

**MINUTES
FEBRUARY 20, 1986
CITY COUNCIL MEETING**

**CLOSED SESSION - 6:00 P.M.
7:00 P.M. - REGULAR MEETING, WEST HOLLYWOOD PARK**

CALL TO ORDER: The meeting was called to order by Mayor Heilman at 7:15 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Heilman.

ROLL CALL: Present: Albert, Terrigno, Viterbi, Schulte,
Mayor Heilman
Absent: None
Also Present: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Pull from the Consent Calendar for separate discussion 2d, 2g, 2h, 2f, 2i, 2o. Hold Item 8c. Move Item 15 to the beginning of New Business - before Item 11. Schedule a closed session at the end of the agenda to discuss litigation and personnel.

ACTION: To approve agenda as amended. Hearing no objection so ordered.

ACTION: To adjourn meeting by 11:30 p.m. Motion Schulte second Mayor Heilman. Hearing no objection so ordered.

TREASURER'S REPORT: Treasurer's report was not available for this evening's meeting.

PROCLAMATION: February 12, 1986 Declared Guillaume A. Azoulay Day: **ACTION:** To approve proclamation. By the consensus of the Council so ordered.

PROCLAMATION: February 12, 1986 Declared Neil Sadaka Day: **ACTION:** To approve proclamation. By the consensus of the Council so ordered.

PROCLAMATION: February 21, 1986 Declared Maya Ying Lin Day: **ACTION:** To approve proclamation. By the consensus of the Council so ordered.

PROCLAMATION: Honoring Kay McGraw: **ACTION:** To approve proclamation. By the consensus of the of Council so ordered.

1. City Manager Report: Time was set aside for the City Manager to present any and all pertinent issues to City Council.

2. Consent Calendar: The following routine matters were acted upon by one motion to approve with the majority consent of the City Council. Items 2a, 2b, 2c, 2e, 2f, 2k, 2l, 2m, 2n, 2p, 2q, 2r. Motion Viterbi seconded Schulte.

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

NOES: None

Motion carried.

a) Minutes: January 16, 1986: ACTION: That Council approve the minutes from January 16, 1986. Approved as part of the Consent Calendar.

b) Minutes: January 30, 1986: ACTION: That Council approve the minutes from January 30, 1986. Approved as part of the Consent Calendar.

c) Minutes: February 6, 1986: ACTION: That Council approve the minutes from February 6, 1986. Approved as part of the Consent Calendar.

d) 1 Year Agreement for Cleaning of Sidewalks: ACTION: That the City of West Hollywood enter into a one year contract with South Bay Sweeping Company, with a thirty day termination clause, and direct the City Attorney to prepare an appropriate contract and authorize the City Manager to execute the agreement on behalf of the City Council of the City of West Hollywood. Motion Terrigno second Schulte.

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

NOES: None

Motion carried.

e) RFP - Building and Safety Services: ACTION: That Council authorize the solicitation of building service proposals. Approved as part of the Consent Calendar.

f) Ass't. Planner - Job Description: ACTION: That Council approve the Assistant Planner job description. Approved as part of the Consent Calendar.

g) Request for Authorization of New Positions: RECOMMENDED ACTION: The following is a list of recommendations from staff:

1) Transfer \$101,756 from the Unobligated Reserve (leaving a balance of \$53,495) to the following accounts for the following expenditures:

Division	Personnel	Costs	Division
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125 (A.S. Adm)	Administrative Analyst I	\$7,438	\$2,000
128 (A.S. Purch)	Purchasing Agent General Office Worker	8,198 5,496	10,000
160 (A.S. Fin)	Cashier (Acct Clerk I)	6,174	5,000
120	General Office Worker	21,980	0
135 (A.S. Coun Sup)	General Office Worker	21,980	3,000
160 (A.S. Fin)	General Office Worker	10,490	0

2) Authorize the creation of a Council Support Division in Administrative Services with the Secretary I and General Office Worker positions. No funds are involved.

