

MINUTES
September 8, 1987
CITY COUNCIL MEETING

WEST HOLLYWOOD PARK
647 N. SAN VICENTE BLVD.
7:00 P.M.

CALL TO ORDER: Mayor Pro-tempore Albert called the meeting to order at 7:10 P.M.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENT:	Heilman, Land, Schulte, Mayor Pro-tempore Albert
ABSENT:	Mayor Viterbi
ALSO PRESENT:	City Manager Brotzman City Attorney Jenkins

APPROVAL OF AGENDA: Remove item 2c for an oral report by the City Treasurer. Remove items 2i, 2l, 2o, 2t, 2u, 2x and 2z from the consent calendar for separate discussion. Add one item to written communications. **ACTION:** Approve agenda as amended. Motion Land second Schulte. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

PROCLAMATIONS AND COMMENDATIONS: Union Label Week
Cablecasting Interns

INTRODUCTION OF NEW CITY EMPLOYEES: The City Clerk, Mary Tyson, introduced the new city employees.

1. CITY MANAGER'S REPORT: The City Manager reported that the City Manager, City Attorney and Community Development Director met with representatives of the County Counsel's office, Supervisor Edelman's office and the County Administrator's office to discuss the issue of the siting of the Civic Center in West Hollywood Park and the County properties located at that particular project. They felt comfortable that there were no insurmountable legal problems in this site and committed to working with us to move ahead on the project.

City Treasurer Jonathan Ahearn gave the Treasurer's report for the month ending July 31, 1987, with an ending balance of \$12,788,867.
ACTION: To accept the treasurer's report and receive and file. Motion Heilman second Land. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

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 for separate discussion, but are listed in order for clarity. **ACTION:** Approve items 2a, 2b, 2d, 2e, 2f, 2g, 2h, 2j, 2k, 2m, 2n, 2p, 2q, 2r, 2s, 2v, 2w, and 2y. Motion Land

second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

a. Posting of Agenda - Report by City Clerk: The agenda for the meeting of September 8, 1987 was posted on Wednesday, September 2, 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. 68 - Resolution No. 356:

ACTION: To approve Demand Register 68 and adopt Resolution No. 356.

Approved as part of the Consent Calendar.

c. Treasurer's Report: July, 1987: REMOVED FOR ORAL REPORT BUT LISTED HERE FOR CLARITY.

d. Minutes: August 17, 1987: **ACTION:** To approve the minutes of August 17, 1987.

Approved as part of the Consent Calendar.

e. Claims: Applications for Leave to Present Late Claims -
Attorney for Adaline Biederman
- Attorney for Crosby & Overton

ACTION: Based on statutory criteria (Government Code 911.6) these applications for leave to present late claims be denied on the grounds 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. Veterans Day Celebration 1987: **ACTION:** Authorize a City-sponsored Veterans Day memorial concert and reception on November 8, 1987.

Approved as part of the Consent Calendar.

g. Library Data Base: The City Council has approved a \$6,000 expenditure for the San Vicente Library, to purchase two computerized data bases to be used as card catalogs. There has been a reduction in price and for an additional \$270 a third machine and database could be purchased. **ACTION:** Approve the transfer of \$270 from Unobligated Reserve into General Services account

001-2600-470-885 and authorize the purchase of a third unit.

Approved as part of the Consent Calendar.

h. City Council Benefits: **ACTION:** To adopt Resolution No. 352, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING THE CONTINUATION OF BENEFITS AND AMENDING THE CAFETERIA PLAN FOR COUNCILMEMBERS".

Approved as part of the Consent Calendar.

i. Resolution opposing the appointment of Judge Robert Bork as a Member of the United States Supreme Court: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Heilman urged people in the community to write letters to congress and voice their opinion. ACTION: Adopt Resolution No. 355, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE CONFIRMATION OF ROBERT BORK AS JUSTICE TO THE U.S. SUPREME COURT", and notify Congress of the Council's opinion that the appointment be vehemently opposed. Motion Heilman second Land. Hearing no objection and noting the absence of Viterbi it was so ordered.

