

MINUTES
WEST HOLLYWOOD CITY COUNCIL

March 7, 1985

CALL TO ORDER The meeting was called to order at 7:22 P.m. by Mayor Terrigno.

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

APPROVAL OF AGENDA: Councilmember Heilman requested that Item 7 be tabled to March 14, 1985.

 Councilmember Viterbi removed Item 32 indefinitely.

 Councilmember Schulte added Item 29, a voting item on planning.

 Mayor Terrigno added Item 7a, a review of the RFP for Insurance.

 Councilmember Viterbi requested that Item 7b, a report from the City Hall Search Committee, be added.

 The City Attorney added Item 9, the agreement with The Planning Group.

 Councilmembers Heilman and Albert added Item 14 in regard to study session on rent control and goals.

 Mayor Terrigno requested that Item 19 be tabled to March 14 and Item 21 tabled to March 21.

 ACTION: To adopt the agenda as amended.

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

MINUTES: ACTION: Move approval as amended (9 lines from bottom of page 5, add Schulte after Councilmember and delete the last 2 lines in TIME LINE on page 5).

 February 14, 1985 MOTION: Viterbi, second Mayor Terrigno
 Hearing no objection it was so ordered.

PROCLAMATIONS: Councilmember Heilman made 2 proposals to the Council.

 Older American 1. Nominate Councilmember Albert as West Hollywood's representative; and
 Recognition Day 2. Identify a day during the month of May to honor some West Hollywood older citizens who have made contributions to the City.

 ACTION: To nominate Helen Albert for recognition by the County.

MOTION: Heilman, second Viterbi
Hearing no objection it was so ordered.

Councilmember Heilman requested that at a later date they designate a meeting in May at which to honor the other older citizens.

5-10K Run:

Councilmember Schulte introduced Daniel Warner of SHANTI who spoke to the issue of the City sponsoring an annual 5-10K run, with the proceeds being distributed to Community Groups. The proceeds from this year's event would be distributed to SHANTI Foundation, the AIDS Project Los Angeles and Aid for Aids, projects involved with Aids related problems. Mr. Warner reported that the groups hope to raise \$30,000. The hope is that the City will sponsor this annual event and other community groups will co-sponsor and provide the manpower.

ACTION: That the City of West Hollywood sponsor an annual 5-10K run, with expenses to come from the private sector, proposed date May 26th.

MOTION: Schulte, second Mayor Terrigno
Hearing no objection it was so ordered.

ITEM 1.

Southern California Gas Co. Franchise: The City Manager reported that the Notice of Intention had been published in the Post Public Hearing: on February 21, 1985, and had been posted Ordinance #35 in the three required places.

Mayor Terrigno opened the public hearing.

No one coming forward to speak, the public hearing was closed.

ACTION: To introduce Ordinance No. 35, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD GRANTING TO SOUTHERN CALIFORNIA GAS COMPANY, A CORPORATION, THE RIGHT, PRIVILEGE AND FRANCHISE TO LAY AND USE PIPES AND APPURTENANCES FOR TRANSMITTING AND DISTRIBUTING GAS FOR ANY AND ALL PURPOSES UNDER, ALONG, ACROSS OR UPON THE PUBLIC STREETS, WAYS, ALLEYS AND PLACES, AS THE SAME NOW OR MAY HEREAFTER EXIST, WITHIN SAID MUNICIPALITY."

MOTION: Heilman, second Schulte
AYES: Albert, Heilman, Schulte, Viterbi, Mayor Terrigno.
NOES: None.
Ordinance No. 35 passed to 2nd reading.

ITEMS 2-6:

Consent Calendar: Monthly report, Rent Control Hotline - To receive and file.

Claim for Damages, Hussamy - To deny and refer to the insurance carrier.

Tract No. 37872, Release of Security - To accept the improvements and release the cash bond.

Tract No. 40653, Extension of improvement agreements - To approve of a one year time extension of the agreements.

Request for travel reimbursement authority,
- To approve \$5,000 to reimburse City Manager
candidates' travel expenses to West Holly-
wood.

ACTION: To approve the Consent Calendar.

MOTION: Albert, second Heilman
Hearing no objection it was so ordered.

ITEM 7a:
Insurance RFP:

Jeff Vopal, Insurance Committee Chairman,
reported that the March 4 deadline was here
and the Council needed to extend the RFP
for 2 weeks to complete the bid process.
He reported that there were only three
companies nationwide who continue to insure
municipalities and they had requested more
information, which had been furnished to
them as of this date.

ACTION: To extend the RFP for 2 weeks.

