

MINUTES
MARCH 6, 1986

CITY COUNCIL MEETING

7:00 P.M. - REGULAR MEETING, WEST HOLLYWOOD PARK

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

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

ROLL CALL: Present: Albert, Terrigno,
Viterbi, Schulte,
Mayor Heilman

Also
Present: City Manager - Brotzman
City Attorney - Jenkins

APPROVAL OF AGENDA: The following is a list of recommendations amending the evening's agenda:

Hold 17 for two weeks.

Add 2h: Demand Register #32, Resolution No. 171.

Add 2i: Claim of Eileen Hammes.

Add 2j: Resolution No. 172 - Establishing Voting Precincts and Polling Places.

Add 2k: Approval of Subpoenas from Rent Stabilization Dept.

ACTION: To table Item 18 for two weeks. Motion Schulte seconded Terrigno.

AYES: Albert, Terrigno,
Schulte,
Mayor Heilman

NOES: Viterbi
Motion carried.

ACTION: To approve agenda as amended. By consensus so ordered.

PROCLAMATION: Proclaiming the Southern California Gay/Lesbian Athletic Network as the City's representative in the San Francisco Gay Games II: ACTION: To approve. By the consensus of the Council so ordered.

PROCLAMATION: Proclaiming March 17th-23rd as "West Week '86 Week": ACTION: To approve. By the consensus of the Council so ordered.

1. City Manager Report: The City Manager reported to City Council on various issues.

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, 2d, 2g, 2h, 2i, 2j, 2k. In addition Items 2e and 2f were pulled off the Consent Calendar for separate discussion. Motion Albert second Schulte.

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

NOES: None
Motion carried.

a) Street Name Change - George Burns Road: ACTION: To adopt Resolution No. 169, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CHANGING THE NAME OF HAMEL ROAD TO GEORGE BURNS ROAD."

b) Playboy Jazz Festival: ACTION: To approve the "Jazz in West Hollywood" program and the use of funds not to exceed \$500.

c) Selection of an Architectural Consultant Firm for the Commercial Revitalization Project: ACTION: Approve the agreement between the City of West Hollywood and K3 Architecture.

d) Selection of a Design Firm to Engineer the Public Improvements for the Studio Revitalization Project: ACTION: That Council approve the agreement between the City of West Hollywood and Takata Associates.

e) Civic Center Project: RECOMMENDED ACTION: Approve the suggested process and direct staff to issue a RFP for a consultant to act as a facilitator for conducting the needs assessment and preliminary building program development phase.

ACTION: To approve the recommended action with the following two modifications:

1. Staff to rely primarily on the Public Facilities Board and that if additional committees need to be created then staff come back to Council at a later date.

2. RFP to come back for discussion with the recommendation that the City hire an outside firm.

Motion Viterbi second Albert.

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

NOES: None
Motion carried.

f) Request for Qualifications for Financial Advisor:
RECOMMENDED ACTION: That City Council approve the distribution of the RFQ, and approve the establishment of an Evaluation Committee, to be comprised of the Chair of the City Council Finance Committee, the City Manager, Assistant City Manager, Director of Community Development and City Attorney.

ACTION: That Council approve the recommended action with the following two modifications:

1. To include on the evaluation committee a citizen appointee.

2. On page 2, 2nd paragraph, of the Request For Qualifications to change wording to "the City may require".

Motion Schulte second Viterbi.

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

NOES: None
Motion carried.

g) Amendment to City's Local CEQA Guidelines: ACTION: Adopt Resolution No. 170, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AMENDING RESOLUTION NO. 100 AND THE CITY'S LOCAL CEQA GUIDELINES."

h) Demands and Warrants: Demand Register #32, Resolution No. 171: ACTION: To adopt Resolution NO. 171, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING FOR PAYMENT, DEMANDS PRESENTED ON DEMAND REGISTER NO. THIRTY-TWO".

i) Claim: Eileen Hammes: ACTION: To deny without comment and refer to insurance adjuster.

j) Resolution No. 172 - Establishing Voting Precincts: ACTION: That Council adopt Resolution No. 172, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, ESTABLISHING VOTING PRECINCTS AND POLLING PLACES, APPOINTING PRECINCT BOARD MEMBERS AND FIXING COMPENSATION FOR THE GENERAL MUNICIPAL ELECTION ON TUESDAY, APRIL 8, 1986, CALLED BY RESOLUTION NO. 137 OF THE CITY COUNCIL".

k) Approval of Subpenas for Rent Stabilization Department:
ACTION: To approve application and Subpena Duces Tecum to: Custodian of Records, Bank of America and Custodian of Records, Fidelity Federal Savings and Loan.

PUBLIC HEARINGS

3. Center for Early Education (CUP & Variance): ACTION: Opened the Public Hearing on the Center for Early Education,

took testimony from the public, closed the Public Hearing and returned to Council for discussion.