j. Adoption of Emergency Plan - Resolution No. 347 and 348: ACTION: Adopt Resolution No. 347, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE WEST HOLLYWOOD EMERGENCY PLAN AS REQUIRED BY ORDINANCE NO. 119 OF THE CITY OF WEST HOLLYWOOD", and Resolution No. 348, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING ADOPTION ON AN INTERIM BASIS OF CERTAIN WEST HOLLYWOOD SPECIFIC SECTIONS OF THE WEST HOLLYWOOD EMERGENCY PLAN. THESE SECTIONS MUST HAVE BEEN APPROVED BY THE DIRECTOR OF EMERGENCY SERVICES TO BE EFFECTIVE ON AN INTERIM BASIS UNDER THIS RESOLUTION".
Approved as part of the Consent Calendar.

k. Selection of Bond Counsel: Continued from the meeting of August 17, 1987, for more information. ACTION: Select Jones Hall Hill and White as the City's Bond Counsel and direct preparation of an agreement.
Approved as part of the Consent Calendar.

l. Regional Planning Meeting - General Plan: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Direct staff to set up the first of an ongoing series of meetings, with the first meeting set for the week of October 14-19, 1987. Those to be included in the meeting are Councilmen Michael Woo and Zev Yaroslavsky; Mayor, Councilmembers and City Planning Director, for Beverly Hills; Los Angeles Planning Department, Community Planners for the Hollywood and Mid Wilshire/Fairfax Community Plan areas; Director of Community Development for West Hollywood and the Director of Planning for West Hollywood. Motion Land second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

m. Human Services Commission request for joint study session: ACTION: To designate November 9, 1987 as the date for a joint study session with the Human Services Commission and the City Council.
Approved as part of the Consent Calendar.

n. AIDS Awareness Month: ACTION: Declare October as AIDS Awareness Month and authorize staff to implement the planned activities.
Approved as part of the Consent Calendar.

o. Resolution on Terrorist Activities in L.A. by El Salvadoran Death Squads: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Adopt Resolution No. 357, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING THE TERROR CAMPAIGN CONDUCTED AGAINST SALVADORIANS", and send copies to the appropriate elected officials. Motion Land second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

p. Action to review present zoning regulations for accessory type buildings on narrow single family lots: ACTION: Direct the Planning Department to review regulations pertaining to the construction and modification of accessory type buildings on small lots and, if appropriate, make recommendations to address the concerns of owners of narrow lots.
Approved as part of the Consent Calendar.

q. Award of Handyworker Improvement Program Contract:
ACTION: 1) Award Jewish Family Service Agency a contract for the provision of security and safety services. This contract should not exceed \$67,000 or 10/12 of the total budget, of which no more than 20% should be allocated for administration; 2) Instruct the Housing Division to prepare a contract reflecting the proposed scope of services and authorize the Mayor to sign the contract after the City Attorney has reviewed all documents; and 3) Instruct the Housing Division to maintain a list of bona fide contractors and handypersons and have the Housing Rehabilitation Specialist supervise the bidding out of contracts and the actual work on units on an as-needed basis. The remaining \$37,176 is more than adequate to cover other minor repair work.
Approved as part of the Consent Calendar.

r. TUP 87-04 - Swap Meet - Resolution No. 353: ACTION: To adopt Resolution No. 353, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF DENI CARNO AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION DENYING THE PRIOR APPEAL OF A DECISION BY THE DIRECTOR OF COMMUNITY DEVELOPMENT REVOKING TEMPORARY USE PERMIT 87-04 FOR PROPERTY LOCATED AT 8900 HARRATT STREET".
Approved as part of the Consent Calendar.

s. Pinball and Video Arcade - Resolution of Denial:
ACTION: Adopt Resolution 354, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, DENYING AN APPEAL BY MARK NOTTOLI AND APPROVING AN APPEAL BY LOIS SYDNEY AND JEANNE DOBRIN OF PLANNING COMMISSION DECISION TO APPROVE CONDITIONAL USE PERMIT NO. 87-03 ON AN APPLICATION BY MARK NOTTOLI TO PERMIT A PINBALL AND VIDEO GAME ARCADE AT 8939 1/2 SANTA MONICA BOULEVARD, WEST HOLLYWOOD".
Approved as part of the Consent Calendar.

t. Santa Monica Blvd. - Sprinkler Project (CIP#806)-
REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY.
ACTION: Approve the project plans and specifications and authorize advertising for bids with the bids to be received by 10:00 A.M. Friday, October 2, 1987, with staff to come back with specific information on the time-line. Motion Land second Schulte.

