

MINUTES

WEST HOLLYWOOD CITY COUNCIL MEETING

**AUGUST 21, 1986
WEST HOLLYWOOD PARK
7:00 P.M.**

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

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Aida Morgenstern

ROLL CALL:

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

APPROVAL OF AGENDA: The following is a list of recommendations from Council amending the evening's agenda: The Consent Calendar was placed before the Public Hearings, with those items removed for separate discussion, items 5c, 5e, 5f, 5n, 5r, 5u and 5w held for after the public hearings, Item 4a. A correction was made in 5h, changing Thursday to Tuesday. Item 9 was moved to the Consent Calendar, Item 5x. Item 4b, comments from the public on furniture moving fees, and Item 4d, Street Fair Petitions were added to the agenda. Item 10 was moved to Item 4c and Item 8 was held to next week's meeting, except for any and all public comment. Approved by consensus of the Council.

PROCLAMATIONS: UNION LABEL WEEK - SEPTEMBER 1-6, 1986

TREASURER'S REPORT - JONATHAN AHEARN: City Treasurer Ahearn reported a starting balance of \$7,921,080 and an ending balance of \$7,237,670 for the Month of June, 1986 and a starting balance of \$7,237,670 and an ending balance of \$7,284,332 for the month of July, 1986.

CITY MANAGER'S REPORT: This time is provided for the City Manager to report on any and all matters. The following subjects were discussed: Transportation Planner, Channel 36, League of California Cities Resolutions, the joint sub-committee of Commissions, Street cleaning on Santa Monica Blvd., and the cleaning of sidewalks by merchants to be discussed with the Chamber of Commerce. Mayor Schulte reported that Gerda Spiegler was resigning from the Rent Stabilization Commission and that the Farmer's Market would be open on Labor Day.

PUBLIC HEARINGS

1. OVERSIGHT ORDINANCE NO. 116- CLEAN-UP ON ZONING ORDINANCE:

The Staff report was given by Howard Zelefsky, Planning and Zoning Director. Mayor Schulte opened the public hearing. The following persons came forward to speak:

Budd Kops, 969 N. Larrabee; requested that the Council clear up the language in the Ordinance as regards "close proximity".

Joyce Hundal, 9002 Rangely; opposed to open roof-top parking adjacent to residential.

Ralph Feeley, 812 Westbourne; opposed to open roof top parking.

Jeanne Dobrin, 9000 Cynthia; pointed out a couple of typo/editorial errors; also stated she agreed with Budd Kops on "close proximity".

Arlen Andelson, 825 N. San Vicente; spoke about strict parking requirements.

Frank Diernhammer, 8605 Rugby Dr.; opposed to roof top parking.

Bruce Traub, 828 Huntly: opposed to open roof top parking.

Councilmember Heilman requested additional language in Section 7 that Outdoor display not be in required parking spaces. Mayor Schulte requested wording in Section 21, on Commercial tandem parking. Councilmember Viterbi asked that "with the unit number" be deleted in section 21, paragraph 1, and substitute "appropriately".

ACTION: To find that Ordinance 116 is consistent with the General Plan. To waive further reading and introduce Ordinance 116, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE ZONING ORDINANCE BY MAKING VARIOUS CLARIFICATIONS AND CORRECTING VARIOUS CLERICAL ERRORS AND OMISSIONS THERETO AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE", as modified. Motion Heilman second Viterbi. Hearing no objection it was so ordered.

2. REGISTRATION FEE REBATE PROGRAM: THIS ITEM WAS HEARD FIRST ON THE AGENDA BUT IS LISTED HERE FOR CLARITY. The staff report was given by Richard Dorsey Muller. Mayor Schulte opened the public hearing and the following persons came forward to speak in favor of the rebate:

Mary Beavers, 1030 N. Orange Grove
Monte Gilbert, 7720 Hampton Ave.
Miriam Ganz, 918 N. Havenhurst

ACTION: To approve a rebate at the end of the year. Motion Schulte second Albert.

AYES: Albert, Heilman
Viterbi
Mayor Schulte

NOES: None

Motion carried.

FURTHER ACTION: That the rebate be for \$48.00 to the very low income elderly and disabled. Motion Viterbi second Albert.

AYES: Albert, Viterbi
Mayor Schulte

NOES: Heilman

Motion carried.

