

APPROVED, 2/17/87

MINUTES

FEBRUARY 2, 1987

CITY COUNCIL MEETING
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BOULEVARD
7:00 P.M.

CALL TO ORDER: Mayor Schulte called the meeting to order at 7:14 P. M.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Jodi Curlee.

ROLL CALL:

PRESENT: Albert, Heilman, Land, Viterbi, Mayor Schulte

ABSENT: None

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: On staff's request Items 2c and 2o were removed from the agenda. Items 2g, 2i, 5 and 7 were tabled to the meeting of February 17, 1987, Item 3a was moved to Item 2q on the consent calendar and Items 2n and 2q were removed for separate discussion. Item 8 was moved and combined with Item 5a, Items 3 and 6 were combined and Item 4 was moved before Item 3.

TREASURER'S REPORT: Continued to the meeting of February 17, 1987.

PROCLAMATIONS & COMMENDATIONS: L. A. MARATHON DAY
Commendation for Tony Ciccone

INTRODUCTION OF NEW CITY EMPLOYEES: Jan Murphy, Personnel, introduced the employees hired since August, 1986.

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. City Manager Brotzman reported on the RTD meeting, SB 136 (Hart) on AIDS instruction and on the continuing decrease in the crime statistics.

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 2c, and 2o that were removed from the agenda, Items 2g and 2i, which were tabled to the meeting of February 17, 1987 and 2-l which was removed for review by the City Attorney. Item 3a, "13th Year Community Development Block Grant Program," was moved to the consent calendar as Item 2q and then removed, along with Item 2n, for separate discussion. ACTION: To approve Items 2a, b, d, e, f, h, j, k, m, and p. Motion Land second Heilman. Hearing no objection it was so ordered.

a. Demands and Warrants - Resolution No. 287: ACTION: To adopt Resolution No. 287 and approve Demand Register No. 54.

**b. Minutes - January 20, 1987
January 26, 1987**

ACTION: To approve the minutes of the Council Meeting of January 20, 1987 and the study session of January 26, 1987. Approved as part of the consent calendar.

c. Resolution No. 273 - Denying Zone Change: At the City Council meeting of January 5, 1987, a Public Hearing was held on this appeal of a Planning Commission decision. The Council, with one member absent, split on a 2-2 vote. REMOVED FROM THE AGENDA ON THE RECOMMENDATION OF STAFF. RESOLUTION NOT NECESSARY AS THE PLANNING DECISION STANDS ON THE TIE VOTE.

d. West Hollywood Bicycle Criterium: The Accord Cycle Group has again requested they be allowed to hold their criterium on a seven tenths clockwise circuit of San Vicente Blvd., Melrose Ave., Robertson Blvd., and Santa Monica Blvd., from 8:00 a.m. to 1:00 p.m. on Sunday, April 26, 1987. ACTION: To approve the Criterium on April 26, 1987, direct staff to assist the Accord Cycle Group in obtaining the proper permits for the event, and assume all law enforcement costs. Approved as part of consent calendar.

e. Reevaluation of Curb Markings South of Beverly Boulevard: ACTION: To remove the no-parking on the East side of La Peer Drive between Beverly Boulevard and a point 114' southerly, and adopt Resolution No. 281, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REPEALING A REGULATION PROHIBITING PARKING ON A PORTION OF LA PEER DRIVE" and to establish a 2-hour time limit parking on the east side of La Peer Drive between Beverly Boulevard and a point 53' south of the south curb extension and adopt Resolution No. 282, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE REGULATION ESTABLISHING A PARKING TIME LIMIT ON A PORTION OF LA PEER DRIVE". Approved as part of the consent calendar.

f. Establishing a Preference in City Purchasing for Recycled Paper Products: The use of recycled paper products saves trees and reduces waste disposal costs. ACTION: To adopt a 15% preference for purchasing recycled paper products as authorized by State law (Assembly Bill 3893).
Approved as part of consent calendar.