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

u. Handicapped Ramps Project (CIP#850) - For the provision of access ramps at street corners in various areas of City: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Approve the project plans and specifications and authorize advertising of the contract with proposals due by 10:00 a.m. Friday, October 9, 1987. Motion Heilman second Schulte. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

v. Acceptance of Cablecasting Facility (CIP #815): ACTION: That the City Council accept the CATV studio and authorize the following: 1) Filing of a Notice of Completion by the Director of Public Works; 2) Final payment of \$5,521.80 at the end of the thirty-five (35) day lien period; 3) Release the performance bond - \$1,070.00.

Approved as part of the Consent Calendar.

w. Gay and Lesbian Adolescent Social Services: Reconveyance of Deed of Trust: GLASS has fulfilled its contractual agreement with the City. ACTION: Approve the reconveyance of the Deed of Trust to GLASS and direct the City Attorney to record the document and provide for the reconveyance.

Approved as part of the Consent Calendar.

x. Re-evaluation of the Rent Stabilization Ordinance in Regard to the NOI Process and Maintenance Costs: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Approve in concept an evaluation of the current Rent Stabilization Ordinance with regard to the NOI process and other maintenance-related issues of concern to the Rent Stabilization staff and the Council, and to also include mitigation of annual adjustment for new tenants who have just paid a vacancy increase, to be undertaken by the original author of the Rent Stabilization Ordinance, Ken Barr. Final approval will be required when staff returns with the actual costs. Motion Heilman second Land. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

y. Approval of City Officials as Voting Delegate and Alternate - League of Calif. Cities: ACTION: To approve the City Manager as voting delegate and Assistant City Manager as voting alternate in the absence of an authorized council delegate or alternate.

Approved as part of the Consent Calendar.

z. 1988 Street Resurfacing Program (CIP #802): Award of Contract: ACTION: That the City Council award the contract "1988 Street Resurfacing Program", CIP #802, to the lowest qualified bidder, Sully-Miller, with completion in 60 days instead of 90 days. Motion Heilman second Schulte. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

PUBLIC HEARINGS

3. APPEAL BY ZWI GOLDBERG OF PLANNING COMMISSION DENIAL OF DEMOLITION PERMIT 86-107 AND DEVELOPMENT PERMIT 86-106 - 825 N. LARRABEE: The appellant, Zwi Goldberg, has requested that this hearing be continued to the meeting of October 19, 1987. This hearing has been advertised. ACTION: To open the public hearing and continue it open to the meeting of October 19, 1987. Motion Heilman second Land. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

4. TEXT AMENDMENTS TO THE ZONING ORDINANCE: The City Clerk reported that the hearing was advertised in the Post Newspaper, posted in the three required places and was also posted at City Hall. Howard Zelefsky reported that two separate parties have submitted requests for text amendments to the Zoning Ordinance for the purpose of adding specific allowable uses to the Pedestrian Orientation Overlay Zone. The Planning Commission has considered these proposed amendments and recommended that they be adopted as amended.

Mayor Pro-tempore Albert opened the public hearing and the following persons came forward to speak in favor of the amendments:

Bruce D. Becket, 1516 Pontius Ave., West Los Angeles, 90025
Ronald D. Garber, 9107 Wilshire Blvd., Ste. 200, Beverly Hills
Donna Lineberry, 9200 Sunset Blvd.

No one else coming forward to speak, Mayor Pro-tempore Albert closed the public hearing and returned the item to Council for discussion.

ACTION: To waive further reading and introduce on first reading, Ordinance No. 159, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE) FOR THE PURPOSE OF ADDING SPECIFIC ALLOWABLE USES TO THE PEDESTRIAN OVERLAY ZONE." Motion Land second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

5. PROPOSED TEXT AMENDMENT TO THE BUSINESS LICENSE ORDINANCE - SPECIAL EVENTS PEDDLER'S LICENSE FEE: The City Clerk, Mary Tyson, reported that this item was noticed in the Post Newspaper and posted in the three required places, plus at City Hall. Paul Self gave the staff report. Mayor Pro-tempore Albert opened the Public Hearing, and no one coming forward to speak, closed the Public Hearing and returned the item to the Council for discussion.

