

**MINUTES**

**CITY COUNCIL MEETING  
APRIL 4, 1988  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BLVD.**

**GENERAL PLAN WORKSHOP - 5:00 P.M.**

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

**CALL TO ORDER:** Mayor Viterbi called the meeting to order at 5:20 P.M.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Bruce Stinshoff.

**ROLL CALL:** Present: Albert, Heilman, Land, Schulte,  
Mayor Viterbi  
Absent: None  
Also Present: City Manager Brotzman  
City Attorney Jenkins

**GENERAL PLAN WORKSHOP - 5:00 P.M. TO 7:00 P.M.:** This time was set aside for the City Council and staff to continue their workshop on the proposed General Plan, which may include actions and decisions on various aspects of the plan.

Mayor Viterbi stated that Council left off last week on Item 1.14, the land use element, and that they would begin with 1.15, the San Vicente-Beverly-Sherbourne Triangle. An overview was given by Woody Tescher, planning consultant.

For the underlying zoning, the consensus of the Council, with dissent by Councilmember Schulte, was for R4 with commercial-- to be the same as the Council decides for Beverly.

Woody asked about the FAR and heights for underlying zoning, and clarification on the R4. Council agreed by consensus, R4 would mean 50 units per acre and 45 foot height. By consensus, it was also decided the FAR and heights for underlying would be the same as whatever they decide for Beverly.

Next the Council discussed what they would allow for the specific plan. There was a consensus that some commercial should be allowed along San Vicente, deeper into the lot.

By consensus, Council agreed on up to 60 feet on the San Vicente side, with a 50 percent bonus, 50 percent of that mandated to be affordable--moderate-low income.

Woody Tescher summarized the Council decisions made: The underlying design would be a commercial land use design with FAR and heights to be the same as whatever they decide on Beverly. The residential portion, roughly two-thirds of the site, is to be designated R4 density, 50 units per acre and 45 foot height limit. Regarding the specific plan, Council designated two different cases of specific plans--one is the total site being

**ORIGINAL**

developed for residential, with a 50 percent residential bonus if 50 percent of the units are for low and moderate income, and they could have a 15 foot height bonus on the side facing San Vicente, but have to maintain a 45 foot height of underlying on the Sherbourne side. The other specific plan mentioned would require residential facing Sherbourne and allow commercial facing San Vicente, facing Beverly, the height and FAR to be whatever it will be for Beverly.

Direction was given to Woody Tescher and Mark Winogron to do an analysis of what Council has done (in this area) and come back indicating what likelihood something will be developed and what it would be--what Council is encouraging to be built.

The next section for discussion was 1.16, regarding the Pacific Design Center. The Council made no changes to this section.

Mayor Viterbi adjourned the General Plan study session at 6:44 p.m., and announced that the next study session would be at 8:00 p.m. on Thursday, April 14, 1988, at West Hollywood Park, to begin with section 1.17 (Sunset Boulevard). Also, there would be a study session on Sunday, April 17, 1988, from 12:00 to 4:00 p.m. at West Hollywood Park.

The City Council reconvened at 7:05 p.m. for the regular meeting.

**APPROVAL OF AGENDA:** A closed session to be held after Item 3. Item 6 to be moved to before Item 5. Item 6a to be moved to after the closed session. Item 2h to be removed from the Consent Calendar. Items 2d, k, and i to be pulled for separate discussion. **ACTION:** To approve the agenda. Motion Schulte second Land. Hearing no objection it was so ordered.

**PROCLAMATIONS AND COMMENDATIONS:** Councilmember Land announced that April 2-9, 1988, is proclaimed Community Development Week.

**1. 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 City Manager's report.

**2. CONSENT CALENDAR:** **ACTION:** To approve items 2a, b, c, e, f, g, j, and l. Motion Schulte second Heilman. Hearing no objection it was so ordered.

**a. Posting of Agenda:** The agenda for the meeting of April 4, 1988, was posted at City Hall, Plummer Park, the Sheriff's Station and the West Hollywood Library, on Wednesday, March 30, 1988. **ACTION:** Receive and File.  
Approved as part of the Consent Calendar.

**b. Demand Register No. 83 - Resolution No. 418:** **ACTION:** Approve Demand Register No. 83 and adopt Resolution No. 418.  
Approved as part of the Consent Calendar.

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

Approved as part of the Consent Calendar.