MOTION: Schulte, second Heilman
Hearing no objection it was so ordered.

ITEM 7b:
City Hall Search:

John Parks, Chairman of the City Hall
Search Committee, reported that the Com-
mittee was asking for consensus from the
Council on the direction the Committee
should take. They would like to make a
counter proposal to the owner of the La
Peer property. Would offer \$8,000 per
month as opposed to the \$8,500 asked by
the owner. The owner has come down from
requiring a 5-year lease to a 3-year lease.
The Mayor stated that this was a concern
due to the increasing need for space.

The City Manager stated he presently esti-
mated a need for 8,000 square feet but with
the direction the Council was going the
need could increase to 10 or 12,000 square
feet within a year's time. He also reported
that a letter had been received today from
the Parks and Recreation Department comment-
ing upon the present lease in the structure
the City occupies, advising that the type
of use to which the building is being put,
is contrary to the spirit of the purpose
for which the buildings were originally
constructed and funded, therefore the lease
extension will be granted for only one
month. On April 11th, the City will be out
of the present quarters unless the Council
can get the Board of Supervisors to overrule
the Parks position.

Councilmember Heilman stated that the City
Manager and the Committee were authorized to
work together to negotiate and come back to
the Council with the best deal possible.

Mayor Terrigno instructed the Committee and
the City Manager to continue their activity
and to explore other sites.

ITEM 8: The City Manager reported that Ordinance
Ordinance No. 26U No. 26U had been considered by the Council
Exemption to on February 21, 1985, and was referred to
Eviction Moratorium the Housing and Human Services Committee
for study and recommendation. The committee
report suggested 2 possible options: to
permit a rent increase or not permit a rent
increase.

PROPOSED ACTION: To adopt Ordinance 26U

MOTION: Heilman, second Albert

The City Attorney read the ordinance in full.

Grafton Tanquary, 1287 N. Crescent Heights,
addressed the Council on several additions
that he felt would make the ordinance more
equitable:

1. That the renter notify the owner in writing.
2. To grant a reasonable rent increase.
3. The person must live at the address to be eligible for survivor benefits.
4. That this only applies one time, and to only one person.

ACTION: To amend the ordinance to read that the tenant must give written notice to the landlord that the person moving in is a domestic partner, a spouse, or a relative.

MOTION: Heilman, second Mayor Terrigno
There being no objection it was so ordered.

ACTION: To amend the ordinance to deny survivorship benefits. Leave this question to the permanent ordinance.

MOTION: Viterbi, second Schulte
AYES: Albert, Heilman, Schulte, Viterbi
NOES: Mayor Terrigno
Motion carried.

ACTION: To adopt Ordinance No. 26U as amended.

City Attorney read the ordinance as amended, "In the event of the occupancy of one additional person in the unit as provided above, the tenant shall provide the owner with written notification of the addition of the new person and describe the relation of the new person with the tenant. Moreover, the new person shall not be protected by the eviction moratorium provided by this paragraph A in the event the original tenant vacates the unit."

MOTION: Albert, second Heilman
AYES: Albert, Heilman, Schulte, Viterbi
NOES: Mayor Terrigno
Ordinance No. 26U was adopted as amended.

ITEM 9:

Housing Survey
Questionnaire:

Gene Grigsby, President of The Planning Group, Inc., addressed the Council and explained that they would be working from the Assessor tapes. They would purge the owner-occupied single family units from the list and then conduct telephone and face to face interviews.

Mayor Terrigno suggested that the Council approve the questionnaire subject to changes they may wish to make by the end of the meeting.

ACTION: To approve the questionnaire contingent on the changes they may wish to make at the end of the meeting.

MOTION: Mayor Terrigno, second Viterbi Hearing no objection it was so ordered.

Housing survey
Agreement:

The City Attorney requested that the Council approve the agreement between the City and The Planning Group.

ACTION: To approve the agreement.

MOTION: Viterbi, second Schulte Hearing no objection it was so ordered.

ITEM 10:

Committee Reports:
Planning &
Development:
Planning Consultant

Councilmember Schulte reported that there were 9 proposals turned in to City Hall in response to the RFP for a Planning Consultant. One of the proposals had been set aside because it did not comply with the RFP requirements. Will hold oral interviews with the top five next Tuesday afternoon, March 12th. Will then bring top 3 back for a full Council review on March 21st.

The City Manager advised the Council that from past experience they should plan on spending an hour to an hour and a half on each interview. Therefore they would be wise to schedule the interviews at a study session.