3) Approve the change in the Table of Organization in Rent Control of the Assistant Director to an Administrative Analyst II, and of a Secretary I position to an Administrative Aide I position.

4) Authorize the transfer of \$20,000 from the Human Services Department, Social Services Division, to the Administrative Services Department, Finance Division, for an accountant position.

ACTION: Direction given for staff to come back in 2 or 3 weeks with a report dealing with the positions that are not now filled but are budgeted for the remainder of the fiscal year. Also directed staff to identify any modifications they would like to make. By the consensus of Council so ordered.

h) Street Tree Policy: **ACTION:** To direct the Public Facilities Board to undertake formulating policy and procedure relative to the planting, removal and maintenance of all trees in the parkways, medians, parks and islands in the City of West Hollywood. Motion Schulte seconded Albert.

AYES: Albert, Terrigno, Viterbi, Schulte, Mayor Heilman
NOES: None

Motion carried.

i) Demands and Warrants: **ACTION:** That Council approve the

Demand Register, Resolution No. 165. Motion Mayor Heilman second Albert.

AYES: Albert, Viterbi, Schulte, Mayor Heilman
NOES: None
ABSTAINED: Terrigno

Motion carried.

j) City Application for 1987/88 Tournament of Roses:
ACTION: That City Council authorize the CATV/Arts Administrator to submit an application on behalf of the City of West Hollywood to Pasadena Tournament of Roses to be considered for float sponsorship in the 1987/888 Rose Parade; and, if selected, approve a community-based effort. Motion to approve Terrigno seconded Schulte.

AYES: Albert, Terrigno, Viterbi, Schulte, Mayor Heilman
NOES: None

Motion carried.

Direction was given that staff find out all the City's options in participating in the parade, (such as sending a marching band).

k) Commercial Revitalization Project Design Standards:
ACTION: That Council approve the Design Standards to be implemented in conjunction with the Commercial Revitalization Program.
Approved as part of the Consent Calendar.

l) Workers' Comp for Volunteer Workers: ACTION: Approve Resolution No. 166, which declares that all volunteer workers are employees of the City of West Hollywood for purposes of Worker's Compensation and insurance.
Approved as part of the Consent Calendar.

m) Traffic Items: ACTION: That Council approve the following recommendations from the City Engineer:

1. Approve installation of a 4-way stop at Sweetzer and Willoughby. To adopt Resolution No. 163.
2. Removal of Parking Prohibition on west side of Hancock Ave. from Santa Monica Blvd. to 131 feet north. To adopt Resolution No. 164.

Approved as part of the Consent Calendar.

n) Claims - Ruth Greene: ACTION: To deny and refer to City's Insurance Adjuster.
Approved as part of the Consent Calendar.

o) Noise Ordinance: ACTION: To table this item to between Item 11 and 12. Motion Terrigno seconded Schulte.

AYES: Albert, Terrigno, Schulte, Mayor Heilman
NOES: Viterbi

Motion carried.

ACTION: To table to next regular Council meeting. By consensus of the Council so ordered.

p) Acceptance of Improvements: TR - 40986: ACTION: That Council approve the improvements and release surety bonds. Approved as part of the Consent Calendar.

q) Acceptance of Improvements: TR - 42778: ACTION: That Council approve the improvements and release surety bonds. Approved as part of the Consent Calendar.

r) Resolution Authorizing the State General Service Department to Purchase Materials, Supplies and Equipment: ACTION: That Council adopt Resolution No. 167 authorizing the Department of General Services of the State of California to purchase materials, supplies and equipment on behalf of the City of West Hollywood. Approved as part of the Consent Calendar.

PUBLIC HEARINGS

3. SMOKING ORDINANCE: ORDINANCE NO. 96:

Mayor Heilman opened the public hearing and the following people spoke on the subject:

Gerald Breitbart, 12160 La Casa Lane, L.A.: Spoke against the proposed Ordinance.

Jeanne Dobrin, 9000 Cynthia, W. H., C.A. 90069: Spoke in favor of the proposed Ordinance.

