

a. Posting of Agenda: Report by City Clerk: The agenda for the meeting of November 16, 1987 was posted on Tuesday, November 10, 1987, at City Hall, the San Vicente Library, the Sheriff's Station, and Plummer Park.
ACTION: To receive and file.
Approved as part of consent calendar.

b. Demand Register No 74 - Resolution No. 379:
ACTION: Approve Demand Register No. 74 and adopt Resolution No. 379.
Approved as part of consent calendar.

**c. Minutes - October 12, 1987
November 2, 1987**
REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Councilmember Land corrected the minutes of November 2, 1987, on page 8, Item 9, in that she should be recorded as a no vote. Councilmember Heilman corrected the minutes of November 2, 1987, on page 4, Item 3, in that Grafton Tanquary did not speak in favor of the item. ACTION: Approve the minutes of October 12, 1987 and November 2, 1987, as amended. Motion Schulte second Land. Hearing no objection it was so ordered.

**d. Claims - Donald Mannie
Lillian Warner
Esther Barta
Anthony Silver**
REMOVED FOR SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. Esther Barta addressed the City Council and informed them of the claim she has filed due to an alleged fall at the Street Festival. ACTION: Deny the Claims of Donald Mannie, Lillian Warner, Ester Barta and Anthony Silver and refer to the City's Claims adjustor. Motion Heilman second Land. Hearing no objection it was so ordered.

e. Application for Leave to Present Late Claim - By Attorney for Clara Skaletzky: ACTION: Based on statutory criteria (G.C. 911.6), the leave to present late claim be denied on the grounds that there was no excusable negligence. Claimant had full and complete knowledge within time to file a timely claim.
Approved as part of consent calendar.

f. Resolution No. 360 - Denial of Appeal on Sephardic Hebrew Academy - And Resolution No. 361 - Establishing a Passenger Loading Zone on a Portion of Beverly Place:
Continued from meeting of November 2, 1987: REMOVED FOR

SEPARATE DISCUSSION BUT LISTED HERE FOR CLARITY. At this point in time the following person came forward to speak against this item:

Ethel Shapiro, West Hollywood

Speaking in favor of this item:

Rabbi Kupfer, Sephardic Hebrew Academy

ACTION: 1) Adopt Resolution No. 360, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING APPEAL AND APPROVING CONDITIONAL USE PERMIT NO. 86-13 AND THE CONTINUED NONCONFORMING STATUS ON AN APPLICATION OF THE SEPHARDIC HEBREW ACADEMY, 310 N. HUNTLEY DRIVE, WEST HOLLYWOOD".

2) Adopt Resolution No. 361, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ESTABLISHING A PASSENGER LOADING ZONE ON A PORTION OF BEVERLY PLACE".

Motion Land second Mayor Viterbi. Hearing no objection, and noting the abstention of Schulte, it was so ordered.

g. Request for Assistant Civil Engineer: **ACTION:** Authorize the position specifications for, and the hiring of, Assistant Civil Engineer and the transfer of a proportional amount of funds from Professional Services (7000-460-770-001) to Public Works Administration (7000-460-502-001). Approved as part of consent calendar.

h. Amendment to Department Directors' Contracts: REMOVED BY CITY MANAGER FOR POINT OF CLARIFICATION BUT LISTED HERE FOR CLARITY. The City Manager stated that the 5% was retroactive to July 1, 1987. **ACTION:** Approve the amendments to Department Directors' employment contracts for the period October 23, 1987 to June 30, 1988 and authorize the Mayor to execute said amendments. Motion Schulte second Land. Hearing no objection it was so ordered.

i. Council Deputies and Confidential Unit Employee Agreements: - Resolution No. 372 and Resolution No. 373:

ACTION: 1) Adopt Resolution No. 372, "AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WEST HOLLYWOOD AND AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, LOCAL NO. 3339, SETTING FORTH THE TERMS, CONDITIONS, BENEFITS, SALARIES AND WORKING CONDITIONS OF THE COUNCIL DEPUTY UNIT.

