

MINUTES

Approved,
11-3-86

OCTOBER 20, 1986

CITY COUNCIL MEETING
WEST HOLLYWOOD PARK
8:00 P.M.

CALL TO ORDER: Mayor Schulte called the meeting to order at 8:05 P.M.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Howard Zelefsky.

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

Absent: None

Also Present: City Manager Brotzman
City Attorney Jenkins

APPROVAL OF AGENDA: Table items 2c, 2e, 2g, 2u, 7 and 8 to the meeting of November 3, 1986. Pull items 2f, 2h, 2k, 2m, and 2n for separate discussion, and set a public hearing for the meeting of November 3, 1986 on Item No. 11.

TREASURER'S REPORT: Table to the meeting of November 3, 1986.

PROCLAMATIONS: Honoring Margaret Donnellan, Senior Librarian in charge of the San Vicente Library.

Commendations honoring the 5-10K Steering Committee, GLASS and the Free Clinic:

Alan Himes, Abbe Land, Norm Phillips, Jordan Peimer, Bob Rose, Carl Stewart, Anthony Wilson, Sybil Zadin, Nancy Taylor, Gary Bess, Joel Schwartz and Barbara Kaze.

1. CITY MANAGER'S REPORT: This time has been set aside for the City Manager to report on any and all matters to the Council. Due to the anticipated length of the meeting, the City Manager stated that he would forego his report.

2. CONSENT CALENDAR: The following routine matters were acted upon by one motion to approve with the majority consent of the City Council except for items 2c, 2e, 2g, and 2u which were tabled to the meeting of November 3, 1986 and items 2f, 2h, 2k, 2m and 2n which were removed for separate discussion but are listed in order for clarity. ACTION: To approve Consent Calendar items 2a, 2b, 2d, 2i, 2j, 2l, 2o, 2p, 2q, 2r, 2s, 2t, and 2v. Motion Heilman second Albert. Hearing no objection it was so ordered.

a. **Minutes:** October 2, 1986: **ACTION:** To approve the minutes of October 2, 1986.

b. **Demands and Warrants - Resolution No. 248:** **ACTION:** To adopt Resolution No. 248 and approve Demand Register No. 47.

c. **Suspending enforcement of Meters and Time Limit Parking Zones on Certain Federal Holidays - Resolution No. 249:** **ACTION:** Tabled to the meeting of November 3, 1986.

d. **Procedure for Traffic/Parking Issues:** **ACTION:** To adopt the procedure substantially as drafted.

e. **Cracking Down on Street Drug Dealers - Resolution No. 243:** **ACTION:** Tabled to the meeting of November 3, 1986.

f. **Approval of Job Descriptions:**

Secretary II

Public Works Administrator

Maintenance Worker I

ACTION: To approve the job descriptions with the deletion on Maintenance Worker I description of "Other conditions of Employment: Must be a permanent United States Citizen or hold status of an immigrant permanent resident". Motion Heilman second Viterbi. Hearing no objection it was so ordered.

g. **Facility Use Policy - Resolution No. 246:** **ACTION:** Tabled to the meeting of November 3, 1986.

h. **Fine Arts Board:** **ACTION:** To adopt the Purpose, Duties, Goals and Appointment Process for the West Hollywood Fine Arts Board with the following amendments: To remove "Nationally recognized", and raise the number of members to nine. Motion Viterbi second Heilman. Hearing no objection it was so ordered.

i. **Contract for California Care-HMO Option:** **ACTION:** To approve the selection of California Care as the City's Health Maintenance Organization with Blue Cross implementing California Care as an added option, and authorize the Mayor to sign said agreement.

j. **Commercial Area Clean-up Project:** **ACTION:** That the City Council receive and file this report.

k. **Resolution No. 250, Establishing an Undergrounding District:** Debbie Potter presented the staff report with late changes to the Resolution. **ACTION:** To approve and adopt Resolution No. 250, "UNDERGROUNDING DISTRICT RESOLUTION. CREATION OF SPECIFIC UNDERGROUND DISTRICT ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 1", as amended, and to instruct staff to begin working with Southern California Edison on the technical planning of the project. Motion Heilman second Albert. Hearing no objection it was so ordered.

