

Approved, 8-17-87

MINUTES

**CITY COUNCIL MEETING
JULY 27, 1987
WEST HOLLYWOOD PARK
647 N. SAN VICENTE BLVD.
7:00 P.M.**

CALL TO ORDER: Mayor Viterbi called the meeting to order at 7:13 P.M.

PLEDGE OF ALLEGIANCE: The Pledge was led by Frannie Riley

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

ALSO PRESENT: City Manager Brotzman
City Attorney Jenkins

(Councilmember Schulte left the meeting at 8:08 P.M.)

APPROVAL OF AGENDA: Items 2g, 2k, 2n, 2o, 2p and 2s were removed from the consent calendar for separate discussion. Item 2i was tabled to the meeting of August 17, 1987. Item 6, Commission Appointments, was moved to the first item after the consent calendar.

ACTION: To add Item 2u, Demand Register Approval, to the consent calendar as an urgency item. Motion Land second Heilman.

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

NOES: None

Motion carried.

FURTHER ACTION: To hold action on Item 2g until after the closed session and to approve the amended agenda. Motion Land second Schulte. Hearing no objection it was so ordered.

PROCLAMATIONS AND COMMENDATIONS: Council presented a commendation in honor of Jim Highland which was received by Bill Lake.

1. CITY MANAGER'S REPORT: The City Manager reported on the workshops and hearings which will be held by the Planning Commission on the General Plan and invited everyone to visit the tent in the parking lot next to the Library on San Vicente to view the 292 design submittals for the Civic Center.

2. CONSENT CALENDAR: ACTION: To approve Items a, b, c, d, e, f, h, j, l, m, q, r, and u. Motion Land second Heilman. Hearing no objection it was so ordered.

a. Posting of Agenda - Report by City Clerk: The agenda was posted on Tuesday, July 21, 1987 at City Hall, the San Vicente

Library, the Sheriff's Station and Plummer Park.

ACTION: To receive and file.

Approved as part of the consent calendar.

b. Demand Register No. 65 - Resolution No. 342: **ACTION:** To approve Demand Register No. 65 and adopt Resolution No. 342.

Approved as part of the consent calendar.

c. Minutes: **ACTION:** To approve the minutes of July 6, 1987.

Approved as part of the consent calendar.

d. Claims: Hugh E. Cook, filed July 10, 1987.

Harrison Truit Starr, filed July 7, 1987.

Paris Pugh, filed June 29, 1987.

Tsilya Braginskaya, filed June 30, 1987.

ACTION: To deny without comment and refer to the City Claims Adjuster.

Approved as part of the consent calendar.

e. City of West Hollywood Disaster Council: **ACTION:** To appoint the Commander of the West Hollywood Sheriff Station and the Division VII Fire Chief of the Consolidated Fire Protection District of Los Angeles County to the West Hollywood Disaster Council.

Approved as part of the consent calendar.

f. Tract Map 37814 - 1200 N. Flores Avenue: Tract No. 37814, which includes public road improvements, has not been completed and an extension of time has been requested. **ACTION:** To approve an extension for the road improvements associated with Tract No. 37814 and that the improvement securities, Bond No. 2-160-926 in the amount of \$13,950 and Bond No. 2-142-742 in the amount of \$33,000 be extended until March 19, 1988.

Approved as part of the consent calendar.

g. Approval of Job Descriptions: **RECOMMENDED ACTION:** To approve the descriptions for Associate and Assistant Planner, Code Enforcement Officer, Analyst II, Lead Administrative Analyst II, Homeless Program Specialist, Community Worker Advocate, and General Office Worker at the salary ranges proposed in the Arthur Young study. THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. Cheryl Parisi of AFSCME addressed the Council on this item and the City Manager requested that it be held until after the closed session. **ACTION:** To table this item to a personnel session to be held next Monday, August 3, 1987, in City Hall at 4:30 P.M., and to approve the job description and salary range for Legal Counsel, which will appear on the consent calendar at the meeting of August 17, 1987. By consensus of the Council.

h. Request for Rehearing on Sephardic Hebrew Academy: **ACTION:** Due to insufficient noticing, staff recommends that the City Council schedule a rehearing on this item for the meeting of August 17, 1987.