**d. Santa Monica Boulevard Median - Sprinklers (CIP #806), Award of Contract:** THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. ACTION: Award the Santa Monica Boulevard Sprinkler contract to the lowest qualified bidder, Scofield Landscape, for \$32,873.65. Motion Heilman second Schulte. Hearing no objection it was so ordered.

**e. Claims:** Application for Leave to Present Late Claim by Attorney for Karen Deal: ACTION: Based on statutory criteria (G.C. 911.6), deny the application for leave to present late claim on the grounds that there was no excusable negligence. Claimant had full and complete knowledge within time to file a timely claim. 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. City Investment Policy:** ACTION: Adopt Resolution No. 405, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING AN INVESTMENT POLICY." Approved as part of the Consent Calendar.

**h. Ordinance No. 183 - Amendment to Zoning Ordinance City Policy on Appeal Fees:** THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR. ORDINANCE NO. 183 IS LISTED AS ITEM 9, UNDER LEGISLATIVE.

**i. Report on Improved Rehabilitation Procedure:** THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. The City Council requested staff to develop procedures to improve the response time in abating substandard conditions. ACTION: Receive and file the report and direct staff to return to the May 2, 1988 meeting with the proper Ordinance. Motion Heilman second Land. Hearing no objection it was so ordered.

**j. Position Approval - Associate Planner - Code Enforcement:** ACTION: Approve the creation of an Associate Planner-Code Enforcement position for Community Development and eliminate the existing Senior Code Enforcement Officer position. Approved as part of the Consent Calendar.

**k. Civic Center Task Force Final Report:** THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. Councilmember Schulte stated, for the record, that he is still opposed to using West Hollywood Park as the site for the Civic Center. ACTION: Review and adopt a contract with Chang and Sherman/Gruen Associates, and authorize them to begin design work on the Civic Center components listed in Phase I; that staff search for alternative swimming pool and baseball space to be used during construction period; create two on-going groups, one

technical and one community advisory, to assist throughout the project; request staff to bring an analysis of the project costs which are not part of construction costs to the Council, and that all costs of the project be analyzed in a fiscal impact and financing strategy report, to be prepared by staff and the City's financial advisors. Motion Heilman second Albert. Noting the objection of Councilmember Schulte, it was so ordered.

**1. Community Development Week - April 2-9: ACTION:**  
Proclaim April 2-9 as National Community Development Week and direct staff to write letters to the appropriate officials in Congress in support of the Housing and Community Development Act of 1987, which reauthorized the Community Development Block Grant Program.  
Approved as part of the Consent Calendar.

#### **PUBLIC HEARINGS**

**3. APPEAL OF PLANNING COMMISSION DECISION - CUP 87-07 - 858 N. DOHENY DRIVE:** Conditional Use Permit 87-07 allows for a five-year extension of time within which a non-conforming use must be discontinued, and also for the substitution of another use or other compatible uses within the building known as the Lloyd Wright Studio. **RECOMMENDED ACTION:** Open the public hearing, take public testimony, and then, if appropriate, deny the appeal and uphold the Planning Commission decision to approve CUP 87-07.

The City Clerk reported that notice had been published in The Post newspaper, and posted at City Hall, the West Hollywood Library, the Sheriff's Station, and Plummer Park. The staff report was given by Jeff Archuleta.

The public hearing was opened by Mayor Viterbi, and the following persons came forward to speak:

Jeanne Dobrin, appellant, West Hollywood: (Submitted material to the City Clerk.) Spoke in favor of appeal.

Eric Wright, property owner: (Submitted photos of parking around the property and the house itself.) Asked that appeal be denied. They had originally requested a 99-year extension--would like to have 50-year extension. Work is going on to restore the house. The important thing is to save the house.

Patricia Stander, West Hollywood: Spoke in support of appeal.

David Behr, West Hollywood: Speaking for Nancy Taylor. In support of appeal.

Lois Sydney, West Hollywood: In support of appeal.

Mike Deasy, realtor in the building: Spoke against the appeal. We work on weekends and there is plenty of parking on weekends. We have photos and license plates to show that we are not the use that impacts that street.

Crosby Doe, realtor in building: Spoke against the appeal. On National Register of historical monuments. Parking not a problem.

Amy Forbes, attorney for applicant: Spoke against the appeal. When the house was originally built it was R4, unlimited zoning. This was not an intrusion, was one of the original uses. We want a long-term solution.

Robert Sweeney, keeper of the Schindler House: Spoke on the impracticality of the suggestion of turning the house over to a nonprofit corporation.