3. FIRE CODE - ORDINANCE NO. 112- FOR ADOPTION: Mayor Schulte opened the Public Hearing. No one coming forward to speak he closed the Public Hearing.

ACTION: To waive further reading and adopt Ordinance No. 112. Motion Albert second Heilman. Hearing no objection it was so ordered.

4. CONVERSION ORDINANCE:

The staff report was given by Howard Zelefsky. During Council discussion the following changes were made:

Add "Parking standards contained in this Article for new multiple family structures shall be complied with", to Paragraph 8, Section 3c and change " 15 days notice" to " 30 days notice" on page 14.

ACTION: To approve the negative declaration. Motion Heilman second Albert. Hearing no objection it was so ordered.

FURTHER ACTION: To waive further reading and introduce Ordinance No. 114. Motion Heilman second Albert.

AYES: Albert, Heilman
Viterbi
Mayor Schulte

NOES: None

Motion carried.

FURTHER ACTION: To waive further reading and adopt Ordinance No. 114U. Motion Heilman second Albert.

AYES: Albert, Heilman
Viterbi
Mayor Schulte

NOES: None

Motion carried.

4a. ITEMS PULLED FROM CONSENT CALENDAR: (Listed on Consent for clarity)

4b. PUBLIC COMMENTS ON MOVING FEES: The following persons rose to address the Council against allowing the landlord to charge the tenant for furniture moving fees for painting or installing new carpet:

Virginia Vincent, 1001 Hammond
Miriam Ganz, 918 N. Havenhurst
Janet Bridgers, 9016 Harratt St.
Glenda Tusher, 1020 N. Stamley Ave.
Janice Murray, 7530 Lexington

The following persons spoke in favor of the landlords charging the tenants:

John Sward, 1124 N. Clark St.
Albert Korngute, 850 N. Kings Road

The City Clerk reported that the following persons had communicated with her office in opposition to allowing the landlords to charge:

April Booth, 940 Hancock, #5
Jeane Bendorf, 1316 N. Laurel Avenue
Susan Frazer, 940 Hancock, #11

ACTION: This item will be scheduled for the meeting of September 4, 1986.

4c. ITEM 10 MOVED UP, DESIGN ON THE CUL DE SACS: The staff report was given by Bob Mimiaga and the City Attorney reported on a proposed deed restriction for 310-311 Huntley. The following persons came forward to speak in opposition to the proposed design:

Bernard Tohl, 415 Westmount Dr. (also presented a letter)
Allen Chivens, 435 N. Westmount Dr.
Ethel Shapiro, 328 Westbourne
Martin Strudler, 403 Westbourne Dr.
Jack Rael, 314 Huntley Dr.
Joyce Hundal, 9002 Rangely
Edward Berman, 317 Huntley Dr.
Teresa Garay, 425 Westmount

ACTION: Direct staff to meet with members of the community, re-design with gates included and hammerhead design at least on Westmount; also discuss landscaping. To return to Council in one month. Motion Heilman second Albert

AYES: Albert, Heilman
Viterbi
Mayor Schulte

NOES: None

Motion carried

FURTHER ACTION: To approve the revised location on Westbourne (moved to the South). Motion Heilman second Albert.

AYES: Albert, Heilman
Viterbi
Mayor Schulte

NOES: None

Motion carried

FURTHER ACTION: To Table the proposed deed restriction for more information following the community meeting. Motion Heilman second Albert. Hearing no objection it was so ordered.

4d. STREET FAIR PETITIONS: This item was added during approval of agenda. Mayor Schulte reported that the Council had received a petition signed by 30 businesspeople in the area where the Street Fair is to be held. The following persons came forward to present the petition voicing their opposition to the street closure and the open drinking:

Ronald Ware, 7900 Santa Monica Blvd.

Jerri Kenneally, 7936 Santa Monica Blvd. (Lee Strasberg Theatre Institute)

Harry Haroutunian, 7910 Santa Monica Blvd.

Joyce Azelton reported that community meetings have been held on Wednesday evenings in Plummer Park in an effort to work with the community. The beer gardens have been relocated to accommodate the school and are expected to bring in a large percentage of the revenue needed to support the fair.

PROPOSED ACTION: To restrict beer consumption to the beer gardens and to relocate them to at least 1 block from the school. Motion Viterbi. Dies for lack of a second.