Approved as part of the consent calendar.

i. Resolution on Methodist Church: **RECOMMENDED ACTION:** To

adopt Resolution No. 336, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, LOS ANGELES COUNTY, CALIFORNIA, DENYING AN APPEAL OF A PLANNING COMMISSION DECISION TO GRANT MINOR CONDITIONAL USE PERMIT NO. 86-06 ON AN APPLICATION OF CRESCENT HEIGHTS UNITED METHODIST CHURCH, 1296 NO. FAIRFAX AVENUE, WEST HOLLYWOOD." TABLED TO THE MEETING OF AUGUST 17, 1987.

j. Acceptance of Improvements - Short Term Park Improvements:
ACTION: To accept the improvements and authorize the following:
1. Filing of a Notice of Completion by the Director of Public Works,
2. Final payment of \$41,864.45 at the end of the 35 day lien period.
Approved as part of the consent calendar.

k. Appropriation Limitation: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Article XIII B of the State Constitution calls for the City to establish an annual appropriation limitation for each fiscal year. ACTION: To adopt Resolution No. 341, establishing the city of West Hollywood's appropriation limitation for fiscal year ending June 30, 1988 at \$17,926,737. Motion Heilman second Schulte. Hearing no objection it was so ordered.

l. A Proposal for the Collection of Parking Meter Revenues for the City of West Hollywood Received from Federal Armored Express, Inc.: ACTION: To accept the April 16, 1987 proposal from Federal Armored Express, Inc., and to authorize the City Attorney to prepare the contractual agreement and authorize the Mayor to sign.
Approved as part of the consent calendar.

m. Rent Stabilization Commission Resolution: ACTION: To approve the adoption of Rent Stabilization Commission Resolution No. 87-26, establishing the amount of the Annual General Adjustment and the amount of the Annual Registration Fee for the year 1987-88.
Approved as part of the consent calendar.

n. Handyworker Program - RFP: THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. The Housing Division is requesting that the Council reissue the Request for Proposal for Handyworker services in order to issue a clarified RFP and in order to better compare outside vendors with an in-house component. ACTION: To reissue the Request for Proposal for Handyworker services. Motion Schulte second Albert. Hearing no objection it was so ordered.

o. Have a Heart Program: THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. A Proposal from the "Have a Heart Foundation" to reduce surplus pet population in the Los Angeles area through a public education and spaying and neutering program. At this point in time the following persons came forward to address the Council in favor of the Have a Heart Program:

Joan Peck, Board of Directors, Have a Heart

Lois Newman, President, Have a Heart
Carole Ellis, West Hollywood

ACTION: To approve the program and appropriate a portion of the requested funds, not to exceed \$15,000, and Pete Feenstra to negotiate additional money for publicity, out of unappropriated reserve. Motion Schulte second Viterbi.

AYES: Land, Schulte, Mayor Viterbi

NOES: Albert, Heilman

Motion carried.

p. Renewal of Agreement Between the City of Los Angeles and the City of West Hollywood to Consolidate Paratransit Services: THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. This agreement would continue the agreement to consolidate the administration of the St. Barnabas Senior Center Taxi coupon and lift van voucher program which expired June 30, 1987. **ACTION:** To approve the agreement between the City of Los Angeles and the City of West Hollywood for the consolidation of paratransit services, with a correction to a typo in the 2nd paragraph of the staff report -- should read 1986 not 1987 -- and authorize the Mayor to sign. Motion Heilman second Albert. Hearing no objection it was so ordered.

q. Approval of Request for Proposal to Evaluate Present Transit Services and Study Extension of Services to Other Residents: An RFP has been prepared by the Transportation Manager which asks prospective consultants to describe their approach to a study which explores the feasibility of extending City-provided transportation services to the general resident population. **ACTION:** To approve the RFP for Transit Service Evaluation and Implementation Plan as submitted and permit the Transportation Division to proceed with dissemination of the RFP to consultants, and with coordinating the preliminary selection process as described. Approved as part of the consent calendar.

r. Los Angeles Community Design Center Contract Amendments: To allow for greater flexibility and ease of administration, the Housing Division is requesting that the contract between the Community Design Center and the City be amended in Sections entitled USE OF FUNDS AND COMPENSATION, METHOD OF PAYMENT, and MONTHLY REPORTS. **ACTION:** To approve the contract amendments and authorize the Mayor to sign. Approved as part of the consent calendar.

