

Approved, 12/21/87

MINUTES

**CITY COUNCIL MEETING
December 7, 1987
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: The Pledge of Allegiance was led by Jeanne Dobrin.

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

INTRODUCTION OF NEW EMPLOYEES: Assistant City Manager Jeri Chenelle introduced the following new employees:

- Thomas Babick
- Aspet Amirkhanian
- Michael Bursztin
- Mike Sullivan
- Danny Kahn

APPROVAL OF AGENDA: Remove items 2h, 2p and 2q from the consent calendar for separate discussion. By consensus of the Council.

PROCLAMATIONS AND COMMENDATIONS: L. A. Free Clinic
National Drunk & Drugged
Driving Awareness Week
Accepting the proclamation for the L.A. Free Clinic were Gary Bess, Executive Director, Richard Vicenci, President, Board of Directors and Mimi West and Ellen Hoberman, Co-Chairs of the Building Fund Campaign.

The National Drunk & Drugged Driving Awareness Week proclamation was read by Councilmember Land.

1. CITY MANAGER'S REPORT: This time has been set aside for the City Manager to report to the City Council on any and all matters. There was no City Manager's report at this meeting.

2. CONSENT CALENDAR: The following routine matters were acted upon by one motion to approve with the majority consent of the City Council. ACTION: To approve items 2a, b, c, d,

e, f, g, i, j, k, l, m, n, o, r, s, t, u and v. Motion Land second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

a. Posting of Agenda: The agenda for the meeting of December 7, 1987 was posted on Wednesday, December 2, 1987, at City Hall, the San Vicente Library, the Sheriff's Station and Plummer Park and reposted on Friday, December 4, 1987 at City Hall. ACTION: Receive and file.
Approved as part of consent calendar.

b. Demand Register No. 75: Resolution No. 382:
ACTION: Approve Demand Register No. 75 and adopt Resolution No. 382.
Approved as part of consent calendar.

c. Treasurer's Report: September, 1987:
ACTION: Receive and File.
Approved as part of consent calendar.

d. Minutes: September 21, 1987
November 9, 1987
November 16, 1987
ACTION: Approve the minutes of September 21, 1987, November 9, 1987 and November 16, 1987.
Approved as part of consent calendar.

e. Claims: Kathleen S. O'Leary
Ek Ong Kar Kaur Khalsa
Cypress Insurance
Steven D. Holcombe
ACTION: Deny the claims of Kathleen O'Leary, Ek Ong Kar Kaur Khalsa, Cypress Insurance and Steven Holcombe and refer to the City's Claims adjustor.
Approved as part of consent calendar.

f. Motion to Waive Further Reading: ACTION: After the City Attorney has read the title to any ordinance on tonight's agenda the further reading thereof be waived.
Approved as part of consent calendar.

g. Ordinance No. 172 - No Fault Evictions for Authorized Repairs: ACTION: Adopt on second reading Ordinance No. 172, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATIVE TO NO-FAULT EVICTIONS FOR AUTHORIZED REPAIRS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."
Approved as part of consent calendar.

h. Resolution No. 380: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. ACTION: Adopt Resolution No. 380, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD GRANTING THE APPEAL OF THE SHOREHAM HEIGHTS NEIGHBORHOOD ASSOCIATION AND DENYING DEVELOPMENT PERMIT 86-130 AND DEMOLITION PERMIT 86-131 FOR 8775 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA". Motion Heilman second Land. Hearing no objection and noting the absence of

Mayor Viterbi it was so ordered.

i. Request for Proposal: Russian Cultural/Community Center: ACTION: Approve the Request for Proposals and authorize staff to release the document.
Approved as part of consent calendar.

j. Study Session Dates - December - April, 1988:
ACTION: Approve the proposed meeting schedule for December 17, 1987 through April 18, 1988.
Approved as part of consent calendar.

k. Agreement with Carl Warren & Company, Claims Adjustor: ACTION: Authorize the Mayor to sign the agreement between the City of West Hollywood and Carl Warren & Company, Claims Adjustor.
Approved as part of consent calendar.