The following people spoke in favor of the issue during the public hearing:

Arlen H. Andelson, 825 N. San Vicente, W.H., CA (Attorney for project):

William A. Long, No Speaker Slip Given:

Allen Lenard, 8027 Briar Summit Dr., W.H., CA 90046:

The following people spoke against the issue during the public hearing:

Ron Shipton, 8718 Rosewood, W.H., CA 90048:

Barbara Lichtenberg, 533 N. Alfred St., W.H. 90048:

Bud Kops, 969 N. Larrabee St., W.H., CA 90069:

Jeanne Dobrin, 9000 Cynthia, W.H., CA 90069:

ACTION: To approve staff recommendations with the following amendments:

1. #3U was subject to approval of the owner.
2. Add an audit of school enrollment.
3. Public assembly would be limited to no more than six times per year during non-school hours.
4. Require faculty and staff to park in the garage and that they would not be charged for the parking.
5. Stop sign requirement subject to the City Engineer's approval.

Motion Terrigno second Albert.

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

NOES: None
Motion carried.

4. Interim Zoning Ordinance - Demolitions - Ordinance No. 104U: For Adoption: ACTION: Continue for two weeks for reasons stated in staff report. Motion Schulte second Albert.

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

UNFINISHED BUSINESS

5. Inclusionary Zoning In-Lieu Fee: ACTION: Continue for two weeks for reasons stated in staff report. By consensus so ordered.

6. Commissions and Boards:

The following spoke on the subject during public testimony.

Harald Hahn, 8731 Rosewood, W.H., CA 90048: Objected to putting off forming a Public Safety Board.

Jeanne Dobrin, 9000 Dobrin, W.H., CA 90069: Felt that establishing a Design Review Board was putting the cart before the horse. Felt the City should get rid of visual pollution first.

a) Business License Commission: ACTION: Establish an Interim Business License Commission composed of 7 members.

b) Design Review Board: ACTION: Direct staff to return with report on Design Review Board in three months.

c) Arts Board: ACTION: Establish a Fine Arts Board within six months.

d) Public Safety Board: ACTION: Hold Public Safety Board until it can be developed further by staff. Direction given for report to come back within three months.

The above items a, b, c and d were approved by consensus of the Council.

7. City Seal: Tomito Kakos made an oral presentation regarding the "revised" City Seal to the City Council at this time. ACTION: Accept the City Seal submitted to Council by Tomito Kakos and thank him for his effort. In addition, refer this seal and the seal selected by the Citizen Committee to the firm chosen for the graphic identification program. Motion Mayor Heilman second Albert.

AYES: Albert, Viterbi, Mayor Heilman

NOES: Terrigno, Schulte
Motion carried

DIRECTION: If Council does approve some sort of graphic identification program, then Council would like to see what they recommend and at that time Council can ask that Tomito Kakos be included in the process.

8. Recreation Services Report:

a) LA County Contract vs. In-House Services:
RECOMMENDED ACTION: That City Council authorize the

development of a City in-house Recreation Services Division, approve the job descriptions and salary levels, and authorize staff to begin the process of transferring control of the City's recreation services program from LA County to the City of West Hollywood.

ACTION: To approve recommendation with direction that weight be given to those already employed by the County. Motion Terrigno second Schulte:

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

NOES: None
Motion carried.

b) Aquatics Contract / Summer 1986: ACTION: That the City Council authorize staff to renew the aquatics contract with LA County for the Summer of 1986, with the City gaining administrative control of the aquatics program. Motion Mayor Heilman second Schulte.

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

NOES: None
Motion carried.

NEW BUSINESS

9. Proposal for Joint Meeting with City Council of Beverly Hills: DIRECTION: To have City Manager move forward for arranging a joint meeting with the City Council of Beverly Hills for sometime in the early summer after the elections in both cities.

10. Program for the Homeless: RECOMMENDED ACTION: Authorize the creation of an in-house homeless outreach and assessment team project by July, 1986. Job descriptions and budget to be approved by Council, authorize staff to negotiate with "Turning Point" for an assistance contract. Funding level to be approved by Council.

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

John W. Vondouris, 1300 N. Laurel, W.H., C.A. 90046:
Recommended that the City get more citizen involvement.

John Hopkins, 2701 Wilshire Blvd., #401, W.H., C.A. 90027:
Felt rehabilitation and counselling were main needs and should be dealt with. Mr. Hopkins stated he'd like to see Ordinance No. 103 postponed until more is done.

ACTION: To approve recommendation. Motion Schulte second Albert.

AYES: Albert, Viterbi, Schulte, Heilman

NOES: None

ABSENT: Terrigno
Motion carried.

