

**MINUTES  
CITY COUNCIL MEETING  
MAY 4, 1987  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BLVD.  
7:00 P.M.**

**CALL TO ORDER:** Mayor Schulte called the meeting to order at 7:15 P.M.

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

**ROLL CALL:**       **PRESENT:**           Heilman, Land, Viterbi, Mayor Schulte  
                  **ABSENT:**             Albert (Excused)  
                  **ALSO PRESENT:**   City Manager Brotzman  
                                  City Attorney Jenkins

**APPROVAL OF AGENDA:** Councilmember Heilman added a proclamation on Older Americans' Recognition Month. Consent Calendar items 2e, 2g, 2h and 2p were removed for separate discussion. Item 1a was held to the end of the meeting.

**PROCLAMATIONS AND COMMENDATIONS:** Israeli Independence Day  
Lobby for Individual Freedom  
Lieutenant Tyler  
Older Americans' Recognition Month

**1. CITY MANAGER'S REPORT:** City Manager Brotzman reported on the 1987-88 budget and requested the Council to set a workshop on Tuesday, May 26th. The Council Deputies will confirm the date with the City Manager.

**1a. RFP - DESIGN CONSULTANTS FOR PARKING STRUCTURE:** This time has been set aside for the City Council to give direction to staff. THIS ITEM WAS REMOVED TO 12a BUT IS LISTED HERE FOR CLARITY.  
**ACTION:** To table for 2 weeks. By consensus of the Council.

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

**a. Posting of Agenda - Report by City Clerk:** **ACTION:** To receive and file.  
Approved as part of consent calendar.

**b. Demand Register No. 60, Resolution No. 318:** ACTION: To adopt Resolution No. 318 and approve Demand Register No. 60. Approved as part of the consent calendar.

**c. Treasurer's Report: Month ending February 28, 1987:** ACTION: To receive and file. Approved as part of the consent calendar.

**d. Minutes:** ACTION: To approve the minutes of the City Council meeting of November 21, 1985. Approved as part of the consent calendar.

**e. Arthur Young - Year-end Audit:** Arthur Young Co. has submitted a proposal to audit the City's financial transactions for the fiscal year ending June 30, 1987 and to prepare the financial statements relating thereto, for a fee of not to exceed \$9,500. REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: To approve the proposal, not to exceed \$9,500. Motion Heilman second Land. Hearing no objection and noting the absence of Albert, it was so ordered.

**f. Notice of Completion - City Hall - CIP-813:** ACTION: To accept the improvements made under the agreement with Dependable Construction of Chatsworth for the amount of \$62,662 for the expansion of City Hall. Approved as part of the consent calendar.

**g. APLA Contract Amendment:** AIDS Project Los Angeles has been providing home health care services to West Hollywood residents with AIDS and has exhausted its City-contracted funds due to the overwhelming demand. REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Heilman asked staff to bring back an analysis of the needs of all segments of the community for home health care services during the services evaluation process this year. ACTION: To approve Amendment C to APLA's contract for continued home care on a reimbursement basis not to exceed \$15,372 to maintain the current caseload to July 1, the beginning of the new fiscal year. Motion Heilman second Viterbi. Hearing no objection and noting the absence of Albert, it was so ordered.

**h. Regulations on Procedures for Change of Use Exemption:** The Rent Stabilization Commission has amended the Rent Stabilization regulations by adding Chapter 8, which sets forth the procedures upon which a change of use exemption application is processed and acted upon. ACTION: To approve the Rent Stabilization Regulations on change of use exemptions promulgated by the Rent Stabilization Commission. Motion Land second Heilman. Hearing no objection and noting the absence of Albert, it was so ordered.

**i. Striping Proposals for Santa Monica Boulevard Between Croft Avenue and Sweetzer Avenue:** Three striping proposals have been received from CalTrans concerning alternate solutions in regard to congestion and delays on Santa Monica Boulevard for motorists desiring to turn left at several locations. ACTION: To adopt Alternative B for striping along Santa Monica Boulevard (Croft to Kings Road/Flores) and direct staff to inform the State Department of Transportation.

Adopted as part of the consent calendar.

**j. Support of SB 1297 and SB 1473, A Legislative Response to Protecting California's Low Income Housing Stock:** ACTION: The City Lobbyist be instructed to lobby state legislators to vote in favor of SB 1297 and SB 1473, and that letters be sent to the legislators from the Council in support of SB 1297 and SB 1473.

Approved as part of the consent calendar.

