

**MINUTES
WEST HOLLYWOOD CITY COUNCIL MEETING**

**JANUARY 5, 1987
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD
7:00 P.M.**

CALL TO ORDER: Mayor Schulte called the meeting to order at 7:13 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Glenda Tuscher.

ROLL CALL:

- PRESENT:** Heilman, Land, Viterbi, Mayor Schulte
- ABSENT:** Albert (excused)
- ALSO PRESENT:** Assistant City Manager Chenelle
City Attorney Jenkins

APPROVAL OF AGENDA: Items 2d, 2e, 2k and 2n were removed from the consent calendar for separate discussion. Item 8 was tabled, and Item 11, Communications, was placed after the public hearings. By consensus of the City Council.

TREASURER'S REPORT: The Treasurer's report was continued to the meeting of January 20, 1987.

PROCLAMATIONS AND COMMENDATIONS: None

1. CITY MANAGER'S REPORT: This time has been set aside for the City Manager to report to the Council on any and all matters. The City Manager being absent, there was no report at this time.

2. CONSENT CALENDAR: The following routine matters were acted upon by one motion to approve with the majority consent of the City Council except for Items 2d, 2e, 2k, and 2n which were removed for separate discussion. **ACTION:** To approve items 2a, 2b, 2c, 2f, 2g, 2h, 2i, 2j, 2l, 2m, 2o, 2p, 2q and 2r. Motion Heilman second Land. Hearing no objection and noting the absence of Councilmember Albert it was so ordered.

a. Minutes:

December 7, 1986
December 8, 1986
December 15, 1986

ACTION: To approve the minutes of the City Council meetings of October 27, 1986, December 8, 1986 and December 15, 1986.

Approved as part of the consent calendar.

b. Demands and Warrants: Resolution No. 271, Demand Register No. 51 (approved by the Mayor as per Resolution 263) and Resolution No. 274, Demand Register No. 52. **ACTION:** To adopt Resolution No. 271 and Resolution No. 274 and approve Demand Registers No. 51 and 52.

Approved as part of the consent calendar.

c. Claims:

Wojciechowicz S. Wojtkiewicz
Michele Cicero
David B. Blair

ACTION: To deny without comment and refer to the City's Insurance Adjuster.

Approved as part of the consent calendar.

d. Huntley Drive Report-City Involvement in Groundwater Contamination Study: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. **ACTION:** That Dames and Moores' authorization to monitor on the City's behalf be suspended and that they be requested to produce a final up to date detailed report (including any findings involving diesel fuel) and accounting of their services. Motion Heilman second Land. Hearing no objection and noting the absence of Councilmember Albert it was so ordered.

e. CAPITAL IMPROVEMENT PROCESS: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. **ACTION:** To approve the report defining the role of staff, Council and the Public Facilities Board in the development of a Capital Improvement Program, but include the recommendations of the Public Facilities Board as well as those of the City Council. Also have copies of the "wish list" at the Commission meetings in order to receive public comments. Motion Heilman second Land. Hearing no objection and noting the absence of Councilmember Albert it was so ordered.

f. Commission Resignations: Abbe Land from the Planning Commission. ACTION: To accept the resignation due to her election to the City Council.

Approved as part of the Consent Calendar.

g. Extension of contract - Harris and Associates: The City's agreement with Harris & Associates expired on December 31, 1986 and needs to be extended since the Public Works Department is not yet fully in place. ACTION: That the Harris & Associates contract be extended through June 30, 1987 with the understanding that the City Engineer portion of the contract will be modified and/or eliminated at the convenience of the City.

Approved as part of the consent calendar.

h. On-Street Parking Requests: The Transportation Commission has reviewed and approved the following requests for parking regulations:

1238 Poinsettia Drive - Red curb
Doheny Road at La Collina Drive - Red curb
8749 Holloway Drive - Red curb
Horn Avenue - East side between Shoreham Drive and Sunset Boulevard, Change "No Parking Anytime" to "No Stopping Anytime"
9043 Sunset Boulevard - Passenger Loading Zone.

ACTION: To adopt Resolution No. 264, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROHIBITING PARKING ON A PORTION OF HAMPTON AVENUE";

To adopt Resolution No. 265, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROHIBITING PARKING ON A PORTION OF DOHENY ROAD";

To adopt Resolution No. 266, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROHIBITING PARKING ON A PORTION OF HOLLOWAY DRIVE";

To adopt Resolution No. 267, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD PROHIBITING PARKING ON A PORTION OF HORN AVENUE"; and

To adopt Resolution No. 268, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A PASSENGER LOADING ZONE ON A PORTION OF SUNSET BOULEVARD".