g. Sales Tax Review: An analysis of sales tax revenue and businesses in West Hollywood and follow-up contacts with those businesses that may be misreporting or can modify their reporting procedures may result in substantial additional revenue to the City. Because of the potential financial gains to the City, a process should be developed for auditing how sales tax revenue generated in West Hollywood is reported to the State Franchise Tax Board. REMOVED FROM THE AGENDA BY STAFF FOR FURTHER INTERVIEWS. TO BE PRESENTED AT THE MEETING OF FEBRUARY 17, 1987.

h. Approval of Plans for South Room Building Modifications and Authorization to Solicit Bids for Modification and Conversion to a Municipal Public Access Facility: ACTION: To approve the South Room building modification plan and authorize staff to solicit bids.
Approved as part of consent calendar.

i. Homeless Program Report and Request for Authorization to Recruit New Position: RECOMMENDED ACTION: The Human Services Commission and staff recommend that the City Council authorize recruitment for a Caseworker/Advocate and a Special Projects Organizer/Advocate for the programs of the homeless. TABLED TO THE MEETING OF FEBRUARY 17TH OR FEBRUARY 23.

j. Land and Water Conservation Grant - Resolution No. 285: ACTION: To adopt Joint Resolution No. 285, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AND A RESOLUTION OF THE CITY OF LOS ANGELES, RESOLUTION NO. 9093, APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUNDS FOR THE WILLIAM S. HART PROJECT".
Approved as part of consent calendar.

k. City Manager Contract Amendment: ACTION: To approve the second amendment to the City Manager's contract.
Approved as part of consent calendar.

l. Civic Center Contract: REMOVED FROM THE AGENDA BY STAFF FOR REVIEW BY THE CITY ATTORNEY.

m. 945 Fairfax Avenue - Passenger Loading Zone: ACTION: To adopt Resolution No. 283, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A PASSENGER LOADING ZONE ON A PORTION OF FAIRFAX AVENUE".
Approved as part of consent calendar.

n. **Transportation Programs and Recommendations:** Staff has prepared a "snapshot" of transportation programs, along with a timetable and recommendations for the City Council, including the following:

Taxi Voucher Program - RECOMMENDED ACTION: To establish income level criteria for this program. ACTION: This program and recommendation to be included in the needs assessment.

Jewish Family Service Transportation - RECOMMENDED ACTION: That \$8,021 be added to the budget to provide trips for those on the waiting list and an additional \$6,934 be added to the program to offset the expected deficit, for a total increase of \$14,955. Staff to check figures and correct discrepancy.

Grand Peoples Company bus trips - RECOMMENDED ACTION: To transfer this program to the Recreation Department.

RTD Bus Pass Buy Down - RECOMMENDED ACTION: That this program be improved and continued for seniors and disabled.

Fixed Route Improvements - RECOMMENDED ACTION: To research suggestions for improving existing RTD service on selected streets to close the gap in service.

Shuttle Services - RECOMMENDED ACTION: To postpone until a needs assessment is done. Staff to include information on a 24-hour demand response.

Centralized Information/Dispatch or Referral Service - RECOMMENDED ACTION: That increased marketing be done. To tie in with RTD and/or look into doing own phone lines once the shuttle (if instituted) begins.

Bicycling Amenities - RECOMMENDED ACTION: That staff assist in the formation of a Bicycle Advisory Committee, which should address such issues as safety, incentives to commute, development of bicycle routes and bicycle storage areas.

Parking for Bicycles and Motorcycles - RECOMMENDED ACTION: Research converting curb space insufficient for automobile parking space for bikes.

Routine Traffic Investigation Requests - RECOMMENDED ACTION: Continue utilizing in-house staff.

Santa Monica Boulevard Improvements - RECOMMENDED ACTION: Staff to coordinate with Caltrans.

Sunset Boulevard, Transportation Systems Management - RECOMMENDED ACTION: Staff should complete and issue the RFP for a Transportation Systems Management study on Sunset Boulevard.

