t. Amend Architecture Contract for Design of the W.H. Park Improvements (CIP #164): ACTION: Authorize amendment of the Architect's contract for the West Hollywood Park Improvements (CIP #164) for the amount of \$6300.
Approved as part of the Consent Calendar.

u. Construction of the W.H. Park Improvements (CIP #164): RECOMMENDED ACTION: Reject all bids for the West Hollywood Park Improvements (CIP #164). Authorize staff to readvertise this project and include alternatives which detail items that may be eliminated from this project to keep the total cost of construction within the budgeted amount.
Approved as part of the Consent Calendar.

v. Application for Subpoena Duces Tecum to Subpoena Specific Records from Alcoholic Beverage Control Board regarding Petit Four, 8652-54 Sunset Blvd.: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Deny the application from Jeanne Dobrin for the Subpoena Duces Tecum. Motion Land second Lang. Noting the absence of Koretz and the abstention of Guarriello it was so ordered.

HEARING ON APPEAL - BUSINESS LICENSE APPEALS BOARD

3. FLEETWOODS, 8290 SANTA MONICA BOULEVARD: This is a hearing on the record with only new evidence to be submitted. The City Clerk reported that this item was noticed in the West Hollywood Independent Newspaper on March 27, 1991, and posted at Plummer Park, the San Vicente Library, the Sheriff's Station and City Hall. Corey Roskin gave the staff report and answered questions from Councilmembers. Mark Lehman spoke for the appellant. The Council admitted evidence from Mr. Lehman which consisted of reviews of the restaurant and asked counsel if he had objection to a letter from Mr. Lawrence about what happened on opening night being admitted as evidence - having none, it was admitted. Jeanne Dobrin stated that the ABC stated they had never applied for an alcoholic beverage

license. With no objection from Mr. Lehman, it was admitted as evidence. Mark Lehman spoke for the owners and agreed that they have not made application for an alcoholic beverage license at this time, but will be applying for a new license. They intend to be a "supper club" with fine quality Blues entertainment and dancing. The two items being appealed are the requirement for a four month review and hours of operation on weekends. Tom Lawrence, West Hollywood - opening night and since - problems. Jeanne Dobrin, West Hollywood - can't get liquor license for a year or more. Steve Valentine, West Hollywood - reviews - emphasis on food. Stasi Hartwick, West Hollywood - support. John Fallon, West Hollywood - support Peter Lepore - one of owners Stacey Brantley, West Hollywood - support Ed Riney, West Hollywood - neighborhood can't handle this. Forence Delbarian, West Hollywood - showed ad stating there was "a full bar".

Mark Lehman stated that the review for the license should only take 60 days; that the door on Sweetzer was not open; that the lot is a valet lot and no one could be in there drinking and talking.

Councilmember Guarriello asked Mr. Lawrence about his proximity to the club and the parking lot. Mayor Heilman closed the public hearing and returned this item to the Council for discussion.

Councilmember Koretz entered the meeting at 8:30 p.m. He noted that he had been watching the hearing on television while being home with his wife, who had surgery in the last few days, and had read the record and was prepared to enter into the discussion and vote on this matter. ACTION: Grant the appeal with the same conditions put on a year ago, 4 month review by City Council, and adopt Resolution No. 838, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE DANCE BUSINESS LICENSE FOR FLEETWOOD'S L.A. BLUES, DBA FLEETWOOD'S, 8290 SANTA MONICA BOULEVARD, SUBJECT TO CERTAIN CONDITIONS". Motion Heilman second Land. Hearing no objection it was so ordered.

Councilmember Koretz left the meeting at 8:45 p.m.
Mayor Heilman called a recess at 8:45 p.m.
The meeting was reconvened at 9:02 p.m.

PUBLIC HEARINGS

4. ORDINANCE EXPANDING PREFERENTIAL PARKING DISTRICT 5 TO INCLUDE KEITH AVENUE: The City Clerk reported that this item was noticed in the Post Newspaper and posted at Plummer Park, the San Vicente Library, the Sheriff's Station and City Hall. The staff report was given by Donald Korotsky. Mayor Heilman opened the public hearing and the following persons came forward to address the Council:

Robert Schrock, West Hollywood - support - urgently needed.
Paul Fredrix, West Hollywood - will cause problem for building on Hilldale - repeal 2 hour parking or accept petition from Hilldale residents to be included in district.
Barry Parker, West Hollywood - employees from Pavilions cause problems - support.
Jonathon Hauser, West Hollywood - support. Need policy.
David Weissfeld, West Hollywood - support.
Jeanne Dobrin, West Hollywood - support - Pavilions causes problems.

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

ACTION: Adopt Ordinance No. 295U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE PERTAINING TO DISTRICT NO. 5 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF." Motion Land second Lang.
Ayes: Guarriello, Lang, Land, Mayor Heilman.
Absent: Koretz.
Motion carried.