l. Amendment to City Manager Contract:
This Item is pulled from the agenda at request of staff.

m. Amendment to Division Head Agreement - Resolution No. 381: This amendment allows for a 5% salary increase, addition of the PERS Survivors Benefit and inclusion in the employee flexible benefit plan. ACTION: Approve Resolution 381, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING THE AGREEMENT SETTING FORTH THE TERMS, CONDITIONS, BENEFITS, SALARIES AND WORKING CONDITIONS OF THE DIVISION HEAD POSITIONS", amending Resolution No. 253.
Approved as part of consent calendar.

n. St. Barnabas Taxi Coupon Program Renewal: ACTION: Approve the agreement between the City of Los Angeles and the City of West Hollywood for the consolidation of paratransit services, and appropriate \$260,472 in additional Prop A local return funds for fulfillment of the agreement which continues the St. Barnabas Senior Center Taxi Coupon and Lift Van Voucher program.
Approved as part of consent calendar.

o. Adoption of Rent Stabilization Commission Resolution No. 87-61 amending the Rent Stabilization Regulations Relative to Failure to Respond to the Notice of Incompleteness: Existing regulations require the Department to determine whether or not an application for rent adjustment is complete within 10 business days of acceptance for filing. There is no limit on the amount of time the applicant has to respond to the Notice of Incompleteness. This amendment will allow the applicant 60 days from the date of mailing to respond, or the application will be deemed withdrawn. ACTION: Approve the adoption of Rent Stabilization Resolution No. 87-61.
Approved as part of consent calendar.

p. Adoption of Rent Stabilization Commission Resolution

No. 87-62 amending the Rent Stabilization Regulations Relative to Rent Certification: REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. The volume of appeals on rent certification determinations has caused the Commission and the Department to reexamine the appeal procedures and they believe changes are necessary. ACTION: Approve the adoption of Resolution No. 87-62, with the following change (as per the City Attorney): Page 1, 60065 A 2 - 3rd line, change the word "service" to "filing". Motion Land second Schulte. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

q. Santa Monica Boulevard Turn Pockets (CIP 814): REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Chuck Bergson, Director of Public Works, reported that staff and the State have agreed on a proposed re-alignment of left-turn lanes on Santa Monica Boulevard at the intersections of Robertson and San Vicente Boulevard. ACTION: Approve the agreement with the State Department of Transportation and authorize staff to negotiate for the portion of the Santa Monica Blvd. Median Strip attendant to this project. Motion Schulte second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

r. Improvement Security Forfeiture, Tract 36364 - 9061 Keith Avenue: The developer has failed to provide the required street improvements. ACTION: 1) Determine that the work required pursuant to Tract Map 36364 is incomplete, and 2) declare the improvement security in the amounts of \$32,800 faithful performance and \$15,500 labor and materials, forfeit (Fireman's Fund Insurance Company Bond #SC7094376). Approved as part of consent calendar.

s. Improvement Security Forfeiture, Tract 40653 - 970 Palm Avenue: The developer has failed to provide the required street improvements. ACTION: 1) Determine that the work required pursuant to Tract Map #40653 is incomplete, and 2) declare the improvement security in the amounts of \$19,800 faithful performance and \$9,000 labor and materials, forfeit (Developer's Insurance Co., bond #9161865). Approved as part of consent calendar.

t. Improvement Bond, Development Permit 86-91 - 909-917 Gardner Street: Street improvements required for this development include new street and sidewalk. ACTION: Approve the street improvement agreement for this project, accept bonds in the amount of \$16,500 for faithful performance and \$16,500 for labor and materials (Amwest Surety Insurance Co.) and direct that they be recorded with the County. Approved as part of consent calendar.

u. Improvement Security Time Extension, Tract 35951-1400 Sweetzer Avenue: The developer has arranged to perform and complete the work. ACTION: Determine that the

work required pursuant to Tract Map #35951 is incomplete and the time be extended until November 25, 1988 to complete the work.