Approved as part of the consent calendar.

i. Facility Use Policy - Resolution No. 272 which supersedes Resolution No. 246. ACTION: To adopt Resolution 272, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, ADOPTING RULES AND REGULATIONS FOR THE USE OF ALL RECREATION FACILITIES, AND USE OF ATHLETIC FIELDS, ESTABLISHING A SCHEDULE OF FEES TO BE CHARGED FOR SUCH USE, AND PROVIDING FOR ANNUAL ADJUSTMENT OF FEES IF NECESSARY".

Approved as part of the consent calendar.

j. Status Report on 13th Year Community Development Block Grant Program: ACTION: That the City Council set a Public Hearing for January 20, 1987, following which staff will prepare recommendations for the 13th year CDBG funded projects, to be presented at the February 2, 1987 meeting.

Approved as part of the consent calendar.

k. Application and Integration of City Logo and Seal: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: To adopt the seal consisting of the logo inside a circle. Direct the City Clerk to write letters of thank you to Tomito Kakos for his presentation. Motion Heilman second Viterbi. Hearing no objection and noting the absence of Councilmember Albert it was so ordered.

l. Employee Training: ACTION: To approve the "Employee Training Program - Goals & Structure" and direct the City Manager and training committee to develop a training schedule and begin implementation of the employee training program.

Approved as part of the consent calendar.

m. Food Irradiation: ACTION: To adopt Resolution No. 276, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, LOS ANGELES COUNTY, CALIFORNIA, REQUESTING THE FDA REGULATE AND ENFORCE REGULATION OF FOOD PROCESSED WITH ANY FORM OF GAMMA OR IONIZING RADIATION", and notify the FDA of its concerns regarding the sale of not-identified irradiated food.

Approved as part of the consent calendar.

n. Modification of CDBG Funded Rehabilitation Program: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: That the City of West Hollywood broaden the scope of its Residential Improvement Program to include single family households, with maximum loans of \$10,000 for multifamily units and \$10,000 for single family units. Staff to return with guidelines on Program so that money is used for habitability, not recreational uses. Motion Land second Heilman. Hearing no objection and noting the absence of Councilmember Albert it was so ordered.

o. County Rehabilitation Program Participation: ACTION: That the City of West Hollywood participate in the Rental Rehabilitation Program, enter into a memorandum of understanding with the Los Angeles County Housing Authority and authorize the City Manager to sign a letter of intent to operate the program with the Los Angeles County Community Development Commission

Approved as part of the consent calendar.

p. Correction of Directors' Employment Agreements: ACTION: To include an annual physical examination, up to \$500, in the Directors' agreements.

Approved as part of the consent calendar.

q. Environmental Platform Regarding Toxics: ACTION: To adopt Resolution No. 275, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING AN ENVIRONMENTAL PLATFORM REGARDING TOXICS", and by doing so, each member of the Council makes a commitment to support a new environmental platform for the city.

Approved as part of the consent calendar.

r. Street and Sidewalk Cleaning - Commercial Areas: ACTION: Staff to prepare recommendations and options for a comprehensive clean-up program, including fiscal impact, which should entail the following steps or components:

1.) Contact other cities to determine what they do in this area.

2.) Designate the worst streets and sidewalks as key target areas.

3.) Present recommendations and options for clean-up that require the services of both the City and the private sector.

4.) Develop a draft ordinance for clean streets and sidewalks in order to bring private property owners under compliance

These recommendations and options are to be back before the Council by the first or second week in February.

Approved as part of the consent calendar.

PUBLIC HEARINGS:

3. PERMIT PARKING DISTRICT NO. 1 EXPANSION: Continued open from the meeting of December 8, 1986: Ann Palatino gave staff report.

The following people came forward to address the Council on this item:

Steve Bradey, 147 N. La Peer; would like the existing red zones areas investigated - specifically the east side of La Peer north of Beverly Bl. and yellow zone at 149 N. La Peer.

Kathy Monahan, 8936 Beverly Blvd., PACE COLLECTION; suggested that this go back to the commission for further study.

Ron Shipton, 8718 Rosewood; wanted to know why petition process was not done and agreed that further study was in order.

Mayor Schulte closed the Public Hearing.