Mayor Schulte called a recess at 10:10 p.m..

The meeting was reconvened at 10:30 p.m.

CONSENT CALENDAR: THIS ITEM WAS HEARD AT THE BEGINNING OF THE AGENDA BUT IS LISTED HERE FOR CLARITY. The following routine matters were acted upon by one motion to approve with the majority consent of the City Council. ACTION: To approve Items 5a, b, d, g, h, i, j, k, l, m, o, p, q, s, t, v, x. Motion Heilman second Albert. Hearing no objection so ordered.

5a. **CLAIMS:** Laja Szydlorski - Fall at Plummer Park
Robert Glenn Jordan - Car damaged by baseball

ACTION: To deny and refer to insurance adjuster.

5b. **MINUTES:** May 9, 1985
May 16, 1985
May 23, 1985
May 29, 1985
June 6, 1985
June 13, 1985
June 20, 1985
November 25, 1985
June 26, 1986
July 17, 1986
July 24, 1986

ACTION: To approve the above listed minutes.

5c. **CITY BUSINESS DIRECTORY:** THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY.

ACTION: To approve \$5,000 for the directory. Motion Viterbi second Albert. Hearing no objection so ordered.

5d. **RESOLUTION NO. 225 - ADOPTING AN IN-LIEU FEE SCHEDULE AND THE METHOD FOR CALCULATING IN-LIEU FEES:** ACTION: To approve and adopt Resolution No. 225 as stipulated by Section 9225, Article IX, Chapter 2 of the West Hollywood Municipal Code: "A RESOLUTION OF THE CITY COUNCIL OF WEST HOLLYWOOD ADOPTING AN IN LIEU FEE SCHEDULE AND THE METHOD FOR CALCULATING IN LIEU FEES."

5e. **JOINT MEETING WITH TELECOMMUNICATIONS TASK FORCE:** THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. ACTION: To schedule a joint study session of the City Council and the Telecommunications Task Force for the purpose of presenting their findings. City Manager to return with schedule of dates for this meeting and also meeting with Club owners. By consensus of the Council.

5f. **JOB DESCRIPTIONS:** THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. ACTION: To approve the job descriptions for the following positions:

Director of Public Works/City Engineer
Information Systems Manager
Transportation Manager
General Counsel

Cable TV Production Supervisor
Cable TV Production Assistant
Auditor/Accountant
Admin. Aide II

Motion Heilman second Albert. Hearing no objection so ordered.

5g. **TREASURER'S REPORTS FOR JUNE AND JULY:** ACTION: To Receive and file.

5h. **LIVE TV COUNCIL MEETINGS:** ACTION: To approve the request to broadcast the Council meetings live on Cable channel 36 and to replay the meetings on the following Tuesday on Cable channel 10.

5i. **FAIRFAX HIGH LIAISON:** ACTION: To authorize purchase of \$1,850 worth of educational materials for distribution by Project 10 of Fairfax High School.

5j. **WEST HOLLYWOOD MURAL:** ACTION: To endorse the West Hollywood Historical Mural, subject to review and approval by the Community Development Department and the respective Commissions.

5k. **SUPPLEMENTAL PARKING STUDY - REQUEST FOR FUNDS:** Deleted from the agenda at the request of staff.

5l. **AMERICAN INDIAN DAY PARADE:** ACTION: To approve and endorse the American Indian Parade on October 12, 1986; direct staff to assist the organization in obtaining proper permits for the parade, and to assume approximately \$2,500 for law enforcement costs for the parade.

5m. **EXTENSION OF LOBBYIST CONTRACT ON RENT CONTROL AND RELATED ITEMS:** ACTION: To extend the contract of Lenny Goldberg and Associates through the end of the 1986-87 fiscal year at a cost of \$12,000, subject to re-negotiation or termination.

5n. **GENERAL PLAN STATUS REPORT:** THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. ACTION: To adopt the strategy outlined at the end of Option III as modified in part by GPAC, with a 2-month restriction on the Planning Commission review. Motion Heilman second Albert.

AYES: Albert, Heilman,
Viterbi,
Mayor Schulte

NOES: None

Motion carried.

5o. **APPROVAL OF OPERATING AGREEMENT WITH SHELTER MEDIA, INC. FOR THE INSTALLATION OF BUS SHELTERS:** ACTION: To approve the operating agreement with Shelter Media, Inc.