Alex Workman, West Hollywood: (In support of appeal--read a letter from John McKinney to Mossler, Deasy and Doe, dated April 6, 1987.)

David Weisfeld, West Hollywood: (continued reading the letter)

Patrick Wall, West Hollywood: (continued reading letter.)

Janet Bridgers, West Hollywood: In support of appeal.

Steve Martin, West Hollywood: In support of appeal.

Ralph Feeley, West Hollywood: Spoke in support of appeal.

Ira Stein, West Hollywood: Spoke in support of appeal.

Steve Rose, architect, West Hollywood: Against appeal--it was built as a studio; significant building; warrants special attention.

Jeanne Dobrin, appellant: Spoke in rebuttal. Use, if ever legal, has amortized. Oppose the increase in years that is being asked for (by owner)--they did not file appeal.

Amy Forbes, attorney (rebuttal): It is not a change, a continuation of use. Will not set a precedent. Realize we did not appeal--forced into it by appellant.

ACTION: To deny the appeal, uphold the Planning Commission decision to grant Conditional Use Permit 87-07, to extend the time to 99 years, to limit the kinds of future uses, to have the garage cleaned and used for parking.

Motion Schulte second Viterbi. AYES: Albert, Heilman, Schulte, Mayor Viterbi

NOES: Land

Motion carried.

The City Council adjourned to closed session at 8:52 P.M.

The Council reconvened at 9:35 P.M.

(Mayor Pro Tempore Albert had to leave the meeting at this time.)

(Item 6a, resolution regarding Century Communications, was acted

on at this time--see item 6a.)

**4. PROPOSED ORDINANCE TO ESTABLISH A REDEVELOPMENT AGENCY IN THE CITY OF WEST HOLLYWOOD: RECOMMENDED ACTION:** Open the public hearing, take public testimony, and then, if appropriate, introduce on first reading, Ordinance No. 184, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD DECLARING THERE IS NEED FOR A REDEVELOPMENT AGENCY TO FUNCTION IN THE CITY OF WEST HOLLYWOOD AND DECLARING THE CITY COUNCIL TO BE THE REDEVELOPMENT AGENCY OF THE CITY".

The Deputy City Clerk reported that this hearing was noticed in The Post Newspaper and posted at City Hall, Plummer Park, the San Vicente Library and the Sheriff's Station. Debbie Potter, Economic Development Manager gave a brief staff report. Mayor Viterbi opened the public hearing and the following persons came forward to speak:

Don Days, Assistant General Manager, Warner-Hollywood Studios: Feels the Redevelopment Agency should be activated, but only to pursue further investigation and study of the project, to determine that redevelopment would be in the best interests of residents and business owner alike.

David Etezadi: Concerned about displacement of neighborhood-serving uses and loss of affordable housing. Urged Council to proceed with caution.

Tony Melia, President, West Hollywood Chamber of Commerce: The Chamber of Commerce recognizes the need for economic development tools, encourages the Council to move ahead on redevelopment and approve the ordinance. However, he has some strong cautions and stern warnings--many businesses perceive us as having a harsh, uncaring attitude toward businesses. If redevelopment is going to succeed, or be used at all, we must earn the trust and respect of our business community.

Michael Radcliffe, President, Movietown Plaza Merchants Association: The Movietown Plaza Merchants Association has voted unanimously to reject any redevelopment plan for the City of West Hollywood right now. Concerned about displacement of small businesses. It is too soon for redevelopment, should wait another five years. Feels there is a lack of business feelings on the part of the Council.

Sal Guarriello: Feels the ordinance should be deferred until after adoption of the General Plan.

Fred Vandercourt, West Hollywood, President, West Hollywood Community Alliance, also a Director of Chamber of Commerce and a Director, West Hollywood Marketing Corporation: Personally, feels the redevelopment ordinance is in the best interests of West Hollywood. However, the Alliance feels their position is ignored by Council. Business and property owners believe this Council is anti-business.

Richard Settle, West Hollywood, business owner on east end:  
Not in favor at this time.

Tomito Kakos, West Hollywood: Should work within General Plan guidelines; feel redevelopment should wait at least five years.

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

MOTION: To introduce on first reading Ordinance No. 184.

Motion Heilman, second Mayor Viterbi.

AYES: Heilman, Mayor Viterbi

NOES: Land, Schulte

ABSENT: Albert

Motion failed.

ACTION: To re-open the public hearing and continue it to April 18, 1988. Motion Heilman second Mayor Viterbi.

Hearing no objection, and noting the absence of Councilmember Albert, it was so ordered.