The area for consideration consists of 15 lots which are between the existing Permit Parking District 1 and the City of Los Angeles permit parking district which went into effect on October 24, 1986. The affected streets are Almont, La Peer, Swall, Clark and Wetherly Drives, south of Beverly Boulevard. ACTION: That the City Council include the above area in the existing permit parking District No. 1, with no parking except with residential permit on the unmetered portions of both sides of the above-named Drives, 24 hours a day, with additional residential parking available at the metered spaces off of Beverly Blvd. between 7:00 p.m. and 7:00 a.m. Monday through Saturday and all day Sunday. Motion Heilman second Viterbi.

AYES: Heilman, Land, Viterbi, Mayor Schulte

NOES: None

ABSENT: Albert (excused)

Councilmember Land also requested that when the notice is sent out to the businesses, it also include the information on lighting, rear parking and shared parking.

4. APPEAL OF PLANNING COMMISSION DECISION RE. ZONE CHANGE 86-02 (PARKING OVERLAY): Dean Sherer reported that the Planning Commission denied Zone Change 86-02, a City-initiated petition, to add PK (parking overlay) zoning to properties located at 722-730 Willey Lane, 715-729 Ramage Street, and 9008-9018 Keith Avenue. This decision has been appealed within the 10-day time limit, and the appropriate fees have been paid. There has been considerable neighborhood opposition to the parking overlay on these lots and residents expressed concern over commercial encroachment into a residential area and the inadequacy of streets and alleys in the area to handle the traffic. In recommending the zone change, staff wanted to correct an inconsistency in the Zoning Map and bring the zoning into conformance with the Community Plan.

At this point Arlen Andelson spoke for the appellant and presented the City Clerk with the following documents in favor of the parking overlay and/or mixed use, or against restricted parking:

Petition bearing 41 signatures and letters from the following:

Robert Cundall, 8954 Norma Place
Morrie Alpert, 8930 Santa Monica Blvd.
Cache, 8428 Melrose Place
Trumps, 8764 Melrose
Otto Schroeder, Custom Furniture, 1106 N. Detroit
J.J. Custom, Inc., 641 N. LaPeer Drive
Hamilton, Inc., 521 N. LaPeer
Agapiou Rolls Royce, Ltd., 9017 Santa Monica Blvd., signed by owner and nine employees.
Addie Newman, 467 N. Robertson Blvd.
Western Dye House, Inc., 642-646 N. Almont Dr.
Delores Berg, 8418 Franklin Ave.
Emil Farkas, Santa Monica Blvd.
Eddie Meyer Engineering Co., 645 LaPeer
Casablanca Florist, 9040 Santa Monica Blvd.
Bill Vicik, 8525 Melrose
Henry Smith, 894 West Knoll Drive
Tom Kelley (no address)
Ever-Rite Equipment Co., Inc., 1520 Camden Ave.

Coming forward to speak in opposition to the appeal were the following:

Charlotte Kenneth, 717 Ramage
John Sikora, 729 Ramage
Christina Winters, 9024 Keith Avenue
Edward Kush, 9010 Lloyd Pl.
Dr. Roy Hopkin, 9025 Keith Avenue
Joyce Hundall, 9002 Rangely
Christian Beck, 730 Willey Lane.

Coming forward to speak in support of the appeal were the following:

Arthur Cordell, 9027 Santa Monica Bl.
Dr. R. Speaker, 9027 Santa Monica Bl
Paul Cole, 8440 De Longpre .
Joan Richman, 250 N. Cannon, Beverly Hills
Howard Cordan, 742 S. Cloverdale
Dan Gersner, 9008 Keith Ave.
Todd Mathews, 9045 Nemo St.; spoke regarding dedication for street widening on Willey Lane.

Mayor Schulte closed the Public Hearing.

ACTION: To affirm the decision of the Planning Commission and deny the appeal. Motion Heilman second Land.

AYES: Heilman, Land

NOES: Viterbi, Mayor Schulte

ABSENT: Albert

Tie vote - Planning Commission decision stands.

Council recessed at 8:45 P.M.

Council reconvened at 9:05 P.M.

PUBLIC COMMENT: This time has been set aside for the public to address the City Council on any item except for the public hearings, and the following people came forward to speak:

Terry Gotlieb, 7840 Goddard Ave., L.A. 90045; asked the City Council for ideas and help in locating the person responsible for the accident involving his father.

Fran Friedman, 1202 N. Fuller; informed Council of her negative interaction with the West Hollywood Sheriff's Department and asked for help.

Ethel Shapiro, 328 Westbourne Dr.; was angered by comments of a previous speaker who reported, in her opinion, that "the city was going downhill" and expressed her positive feelings for West Hollywood.

Jeanne Dobrin, 9000 Cynthia: Also apologized for the previous speaker.

Christian Beck, 730 Willey Lane: spoke about a test case on Ellis.