Moratorium on
Signs:

Councilmember Schulte further reported that the Committee has had requests for exemption to the moratorium on signs and the recommendation at the present time is that no exemptions be granted.

Report on a meeting with the County Planning and Zoning staff in reference to their need for more staff. The need is for a half time clerk in the office on San Vicente and to expand the position of a half time zoning enforcement person to full time.

Direct the City Manager to prepare a study of staffing needs for zoning, planning and enforcement functions of the City for consideration by the Council at the next voting

meeting. The Council would like to have the fiscal impacts of those positions as well, both short term and long term. Want the City Manager's best suggestions on how to beef up the enforcement process.

The City Manager stated he would like to submit this information to the Council at their meeting of April 4, 1985.

Councilmember Schulte stated this would be acceptable.

Housing/Human Services:

Councilmember Albert reported that Family Services had submitted a proposal for a survey but felt they needed to wait and see what other agencies in the area had to offer. The proposal will be submitted to the members of the Council.

ITEM 11:
Resolution #44
Fees & Charges:

The City Attorney reported that Ordinance No. 22, Domestic Partnerships, provides that the City Clerk shall charge a fee for filing a domestic partnership statement or for terminating or amending a domestic partnership statement. Resolution No. 44 sets these fees.

ACTION: To adopt Resolution No. 44.
"A RESOLUTION OF THE CITY OF WEST HOLLYWOOD SETTING FEES AND CHARGES FOR CERTAIN SERVICES"

MOTION: Mayor Terrigno, second Heilman Hearing no objection it was so ordered.

ITEM 12:
Application for Franchise - So. California Edison Co.
Resolution #47:

The City Manager reported that the Southern California Edison Co. had made a formal application for a franchise to provide electrical service in West Hollywood.

ACTION: To adopt Resolution No. 47, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, DECLARING ITS INTENTION TO GRANT AN ELECTRIC FRANCHISE TO SOUTHERN CALIFORNIA EDISON COMPANY."

MOTION: Schulte, second Viterbi Hearing no objection it was so ordered.

ITEM 13:
Ordinance No. 36
Investment of City Funds:

Councilmember Schulte stated that he had discussed the ordinance with the City Treasurer and that he agreed with the City Manager's recommendation to wait and study the possible effects upon the City.

ACTION: To hold this item for 2 weeks to the meeting of March 21, and request that the City Treasurer be present at the meeting.

MOTION: Schulte Approved by consensus of the Council.

ITEM 14:
Council Meetings Time & Place:

Councilmember Heilman proposed that the regular Council Meeting place be changed from West Hollywood Park to Plummer Park and all meetings be held at 7:00 p.m.

PROPOSED ACTION: To move the meetings to Plummer Park at 7:00 p.m. The City Attorney to draw up the appropriate ordinance.

ITEM 14 cont.

MOTION: Heilman, second Schulte

The City Attorney informed the Council that he would not be available for the 7:00 p.m. meetings on the 2nd and 4th Thursdays.

The motion was withdrawn and the City Manager was instructed to review the problem and come back to the Council with recommendations, including the advisability of changing the day on which the meetings were held.

Councilmember Heilman requested that the Study Session scheduled for March 14 be on Goals with rent control on the 18th or 19th.

Councilmember Schulte reminded the Council that the rent control session had already been approved for the 14th of March.

By consensus the Council agreed to hold the rent control study session on the 14th and the goals study session on the 19th.

On March 21, 1985, they would hold a public hearing on rent control at 7 p.m. and the regular business meeting would commence at 5:30 p.m.

ITEM 15:
Local Gov't.
Commission:

Councilmember Albert proposed that the City become a member of the Local Government Commission, Inc., a non-profit organization dedicated to achieving local solutions to a number of urban problems.

ACTION: To join Local Government Commission, Inc.

MOTION: Albert, second Mayor Terrigno
Hearing no objection it was so ordered.

National League
of Cities:

The City Manager reported that the National League of Cities was one of the organizations the City would probably want to join.

ACTION: To join the National League of Cities.

MOTION: Heilman, second Viterbi
Hearing no objection it was so ordered.

ITEM 16:
Seminar on
Economic
Development:

Councilmember Albert announced that the seminar on economic development would be held in Berkeley on March 22 and 23.

ACTION: To authorize attendance for any Councilmember who wishes to go.

MOTION: Mayor Terrigno, second Schulte
Hearing no objection it was so ordered.

ITEM 17:
City Hall Lease:

The City Attorney reported that the lease between the City and the County for Plummer Park, Hall B, would expire on March 11. The County prepared a one month extension of the lease and indicated that no further extensions would be granted.