Approved as part of consent calendar.

v. Road Dedication, Center for Early Education:
ACTION: Accept the dedication of the Southwest corner of Alfred Street and Clinton Avenue as part of a condition of development and direct staff to record the deed with the County Assessor's Office.

Approved as part of consent calendar.

BUILDING REHAB APPEALS BOARD: This time has been set aside for the City Council to adjourn and sit as the Building Rehabilitation Appeals Board.

3-1. 1256 Gardner- Abatement of Substandard Conditions:
Staff report was given by Jerry Maiques. Coming forward to address the Council in favor of the finding were the following:

Michael Shepard, West Hollywood
Richard Scheiber, West Hollywood

ACTION: Find the building substandard and declare it a public nuisance and order the abatement of the substandard conditions including the repair of the chain link fence securing the property by December 22, 1987. Staff to come back at the next meeting with recommendations on how the Council can proceed faster on this item until changes can be made in the ordinance. Motion Land second Schulte. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

3-2. 949 Genesee and 7760 Romaine - Abatement of Substandard Conditions: Jerry Maiques reported that there was a new owner of this property who has been doing substantial rehabilitation on the inside of the house which was not evident from the outside. Staff has met with Mr. Bailey and he is very willing to work with the city in any way. Mr. James Bailey addressed the City Council and confirmed that he would continue the rehab and work with the City on the exterior. ACTION: Find the property substandard, declare it a public nuisance and order the continued rehabilitation of the property with periodic inspections by Building and Safety. Motion Heilman second Land. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

3-3. 613 Westmount Drive - Abatement of Substandard Conditions: Jerry Maiques reported that a demolition permit and a development permit for a duplex was approved for this property on November 19, 1987. ACTION: Find the property substandard and declare it a public nuisance and order the clean-up of the exterior grounds by December 22, 1987, and the maintenance of the property until demolition work begins, with the further caveat that they will not be issued a

building permit until the grounds are cleaned up. Motion
Land second Schulte. Hearing no objection and noting the
absence of Mayor Viterbi it was so ordered.

**ADJOURN THE BUILDING REHABILITATION APPEALS BOARD AND
RECONVENE THE CITY COUNCIL.**

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 Shipton, West Hollywood - appeal of Temporary Use Permit
for the parking lot on San Vicente.

The following came forward to address the Council on the
proposed Park hours and the homeless:

Jack Cardinal, West Hollywood
Paul Webber, West Hollywood
Rabbi Margaret Holub, Los Angeles
Scotty Anderson, West Hollywood
Robert Jones, West Hollywood (also supplied the Clerk with a
written statement).
Mike Radcliffe, West Hollywood
Charles Sladky, Venice
Ronald Haynes, West Hollywood
Jennifer Pirie, Venice Neighbor to Neighbor
Roger Moore, West Hollywood
Brett Joshua Katz, Simi Valley

CITY COUNCILMEMBERS' COMMENTS: This time has been set aside
for the Councilmembers to direct comments to staff or the
public on items of interest.

Councilmember Land asked the City Manager to check on the
appeal that Ron Shipton brought up under public comment. She
also asked the Rent Stabilization Department to look into
having people who are not in compliance with the rent control
Ordinance not be allowed to get the annual rent increase and
bring back to the Council. Approved by consensus of the
Council.

Councilmember Heilman stated that the park closure and the
non-profit Homeless Corporation items will be before the
Council at the study session scheduled for December 17, 1987
and he would also like information on the housing voucher
program and other programs for housing for people with AIDS
or ARC.

Councilmember Schulte asked interested parties to communicate
with staff on ideas about homeless programs.

Councilmember Heilman stated that if the City is funding
shelter voucher programs that people the City is trying to
serve won't participate in because of problems, then we need

to change the program and do something else.