**k. Claims:-** Yervand Krgatbashyan  
Lydia Semczyszyn  
Jeffery Westcott Carr

ACTION: To deny without comment and refer to the City's claims adjuster.

Approved as part of the consent calendar.

**l. We Tip:** We Tip, Inc., has requested a membership donation of \$1600 from the City of West Hollywood. ACTION: That the City not contribute to We Tip.

Approved as part of the consent calendar.

**m. Amendment to Vacancy Increase Regulations:** The amendment provides that if a unit is vacant when certain maintenance work is performed, the ten business days for the tenant to appeal the decision granting the vacancy increase shall begin to run from the date the property owner gives the tenant a copy of the certificate.

ACTION: To approve the Rent Stabilization Regulation Amendment promulgated by the Rent Stabilization Commission.

Approved as part of the consent calendar.

**n. Claim - Gerald Ropiequet:** ACTION: To approve payment of this claim in the amount of \$185.00.

Approved as part of the consent calendar.

**o. Business License Commission:** ACTION: To continue the existence of the Interim Business License Commission until June 4, 1987, when Ordinance No. 145 takes effect, and, further, that the Council ratify the existence and authority of the West Hollywood Interim Business License Commission through June 4, 1987.

Approved as part of the consent calendar.

**p. Christopher Street West Parade - Agreement:** REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: To approve the agreement for law enforcement services for the West Hollywood Christopher Street West parade. Motion Heilman second Viterbi. Hearing no objection and noting the absence of Albert it was so ordered.

#### **PUBLIC HEARINGS**

**3. DETERMINATION OF THE NECESSITY OF UNDERGROUND UTILITY DISTRICT NO. 2:** Debbie Potter, Economic Development Manager, reported that the purpose of this public hearing is to determine whether public necessity, health, safety or welfare requires the formation of an underground utility district for a one block area encompassing 830' of Melrose Avenue from West Knoll Drive west to Huntley Drive. Prior to the City's incorporation, the County was in the process of implementing an underground utility project on Melrose Avenue and it has been completed except for a one block area. At the City's request, the County is willing to authorize Southern California Edison to charge the County's Rule 20A allocation for the project providing that the City establish the area as an underground utility district.

City Clerk, Mary Tyson, reported that all property owners in the district, based on the latest tax rolls, and all affected utilities, were notified. In addition notices were posted at City Hall, Plummer Park, the San Vicente Library and the Sheriff's Station.

Mayor Schulte opened the Public Hearing and no one coming forward to speak, closed the public hearing. ACTION: To adopt Resolution No. 316, "UNDERGROUNDING DISTRICT RESOLUTION. CREATION OF SPECIFIC UNDERGROUND DISTRICT ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 2." Motion Viterbi second Land.

AYES: Heilman, Land, Viterbi, Mayor Schulte  
NOES: None  
ABSENT: Albert

Motion carried.

#### **4. DEVELOPMENT PERMIT NO. 86-88 (APPEAL BY CHARLES H. HORNBERG, JR.):**

Howard Zelefsky, Planning Manager, reported that on March 5, 1987, the Planning Commission denied, by a 4-3 vote, Development Permit 86-88 - a request to demolish a vacant single family dwelling and develop a commercial parking lot at 1026 N. Cory Avenue. The applicant, Charles Hornburg of Hornburg Motors, has filed an appeal and said appeal is now before the City Council for consideration.

City Clerk, Mary Tyson, reported that this hearing had been advertised in the Post Newspaper and posted at City Hall, Plummer Park, The Library and the Sheriff's Station.

Mayor Schulte opened the Public Hearing and the following persons came forward to speak:

Bruce Beckett, Architect, 1516 Pontius Ave, Los Angeles, representing Mr. Hornburg, stated that his client needed the parking for his business and employees. It would only be used in the daytime between the hours of 7:00 A.M. and 6:30 P.M. and would be closed in by an iron fence which would be locked at night. Also landscaping would be used to mitigate the negative impacts.

Bruce Traub, 828 Huntley Drive, stated that he felt the applicant was being responsible in trying to provide parking for his employees and customers.

Ron Shipton, 8718 Rosewood, stated that he was against the appeal. The draft Land Use Element is not finalized yet and changes are being voted on in GPAC. He asked if the residential neighborhoods are less important than revenue.

Tony Melia, 1022 Carol Drive, (passed out photos of the house on Cory to the Council), reported that the property is an eyesore and the cost of renovation would be enormous. The building is termite ridden and is a fire hazard and must be torn down.