5p. REQUEST FOR PROPOSALS - PRE-DEVELOPMENT FEASIBILITY

ANALYSIS: ACTION: To approve the request for proposals to conduct a pre-redevelopment feasibility analysis.

5q. WEST HOLLYWOOD MARKETING CORPORATION CHANGE: ACTION: To approve Doug Routh's move to the Advisory Committee of the West Hollywood Marketing Corp., and Richard Rosenzweig's move to the Board of Directors.

5r. STREET TREE MASTER PLAN: THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. ACTION: To accept the Public Facilities Board's recommendation and direct staff to authorize Harris & Associates to undertake an in-house street tree master plan. Motion Heilman second Albert. Hearing no objection so ordered.

5s. AUTHORIZATION TO ADVERTISE FOR BIDS FOR TRAFFIC SIGNAL - SAN VICENTE - CYNTHIA: ACTION: That staff be authorized to advertise the project for construction bids.

5t. ACCEPTANCE OF IMPROVEMENTS - 1986 STREET OVERLAY PROGRAM: ACTION: To accept the improvements, and authorize the following:

1. Progress payment #1 in the amount of \$130,477.60
2. Filing of a Notice of Completion by the City Clerk
3. Final payment of \$6,867.24 at the end of the 35-day lien period.

5u. NO PARKING TICKETS ON LABOR DAY: THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY. ACTION: To approve and adopt Resolution No. 229, which suspends the enforcement of meter violations and violations of time limited parking zones on Labor Day, September 1, 1986. To not ticket on Legal Holidays. (Staff to prepare proper Resolution). Motion Albert second Heilman.

AYES: Albert, Heilman,
Viterbi,
Mayor Schulte

NOES: None

Motion carried.

5v. DEMANDS & WARRANTS: Demand Register No. 42 and Demand Register No. 43:

ACTION: To approve.

5w. EXTENSION OF MCADAMS & SIEMBAB CONSULTING CONTRACT: THIS ITEM WAS REMOVED FOR SEPARATE DISCUSSION BUT IS LISTED HERE FOR CLARITY.

ACTION: To extend the contract of McAdams & Siembab. Motion Heilman second Albert. Hearing no objection so ordered.

5x. LEGISLATIVE ADVOCACY STRATEGY: ACTION: To approve the proposed strategy and extend Helyne Meshar's contract as the City's AIDS Legislative Advocate until June 30, 1987.

UNFINISHED BUSINESS

6. ACCESS FOR PHYSICALLY CHALLENGED - WEST HOLLYWOOD PARK: Staff Report was given by Jeri Chenelle. Coming forward to speak were the following:

Aida Morgenstern, 8841 Ashcroft, W.H., CA.

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

Brad Crowe, 313 Westbourne Drive

ACTION: To appropriate \$8,000 from the unappropriated reserve to account 7700-499-975, West Hollywood Park Improvements, with the understanding that staff will accomplish the improvements at the lowest possible price and any remainder of the \$8,000 will be returned to the reserve. Motion Heilman second Albert. Hearing no objection so ordered.

7. SCHEDULING OF CITY COUNCIL MEETINGS: ACTION: To set the day of the meeting for the 1st and 3rd Mondays of each month, with Study Sessions on the 4th Monday of each month, and waive further reading and introduce Ordinance No.113. Motion Heilman second Albert. Hearing no objection so ordered.

8. NOI FOR RENT STABILIZATION ORDINANCE-For Discussion: ACTION: Continued to August 28, 1986.

9. AIDS LEGISLATIVE ADVOCACY STRATEGY: (Moved to consent calendar at item 5x)

10. DESIGN PRESENTATION - HUNTLEY ET AL CUL DE SAC:

Moved to item 4c.

NEW BUSINESS

11a. PERMIT PARKING - SHERMAN DISTRICT: The staff report was given by Howard Zelefsky, and Joyce Hundal reported for the Transportation Commission. The following people came forward to speak in favor of the proposals for both the Sherman District and the West Knoll District:

Bruce Traub, 828 Huntley Drive

Frank Diernhammer, 8605 Rugby Dr.

Vincent Neglia, 623 Westbourne Dr., #6

Dale Liebowitz-Neglia, 623 Westbourne Dr., #6

Charles Christ, 803 1/2 Huntley

Mitchel Nutick, 651 1/2 Huntley Dr.