2) Adopt Resolution No. 373, "AMENDING THE AGREEMENT SETTING FORTH THE TERMS, CONDITIONS, BENEFITS, SALARIES AND WORKING CONDITIONS OF THE CONFIDENTIAL EMPLOYEES UNIT."

Approved as part of consent calendar.

j. Resolution No. 378 - Denying the appeal on DP 87-27, 1031-1041 Crescent Heights Blvd.: ACTION: Adopt Resolution No. 378, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEAL OF NANCY TAYLOR AND UPHOLDING THE DECISION OF THE PLANNING COMMISSION GRANTING DEVELOPMENT PERMIT 87-27 AND DEMOLITION PERMIT 87-11 ON AN APPLICATION BY DAVID GREEN/NORLYN BUILDERS FOR 1031-1041 N. CRESCENT HEIGHTS BOULEVARD, WEST HOLLYWOOD".
Approved as part of consent calendar.

k. Approval of Contract for Publication and up-date of Municipal Code: RECOMMENDED ACTION: Direct preparation of the contract for the codification of the Code of Ordinances for West Hollywood, California, publication of 50 copies of the Code plus Supplementation Service, with Book Publishing Company for an initial price of approximately \$10,500.00, and authorize the Mayor to sign.
TABLED TO THE MEETING OF DECEMBER 7, 1987, ON REQUEST OF STAFF.

l. Additional Appropriations Required for Bus Pass Sales Program: Since bus pass sales are now being provided on the street level of City Hall, it is necessary to increase the budget to provide the staff necessary to sell those passes on the street level. RECOMMENDED ACTION: 1) Approve the addition of a permanent part-time (three-quarters time) General Office Worker position to administer the bus pass sales program at City Hall. 2) Approve the purchase of a desk for that position. 3) Approve an additional appropriation of \$12,620 for those items from unobligated reserve, leaving a balance of \$380,000. 4) Transfer the revised budget of \$18,620 and all related expenditures from the Social Services Division to the Finance Division.
REFERRED BACK TO STAFF TO DEVELOP OTHER ALTERNATIVES AND BRING BACK TO THE COUNCIL.

m. Forfeiture of Improvement Security - Tract #40943:
The developers at 1051 Harper Avenue entered into a contract with Los Angeles County to perform street improvements, which are incomplete. ACTION: Determine that the work required pursuant to Tract Map #40943 is incomplete and declare the improvement security forfeit, in the amounts of \$5950 faithful performance and \$2700 labor and materials.
Approved as part of consent calendar.

n. Purchase of Community Development Block Grant Funds from Hermosa Beach: The City of Hermosa Beach is willing to sell \$253,128 in CDBG funds for 70 cents on the dollar.

ACTION: Approve the purchase of \$253,128 of CDBG funds from Hermosa Beach with \$177,190 in general funds budgeted for the Street Beautification Project; approve the contract with the City of Hermosa Beach and authorize the Mayor to sign; and allocate the surplus CDBG funds to Phase II of the Santa Monica Boulevard Street Beautification Project.
Approved as part of consent calendar.

o. Rent Stabilization Commission Resolution Number 87-53 Amending the Rent Stabilization Regulations of the City of West Hollywood: **ACTION:** To approve the adoption of Rent Stabilization Commission Resolution No. 87-53, making filing fees non-refundable.
Approved as part of consent calendar.

p. Endorsement of Avenues of Design Holiday Activities: Avenues of Design is a district-wide business organization founded to promote and market the West Hollywood design district and they are planning a winter holiday event and seeking City endorsement. **ACTION:** To endorse the Avenues of Design holiday event, authorize the issuance of peddlers' permits for the vendors associated with the event, and allow the use of blinking lights in the window displays.
Approved as part of consent calendar.

q. 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.

r. Emergency Training For Occupants of High Rise Buildings- Ordinance No. 157: For adoption: **ACTION:** Adopt on second reading, Ordinance No. 157, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REQUIRING EMERGENCY TRAINING FOR OCCUPANTS OF HIGH RISE BUILDINGS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".
Approved as part of consent calendar.