NEW BUSINESS

5. CALIFORNIA CONTRACT CITIES ASSOCIATION - VOTING DELEGATE AND ALTERNATE: **ACTION:** To designate Mayor Schulte the voting delegate and the remaining members of the Council as alternates to the California Contract Cities Association, and direct the City Clerk to inform CCCA.
By consensus of the City Council.

6. STREET BEAUTIFICATION PROJECT PHASE II - DESIGN AND FINANCING OPTIONS: Staff, as instructed by the City Council, has developed several design and financing options for the street beautification project. These are: decorative intersection and crosswalks for the La Brea, Fairfax and secondary intersections in the area, with Santa Monica Blvd.; pedestrian lighting; public signage; sculptural elements; landscaping; additional public amenities; and installing kiosks for posting public information. Financing options include establishing a public improvement assessment district; tax increment financing; issuing a general obligation bond; CDBG or general fund monies and private donations and dedication of improvements. After discussion with staff, Councilmembers each noted the portions of the project that they approved of and liked. **ACTION:** To direct staff to return with more options for design in the \$180,000 range. By consensus of the Council.

LEGISLATIVE

7. FINE ARTS ADVISORY BOARD - ORDINANCE NO. 129: **ACTION:** To waive further reading and adopt Ordinance No. 129, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A FINE ARTS ADVISORY BOARD AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Heilman second Land.

AYES: Heilman, Land, Viterbi, Mayor Schulte

NOES: None

ABSENT: Albert (excused)

Motion carried.

8. PROHIBITING THE SALE OR USE OF ALKYL NITRITE PRODUCTS: ORDINANCE NO. 132: **ACTION:** To table. Motion Heilman second Land.

AYES: Heilman, Land, Viterbi, Mayor Schulte

NOES: None

ABSENT: Albert (excused)

Motion to table carried.

9. ORDINANCE NO. 131 - RESTRICTED PARKING ON SHERBOURNE DRIVE: The Transportation Commission has recommended that the City should switch to restricted parking on Sherbourne Drive north of Beverly Boulevard. This Ordinance provides that the west side will be permit parking only and the east side, along a vacant property, will allow general 2-hour parking from 7:00 a.m to

7:00 p.m. daily except Sundays. ACTION: To waive further reading and introduce Ordinance No. 131, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE RELATING TO PREFERENTIAL PARKING DISTRICT NO. 1 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Heilman second Land.

AYES: Heilman, Land, Viterbi, Mayor Schulte

NOES: None

ABSENT: Albert (excused)

Motion carried.

10. ORDINANCE NO. 133U - RENT CONTROL: Richard Dorsey Muller reported that this Ordinance establishes procedures for changes in the use of residential rental property. Property owners will need to apply to the Department of Rent Stabilization for a change of use permit and hearings will be scheduled with the Rent Stabilization Commission. The three broad standards the Commission will use to help guide them in this decision making process are 1) vacancy factor, 2) habitability and 3) rate of return.

The following people rose to speak in opposition to the Ordinance:

Al Korngute, 850 N. Kings Rd.

Grafton Tanquary, 1287 N. Crescent Heights

Christian Beck, 730 Willey; shared his thoughts on Ellis.

Jeanne Dobrin, 9000 Cynthia: asked if this pertains to resale or only original sale of condominiums.

Jim Melinda, 1930 Tamarind: offered suggestions on owner occupancy.

PROPOSED ACTION: To adopt the 2nd version as is, and have the City Attorney bring back amendments on owner occupancy. Motion Land second Heilman.

SUBSTITUTE MOTION: To adopt Ordinance 133U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE RENT STABILIZATION PROVISIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF", with the suggested additional language and changes recommended this evening. Motion Heilman second Schulte.

AYES: Heilman, Land, Viterbi, Mayor Schulte

NOES: None

ABSENT: Albert (excused)

Motion carried. Ordinance 133U, as amended, was adopted.

11. WRITTEN AND ORAL COMMUNICATIONS:

a. **CITY COUNCIL:** None

b. **PUBLIC:** None

EXECUTIVE SESSION: Mayor Schulte adjourned the meeting to a closed session at 11:15 p.m. to discuss matters pertaining to Litigation, Potential Litigation and/or personnel matters.

ADJOURNMENT: The meeting was reconvened and adjourned at 11:25 p.m. to a regular meeting of the City Council on January 20, 1987 at 5:30 p.m. for a closed session and at 7:00 p.m. for the regular scheduled meeting at West Hollywood Park, 647 N. San Vicente Blvd.