At this time (10:45 p.m.), Mayor Viterbi had to leave the meeting, and the gavel was handed over to Councilmember Schulte.

**5. PROPOSED ORDINANCE ESTABLISHING PREFERENTIAL PERMIT PARKING DISTRICT NO. 3 (WEST KNOLL AREA):** RECOMMENDED ACTION: Open the public hearing, take public testimony, and then, if appropriate, introduce Ordinance No. 185, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE, ESTABLISHING PREFERENTIAL PERMIT PARKING DISTRICT NO. 3 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

The City Clerk reported that the hearing was noticed in The Post Newspaper and posted in the three required places plus City Hall. The staff report was given by Tom Babick.

City Attorney Mike Jenkins stated that a sentence should be added to the ordinance, on page 2, section 16.64.763, Commercial Parking Restrictions, where it says, vehicles with commercial parking permits may only park 7:00 a.m. to 7:00 p.m., Monday through Saturday, add "and vehicles with residential permits may park 7:00 p.m. to 7:00 a.m., Monday through Saturday and all day Sunday."

Councilmember Schulte opened the public hearing and the following persons came forward to speak:

Tony Melia, West Hollywood: Requested this item to be carried over to the 18th, as the Chamber of Commerce is working with staff (Maryanne Jones and Tom Babick), and is close to having some resolution of the issues. He would like to do an inventory for staff, of vacancies in buildings that do not impact the district, but if filled, will need parking. Suggested put employee parking in the center of the district. Two-hour parking is acceptable at St. Victor's Church, for times when longer

parking is necessary, we can work out some language for that.

Alex Hassilev, West Hollywood: Would like to see permit parking in place only temporarily, such as six months, until current construction is done, and then reviewed to see if necessary-- not have a permanent ordinance.

Garry Shay, West Hollywood, Chair, Transportation Commission: The Commission agrees with the staff report, and also has added that the first five nonmetered parking spaces on commercial side of streets adjacent to Santa Monica Blvd. be one-hour time limit only, to accommodate business patrons.

Dick Rosengarten, West Hollywood, Supporting Secretary, West Knoll Triangle Association: Spoke in support of establishing the permit parking district.

Joyce Heftel, West Hollywood: Need tow-away on West Knoll because of nightclub patrons.

Jeanne Dobrin, West Hollywood: Support recommendations of the Transportation Commission.

No one else coming forward to speak, the public hearing was closed.

Maryanne Jones, Transportation Manager, mentioned that there were two minor amendments that should be made to the ordinance--to designate the side of the street that would be commercial parking, and to put in some language on a "cap", so that the traffic engineer could use discretion in the number of permits issued. Direction was given to staff to make these amendments and any amendments they feel necessary.

**ACTION:** To continue this item for two weeks, Ordinance No. 185 to be amended and brought back for introduction on first reading, as a legislative item. Motion Land second Heilman. Hearing no objection, and noting the absence of Mayor Viterbi and Mayor Pro Tem Albert, it was so ordered.

**6. PROPOSED REVISIONS TO ORDINANCE 138 - PERMIT PARKING DISTRICT NO. 2:** Staff has completed the review of the administration and operation of Permit Parking District No. 2. **RECOMMENDED ACTION:** Open the public hearing, take public testimony, and then, if appropriate, approve staff recommendations numbers 1-8 contained in the report, direct staff to prepare and return to Council with the necessary ordinance revisions and refer the Transportation Commission's recommendations to staff for further study.

The City Clerk reported that the hearing was noticed in The Post newspaper and posted in the three required places plus City Hall. The staff report was given by Tom Sorrentino, Traffic Engineer, who summarized the eight recommendations in the staff report. Tom Sorrentino also added a sentence to recommendation 15 of the Transportation Commission recommendations: "The Director of Public Works shall have the authority to grant



temporary 60-day permits for circumstances not covered by the ordinance, and for each such circumstance shall bring to the Transportation Commission proposed amendments to the ordinance regarding such groups or classes of persons in need of special consideration."

Councilmember Schulte opened the public hearing and the following persons came forward to speak:

Tony Melia, West Hollywood: Spoke on the need for parking for businesses. It can be a win-win situation. Recommends approval of staff recommendations.