s. Amending the Provisions Creating the Transportation Commission - Ordinance No. 170: For adoption: **ACTION:** To adopt on second reading, Ordinance No. 170, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PROVISIONS CREATING THE TRANSPORTATION COMMISSION AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE".
Approved as part of consent calendar.

t. ORDINANCE NO. 169 - Relocation Fees - For Adoption: **ACTION:** Adopt Ordinance No. 169, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO TENANT RELOCATION ASSISTANCE

FEES AND NO-FAULT EVICTIONS".
Approved as part of consent calendar.

u. Approval of Job Description - CATV Producer/writer:
ACTION: Approve the job description for CATV Producer/writer
at salary range 4 (\$2101 - 2556).
Approved as part of consent calendar.

PUBLIC HEARINGS

3. ZONING ORDINANCE AMENDMENT - FENCE, WALL AND HEDGE HEIGHT REQUIREMENTS IN THE FRONT YARD:

Jeff Archuleta reported that the West Hollywood Zoning Ordinance currently specifies that fences, walls and hedges located within a required front yard shall not exceed a height of three and one-half feet. The Planning Commission has considered minor text amendments to allow taller walls and fences in certain cases and taller hedges in all residential zones and has recommended that the City Council adopt these proposed amendments. At this point in time Mayor Viterbi opened the Public Hearing and the following persons came forward to speak against the proposed Ordinance:

Helyne Landres, West Hollywood
Ira Stein, West Hollywood
Ethel Shapiro, West Hollywood
Budd Kops, West Hollywood
Jeanne Dobrin, West Hollywood

Coming forward to speak in favor of the Ordinance:

Carl Bruno, West Hollywood

No one else coming forward, Mayor Viterbi closed the Public portion of the Hearing and returned this item to Council for discussion.

RECOMMENDED ACTION: Hold the public hearing, take public testimony and then, if appropriate, introduce on first reading, Ordinance No. 171, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ARTICLE IX OF THE WEST HOLLYWOOD MUNICIPAL CODE (ZONING ORDINANCE) FOR THE PURPOSE OF MODIFYING THE HEIGHT REQUIREMENTS FOR FENCES, WALLS AND HEDGES IN THE FRONT YARD".

ACTION: Refer to staff to try to develop some kind of discretionary process other than a variance, whereby decisions could be made on a case by case basis. This item would then go to the Planning Commission and then be returned

to the Council for further discussion and action. By consensus of the Council.

CITIZEN COMMENTS: This time has been set aside for the public to address the City Council on any item. The following persons came forward to address the Council:

Virginia Vincent, West Hollywood - landlord complaint - she was referred to Richard Dorsey Muller.

Ron Shipton, West Hollywood - complaint on Creative City banners.

Jeanne Dobrin, West Hollywood - compliments - Plummer Park.

G. Bruce Traub, West Hollywood - Timer not accurate.

WRITTEN COMMUNICATIONS:

4. LETTER FROM RON SHIPTON DATED NOVEMBER 9, 1987: REQUESTING REFUND OF FILING FEE FOR APPEAL OF CONDITIONAL USE PERMIT 86-13, SEPHARDIC HEBREW ACADEMY, FOR "PRO BONO PUBLICO". The City Attorney reported that staff is preparing criteria for refunds. Council felt that the merits of the appeal and the finances of the appellant would both be germane. PROPOSED ACTION: Grant the refund. Motion Land second Albert.

AYES: Land

NOES: Albert, Heilman, Schulte, Mayor Viterbi

Motion failed.

UNFINISHED BUSINESS

5. HOMELESS PROGRAM REPORT: FY 1986-87 Annual Report and FY 1987-88 Program Plan for Services to the Homeless: This report brings together a concise look at the accomplishments of the first year, along with a program refinement designed to overcome barriers to effective and efficient service delivery which has been identified during the first year. Jodi Curlee and Bruce Rubenstein gave the staff report to the Council. RECOMMENDED ACTION: Accept the FY 1986-87 Annual Report and approve the FY 1987-88 Program for the Homeless. In addition, the City negotiate with Supervisor Edelman for the \$125,000 in CDBG funds be used by the County in an RFP for a residential shelter facility to be located in or adjacent to the City of West Hollywood.