Tri-City Regional Impact Study - Joint Study with Beverly Hills and Los Angeles - RECOMMENDED ACTION: Staff to prepare an RFP in mid-1987.

Transportation Demand Management - RECOMMENDED ACTION: That the Transportation Manager coordinate with SCAG and Commuter Computer to develop a Transportation Demand Management Ordinance.

Bus Stop Assessment - RECOMMENDED ACTION: That the Public Works Department continue this project.

Manual Control of Impacted Intersections - RECOMMENDED ACTION: To refer to the Sheriff's Department.

Parking Recovery Program - RECOMMENDED ACTION: To continue with the program with an expected completion date of July, 1987.

Parking Structure - RECOMMENDED ACTION: Staff to assist in locating site and researching fees.

Parking Management - RECOMMENDED ACTION: To implement permit parking in the approved areas, study other areas, and computerize the system.

ACTION: To approve the recommended actions as modified. Motion Heilman second Albert. Hearing no objection it was so ordered.

o. Computer Site Preparation: REMOVED FROM THE AGENDA ON THE ADVICE OF STAFF.

p. Public Hearing on Women's Issues in March: ACTION: To approve the creation of a City Council Subcommittee on Women's issues headed by Councilmembers Land and Albert and to hold a public hearing on March 31, 1987 at Plummer Park between the hours of 6:30 and 9:00 p.m.
Approved as part of consent calendar.

q. 13TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: On January 20, 1987, the City Council held a public hearing on this item. Based on this hearing and direction from City Council, staff has prepared project/cost summaries for approval, following which they will be submitted to the County of Los Angeles. REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: To approve project/cost summaries and submit them to the County of Los Angeles. Motion Heilman second Land. Hearing no objection it was so ordered.

PUBLIC HEARING

3. CHANGES TO THE RENT STABILIZATION ORDINANCE - ORDINANCE NO. 135U AND ORDINANCE NO. 135: This Ordinance clarifies, revises and substantially amends the Rent Stabilization Ordinance of the City of West Hollywood. RECOMMENDED ACTION: To open the public hearing and take public testimony. STAFF RECOMMENDATION: To waive full reading and adopt Ordinance No. 135U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNI-

CIPAL CODE AND DECLARING THE URGENCY THEREOF", and to waive further reading and introduce on first reading, Ordinance No. 135, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".

6. (COMBINED WITH ITEM 3) CHANGES TO RENT STABILIZATION REGULATIONS - Resolution No. 286: The Rent Stabilization Commission is promulgating regulations which clarify, revise and substantially amend the Rent Stabilization Regulations of the City of West Hollywood. RECOMMENDED ACTION: To approve Resolution No. 286, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD RENT STABILIZATION REGULATIONS".

The staff report was given by Richard Dorsey Muller. Mayor Schulte then opened the Public Hearing and the following persons came forward to speak:

Allen M. Rosenthal, Attorney, 700 S. Flower St., L.A.; spoke regarding Regulation 60042e - Section 29 - dealing with housing services.

Joel Silverman, P.O. Box 5385, B.H.; expressed his views of Regulation 20001 and 60042c.

Richard Banta, 9007 Rangely #1, W.H.; referred to the ordinance and addressed his concerns on the issue of wallpaper, floor covering and medical assistance occupancy.

Al Korngute, 850 N. Kings Rd., W.H.; directed his comments and questions to the ordinance section dealing with relocation fees and the regulations (pg. 18d) dealing with composit services.

Fred Maidenberg, CPA - 9033 Wilshire Blvd., B.H.; spoke regarding the length of time for retaining records as opposed to the standards set in the regulations.

Clara Johnson, 1231 N. Vista; spoke in reference to the ordinance (pg. 16) on medical assistance.

Robert Beckerman, 850 N. Kings Rd.: spoke regarding protecting seniors from eviction.