ITEM 17 cont.

ACTION: To approve the lease extension to April 11, 1985 and authorize the Mayor and the City Clerk to execute the agreement on behalf of the City.

MOTION: Schulte, second Viterbi

FURTHER ACTION: To amend the motion to authorize the Mayor to appeal the County's ruling to the Board of Supervisors. Approved by the maker and second of the motion. Hearing no objection it was so ordered.

ITEM 18:
Business License
Hearing Board:

The City Manager reported on the need for a hearing board for business licenses.

Councilmember Viterbi stated that the Business and Finance Committee felt the Council should appoint itself as the hearing board.

ACTION: To appoint the City Council as the hearing board for business licenses and set one meeting a month.

MOTION: Viterbi, second Mayor Terrigno

Councilmember Heilman stated the appointment of the Council would be temporary while they appointed a commission. He asked the City Attorney and City Manager to report back on the process for establishing a commission.

Hearing no objection it was so ordered.

ITEM 20:
Resolution No. 48
Benefits for
Domestic Partners:

The City Attorney read the title and stated that this resolution was a statement of policy, nothing more. It does not commit the City to benefits, it simply states that if benefits are provided, they will be provided on an equal basis.

ACTION: To adopt Resolution No. 48, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, CALIFORNIA, PROVIDING FOR THE EQUAL PROVISION OF EMPLOYMENT-BASED BENEFITS FOR THE DOMESTIC PARTNERS OF CITY EMPLOYEES ON THE SAME BASIS AS FOR SPOUSES OF CITY EMPLOYEES."

MOTION: Mayor Terrigno, second Heilman
Hearing no objection it was so ordered.

A recess was called by the Mayor at 9:55 p.m.

The meeting was reconvened at 10:19 p.m.

ITEM 29:
Planning:

Councilmember Schulte reported that there was a report from Don Cain, Building and Safety Department. A CUP was granted to the owners of 8760 Sunset by the County, to create a restaurant, a change of use, which the City's moratorium prohibits. The CUP is running out.

Don Cain reported that the owner has now found a tenant but the moratorium prevents the Department from issuing a building permit for a change of use. The building is an office building and the space is vacant. There is more than adequate parking.

The City Attorney stated that this would require an amendment to the moratorium because it involves interior remodeling for a change of use which the City does not permit at this time. The moratorium freezes time so the permit will not expire. The issue should have more study.

ACTION: To table to the meeting of March 14, 1985.

ITEM 30:
Outdoor Display
Ordinance No. 27:

The City Attorney reported that Ordinance No. 27, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE ZONING ORDINANCE RELATING TO OUTDOOR DISPLAY AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE" was in front of the Council for 2nd reading and adoption.

ACTION: To waive further reading.

MOTION: Heilman, second Mayor Terrigno Hearing no objection it was so ordered.

PROPOSED ACTION: To adopt Ordinance No. 27.

MOTION: Viterbi, second Mayor Terrigno

Jeanne Dobrin, 9000 Cynthia, stated that the ordinance was not compatible with the County Code already adopted by the City Council, Section 22.56.15n on parking, non-conforming structures. She felt this section would apply as this ordinance would allow an increase in the use of the property.

The City Attorney stated he did not see relevance of non-conforming uses; this is merely an ordinance allowing outdoor display.

ITEM 30 cont.

Arthur Lawrence, 242 N. Canon Drive, Beverly Hills, testified that he felt Ms. Dobrin's arguments are valid and he is against the adoption of the ordinance.

Jeff Richmond, 1316½ N. Havenhurst, #7, stated that parking is relevant to the issue of outdoor display as they would be increasing the permitted use of a property which could be a problem in the future for plan check for determining parking for a store.

Mayor Terrigno called for a roll call vote on the motion.

AYES: Viterbi, Mayor Terrigno
NOES: Albert, Schulte, Heilman
Ordinance No. 27 failed on 2nd reading.

The City Attorney informed the Council that the Council had adopted Ordinance 28U two weeks ago, that included this Ordinance 27. It is in effect now; he felt it would probably be in effect until the end of March when the new zoning ordinance would take effect, that does not contain this provision. March 21, the new zoning ordinance would take effect and since the urgency ordinance was an amendment the urgency ordinance would go out of effect, but he would have to look at its exact terms. It may be interpretable as going out of effect when that ordinance expires, which is the end of March. He stated he would check to see if the Council needed to repeal the urgency ordinance.