1. **Approval of Contract between City of West Hollywood and West Hollywood Marketing Corporation:** ACTION: To approve the contract with the West Hollywood Marketing Corporation to implement a promotional and marketing campaign.

m. **Extension of Contract with Takata Associates - Urban Design Consultants for the Commercial Revitalization Project:** Debbie Potter gave the staff report and answered questions. ACTION: To approve both the Amendment of the Eleventh Year Memorandum of Understanding with the Los Angeles County Community Development Commission and the amendment of the present agreement between the City of West Hollywood and Takata Associates. Motion Heilman second Albert. Hearing no objection it was so ordered.

n. **City Clerk's Organization Study and Records Management Program - Approval of Contract:** ACTION: To award the contract to Arthur Young for a sum not to exceed \$21,500. Motion Viterbi second Heilman. Hearing no objection it was so ordered.

o. **Senior Month In the City of West Hollywood - Resolution No. 247:** ACTION: To adopt Resolution No. 247, declaring November "Senior Month in West Hollywood".

p. **Approval of Associate Planner Recruitment:** ACTION: To approve the recruitment of an Associate Planner position for the Community Development Department.

q. **Capital Improvements Program:** ACTION: To direct staff to prepare a report within 60 days defining the roles of staff, Council and the Public Facilities Board in the development of a Capital Improvements Program.

r. **Agreement with the City of San Dimas to Exchange General Funds for Prop. A funds:** ACTION: To approve and execute the agreement and authorize transmittal of said agreement to the City of San Dimas.

s. **Re-study of the creation of the left turn lane near Bel Age:** ACTION: To authorize the re-study of the creation of left turn lane near Bel Age.

t. **Keith Avenue/Robertson Boulevard Traffic Study:** ACTION: To authorize the implementation of the recommendations for the area near Keith Avenue and Robertson Boulevard.

u. **Traffic Study for the Horn-Shoreham Neighborhood, prepared by B.S.I. Consultant, Inc.:** ACTION: Tabled to the meeting of November 3, 1986.

v. **West Hollywood Park Robertson Boulevard Restrooms:** ACTION: To adopt the policy regarding the West Hollywood Park Robertson Boulevard restrooms.

At this point in time, John Thueson, District Manager for the Southern California Edison Company, presented a scroll to the City of West Hollywood in honor of the Edison Company's Centennial Anniversary, extending their appreciation to the City as a valued part of their history.

PUBLIC HEARINGS:

3. APPEAL OF DEVELOPMENT PERMIT 86-60 (8920 Sunset Blvd.):

Mayor Schulte opened the public hearing. The City Clerk reported on the noticing for this hearing and Howard Zelefsky gave the staff report. The applicant, Andy Sinanian, is appealing two conditions imposed by the Planning Commission (25 and 27), one of which restricted the use of the second floor to office use only and the other restricted the projection of the second floor balconies to six feet. Mr. Zelefsky stated that staff had been meeting with affected residents and the developer and they had come to agreement this week on the following conditions:

1. Retail and Restaurant uses to be permitted on the 2nd floor if the hours of operation be limited to 8 A.M. to 11 P.M. with meal service (if a restaurant does occupy) to end at 10 P.M.

2. The parking compound shall be secured, to the satisfaction of the Director of Community Development, immediately following the closing of the restaurant, and the parking spaces shall not be leased to any other businesses.

3. The applicant shall submit a parking master plan which would demonstrate that the subterranean parking spaces be the first ones utilized for the restaurant and the open parking compound be used for employee parking.