ACTION: Schedule a study session in December on the Homeless Program, with consideration given to inviting staff, homeless staff, members of the Human Services Commission and members of the Sheriff's Department. By consensus of the Council.

6. REDUCTION OF PARK HOURS: Captain Squiers reported that Law enforcement activities in and around West Hollywood and Plummer Park would be greatly assisted by a change in park hours.

Coming forward to speak against the park closure:

Sam Weinstein, West Hollywood

ACTION: Increase the hours the park is closed from 3 a.m.-5 a.m. to midnight until 6 a.m., and bring back for review in 6 months. Refer to Public Facilities Board and Human Services Commission for recommendations and investigate a mechanism for enforcement, taking into consideration the parking needs in the area. City Attorney to prepare the Ordinance and bring back to Council at next meeting. Motion Schulte second Land. Hearing no objection it was so ordered.

NEW BUSINESS

7. GAY AND LESBIAN TASK FORCE APPOINTMENTS: RECOMMENDED **ACTION:** Appoint 16 community members to serve on the task force, with each councilmember appointing one man and one woman and with six at-large appointments to be made by the entire Council (3 men and 3 women). The Task Force will be convened the second week in January.

TABLED TO THE MEETING OF DECEMBER 7, 1987.

8. RENT STABILIZATION COMMISSION APPOINTMENT: Councilmember Schulte nominated Bill Carey as his appointment to the Rent Stabilization Commission for a term expiring April 30, 1988. The City Clerk reported that she had received Mr. Carey's resignation from the Human Services Commission. **ACTION:** Approve the appointment of Bill Carey to the Rent Stabilization Commission. Motion Schulte second Heilman. Hearing no objection it was so ordered.

9. PUBLIC FACILITIES BOARD APPOINTMENT: Mayor Viterbi nominated Dori Stegman as his appointment to the Public Facilities Board for a term expiring June 1, 1988. **ACTION:** Approve the appointment of Dori Stegman to the Public Facilities Board. Motion Mayor Viterbi second Schulte. Hearing no objection it was so ordered.

10. LOITERING BY MINORS: Captain Squiers, Sheriff's Department, reported that the City Council of Los Angeles has requested that the Board of Supervisors and the City Councils of all cities in Los Angeles County take action to strictly enforce the curfew law as part of an effort to cut down on

gang violence. ACTION: Instruct the City Attorney to bring back the appropriate ordinance with the requested hours amended to begin at midnight. Motion Land second Heilman. Hearing no objection it was so ordered.

LEGISLATIVE

11. ORDINANCE NO. 172 - NO FAULT EVICTIONS FOR AUTHORIZED REPAIRS: At the Council meeting of November 2, 1987, the Council directed staff to prepare amendments to the Rent Stabilization Ordinance relating to no-fault evictions. At this point in time the following persons came forward to address the Council in favor of the Ordinance:

Pamela Barkentin-Blackburn, West Hollywood
Dick Blackburn, West Hollywood
Allison McIntosh, West Hollywood
Michael Austin, West Hollywood
Carlos McClendon, West Hollywood
Mike Etter, West Hollywood

(All of the above are residents of the Lotus Apartments)

The City Attorney stated, for the record, that this ordinance is not before the City Council because of any one factual situation. This item has been in the works for a long time. The existing provision provides the City the ability and authority to contest a bad-faith or inappropriate eviction. It does not have all of the provisions of the proposed Ordinance but it has ample strength to challenge that. We have already taken steps under the existing legislation and this is just a tightening up.

ACTION: Introduce on first 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". Motion Schulte second Land. Hearing no objection it was so ordered.

ADJOURNMENT: Mayor Viterbi adjourned the meeting at 9:13 P.M. to a regular scheduled meeting for the purpose of holding a workshop on the Civic Center at 6:00 P.M. on November 23, 1987 at West Hollywood Park.