George Marshall, 554 Westbourne Dr.

Ralph Feeley, 812 Westbourne Dr.
Dick Rosengarten, 8535 West Knoll Dr., #212
Joyce Hundal, 9002 Rangely
Walter Schlosser, 1013 Hancock Avenue
Norman Chramoff, 806 Westbourne Dr.
Jeanne Dobrin, 9000 Cynthia

ACTION: To adopt the recommendations of the Transportation Commission and instruct the staff and City Attorney to return at a subsequent meeting with draft ordinances which do the following:

(A) Repeal the prior enabling Ordinance and adopt a new one reflecting the proposed changes;

(B) Repeal the prior ordinance creating District No. 1 and adopt a new ordinance reflecting the proposed language changes and incorporating the Sherman Area.

Motion Schulte second Albert.

AYES: Albert, Heilman,
Viterbi,
Mayor Schulte

NOES: None

Motion carried.

11b. PERMIT PARKING - WEST KNOLL AREA: Action: To approve the following staff recommendation with modification of the original area.

(A) Establish a district in concept, and instruct the city staff to return with an implementing ordinance; then

(B) Instruct the Transportation Commission to develop implementation guidelines; then

(C) Adopt a clean-up ordinance correcting and improving the existing enabling ordinance; then

(D) Adopt the implementing ordinance for the West Knoll area, reflecting the changes proposed by the Transportation Commission; and

(E) Implement the District (which could be called District No. 2).

Motion Heilman second Albert.

AYES: Albert, Heilman,
Viterbi,
Mayor Schulte

NOES: None

Motion carried.

12. USE OF RADAR FOR ENFORCEMENT OF SPEED LIMITS: Staff report was given by Bob Mimiaga and Lt. Don Morrow. ACTION: Approve the City Engineer's and Sheriff's recommendations:

1) That radar be used to enforce speed limits in the City; 2) That the Willdan spot speed zone study be adopted with the revision recommended by staff; and 3) That the City Attorney be instructed to prepare the necessary revisions for the proposed 6 speed limit increases for adoption by the City Council. Motion Heilman second Albert.

AYES: Albert, Heilman,
Viterbi
Mayor Schulte

NOES: None

Motion carried.

LEGISLATIVE

13. SMOKING ORDINANCE AND ALARM ORDINANCE REVISIONS: ACTION: To waive further reading and introduce on first reading, Ordinance No. 115 "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RECODIFYING THE BURGLAR ALARM AND SMOKING REGULATIONS AND AMENDING PROVISIONS OF THE BURGLAR ALARM ORDINANCE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE," with change on page 2, Section 5 - "In case of restaurants, on each table". Motion Schulte second Heilman. Hearing no objection so ordered.

14. POPPERS ORDINANCE - FOR ADOPTION: ACTION: To Waive further reading and adopt Ordinance No. 111, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REQUIRING POSTING OF WARNING SIGNS FOR THE SALE OF ALKYL NITRITES (POPPERS) AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Heilman second Albert. Hearing no objection so ordered.

15. PURCHASING ORDINANCE REVISION: ACTION: To waive further reading and introduce on first reading, Ordinance No. 117, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO THE PURCHASING SYSTEM AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Motion Viterbi second Heilman. Hearing no objection so ordered.

16. WRITTEN AND ORAL COMMUNICATIONS

a) City Council: Councilmember Viterbi requested that the Council approve a request to sponsor a bus for the Retired Senior Volunteer Program for approximately \$150.00. Approved by consensus of the City Council.

b) Public: Jeanne Dobrin, 9000 Cynthia spoke to the Council concerning staff support for the Transportation Commission and praising Joyce Hundal for her hard work on the Permit Parking issue.

CLOSED SESSION:

The City Council adjourned to a closed session at 12:20 A.M. to discuss matters of personnel and potential litigation, including the MaMaison, the Santa Monica Median Strip, and several rent control cases.

The City Council returned from closed session and announced the appointment of Richard Dorsey Muller as Director of Rent Stabilization Department.

ADJOURNMENT:

At the hour of 1:20 a.m. the City Council adjourned to a study session with the Rent Stabilization Commission on Thursday, August 28, 1986 at 7:00 p.m. at City Hall Council Chambers.