4. All service vehicles such as trash collection, delivery, etc., shall be prohibited prior to 9:00 A.M.

Coming forward to speak in favor of the appeal were the following:

Andy Sinanian, applicant

No one else wishing to speak on this issue, Mayor Schulte closed the Public Hearing and returned the meeting to Council discussion.

ACTION: To grant the appeal, adding the above conditions to the project, plus limiting the hours of construction to 8:00 A.M. to 7:00 P.M. Staff to return with a Resolution incorporating the changes and conditions. Motion Albert second Heilman. Hearing no objection it was so ordered.

4. APPEAL OF CUP 86-07 (TROPICANA HOTEL):

The City Clerk reported on the noticing for this item and Mark Winogron, Director of Community Development, gave the staff report. Mr. Winogron reported that staff had been holding meetings with the West Knoll neighborhood residents and the developer and had reached a compromise on 13 of the 15 issues. The two remaining issues are the cut in the median strip on Santa Monica Blvd. and the driveways on Westmount. He further stated that staff would recommend a 1/2 cul-de-sac on Westmount to prohibit traffic from going into the neighborhood and the widening of the street to just above the 2nd commercial driveway. Also there are 2 additional amendments that are proposed:

1. The Planning Commission approved a project that has a 30-year time period for approval of the project and that it have a review by the Commission and after that, every 2 years. Would like that changed to a 50-year time period with the 1-year and then, 2 year review by the Commission.

2. The Planning Commission recommends that all conditions of approval be completed in 1 year. Staff recommends that all conditions be completed in 2 years, due to the scale of the project.

Other issues that the neighborhood would like to see resolved are:

1. That the commercial development be limited to low traffic generation and impact.

2. No tables in the take-out restaurant.

3. Median cut.

4. Driveways: Developer states that it is imperative that there be 2 commercial and 1 resident driveways and the residents want 1 commercial and 1 resident driveways. Staff recommends the 2 commercial driveways with a 1/2 cul-de-sac to mitigate the impact of the traffic.

Staff feels that the neighborhood request for a new traffic study is unnecessary. What are needed are mitigation measures, not studies.

At this point in time, Mayor Schulte opened the public hearing and asked that the appellant and then the developer state their case before the Council, and keep their remarks to 5 minutes.

Walter Schlosser, 1013 Hancock Avenue, appellant, president of West Knoll Triangle Residents Association, stated that the residents respect the right of the owner to develop his property, but the people in the neighborhood have rights too, and are requesting additional conditions of approval as follows:

1. Require exposed parking be screened to sight and sound
2. Limit types of retail uses to low traffic generating uses.
3. Refer a study for the re-engineering of the affected intersections to the Transportation Commission before the project is allowed.
4. Require that adequate free validated on-site parking be provided for all users, including retail users and employees.
5. Up to three hours free validated on-site parking for retail users.
6. No live entertainment in the hotel or by the pool.
7. If there is a cut in the median strip, require a complete cul-de-sac at the end of the commercial parcel on Westmount Drive. If no cut in the median strip, a 1/2 cul-de-sac will be acceptable to prevent north-bound traffic. The neighbors are totally opposed to the second driveway.
8. The street should be widened below the cul-de-sac.

Arlen Andelson, agent for the owner, used 2 minutes for opening remarks and reserved 3 for rebuttal, stated that this project doesn't just meet the code requirements, it exceeds them in many instances.

At this point in time the following persons came forward to speak in favor of the appeal, limiting their remarks to 3 minutes:

Marty Strudler, 403 Westbourne

Janice Murray, 7530 Lexington Ave.

Anita Montella, 8535 West Knoll

Kim Schneider, 929 Westmount

Harold Hahn

Rae Mitchell, 8535 West Knoll, spoke in favor of cut in median strip.

Donald Phelps, 929 1/2 Westmount Dr., Vice-President of the West Knoll Assn.

Christine Lazar, 933 Westmount

Mary Jo Murray, Shoreham Heights Residents Assn.