Jeanne Dobrin, 9000 Cynthia, was concerned about the lot being locked up at night and stated that shared parking at night was the coming thing. She requested that the developer agree not to use the lot at night and this be placed on the 5-year lease as a condition.

Stacie Hunt, 1033 N. Carol Drive, requested that the Council preserve the neighborhood. She lives next to the Cock 'n Bull parking lot which is locked at night but is used for party activity with the resultant noise and trash.

Stephen Baker, 1033 N. Carol Drive, speaking as a private citizen (member of GPAC), stated that he sympathizes with Mr. Hornburg but wants to preserve the quality of life in the residential neighborhoods, not bring in money for benefits elsewhere in the city. People do not like the parking overlay zones.

Mayor Schulte closed the public hearing and returned the discussion to the Council.

**ACTION:** Approve the appeal of Development Permit 86-88 and add a covenant that the hours shall be 7:00 A.M. to 7:00 P.M., with no nighttime parking, no shared parking at night, and if there are complaints of violations, a security guard shall be required.

AYES: Heilman, Land, Viterbi, Mayor Schulte  
NOES: None  
ABSENT: Albert

Motion carried.

**5. EXTENSION OF DEADLINE TO ADOPT A GENERAL PLAN:** Jeff Archuleta, Senior Planner, reported that on May 29, 1987, the City's 30-month period in which to complete the general plan shall expire. The City Council must authorize an additional period of time, not to exceed one year, for staff to prepare the general plan, and also adopt a resolution stating reasons why additional time is necessary, and requesting that the State Director of Planning and Research grant a one-year time extension.

City Clerk, Mary Tyson, reported that the hearing was advertised in the Post Newspaper and posted at City Hall, Plummer Park, the Library and the Sheriff's Station.

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

Ralph Feeley, Westbourne Drive, stated that changes are being made in the GPAC drafts and asked the Council which General Plan they are going to follow.

Christopher Bonbright, 1325 Spalding Dr., Beverly Hills, 90212, stated that the draft land use element is not yet stable and felt the decisions should rest with the Interim Zoning Ordinance which is stable and sensitive to the needs of the community.

Tony Melia, 1022 Carol Drive, said he was anxious for the final document but it was important to have sufficient time to do it right.

Jeanne Dobrin, 9000 Cynthia, reported that the Planning Commission is really struggling with the problem. They decided not to adhere strictly to what the GPAC says because it changes from week to week. The Commission decided they would make their decisions based on the Interim Zoning Ordinance. Sometimes making decisions based on the Interim Zoning Ordinance, sometimes on GPAC, sometimes they split it down the middle.

No one else coming forward to speak, Mayor Schulte closed the public hearing and returned it to the Council for discussion.

Councilmember Heilman asked if changes were being made to the GPAC document without GPAC voting on them.

Mark Winogron, Director of Community Development, replied that the Consultant was in the process of modifying the GPAC document, which is what the contract calls for. These changes are what will go before the Planning Commission on June 1st.

**ACTION:** To adopt Resolution No. 317, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING ADDITIONAL TIME FOR STAFF TO PREPARE THE GENERAL PLAN AND REQUESTING APPROVAL OF ONE-YEAR TIME EXTENSION FROM THE STATE DIRECTOR OF PLANNING AND RESEARCH", and also establish the policy that the Planning commission and staff shall apply the most restrictive land use and development controls contained in the Zoning Ordinance, Draft Land Use Element, recommendations of GPAC or consultant or modifications by the Planning Commission; whichever is the most restrictive at the time. Motion Land second Heilman.

AYES: Heilman, Land, Viterbi, Mayor Schulte

NOES: None

ABSENT: Albert

Motion carried.

**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:

Ron Stone, 8722 3/4 Holloway, informed the Council he was out of town when the hearing on the Civic Center was held and he wanted to put his views on record. He feels that the Civic Center should be located in the center of town and parkland should only be used as parkland.

Jeanne Dobrin again requested action on 2 flashing signs in West Hollywood.

Budd Kops, 969 N. Larrabee complained about the filming permits that had been issued which took away 35 parking spaces on Larrabee and Harratt tonight and will take away 40 spaces on Friday. Also the filming company was exceeding the number of vans and vehicles that were approved.

Mayor Schulte called a recess at 9:16 P.M.  
The meeting reconvened at 9:21.

**UNFINISHED BUSINESS:**

**6. REMAINING APPOINTMENTS TO THE BUSINESS LICENSE COMMISSION:**

**ACTION:** Councilmember Land - Carole Ellis; Councilmember Viterbi - Scott Forbes. Motion Land second Heilman. Hearing no objection and noting the absence of Albert it was so ordered.

