

MINUTES
WEST HOLLYWOOD CITY COUNCIL

SEPTEMBER 5, 1985

- CALL TO ORDER: The meeting was called to order at 7:10 p.m. at West Hollywood Park by Mayor Heilman.
- PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Lester Hirsch.
- ROLL CALL: Present: Albert, Schulte, Terrigno, Viterbi, Mayor Heilman
- Absent: None
- Also Present: City Manager Brotzman
City Attorney Jenkins
Woody Tescher of Envicom
Captain James Cook of Sheriff Station
Don Déy of Greer & Co.
Rick Stout of Dames & Moore
- APPROVAL OF AGENDA: Mayor Heilman requested Item 4a be added-- Resolution re Senior Bond Act; that Item 13 be moved to before Item 8; that there be a litigation session at the end of the meeting; that Item 9 regarding the Logo be tabled.
- Councilmember Schulte requested a time limit on Item 15 for Council discussion of draft sign ordinance, limited to 20 minutes. Councilmember Viterbi stated that Item 19, the smoking ordinance, is just for information, and is to be back on agenda in two weeks.
- Councilmember Terrigno requested adding Item 16a, Night-Time Parking.
- The agenda was approved as amended.
- APPROVAL OF MINUTES: The minutes of August 1 and August 29, 1985, were approved.
- PROCLAMATION: The Proclamation regarding James Dean Day was omitted, to be presented at another meeting.
- ITEM 1. CITY MANAGER REPORT: The City Manager reported on personnel-- the City now has 35 permanent employees, three to start Monday. Two new department directors. The City will hire two or three hearing officers in rent control--rent control

will then be fully staffed.

The City has retained consultants on the Huntley Drive gas leak: Gaines & Moore.

The tennis courts are closed in parks and are to soon be resurfaced due to slippery conditions.

Los Angeles County will award a tree trimming contract. United Pacific are the low bidders.

Code Enforcement is now underway. Fifty letters have gone out to businesses that have signs in violation. A letter will go to the entire business community inviting them to a workshop.

In the Rent Control Department registration of units is now 30%; rate of registration has picked up. There is no backlog on processing. Landlords are encouraged to register early. The Rent Control Office will be open on the 16th for registration because the 15th is a Sunday. It will also be open Sunday afternoon.

The City Manager would like to set up a photo session with Council for the press.

Councilmember Schulte asked when there would be a permanent budget. The City Manager said it is being worked on now; it is being reconstructed according to the organizational structure of the City, and will be completed in four to six weeks. By the end of September there will be a financial statement and there will be a statement monthly thereafter.

Councilmember Schulte asked about expanding the size of the pool at the park. The City Manager stated that there will be no major changes at this time.

CONSENT CALENDAR:

The following items were on the Consent Calendar:

- Item 2. Planning Committee Minutes of 8/13/85
- Item 3. Claim for Damages - Scott Reynolds
- Item 4. Award of Bid for Aerial Photos
- Item 4a. Resolution - Senior Bond Act

ACTION: To approve Consent Calendar.
Motion by Terrigno seconded by Schulte.
Hearing no objection it was so ordered.

ITEM 5. PUBLIC HEARING, NORWICH DRIVE:

The City Clerk reported on noticing: posted in three required places and City Hall; published in West Hollywood Paper.

ITEM 5 (continued)
NORWICH DRIVE:

There was a presentation by Don Dey of Greer and Co. A traffic analysis had been done to determine through traffic. License plates on vehicles through two intersections were recorded, then compared to find out where coming, going, and volume. There is a large northbound movement to Melrose. Along San Vicente, there are no left-turn signs. 24-hour traffic count: 1,175 vehicles per day; 1,225 northbound, 550 southbound--extreme imbalance. On a residential street usually the north and southbound traffic is about the same; 1000 vehicles a day is more desirable. They were unable to do a speed study. Speeds and volume seem to be in conflict with the purpose of the roadway. Four possible alternatives:

- a. Cul-de-sacing.
- b. Closing Rosewood at San Vicente;
- c. Installation of a semi-diverter (a half-island) with speed undulations to slow traffic to 15 m.p.h. (used in other cities)
- d. Speed undulations with leaving intersection open.

Mr. Dey had no strong recommendations on any single alternative.

He stated the speed undulations would be 12 feet wide, 3 inches high--the faster one drives, the more it is felt.

The following were speakers from the public:

Martin Strudler: The closure indicated would act as an off-ramp for what is basically a speedway. If vehicles have to slow down for a right turn, could cause accidents.

Alan Chivens, of Westmount Drive: To close Rosewood would be a problem for residents of his street. He would try closure south of Rosewood.