NEW BUSINESS

4. GAY AND LESBIAN TASK FORCE APPOINTMENTS:

ACTION: Council appointed the following sixteen community members to serve on the task force to be convened in the second week in January:

Heilman	Linda Lasater Alan Malyon
Land	Donna Weaver Ron Rose
Schulte	Jean Conger Bill (Wuzzy) Spaulding
Albert	Nicki Toomey Jim Russell
Viterbi	Lucia Conforti Peter Depew
At Large - Women	Kim Kralj Eleanor Barrett Yolanda Retter
At Large - Men	Scott Giantvalley Roger Tansey Chuck George

5. SERVICE AUTHORITY FOR FREEWAY EMERGENCIES: Los Angeles County Transportation Commission has requested various cities in the County to adopt a resolution approving a Service Authority for Freeway Emergencies (SAFE) which could provide necessary improvements to the system. **ACTION:** Adopt Resolution No. 383, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD REQUIRED TO ESTABLISH SERVICE AUTHORITY FOR FREEWAY EMERGENCIES". Motion Heilman second Schulte. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

5a. NON-PROFIT HOMELESS CORPORATION: **RECOMMENDED ACTION:** 1) that the Council approve in concept the creation of a non-profit corporation to direct and implement the City's homeless efforts; 2) that the Council nominate 5 members of an overall 9-member Board of Directors; 3) that the Human Services Department return in 30 days with a budget that addresses program components outlined in this agenda item. CONTINUED TO THE WORKSHOP ON HOMELESS, DECEMBER 17, 1987.

6. HARASSMENT ORDINANCE: Ordinance 151 and 151U - Ordinance No. 151 was introduced on first reading on September 21, 1987. On October 12, 1987 the Ordinance was before the

Council for adoption and was removed from the agenda, referred to staff for further study and amendment, and is now before the Council for re-introduction on first reading and for adoption as an urgency measure. ACTION: 1) Introduce on first reading Ordinance No. 151, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RE-CODIFYING AND EXPANDING THE PROVISIONS RELATING TO HARASSMENT 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.

2) Adopt as an urgency Ordinance, Ordinance No. 151U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RE-CODIFYING AND EXPANDING THE PROVISIONS RELATING TO HARASSMENT AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF". Motion Land second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

7. PERS AMENDMENT - SURVIVOR BENEFITS - ORDINANCE NO. 173:
ACTION: Introduce on first reading, Ordinance No. 173, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM". Motion Schulte second Heilman. Hearing no objection and noting the absence of Mayor Viterbi it was so ordered.

8. CURFEW ORDINANCE - ORDINANCE NO. 175: ACTION: Introduce on first reading Ordinance No. 175, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO CURFEW 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.

9. PROPOSED ORDINANCE REGARDING PARK CLOSURE HOURS - ORDINANCE NO. 174U: The Sheriff's Department had requested a change in the park hours (to be closed from 12:00 midnight to 6:00 AM) due to problems that had developed during these hours. RECOMMENDED ACTION BY SHERIFF'S DEPARTMENT: Adopt on an urgency basis, Ordinance No. 174U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD CHANGING PARK HOURS, AMENDING THE MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF". RECOMMENDED ACTION BY HUMAN SERVICES COMMISSION: Increase law enforcement's presence at the parks during the early morning hours and not expand the number of hours during which the parks are closed.
TABLED TO THE STUDY SESSION ON HOMELESS, DECEMBER 17, 1987.

CLOSED SESSION: Mayor Pro-Tempore Albert adjourned the meeting to a closed session at 9:01 P.M. to discuss matters pertaining to litigation, potential litigation, personnel matters, and/or claims of Esther Barta and Sam Farkas.

The meeting was reconvened at 9:40 P.M.

ACTION: To approve the claims of Esther Barta and Sam Farkas. Motion Heilman second Land. Hearing no objection

and noting the absence of Mayor Viterbi it was so ordered.

The City Attorney announced that they had discussed matters of pending litigation.

ADJOURNMENT: The meeting was adjourned at 9:43 P.M. to a regular adjourned meeting on December 17, 1987 at West Hollywood Park at 7:00 P.M.