**NEW BUSINESS:**

**7. RENT STABILIZATION COMMISSION RE-APPOINTMENTS:** The terms of the Rent Stabilization Commissioners expired on April 30th and it is time for the Council to re-appoint. **ACTION:** The Following

re-appointments were made: Heilman - Doug Routh  
Viterbi - Robert Spitzer  
Land - Woody McBreairty  
Schulte - Andrew Hirsch

Motion Schulte second Heilman. Hearing no objection and noting the absence of Albert it was so ordered.

**LEGISLATIVE:**

**8. ORDINANCE REQUIRING PLACEMENT OF WARNING SIGNS RELATING TO CONSUMPTION OF ALCOHOL DURING PREGNANCY - ORDINANCE NO. 148:**

**ACTION:** To waive further reading and introduce on first reading, Ordinance No. 148, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REQUIRING WARNING SIGNS RELATING TO CONSUMPTION OF ALCOHOL DURING PREGNANCY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE", and change the budget to \$500.00. Motion Land second Viterbi. Hearing no objection and noting the absence of Albert it was so ordered.

**9. RESIDENTIAL DESIGN STANDARDS TEXT AMENDMENTS - ORDINANCE NO.**

**147:** At the City Council meeting of April 20, 1987 the residential design standards text amendments were approved in concept and staff was instructed to return with an ordinance incorporating the changes. **ACTION:** To approve the negative declaration. Motion Schulte second Heilman.

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

**NOES:** None

**ABSENT:** Albert

Motion carried.

**Further Action:** To waive further reading and introduce on first reading, Ordinance No. 147, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE ZONING ORDINANCE TO PERMIT CONSTRUCTION WITHIN REQUIRED FRONT AND REAR YARDS IN RHD ZONES; TO PERMIT SEMI-SUBTERRANEAN PARKING GARAGES TO BE BUILT TO THE SIDE PROPERTY LINES ON RHD LOTS FIFTY FEET OR LESS IN WIDTH; AND TO PERMIT (IN CERTAIN SITUATIONS) ONE HALF OF THE AREA OF SIDE YARDS TO BE COUNTED



AGAINST A PROJECT'S COMMON OPEN SPACE REQUIREMENT AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Heilman second Viterbi. Hearing no objection and noting the absence of Albert it was so ordered.

**10. BUSINESS LICENSE COMMISSION - ORDINANCE NO 145:** ACTION: To waive further reading and adopt on second reading, Ordinance No. 145, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD TO ESTABLISH A PERMANENT BUSINESS LICENSE COMMISSION, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Land second Viterbi. Hearing no objection and noting the absence of Albert it was so ordered.

**11. TRANSIENT OCCUPANCY TAX - ORDINANCE NO. 144:** ACTION: To waive further reading and adopt on second reading, Ordinance No. 144, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO TRANSIENT OCCUPANCY TAX AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Land second Heilman. Hearing no objection and noting the absence of Albert it was so ordered.

**12. AMENDING THE REGULATIONS FOR PREFERENTIAL PARKING DISTRICT NO. 2 ORDINANCE NO. 146U:** The Sheriff's Department has requested clarification of language in Ordinance No. 138 which established Preferential Parking District No. 2. This Ordinance will make such clarification. ACTION: To waive further reading and adopt Ordinance No. 146U on an urgency basis, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE REGULATIONS FOR PREFERENTIAL PARKING DISTRICT NO. 2 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF". Motion Heilman second Viterbi. Hearing no objection and noting the absence of Albert it was so ordered.

**CLOSED SESSION:** Mayor Schulte adjourned to closed session to discuss matters pertaining to litigation, potential litigation and/or personnel at 9:37 P.M. and the meeting was reconvened at 9:53 P.M.

**13. APPROVAL OF CONTRACT BETWEEN CITY OF WEST HOLLYWOOD AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES LOCAL 3339, GENERAL EMPLOYEE BARGAINING UNIT:** The City and AFSCME have negotiated the employment contract presented to Council. ACTION: To approve the 1986/87 contract. Motion Land second Viterbi. Hearing no objection and noting the absence of Albert it was so ordered.

**ADJOURNMENT:** The City Council meeting was adjourned at 9:55 P.M. to a regular adjourned meeting on May 11, 1987 in the "new" City Council Chambers, 8615 Santa Monica Boulevard at 7:00 P.M.