Grafton Tanquary, 1287 N. Crescent Heights: addressed the changes in the regulations (pg. 15) 60040d and stated in his opinion the potential problem with landlords having to demonstrate expenditures on improvements and suggested citing acceptable expenditures -- and addressing the changes in the ordinance (pg.11) section e., stated that he thought staff's wishes are not being followed by the department and the commission.

Ruth Williams, 7548 Lexington: directed her comments to Council and staff regarding the regulation changes (pg. 5) 60027 and expressed her opposition to raising the appeals fee.

Ilona Kalt, 7551 W. Norton: stated that landlords having emergency expenses should not have to pay fee and apply.

Monty Gilbert, 7720 Hampton Ave.: strongly expressed his views regarding this issue and reconfirmed that this is one of the main reasons for becoming a city.

Wayne Tsauer, 722 Hill St.: thought in having an effective rent control law, it is essential to have caps.

June Teal, 1248 N. Crescent Heights: spoke regarding the regulation changes (pg. 4), as a representative of the "poor" landlords she stated that the application fee was excessive and in reference to pg. 14 she objected to maintenance responsibility.

Craig Mordoh, 551 S. Oxford: responding to a request by a previous speaker, he stated that judges throw out rent caps, and then, regarding the changes in the ordinance, commended staff regarding the base rent petition but questioned its style of use.

Glenda Tusher, 1020 N. Stanley Ave.; asked why the owners feel they should have no expenses at all.

Mayor Schulte closed the Public Hearing and called a recess at 10:30 p.m.

The meeting was reconvened at 10:40 p.m.

Councilman Heilman requested staff to explore a system whereby an owner and a prospective tenant could get approval and a medical need to move from an upper floor to a lower floor.

Councilmember Viterbi requested that staff look at the major points raised by the speakers, and also stated that he would like to see an escrow provision for relocation benefits.

Councilmember Land and Mayor Schulte stated that they were against fee increases.

By consensus of the Council, these items were continued to the meeting of February 17, 1987 for action.

UNFINISHED BUSINESS

3a. MOVED TO CONSENT CALENDAR, ITEM 2q, ON APPROVAL OF AGENDA.

4. NIGHTCLUB REGULATIONS: MOVED TO PRECEDE ITEM 3 BUT LISTED HERE FOR CLARITY. Mark Winogron and Paul Self gave the staff report. At this time the following persons came forward to speak:

Anita Montella, 8535 West Knoll Dr., stated that the situation with Speakeasy is out of hand and urged the Council not to delay.

Jeffrey McFarland, 8535 West Knoll Dr., #108, stated that he did not feel the proposed Ordinance addressed noise and trash and that signs do not work.

Dick Rosengarten, 8535 West Knoll Dr., #212, asked if there was any language the Council could add to hold the landlord responsible for acts of his tenant.

Dennis Doph, 8535 West Knoll, stated that the people in the neighborhood were bothered by the noise outside the club, not from the interior.

R. S. Hotchkiss, 8532 West Knoll Dr., requested that they move the entrance at Speakeasy from West Knoll to Santa Monica Boulevard.

James Norrington, 8553 West Knoll Dr., wanted the clubs to be responsible for the pick-up of trash in the neighborhoods.

Rae Mitchell, 8535 West Knoll Dr., complained of the noise and also requested that the entrance to Speakeasy be moved to Santa Monica Boulevard.

Gail Epstein, 935 N. Hammond, spoke on the need for permit parking in areas adjacent to Nightclubs.

Tony Melia, West Hollywood Chamber of Commerce, reported that the club owners have discussed trash pick-up on Saturday and Sunday mornings being done by the Boy Scouts or the clubs hiring the homeless. He would like to see the in-and-out rule amended to read that the clubs would put posters by the door stating that the City does not allow in-and-out business, not a club rule. On the question of Security Guards, the owners could have them on the premises but not on the public streets.

John Benedict, 8535 West Knoll Dr., felt the Council should require the clubs to move their entrance/exit to Santa Monica Boulevard.

Richard Banta, 9007 Rangely Ave., #1, complained about noise and trash and requested that the city ban fliers that are put on car windshields and hung on doors.