Richard Maggio, President, Shoreham Heights Residents Assn.

Joyce Hundal, 9002 Rangely (Bruce Traub conceded time so that Ms. Hundal could continue past the 3 minute limit, so time was added to Arlen Andelson for rebuttal).

Ralph Freeley, President, Sherman Neighborhood Watch Assn.

Allen Chivens, President, West Hollywood West Residents Assn, and West Hollywood Neighborhood Council

James Litz, Chairman, Public Facilities Board

Leonard Haggerty, renter of one of the homes that will be removed

Charles McArthur, 8601 West Knoll

Betty Ann Reese, 8967 Shoreham

Coming forward to speak in favor of the project and against the appeal:

Jeanne Dobrin, 9000 Cynthia

Arlen Andelson, agent for the owner, stated that some of the suggestions that have been made have been considered by the Planning Commission, by staff and by all of the experts, and there are serious considerations. The Driveways are crucial. The Interim Zoning Ordinance discourages and almost prohibits these on Santa Monica Blvd. Will do anything they can to help resolve the problem of traffic. The owner is contributing substantial funds to improve intersections in the area. All testimony at the Planning Commission shows that there is more than ample parking for the project. Required to beautify the median strip and feel that the median cut will be beneficial.

Mayor Schulte closed the Public Hearing and returned the meeting to the Council for discussion.

Lee Ward, traffic engineer, reported that this project would generate about 2200 trips per day. The number of trips that would go up through the neighborhood if there is no median cut would be 650 additional cars per day. With the median cut these cars would avoid driving through the neighborhood.

Mayor Schulte called a short recess at 9:50 P.M.

Mayor Schulte reconvened the meeting at 10:03 P.M.

Councilmember Heilman presented a series of possible solutions to the problems that had been brought forward by the neighbors:

1. That exposed parking be screened in a manner that is satisfactory to the Director of Community Development working in conjunction with the neighbors.
2. Free validated parking for retail (discussed but no resolution reached)
3. Transportation plan with access by Santa Monica Blvd for construction workers, and parking plan with all construction workers and vehicles to park on site.
4. Hours of construction to be 8:00 A.M. starting time. (Arlen Andelson objected to the 8:00 A.M. start)
5. A full cul-de-sac, temporary to begin with, with the cost to be paid by the developer.
6. Look at the transportation management system to require the developer to reduce the total number of trips and peak hour trips.

Also the following non-project items:

1. The intersection at La Cienega and Santa Monica Blvd. be made a priority and get Cal Trans to negotiate for modification.
2. Paint parking lines on street - Stripe actual spaces. Instruct the Transportation Commission to study as part of permit parking district.
3. Speed up the permit parking process.

Councilmember Viterbi asked how long it would take to implement the permit parking district. Mark Winogrond replied it would be 1 year, 6 months if the department had added resources. He also asked about the valet parking. Mr. Winogrond replied that it would go into effect automatically if needed and the city would have the right to require it. Councilmember Viterbi asked about a full cul-de-sac. Should it be done in a temporary manner to see what works and be installed when the project opens? The feeling was that both of these answers are yes. There would be one residential driveway South of the proposed location of the cul-de-sac, just above the driveway to City Hall.

Mayor Schulte requested that staff return with recommendations on what would be needed to speed up the permit parking district without stalling the Sherman District.

Councilmember Heilman stated that there were some areas in which he disagreed with the neighborhood:

1. There needs to be a median cut.
2. No objection to a small piano bar.

3. No objection to a couple of tables in a take-out restaurant.

Councilmember Albert requested that the tenant now living in one of the units to be demolished be furnished with proper notice and relocation. Also felt the median cut would keep the traffic out of the neighborhood.

Councilmember Viterbi agreed with the need for the median cut and stated he agreed with Councilmember Heilman and congratulated him on his report.