Direction was given to staff to investigate the senior housing building at 9025 Keith Avenue as to ramps and elevators, and to work with the residents on Hilldale and look at their petition to be included in the district.

UNFINISHED BUSINESS

5. POLICY REGARDING PEDDLERS: THIS ITEM WILL BE TABLED TO MAY 20, 1991, AT REQUEST OF STAFF.

6. RECOMMENDATIONS FROM CITY HALL SITE SELECTION COMMITTEE:
John Given gave the staff report. Tom Larkin, Donna Sauer and Ethel Shapiro gave a committee report summary. Mayor Heilman stated that he would like to see the Cedar's property included on the list as it is vacant and would not displace any housing or businesses. He asked Mr. Given how he arrived at the cost estimates. **ACTION:** 1) Accept the report and receive and file, pending further analysis by staff of fiscal, land assembly, and joint venture implementation options. 2) Establish a period during which the Council will evaluate implementation and policy issues; hold public hearings; and, make the final selection of a City Hall project. 3) Direct staff to schedule a study session within 45-60 days and present reports on fiscal and financial planning considerations, joint venture options and feasibility of land assembly procedures, including the use of redevelopment. 4) Request that the Site Selection Steering Committee remain available to the City in an ongoing advisory capacity. Also add in information on Cedar's property and ask John Given to take another

look at the cost estimates and provide information on the original plans. Motion Land second Guarriello. Hearing no objection and noting the absence of Koretz, it was so ordered.

NEW BUSINESS

7. PASSAGE OF REGULATIONS CONCERNING WATER CONSERVATION:

The staff report was given by John Polak. Kevin Hendricks reported that this would be a monthly surcharge not a rent increase.

The following persons addressed the Council:

Carol Hossan, West Hollywood - opposed.

Len Mandelbaum, West Hollywood - opposed to any pass-through.

Dana Ogata, West Hollywood - opposed.

Alison Gordon, West Hollywood - opposed.

Guy Gorlick, West Hollywood - opposed.

Terry Jones, West Hollywood - opposed.

Jeanne Dobrin, West Hollywood - should be according to number of people in each apartment.

John Polak stated that the number-of-bedrooms option was chosen as that was the method the city had to monitor the program. On the question of retrofitting, all members were opposed to the pass-through. ACTION: Disapprove Rent Stabilization Commission Resolution 91-12 on retrofitting passthrough. Motion Land second Lang. Hearing no objection and noting the absence of Koretz, it was so ordered.

FURTHER ACTION: Direct staff to do intensive outreach in Russian, Spanish, and other foreign languages - include an appeal process for tenants - no more than 50% pass-through - assess based on the number of tenants in an apartment - any pass-through must be preceded by the landlord doing retrofitting and taking care of leaks, etc. Staff and the Commission to rework the Resolution to include the above and bring back to Council. By consensus of the Council.

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. No one spoke at this time.

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 Guarriello stated that he felt that the Mayor should write a letter to Being Alive censoring them for rejecting volunteers because of a difference of political opinion on the recall.

Councilmember Land - Union 76 station - asked the City Manager to contact and see if they are one of the stations slated to close.

She also announced the Small business programs that are being held.

Action: approve claims of Samuel Bastani, Diane Silver and Joe Fusco. Motion Heilman second Land. Hearing no objection it was so ordered.

Mayor Heilman spoke to staff about a Temporary Use Permit for Bel Age Hotel for an AIDS benefit and asked them to schedule a hearing in front of Council.

LEGISLATIVE

8. ORDINANCE AMENDING THE PARKING RESTRICTIONS IN THE TRAFFIC CODE: The staff report was given by Donald Korotsky. The following persons addressed the Council:
Jeanne Dobrin, West Hollywood - opposed.
Ethel Shapiro, West Hollywood - opposed.
David Weissfeld, West Hollywood - opposed.

PROPOSED ACTION: Introduce on first reading Ordinance No. ____, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PARKING RESTRICTIONS IN THE TRAFFIC CODE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE", which would authorize curbside parking by the owner or lessee, in front of private driveways. Motion Lang. The motion died for lack of a second.

ACTION: Take no action. Motion Land second Guarriello. Noting the absence of Koretz and the no vote of Lang, it was so ordered.

9. REPEAL OF CITY SANCTIONS AGAINST NAMIBIA - ORDINANCE NO. 296: ACTION: Introduce on first reading Ordinance No. 296, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD DELETING NAMIBIA FROM RESTRICTIONS ON CONTRACTS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Heilman second Guarriello. Hearing no objection and noting the absence of Koretz, it was so ordered.

ADJOURNMENT Mayor Heilman adjourned the meeting at 10:55 p.m., in memory of Dwight Ewing, to a closed session with the Rent Stabilization Commission on Monday, May 13, 1991, at 6:00 p.m. in the Public Works Conference Room at City Hall, 8611 Santa Monica Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 20TH DAY OF MAY, 1991.


MAYOR

ATTEST:


CITY CLERK