Jim Malinda, 1930 Tamarind Ave., #3: Didn't feel that the proposed Ordinance was more stringent than other cities.

ACTION: To amend Ordinance to read that the seating capacity be more than 45 seats excluding bar and outdoor dining area. Motion Terrigno second Schulte.

AYES: Terrigno, Schulte
NOES: Albert, Viterbi, Mayor Heilman

Motion failed.

ACTION: To Introduce Ordinance No. 96 on first reading as amended as follows:

Section 4703b1 to read, "Smoking areas may be designated in a separate and non-contiguous congregation area such as a lounge or cafeteria which does not constitute more than 50% of such available congregation area on the premises. Smoking areas may be designated in work areas only if such areas are separated by walls or floor to ceiling partition, distance or other methods in such a way to keep the non-smoking areas free from tobacco smoke to the maximum extent."

Section 4703-b2 to read, "to increase the percentage from 50% to 60% for allowing smoking in a restaurant of 35 or more seats."

4705-C to change the language to read, "Every restaurant with 35 or more seats and every restaurant with fewer than 35 seats which chooses to provide a non-smoking area shall have posted, etc..."

Change the effective date to May 21, 1986.

Motion Viterbi seconded Mayor Heilman.

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

NOES: None
Motion carried.

4. CENTER FOR EARLY EDUCATION (CUP and Variance):

Mayor Heilman opened the public hearing and The following people spoke on the subject:

Ron Goldman, 3900 Cross Creek Road, Malibu, CA 90265: Architect for project.

Reveta Bowers, 563 N. Alfred St., W.H., C.A. 90048: Spoke in favor of permit.

Carol Horvitz, 11231 Dona Isabel Dr.: Spoke in favor of the permit.

Gina Furth, 1259 N Clark St.: Spoke in favor of the permit.

Alica Abrams, 533 N. Alfred St., W.H., C.A. 90048: Spoke against the granting of the permit.

Bernice Wasserman, 533 No. Alfred St., W.H., C.A. 90048: Spoke against the granting of the permit.

William Ornellas, 534 N. La Cienega Blvd., W.H., C.A. 90048:
Spoke against the granting of the permit.

Nick Mitchezi, 536 N. La Cienega, W.H., C.A., 90048: Spoke
against the granting of the permit.

Wilfred Brench, 533 N. Alfred St., #1: Supported the tenants
objections.

Barbara Lichtenberg, 533 N. Alfred Street, W.H., C.A. 90048:
Spoke against the granting of the permit.

Jeanne Dobrin, 9000 Cynthia, W.H., C.A.: Spoke against the
granting of the permit.

ACTION: To put the following items on the agenda for next
meeting, (March 6, 1986): Items 6, 7, 8, 10, 11, 13 and 20.

ACTION: To direct staff to work with the applicant and residents
on the following five concerns and come back to Council with
their report on March 6, 1986:

1. - 6 ft. wall
2. - Blocking of windows and air space.
3. - Loading zone/on-site turn around.
4. - Tandem Parking.
5. - Noise.

By consensus of the Council so ordered.

ACTION: To set time for community meeting on the subject.
Meeting was scheduled for February 27, 7:00 p.m. at the Center
for Early Education.

5. CDBG FUNDS:

The following people spoke on the subject during the public
hearing:

Abbe Land, 1301 Havenhurst, W.H., C.A.: Spoke in favor of the
CDBG Program Project description.

Budd Kops, 969 N. Larrabee, W.H., C.A. 90069: Felt that
property owners should do the repairs required by law. Stated he
would like to see the program tightened.

Dennis Marks, 949 Larrabee St. #308, W.H., C.A.: Was in agreement with the previous speakers. Also felt that the \$300,000 set aside for the Homeless Program could be better used.

Dennis Bovey, 128 South La Brea Ave., program coordinator for the Handyman Program: Spoke on behalf of the project.