Mayor Schulte stated he agreed and also felt the need for the median cut, the full cul-de-sac and the study of the intersection at La Cienega and Santa Monica Blvd. He stated that he thought they should look at allowing 2 small restaurants of under 1000 sq. ft., and require 1 1/2 hour validated free parking for retail all the way through and reviewing it in 2 years. Feels everything else has been mentioned.

ACTION: To require the developer to accept the conditions on the 13 items that have already been resolved. By consensus of the Council.

FURTHER ACTION: Staff to return with a Resolution denying the appeal of the action of the Planning Commission and incorporating the additional conditions of approval for the project as outlined this evening. Motion Heilman second Albert.

AYES: Albert, Heilman, Viterbi, Mayor Schulte

NOES: None

Motion carried.

Mayor Schulte repeated the further directions that had been given to staff:

That staff, Transportation Commission, Public Facilities Board and Cal Trans all be advised of the priority of the intersection at La Cienega and Santa Monica Blvd.

UNFINISHED BUSINESS:

5. APPOINTING A DELEGATE TO THE SOUTHERN CALIFORNIA WATER COMMITTEE: ACTION: That the City Manager appoint a member of staff to serve as delegate. Motion Heilman second Viterbi. Hearing no objection it was so ordered.

NEW BUSINESS:

6. ELECTION NIGHT HEADQUARTERS: ACTION: To authorize the City Clerk to set up an election night headquarters in City Hall Council Chambers. Motion Viterbi second Schulte. Hearing no objection it was so ordered.

7. **FORMATION OF A PUBLIC SAFETY COMMITTEE:** ACTION: Table to the meeting of November 3, 1986.

LEGISLATIVE:

8. **AMENDMENT OF THE RENT STABILIZATION ORDINANCE - ORDINANCE NO. 124U - CONCERNING OWNER OCCUPANCY EVICTIONS:** ACTION: To table to the meeting of November 3, 1986.

9. **EMERGENCY PREPAREDNESS - ORDINANCE NO. 119:** ACTION: To waive further reading and adopt on second reading, Ordinance No. 119, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATIVE TO THE ADOPTION AND CREATION OF AN EMERGENCY ORGANIZATION AND FUNCTIONS IN COMPLIANCE WITH STANDARDS AS SET FORTH BY THE STATE OF CALIFORNIA EMERGENCY ACT AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Heilman second Viterbi. Hearing no objection it was so ordered

10. **PERMIT PARKING - ORDINANCE NO. 122:** ACTION: To waive further reading and adopt on second reading, Ordinance No. 122, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE". Motion Heilman second Albert. Hearing no objection it was so ordered.

11. **LEAF BLOWERS - ORDINANCE NO. 123:** ACTION: To table the adoption of this Ordinance and set a Public Hearing for the meeting of November 3, 1986. (See approval of agenda).

12. **WRITTEN AND ORAL COMMUNICATIONS:**

a. **Public:**

b. **Council:** Mayor Schulte, with concurrence of the Council, requested that a public hearing or a study session on the Homeless Program be held by the Council before the end of November. Said study session may be held jointly with the Human Services Commission or separately by the Council. Mayor Schulte, again with concurrence of the Council, requested that the Council hold an informal study session before the end of the year, with public participation, on access and public participation .

13. **EXECUTIVE SESSION:** ACTION: Council adjourned to a closed session at 11:20 P.M. for the purpose of discussing items pertaining to personnel, possible litigation, and litigation

The City Council reconvened at 1:06 A.M. and Mayor Schulte announced that the above matters had been discussed.

14. **RESOLUTIONS ADOPTING LABOR AGREEMENTS WITH DEPARTMENT HEADS, DIVISION HEADS, CONFIDENTIAL EMPLOYEES, AND COUNCIL DEPUTIES:** No action taken.

ADJOURNMENT: Mayor Schulte adjourned the meeting at 1:10 A.M., in memory of Nancy Cole Sawaya, to a study session at West Hollywood Park at 7:00 P.M. on October 23, 1986.