s. Twentieth Century Travel Advisors, Inc. - Request for stay of execution: REMOVED FOR SEPARATE DISCUSSION, BUT LISTED HERE FOR CLARITY. To request a stay of execution to a decision of the Business License Commission for the revocation of the adult massage parlor business license of Beverly Hills Massage. The City Attorney recommends that the Council grant the stay pending the filing and/or outcome of an appeal but that this recommendation has no bearing whatever on the merits of the appeal or on any of the substantive issues that were raised in the affidavit requesting the stay. **ACTION:** To concur with the City Attorney's recommendation to grant

the stay pending the filing and/or outcome of an appeal and further to make the record clear that this concurrence also in no way constitutes any type of judgement whatever on the merits or on the substance of issues raised in this case. Motion Heilman second Schulte. Hearing no objection it was so ordered.

t. Removal of Business License Commissioner: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. At this point in time the following persons came forward to speak on this item:

Tony Melia, West Hollywood Chamber of Commerce
Steve Michael, West Hollywood
Robert Davis, West Hollywood
Jeanne Dobrin, West Hollywood

ACTION: To approve the removal of Commissioner Crane, effective immediately. Motion Albert second Land.

AYES: Albert, Heilman, Land, Mayor Viterbi
NOES: None
ABSTAIN: Schulte
Motion carried.

u. Demand Register Approval - Resolution No. 343: **ACTION:** To adopt Resolution No. 343, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE MAYOR TO APPROVE THE AUGUST 3, 1987 DEMAND REGISTER".
Approved as part of the consent calendar.

PUBLIC HEARINGS

3. APPEAL FROM PLANNING COMMISSION D.P. 87-13 - TETRAD CORPORATION: Jeff Archuleta of the Community Development Department reported that on June 25, 1987, the Planning Commission approved Development Permit 87-13, allowing Tetrad Corporation to construct a 14-unit condominium on a site located between Cynthia and Vista Grande Streets, approximately 200 feet west of Hammond Street. The developer has appealed the decision, requesting that the project be approved for 18 units. City Clerk Mary Tyson reported that this item was noticed in the Post Newspaper and Jeff Archuleta reported on noticing to the neighborhood. Mayor Viterbi opened the public hearing and at this point in time the following persons came forward to speak in favor of the appeal:

Arlen Andelson, Attorney representing Tetrad Corporation
Igal Treibatch, representing owners
Jeanne Dobrin, West Hollywood

The following persons came forward to speak against the appeal:

Patrick Wall, West Hollywood
Martin Krieger, West Hollywood
Mimi Brien, West Hollywood
Sandra Seymour, West Hollywood
Budd Kops, West Hollywood

Andra Akers, West Hollywood
Gary Dontzig, West Hollywood
Maureen Munce, West Hollywood
Gary Campbell, West Hollywood
Alfred Sole, West Hollywood
Andonia Katsaros, West Hollywood

Arlen Andelson gave the rebuttal for the property owners.

Mayor Viterbi closed the Public Hearing and returned the item to the Council for discussion.

ACTION: To uphold the decision of the Planning Commission, approving Development Permit 87-13 for 14 units, as conditioned, specifying that 2 of these units be affordable units, and extend the time from 12 months to 24 months, and deny the appeal of Tetrad Corporation. Staff to return with the appropriate Resolution at the meeting of August 17, 1987.

Motion Heilman second Land.

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

Motion carried.

4. ORDINANCE 155, REGULATING HANDBILLS: FOR ADOPTION: Mary Tyson, City Clerk, reported that this item was advertised in the Post Newspaper, and posted in the 3 required places plus at City Hall. Mayor Viterbi opened the public hearing and the following persons came forward to speak:

Tony Melia, President, West Hollywood Chamber of Commerce.

No one else wishing to address this item, Mayor Viterbi closed the public hearing and returned this item to the Council for discussion.

ACTION: To waive further reading and adopt on second reading, Ordinance No. 155, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGULATING HANDBILLS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."
Motion Land second Heilman.

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

Motion carried.

CITIZEN COMMENTS: No one came forward to speak.

UNFINISHED BUSINESS

5. BUSINESS LICENSE ORDINANCE TASK FORCE APPOINTMENTS: RECOMMENDED

ACTION: The Council will make their appointments to the 7-member Task Force.
CONTINUED TO THE MEETING OF AUGUST 17, 1987. BY CONSENSUS OF THE COUNCIL.