Garry Shay, Chair, Transportation Commission: Spoke as duly designated representative of Transportation Commission. Reviewed the recommendations of the Transportation Commission. The Commission substantially agrees with seven of the eight recommendations of staff, disagreeing only with Item 2, two-hour time limit parking (from 7 a.m. to 7 p.m. on specific portions of each street in the district abutting the commercial streets totalling approximately 12% of available spaces.) Recommend it be referred to the Commission for review in six months. The Commission believes this recommendation should be reassessed upon completion and occupation of the PDC expansion. The Commission realizes permit parking is impacting some businesses--to help soften this impact, recommends that in District 1 to the south and in West Knoll to the north, the first five or six unmetered parking spaces on the commercial parking strip be restricted to time limit parking only. This would provide convenient business patron parking.

Edward Hohmann, West Hollywood: Spoke in favor of permit parking, objects to two-hour parking (staff recommendation no. 2).

Steve Martin, West Hollywood: Concerned about allowing two-hour parking--recommends wait six to nine months and see what the impacts are of the Tropicana, Sports Connection parking lot, PDC.

Ralph Feeley, West Hollywood: Agree with Transportation Commission recommendations. Should wait on the two-hour parking until all the projects in the area are complete.

Ann Crowell, West Hollywood: Agree with Garry Shay.

Dale Liebowitz-Neglia, West Hollywood: Support Transportation Commission recommendations, but on page 3, item 13, should change to "the commission recommends suspension of parking restrictions from 4 p.m. to 6 p.m. on north side of Melrose Avenue, between La Cienega and San Vicente."

Jeanne Dobrin, West Hollywood: Support Transportation Commission recommendations, go a little more slowly, perhaps not have two-hour parking as in recommendation no. 2.

Lester Hirsch, West Hollywood, co-chair, West Hollywood

Northwest residential group: Requested permit parking for his area.

No one else coming forward to speak, Councilmember Schulte closed the public portion of the hearing and returned this item to council for discussion.

Councilmember Heilman asked about the status of permit parking for West Hollywood Northwest. Maryanne Jones replied that it is in her next 90-day workplan.

**ACTION:** To approve the staff recommendation, except for recommendation number 2 (in staff report), which is to be reviewed in six months. Motion Heilman second Land. Hearing no objection, and noting the absence of Mayor Viterbi and Mayor Pro Tem Albert, it was so ordered.

**CITIZEN COMMENTS:** This time has been set aside for the public to address the City Council on any item on the agenda except for the public hearings. At this point in time the following persons came forward to address the Council:

Derek Simpson, homeless: Stated there was harassment of homeless by Sheriff's Department, and also by a park employee. Asked that it cease.

Nick Kloman, West Hollywood: (presented photos to Council of Holloway Plaza) Asked for preservation of Holloway Plaza as a unique, historic place. Complained about landlord, Banks Montgomery, and his attempts to demolish Holloway Plaza. Stated he received an eviction notice after speaking last week before Council.

Ron Shipton, West Hollywood: Spoke on Westweek, how could they do it without a temporary use permit?

Paul Webber, homeless: Spoke about harassment of the homeless.

Bud (Bernard) Siegel, West Hollywood: Spoke on the parking problems in his area, the West Hollywood Northwest area, and how long they have waited for permit parking. Should put in the permit parking first and then they have to work on shared parking.

At this time the City Manager was directed to communicate Mr. Siegel's concerns to Maryanne Jones, Transportation Manager.

At this time Councilmember Heilman asked whether code enforcement had investigated possible code violations or any rent control violations at Holloway Plaza. The City Manager stated that staff is working on that, but it does not appear that there is a violation with regard to the trees being removed.

Councilmember Heilman also directed staff to work at resolving a conflict between the homeless at the park and some park staff people.

**UNFINISHED BUSINESS**

**6a. TELEVISION FRANCHISE - RESOLUTION FINDING CENTURY COMMUNICATIONS IN DEFAULT:** (THIS ITEM WAS MOVED TO AFTER CLOSED SESSION, AFTER ITEM 3, BUT IS LISTED HERE FOR CLARITY.) At their meeting of March 28, 1988, following a public hearing, the City Council instructed the City Attorney to return with a Resolution finding Century Communications in default. RECOMMENDED ACTION: To adopt Resolution No. 419, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING CENTURY SOUTHWEST CABLE TELEVISION, INC. IN DEFAULT OF ITS FRANCHISE OBLIGATIONS AND GIVING FORMAL NOTICE OF THE CITY'S INTENT TO REVOKE THE CABLE TELEVISION FRANCHISE GRANTED BY ORDINANCE NO. 91 OF THE CITY OF WEST HOLLYWOOD."

The staff report was given by Ian Tanza, Cable TV/Arts Administrator.