ITEM 31:
Voting Requirements:
Ordinance No. 29

The City Attorney reported that this ordinance was before the Council for 2nd reading. The Ordinance would require the affirmative vote of at least three Councilmembers for passage of any action.

ACTION: To waive further reading.

MOTION: Heilman, second Viterbi
Hearing no objection it was so ordered.

ACTION: To adopt Ordinance No. 29, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO CITY COUNCIL ACTIONS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

MOTION: Viterbi, second Schulte
AYES: Albert, Heilman, Schulte, Viterbi
NOES: Mayor Terrigno
Ordinance No. 29 is adopted.

ITEM 33:
City Manager
Expenditures
Ordinance No. 34:

Councilmember Viterbi reported that the Council Finance Committee had recommended that the City Manager be authorized to make expenditures of up to \$2,500 on behalf of the City without prior approval of the Council, to expedite the purchase of necessary supplies and equipment.

The City Attorney read the ordinance in full.

ACTION: To introduce on 1st reading, Ordinance No. 34, " AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO EXPENDITURES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

MOTION: Viterbi, second Heilman
AYES: Albert, Heilman, Schulte, Viterbi, Mayor Terrigno
NOES: None
Ordinance No. 34 was placed on 1st reading.

ITEM 34:
Resolution No. 43
Building, Elec-
trical, Plumbing
and Mechanical
Codes:

The City Attorney noted that when the Council adopted by reference, several County Codes, it is now in order to determine that the changes and modifications in these codes to the Uniform Codes are a continuation of the changes made by the County which are being adopted by the City and that the changes are necessary and reasonable. State law requires that the Council adopt this resolution to explain why the changes and modifications were made to the uniform codes.

ACTION: To adopt Resolution No. 43, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD RELATING TO THE ADOPTION OF THE BUILDING, ELECTRICAL, PLUMBING AND MECHANICAL CODES."

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

The City Attorney stated that most cities have legislation concerning wood shingle and shake roofs and the City of West Hollywood may want this type of legislation in the future.

Don Cain of the Building and Safety Department will research the issue and bring back a report to the Council.

ITEM 35:
Public Works
Expenditures:
Resolution No. 46:

The City Manager reported that the Board of Supervisors has a policy of continuing financial assistance to newly incorporated cities for road services. No actual money would be transferred to the City. It actually amounts to an authorization to County units to spend County money for road purposes within the City through June 30th of the fiscal year of incorporation. It is required that the City Council ratify the Board of Supervisors action with this resolution.

ACTION: To adopt Resolution No. 46, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONCURRING IN AND AGREEING WITH LOS ANGELES COUNTY RESOLUTION NO. 3343."

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

ITEM 36:
Demand Register
#8
Resolution #45:

Councilmember Viterbi questioned the City Manager on several checks:

Check #1197 for engineering services. He thought those services were provided by the County at no cost to the City.

Check #1207, RFP Preparation. What RFP was that?

Checks No. 1127 and No. 1215, both to the Communication Works.

The City Manager reported that Road Department services are provided by the County; County Engineer services are not. The warrant under question was for industrial sewer inspections and industrial waste permit processing.

Check #1207 for the RFP was for an information system.

Councilmember Viterbi asked if the Rankin System planned to bid on the system. The City Manager replied yes, and it is not usual but is not unheard of that a company would help prepare an RFP and bid on it. The RFP was written in such general terms that no one would be precluded from bidding. Councilmember Viterbi felt as a matter of policy, anyone who helps prepare an RFP be precluded from bidding.

Regarding checks No. 1127 and No. 1215 to the Communication Works, one is for clipping service and one is their monthly fee. There was also one week of television coverage that was transcribed, but that was discontinued due to the prohibitive cost.

ACTION: To adopt Resolution No. 45 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING FOR PAYMENT DEMANDS PRESENTED ON DEMAND REGISTER NO. EIGHT."

MOTION: Schulte, second Mayor Viterbi
Hearing no objection it was so ordered.

Councilmember Viterbi requested that the City Manager review the contract with the Communication Works and make sure the contractor supplies the required estimate each month and somehow put them on a limit, a maximum on the retainer.

ITEM 37
Written Commu-
nications

Councilmember Viterbi requested a report on the letter from Pierre LaPlante to Captain Cook.

Mayor Terrigno and the Councilmembers made the changes they desired on the housing survey questionnaire.

ADJOURNMENT:

At the hour of 11:59 P.M. the meeting was adjourned to March 14, 1985 at 1:00 P.M. at Fiesta Hall, Plummer Park.

MOTION: Heilman, second Viterbi
Hearing no objection it was so ordered.