11. Noise Ordinance: ACTION: Table for two weeks. By the consensus of the Council so ordered.

12. Recycling: ACTION: Council decided that they would not be uncomfortable waiting three to six months for staff to come back with a completed proposed recycling research project. Direction was given for staff to bring back some other model ordinances and a proposed work plan that would include Council discussion or sub-committee discussion with businesses in the community.

(Councilmember Terrigno returned to the meeting at this time.)

13. Returnable Bottle Bill: ACTION: Direction given for staff to bring back an ordinance on this item so that Council can see what it entails.

14. Ad Hoc Task Force on City Management and Organization:

The following people gave public testimony on the subject:

Harald R. Hahn, 8731 Rosewood, W.H., CA 90048: Felt that the task force should be limited to three people and that it be formed after the election.

ACTION: Approve in concept and hold for two weeks so staff can develop further and come back with a recommendation. By the consensus of the Council so ordered.

LEGISLATIVE

15. Smoking Ordinance:

(Councilmember Terrigno left the meeting at this time)

a) For Adoption:

The following people gave public testimony on the subject:

Fred Huebscher, 1523 N. Vista St, W.H., CA: Spoke in favor of adopting the smoking ordinance.

Jerry Brighhart - California Restaurant Association, (no speaker slip available): Felt that dining room and kitchen should not be considered a workplace.

Stephen Michael, 1351 Crescent Heights, #111, W.H., CA 90046: Felt that it be required that everyone be asked their seating preference and expressed a major concern about implementing

the ordinance.

ACTION: To approve and adopt Ordinance No. 96, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Viterbi second Albert.

AYES: Albert, Viterbi, Schulte,
Mayor Heilman

NOES: None

ABSENT: Terrigno
Motion carried.

b) Report From Staff on Implementation: RECOMMENDED
ACTION: Review the three following identified alternatives:

1. Put out press releases and consider violations as civil offenses.
2. Put out press releases; notify businesses; and, handle violations by complaint.
3. Put out press releases, notify businesses of the ordinance, inspect businesses annually (as a basis for prosecution), and handle violations by complaints.

PROPOSED ACTION: To adopt #2 with the following modifications:

1. To hold workshops to help businesses understand and implement the law.
2. Limited random inspection of signs to see how well the law is being implemented.

Motion Viterbi second Schulte.

AYES: Viterbi, Schulte

NOES: Albert,
Mayor Heilman

ABSENT: Terrigno
Motion failed

PROPOSED ACTION: To adopt #1. Motion Mayor Heilman second Albert.

AYES: Albert,
Mayor Heilman

NOES: Viterbi, Schulte

ABSENT: Terrigno
Motion failed

(Councilmember Terrigno returns to meeting at this time.)

ACTION: To adopt #2 with direction to staff to keep enforcement to as low a cost as possible and out of the courts. Motion Viterbi second Mayor Heilman.

AYES: Albert, Viterbi,
Schulte,
Mayor Heilman

NOES: Terrigno
Motion carried.

16. Title 13 - Penal - Ordinance No. 102U and 102:

The following people gave public testimony on the subject:

Harald R. Hahn, 8731 Rosewood, W.H., CA 90048: Spoke against the proposed Ordinance.

ACTION: That the City Council adopt Urgency Ordinance No. 102U with the following amendment: In section 4111 limit the wording to loiter and eliminate stroll or walk aimlessly. Motion Viterbi second Schulte.

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

NOES: NONE
Motion carried.

ACTION: That the City Council introduce Ordinance No. 102 on first reading as amended. Motion Schulte second Viterbi.

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

NOES: None
Motion carried.

17. Resolution Expressing Concern About the Use of the Name JAPSS: ACTION: To hold for two weeks. By the consensus of the Council so ordered.

18. Ordinance No. 103: Park Hours for Adoption: ACTION: To hold for two weeks. By the consensus of the Council so ordered.

ORAL AND WRITTEN COMMUNICATIONS:

a) Council: ACTION: To waive permit parking requirement during Westweek. Motion Mayor Heilman second Terrigno.

AYES: Albert, Terrigno, Viterbi, Schulte,

Mayor Heilman

NOES: None
Motion carried.

b) Public: The following people addressed the Council at this time:

Ronald Shipton, 8718 Rosewood. W.H., CA 90048: Read a letter he had written to Council.

Jeanne Dobrin, 9000 Cynthia, W.H., CA: Brought to Council's attention the "illegal" banners on the front of the meeting hall. In addition, suggested that when outside experts come to testify or people who drive a long distance they should speak earlier.

The meeting was recessed at 12:55 a.m. to a closed session to discuss issues of personnel and potential litigation.

The meeting was reconvened at 1:00 a.m. It was announced that no action was taken or direction given.

ADJOURNMENT: The meeting was adjourned at 1:00 a.m. by Mayor Heilman to a regular Council meeting at West Hollywood Park at 7:00 p.m., March 20, 1986.