6. COMMISSION APPOINTMENTS - PLANNING - HUMAN SERVICES - PUBLIC FACILITIES: THIS ITEM WAS HEARD JUST PRIOR TO ITEM 3 ON THE AGENDA, BUT IS LISTED HERE FOR CLARITY. Mayor Viterbi called for nominations for the following:

Planning Commission - 1 at-large appointment:

Elham Shirazi - Motion Land second Schulte
Mark Lehman - Motion Heilman second Albert
David Kitnick - Motion Mayor Viterbi second Schulte

ACTION: Close the nominations. Motion Land second Albert.
Hearing no objection it was so ordered.

The following vote was then taken:

Shirazi - Land
Lehman - Albert, Heilman, Schulte
Kitnick - Mayor Viterbi

ACTION: Mark Lehman has been appointed to the Planning Commission.

Nominations for Public Facilities Board - 1 at-large appointment:

Nancy Taylor - Motion Schulte second Land
Jeffrey Fricke - Motion Heilman second Albert

ACTION: Close the nominations. By consensus of the Council.

The following vote was then taken:

Taylor - Land, Schulte
Fricke - Albert, Heilman, Mayor Viterbi

ACTION: Jeffrey Fricke has been appointed to the Public Facilities Board.

FURTHER ACTION: Councilmember Albert's appointment to the Human Services Commission. To appoint Abby Liebman. Motion Albert second Land. Hearing no objection it was so ordered.

Councilmember Schulte left the meeting at 8:08 P.M.

7. WEST HOLLYWOOD SENIOR ADVISORY COMMITTEE APPOINTMENTS:

RECOMMENDED ACTION: Each Councilmember to make 2 appointments, one for a one year term and one for a two year term.
CONTINUED TO THE MEETING OF AUGUST 17, 1987.

8. STREET RESURFACING - CIP 802: Chuck Bergson, Director of Public Works, reported that the preparation of plans, specifications, and cost estimate for the 1988 Annual Street Resurfacing Project (No. 802) has been completed and the Public Works Department is now preparing to go to bid. **ACTION:** Approve the project plans and

specifications and authorize advertising for bids, to be received by 10:00 A.M., August 13, 1987. Motion Heilman second Albert. Hearing no objection and noting the absence of Schulte, it was so ordered.

9. STORM DRAIN AND STREET RESURFACING PROJECT - CIP 801: Chuck Bergson, Director of Public Works, reported that this project includes the construction of a much needed storm drainage system in the Sherwood-Westmount area and the reconstruction of several of the worst streets in the City. **ACTION:** Approve the project plans and specifications and authorize advertising for bids, to be opened at 10:00 A.M., September 3, 1987. Motion Heilman second Albert. Hearing no objection and noting the absence of Schulte, it was so ordered.

NEW BUSINESS:

10. DESIGNATION OF VOTING DELEGATE FOR LEAGUE ANNUAL CONFERENCE: **ACTION:** To appoint Abbe Land as voting delegate and the remainder of the Council as alternate for the annual League of California Cities conference, to be held October 4-7, 1987, in San Francisco. Motion Mayor Viterbi second Heilman. Hearing no objection and noting the absence of Schulte, it was so ordered.

LEGISLATIVE:

11. ORDINANCE NO. 154 - EXPANDING NOTICING REQUIREMENTS - FOR ADOPTION:

ACTION: To waive further reading and adopt on second reading, Ordinance No. 154, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE) FOR THE PURPOSE OF EXPANDING THE NOTICING REQUIREMENTS FOR PUBLIC HEARINGS". Motion Land second Heilman.

At this point in time Jeanne Dobrin, West Hollywood, addressed the Council.

AYES: Albert, Heilman, Land, Mayor Viterbi

NOES: None

ABSENT: Schulte

Motion carried.

CLOSED SESSION: Mayor Viterbi adjourned the City Council to closed session to discuss matters pertaining to litigation, potential litigation and/or personnel at 9:05 P.M.

ADJOURNMENT: The City Council meeting reconvened and adjourned at 9:35 P.M. to a closed session at 4:30 P.M. on Monday, August 3, 1987, in the City Council Chambers and from there to the ceremonial meeting in the tent at West Hollywood Park at 7:00 P.M. to select the 5 finalists in the Civic Center design competition.