ACTION: That Council approve the CDBG Program Project Descriptions and authorize staff to work with the County of Los Angeles to execute the Memoranda of Understanding to implement the projects beginning July 1, 1986. Motion Schulte seconded Albert.

AYES: Albert, Terrigno, Viterbi, Schulte, Mayor Heilman
NOES: None

Motion carried.

Direction: That the City supplement the advertising for the Handyworker Program.

6. INTERIM ZONING ORDINANCE - DEMOLITIONS - ORDINANCE NO. 104U: For Adoption: Tabled to Council meeting of March 6, 1986.

UNFINISHED BUSINESS

7. INCLUSIONARY ZONING IN-LIEU FEE: Tabled to Council meeting of March 6, 1986.

8. COMMISSIONS AND BOARDS: Tabled to Council meeting of March 6, 1986.

9. WEST WEEK TRAFFIC PROBLEMS (Resolution): **ACTION:** That Council adopt Resolution No. 162, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DIRECTING THE SHERIFF'S DEPARTMENT TO PROVIDE TRAFFIC CONTROL SERVICE ON SAN VICENTE BOULEVARD." Motion Schulte seconded Viterbi.

AYES: Albert, Terrigno, Viterbi, Schulte, Mayor Heilman
NOES: None

Motion carried.

10. CITY SEAL: Tabled to Council meeting of March 6, 1986.

NEW BUSINESS

11. RECREATION SERVICES REPORT: Tabled to Council meeting of March 6, 1986.

12. **RECYCLING:** Tabled to Council meeting of March 6, 1986.

13. **RETURNABLE BOTTLE BILL:** Tabled to Council meeting of March 6, 1986.

LEGISLATIVE

14. **TITLE 13 - PENAL - ORDINANCE NO. 102U and 102:** ACTION: To table to meeting of March 6, 1986. By consensus of the Council so ordered.

15. **TITLE 17 - PARKS - ORDINANCE NO. 103U and 103:** The following people addressed Council on this issue.

John Hopkins, no address given: Felt that a curfew would not solve the real problems of the park such as lewd sexual activity.

Ethel A. Shapiro, 328 Westbourne Dr., W.H., C.A. 90069: Supported the closure of the parks from 2:00 - 5:00 a.m.

Sam Weinstein, 1125 N. Vista St., W.H., C.A.: Spoke against closure of the park.

Jeanne Dobrin, 9000 Cynthia, W.H., C.A.: Asked that Council do what the Sheriff's Office requested.

Ron Shipton, 8717 Rosewood, W.H., C.A.: Felt there was no reason to walk through park to get to car.

ACTION: That Council amend time for closure of parks to 3:00 to 5:00 a.m. Motion Terrigno seconded Albert.

AYES: Albert, Terrigno, Schulte
NOES: Viterbi, Mayor Heilman

Motion carried.

ACTION: That the City Council adopt as amended Ordinance No. 103U, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING PARK REGULATIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF." Motion Viterbi seconded Albert.

AYES: Albert, Viterbi, Mayor Heilman
NOES: Terrigno, Schulte

Motion failed.

ACTION: That the City Council introduce on first reading and approve as amended Ordinance No. 103, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING PARK REGULATIONS AND AMENDING THE

WEST HOLLYWOOD MUNICIPAL CODE."

AYES: Albert, Viterbi, Mayor Heilman

NOES: Terrigno, Schulte

Motion carried.

ORAL AND WRITTEN COMMUNICATIONS

a) Council: Direction: That staff prepare a program to implement and enforce the Smoking Ordinance and bring it back during the second reading of the ordinance.

Direction: To have staff prepare a budget analysis within the next 30 days.

b) Public: None

Council recessed to a brief personnel session at 12:00 a.m.

The Council meeting was reconvened at 12:15 a.m. at which time Mayor Heilman announced that no direction was given or action taken during the personnel session.

ADJOURNMENT: The meeting was adjourned at 12:15 a.m. to a study session on February 27, 1986 at Plummer Park - Hall A, 7:00 p.m.