Bernard Siegel, 8919 Harratt, stated that he felt that the economic cost should not be born by the city, but be paid by the people (Clubs) that are making the money. Also, the City should expedite permit parking in the Nightclub areas.

Joyce Hundal, 9002 Rangely Ave., stated that there are only 2 parking enforcement officers on duty Friday and Saturday night, and requested that this number be increased as they more than pay for themselves by writing citations.

Lester Hirsch, 1020 Hilldale Ave., suggested that citations have incremental penalties, also that records of complaints be kept for up-coming business license hearings. Sound violations should be dealt with like parking tickets and not have limited hours of enforcement. Businesses should be required to use their loading docks to deliver equipment, not block the store windows on the street. There should be more frequent checking on nightclub sales of alcoholic beverages to minors, on noise levels, occupancy levels and sheriff's problems.

Barbara Zampelli, 901 N. Curson, felt that parking structures with a shuttle bus service would help resolve many of the problems.

Jeanne Dobrin, 9000 Cynthia, addressed the City's handbill ordinance and asked the Council to urge staff to eliminate consideration of public urinals.

RECOMMENDED ACTION: That the Council approve the following legislative items in concept:

1. A design standards Ordinance for nightclubs which includes the plan to move club entrances to commercial thoroughfares. These will go to the Planning Commission for hearings prior to being brought to the City Council.
2. An amendment to the City's handbill ordinance with regulations prohibiting the posting of handbills, and the City Attorney will revise the existing ordinance in regard to placing handbills and fliers on car windshields and doors.
3. An amendment to the City's Business License Ordinance requiring club owners to post signs at exits requesting patrons to exit quietly, and instruct staff to work with the Chamber of Commerce on trash clean-up and standard signs.

Staff also recommends:

1. That the Council direct staff to develop proposals for the installation of kiosks or similar posting devices in the city and present them to GPAC and Economic Development Committee.
2. That the Council consider in concept the proposed amendment to the City's noise ordinance, which would prohibit noise from the interior of a club from being heard at the property line of the nearest residence, and the City Manager is to report back to the Council at the meeting of February 17, 1987 on recommendation from the Sheriff's Department on Code Enforcement, Foot Patrol and Parking Enforcement.
3. That the Council direct staff to prepare a proposal for additional trash receptacles for the City.

Councilmember Heilman requested that staff investigate owner liability, incremental penalties in the form of infractions with escalating fines, ongoing inspections for periodic license renewals, and to delete the public urinals.

Mayor Schulte requested that staff look at requiring insulation and sound-proofing at the clubs, that the requirement for the relocation of entrances be made a high priority, and that security guards be on the premises and in the parking lots past 2:00 A.M.

Councilmember Land requested that staff look at standardized signs, enforcing loading zones, shared parking and enforcement in the quiet zones.

Councilmember Albert requested increased enforcement on parking, code enforcement and litter control.

Councilmember Viterbi asked staff to look at no time limit in the noise ordinance, amending the business license ordinance, increased enforcement in parking and general law enforcement. He urged the Planning Commission to give the design standards high priority and to have this item before the Council by March.

ACTION: To approve the above recommendations as modified.
Motion Heilman second Albert.

AYES: Albert, Heilman, Land, Viterbi, Mayor Schulte

NOES: None

ABSENT: None

5. MID-YEAR BUDGET REVIEW: Synopsis of how the City stands on budget items at mid-year and requested changes, up or down, that should be made. TABLED TO THE MEETING OF FEBRUARY 17, 1987.

5a. COMMISSION AND BOARD APPOINTMENTS: RECOMMENDED ACTION: That Councilmember Albert's, Land's and one at-large appointment on the Planning Commission and Councilmember Land's and Mayor Schulte's appointment to the Human Services Commission be made at this time. ACTION: The following appointments were made:

Councilmember Albert:

Planning Commission - Gene R. Smith
Motion Albert second Land. Hearing no objection it was so ordered.