ACTION: To waive further reading and introduce on first reading, Ordinance No. 160, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD CREATING A SPECIAL EVENTS PEDDLER'S PERMIT AND FEE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Heilman second Land. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

CITIZEN COMMENTS: This time was 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:

Kathy O'Read, 138 N. Swall, concerning parking permit for house on boundary between West Hollywood and Los Angeles.
George Marshall, 554 Westbourne Dr., concerning the animal ordinance.

WRITTEN COMMUNICATION: Written communication from Ron Shipton re: The rescheduling of the rehearing of "pro bono publico" appeal of Resolution PC 87-07 (Sephardic Hebrew Academy) and request for refund of appeal fee paid on April 24, 1987 (\$175). **ACTION:** To continue to the meeting of September 21, 1987. By consensus of the Council.

Mary Nichols, (Letter to Councilmember Schulte, added on approval of agenda) with Los Angeles Parks & Recreation Commission, urging Council to forego consideration of the West Hollywood Park site for the Civic Center.

UNFINISHED BUSINESS

6. APPOINTMENTS TO THE BUSINESS LICENSE ORDINANCE TASK FORCE:

ACTION: Nominations were made as follows:

Land - Terry Garay
Heilman - Tad Montgomery
Schulte - Jim Kazakos

Close the Nominations. Motion Land second Heilman.

Appoint Garay, Montgomery and Kazakos. Motion Land second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

7. RECYCLING - CLARIFICATION OF LOCATIONS AND COORDINATION WITH SUPERMARKETS: RECOMMENDED ACTION: That Council discuss the various options and provide clarification/further direction for staff with respect to the implementation of a recycling program. **ACTION:** Direct staff to work with markets, identify other alternative sites and return with these reports and a report on franchise options at the first meeting in November. By consensus of the council.

NEW BUSINESS

8. REVIEW COMMITTEE FOR SELECTION OF A TRANSIT SERVICE EVALUATION:
ACTION: Select Mayor Pro-tempore Albert to represent the Council on the Review Committee for Selection of a Transit Service Evaluation and Implementation Plan proposal. Motion Land second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

9. REQUEST FROM PUBLIC FACILITIES BOARD FOR CHANGE OF MEETING DATES: Board members feel that it is necessary that the board meet two times a month. At this point in time the following persons came forward to speak on this item:
Jeanne Dobrin, West Hollywood

ACTION: To reconsider after the first of the year. By consensus of the Council.

LEGISLATIVE

10. TEXT AMENDMENTS TO ZONING ORDINANCE:

At this point in time the following persons came forward to speak:
Ron Shipton, West Hollywood.

ACTION: To waive further reading and adopt on second reading Ordinance No. 156, "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 LANGUAGE ON NON-PROFIT GROUPS AND APPEAL PROCEDURES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Land second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

11. VICIOUS DOG ORDINANCE NO. 158 - FOR ADOPTION: **ACTION:** To table this item to the next meeting to see if Los Angeles adopts their ordinance. By consensus of the Council.

12. ORDINANCE NO. 161 - RE: ENFORCEMENT OF THE NOISE ORDINANCE:

At this point in time the following persons came forward to speak in favor of this Ordinance:

Budd Kops, West Hollywood.

Repeals Municipal Code Section 4307. **ACTION:** To waive further reading and introduce on first reading Ordinance No. 161, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING ENFORCEMENT OF THE NOISE ORDINANCE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Heilman second Schulte. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

13. ORDINANCE NO. 157 - TO REQUIRE, CONTROL, AND RECOVER A PORTION OF THE COSTS OF EMERGENCY TRAINING FOR OCCUPANTS OF HIGH RISE BUILDINGS: **ACTION:** Table to meeting of September 21, 1987. Motion Heilman second Schulte. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

ADJOURNMENT: The meeting was adjourned at 8:38 P.M. to a regular adjourned meeting on September 21, 1987 at West Hollywood Park at 5:30 P.M.