The following persons came forward to speak on this item:

Judith Wenker, West Hollywood: Stated she is happy with the cable TV service and feels she is part of a majority out there happy with the system.

William Rosendahl, Century Cable: His attorney could not make it. Sorry for any misunderstanding between the company and the City. Don't understand why you're taking this action tonight. Feel you're making a mistake. We have expanded the phone lines, have more than 20 more people hired. Think we're very close to an agreement on this memorandum of understanding. Ask City to reconsider any legal action--let us meet on common ground.

Budd Kops, West Hollywood: Hope Council will adopt a resolution tonight. Didn't ask for 50-60 channels.

ACTION: To draw down \$10,000 penal bond to cover expenses (of the City) to date. Motion Schulte second Viterbi.

AYES: Heilman, Land, Schulte, Mayor Viterbi.

NOES: None

ABSENT: Albert

Motion carried.

MOTION: To address the Resolution in two weeks. Motion Schulte second Viterbi.

AYES: Schulte, Mayor Viterbi

NOES: Heilman, Land

ABSENT: Albert.

Motion failed.

MOTION: To adopt Resolution No. 419 (finding Century Communications in default). Motion Heilman second Land. At this time Mayor Viterbi stated, for the record, that he thinks negotiation would be the proper route.

AYES: Heilman, Land

NOES: Schulte, Mayor Viterbi

ABSENT: Albert

Motion failed.

**FURTHER ACTION:** To table Resolution No. 419 for two weeks.  
Motion Heilman second Schulte.  
Hearing no objection and noting the absence of Mayor Pro Tem Albert, it was so ordered.

#### **NEW BUSINESS**

**7. ESTABLISH POLICY REGARDING RESOLUTION OF A TIE VOTE:** The Elections Code of the State of California provides that in case of a tie vote in the highest number of votes in the election, the City Council, acting as the Election Board, may resolve the tie vote by drawing lots or may, by Resolution, establish the policy of holding a runoff election to resolve the tie. **RECOMMENDED ACTION:** That a tie vote shall be determined by lot by the City Council.

**ACTION:** To adopt Resolution 420, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT ANY MUNICIPAL ELECTION."  
Motion Heilman second Land. Hearing no objection and noting the absence of Mayor Viterbi and Mayor Pro Tem Albert, it was so ordered.

#### **LEGISLATIVE**

**8. PROPOSED AMENDMENT TO THE RENT STABILIZATION ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING MAINTENANCE OF RENTAL UNITS:** This amendment would clarify the presumption of ownership of carpeting in rental units. Staff report was given by Richard Muller, Rent Stabilization Department Director, who stated that this ordinance would provide that if carpeting is cut to fit a room and tacked down, it is presumed to be the property of the owner for purposes of maintenance or replacement.  
**ACTION:** Introduce on first reading, Ordinance No. 186, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING MAINTENANCE OF RENTAL UNITS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".  
Motion Heilman second Land. Hearing no objection, and noting the absence of Mayor Viterbi and Mayor Pro Tem Albert, it was so ordered.

**9. CITY POLICY ON WAIVER OF APPEAL FEES - TEXT AMENDMENT TO THE ZONING ORDINANCE:** **RECOMMENDED ACTION:** Introduce on first reading, Ordinance No. 183, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE) FOR THE PURPOSE OF CLARIFYING THE CITY POLICY ON WAIVER OF APPEAL FEES", and adopt Resolution No. 415, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD MODIFYING THE SCHEDULE OF FEES AND CHARGES REGARDING APPEALS FOR THE COMMUNITY DEVELOPMENT DEPARTMENT".  
**ACTION:** To continue this item till April 18, 1988. By consensus.

At this time the City Manager mentioned that on April 17, 1988, all five councilmembers would be present at a study session, and

it would be possible at that time to hold the public hearing regarding activation of a redevelopment agency. By consensus, it was agreed by Council to do that on the 17th.

**CLOSED SESSION:** The Council adjourned to a closed session at 12:10 p.m. to discuss matters pertaining to a claim. At 12:15 p.m. the Council returned from closed session and Councilmember Schulte announced that the claim of Peter Iovino had been approved.

**ADJOURNMENT:** Councilmember Schulte adjourned the meeting at 12:16 p.m., in memory of Lou Joelle, to April 14, 1988, at 8:00 p.m.

INTRODUCED AND APPROVED BY MOTION OF THE CITY COUNCIL THIS 6TH DAY OF JUNE, 1988.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
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City Clerk