Councilmember Land:

Planning Commission - Dale Liebowitz-Neglia
Human Services Commission - Sandra Jacoby Klein
Motion Land second Heilman. Hearing no objection it was so ordered.

Mayor Schulte:

Human Services Commission - Bill Carey
Motion Schulte second Viterbi. Hearing no objection it was so ordered.

Planning Commission at-large:

Peter McAlear - Motion Heilman second Land.

AYES: Heilman, Land

NOES: Albert, Viterbi, Mayor Schulte
Motion failed.

Lisa M. Krause - Motion Albert second Viterbi.

AYES: Albert, Heilman, Land, Viterbi, Mayor Schulte.
Motion carried.

Also, the remaining nominations and final selection for the Fine Arts Board should be made at this time. Councilmember Albert nominated the following at the meeting of January 20, 1987.

Joseph L. Young
Joseph L. Megel
Barbara Zampelli

The following nominations were made by Councilmember Land:

Bill Melamed
Aida Morgenstern
Jordan Peiner

The following nominations were made by Councilmember Viterbi:

Tony Melia

The following nominations were made by Councilmember Heilman:

Jack Morrison
Jim Rogers
John Christofferson

The following nominations were made by Mayor Schulte:

Mark Sazer
Brian Rix

ACTION: Table to February 17, 1987, with final appointments to be made at that time. Motion Heilman second Schulte. Hearing no objection it was so ordered.

NEW BUSINESS

6. **MOVED AND COMBINED WITH ITEM 3.** COMBINED WITH ITEM 3 BUT LISTED HERE FOR CLARITY.

7. **PREVAILING WAGE:** Staff was requested to gather information on the implementation of a prevailing wage policy for services provided to the City by contractors. **RECOMMENDED ACTION:** It is recommended, based upon administrative costs, that prevailing wage requirements beyond those presently administered by the City should not be considered. **TABLED TO THE MEETING OF FEBRUARY 17, 1987.**

8. **COMMUNITY DEVELOPMENT CORPORATION - APPOINTMENTS TO BOARD OF DIRECTORS:** Councilmember Viterbi and Mayor Schulte are requesting that the Board of Directors be increased by two members. This time has been set aside for these two appointments. **COMBINED WITH ITEM 5a BUT LISTED HERE FOR CLARITY.** **ACTION:** To make the following appointments:

Trudi Lesser - Motion Schulte second Viterbi

AYES: Albert, Land, Viterbi, Mayor Schulte

NOES: Heilman

Motion carried.

Stephen Nahmias - Motion Viterbi second Schulte

AYES: Albert, Heilman, Land, Viterbi, Mayor Schulte

NOES: None

Motion carried.

LEGISLATIVE

9. **ORDINANCE NO. 134:** **ACTION:** To waive further reading and adopt on second reading, Ordinance No. 134, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE FEE PROVISIONS OF THE BUILDING, ELECTRICAL, MECHANICAL AND PLUMBING CODES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Albert second Heilman. Hearing no objection it was so ordered.

CITIZEN COMMENTS: This time has been set aside for the public to address the City Council on any item. Members of the public may bring any non-agenda items to the attention of the City Council at this time. Items so presented cannot be acted upon by the Council at this time and will be referred to staff for report on a future agenda, ordered received and filed, or referred to the proper department for administrative resolution. Jeanne Dobrin, 9000 Cynthia, spoke to the Council about increasing the fees in the Planning Department to more clearly reflect the costs involved.

Ron Shipton, 8718 Rosewood, stated that he appreciates being able to speak on each item as it comes before the Council instead of having to address each item at a given time on the agenda.

CLOSED SESSION: At 11:17 p.m. Mayor Schulte adjourned City Council to a closed session to discuss matters pertaining to litigation, potential litigation or personnel.

ADJOURNMENT: Mayor Schulte reconvened and adjourned the meeting at 1:00 a.m. to a regular scheduled meeting of the City Council on February 17, 1987 at West Hollywood Park, 647 N. San Vicente Boulevard.