Ron Shipton: The petition suggested a closure at south end. If a cul-de-sac people could see it and continue up San Vicente. Alternative B would be terrible.

Lorraine Howell: Want to be sure no one is landlocked. She is at 400 Norwich, where the closure is proposed.

ITEM 5 (continued)
NORWICH DRIVE

Steve Badger: Norwich has become a high speed shortcut for people heading north on San Vicente. Counted 150 cars in one hour. Lives at 516--lots of noise at the busy hour. Councilmember Viterbi asked how he feels about one-way. He said it would be agreeable if the residents get accustomed to it.

Dorothy R.: All alternatives good--likes the speed bumps. Need for something.

Riley Lundy: Works on San Vicente near Melrose. From Gayle Wilson & Associates. Likes the second left-turn on San Vicente (Alternative A) to get to business. Many people impede traffic making illegal left turns. One-way south is good idea.

The public hearing was closed and there was Council discussion.

Councilmember Terrigno said Alternative C & D look better, likes D. Councilmember Viterbi asked how long it would take people to become re-oriented to new traffic patterns. Mr. Dey stated three to six months.

The City Attorney had reservations about the legality of undulations.

Councilmember Heilman suggested an ad hoc committee, getting information on legality of pavement undulations, getting a community consensus of opinion. Councilmember Viterbi requested estimates on cost. Councilmember Schulte felt it should be more of a workshop. Councilmember Terrigno said it should include residents north of the area also, on Huntley, Westbourne, and Westmount north of Melrose.

Item 5 was continued for 6 weeks for staff report.

ITEM 6. ALCOHOLIC
BEVERAGE MORATORIUM-
PUBLIC HEARING

The City Attorney gave a staff report. On August 1 the Council adopted 73u, the moratorium on any new uses of alcoholic beverages for off-premises consumption, effective only 45 days, expires September 14. Ordinance 80u is to extend the moratorium.

The public hearing was opened; however, there were no speakers coming forward, and public hearing was closed.

There was Council discussion. Councilmember Albert made a motion to extend for six months, seconded by Schulte. The motion was withdrawn.

ITEM 6 (continued)

Councilmember Viterbi made a motion to extend the moratorium for 10 months and 15 days, the maximum allowed. It was seconded by Councilmember Albert.

AYES: Albert, Viterbi, Mayor Heilman

NOES: Schulte, Terrigno

Motion failed.

ACTION: To extend the moratorium for seven months (expiration: April 5, 1986).

Motion by Viterbi seconded by Albert.

AYES: Albert, Viterbi, Schulte, Heilman

NOES: Terrigno

Motion carried.

ITEM 13. GRAND
PEOPLES CO. - RENEWAL
OF FUNDING

There was a report by City Manager.

ACTION: To adopt the recommendation to approve funding of \$2500 per quarter for next three quarters (\$7500).

Motion by Schulte, seconded by Albert.

Hearing no objection it was so ordered.

ITEM 7. WIDENING OF
PALM AVENUE-
PUBLIC HEARING

Report on noticing by City Clerk.

There was a staff report by Lyn Nicholson of Road Department, including a display.

Public speakers were:

Bud Kops: Objected to the widening.

Questioned who Palm Garden is, who is to pay. Would hate to see City spend \$5,000 then have to go after it.

Helen Rob: Owner of property at Harratt.

Felt it would become a busier street if widened. May oppose.

The public hearing was closed and there was Council discussion.

Councilmember Viterbi said the traffic is already there; widening would be best for safety.

Councilmember Schulte was afraid we would create more traffic. The City would be out \$4,400.

Councilmember Viterbi was not sure it would be in best interests of residents.

Councilmember Terrigno said there is a senior citizens home there.

The City Manager stated it is 30 feet from curblin to curblin. If parking on each side it should call for 40 feet wide. What are long term design standards? No question 30 feet unacceptable if parking on both sides. There was a question on the statute of limitations on the bond. The City Attorney said early 1986. Mayor Heilman asked if the City

ITEM 7 (continued)
PALM AVENUE

could put a lien on the property and also recover attorney's fees.

ACTION: To approve the staff recommendation (to go ahead with the widening at a cost to the City of \$4,400) and institute litigation. Motion by Viterbi seconded by Albert.

YES: Albert, Viterbi, Mayor Heilman

NOES: Terrigno, Schulte

Motion carried.

Recess.

ITEM 8. HUNTLEY
DRIVE REPORT:

Dori Stegman reported that the County Health Department is back on the team. Baker's tank on RTD lot will be installed. The Water Board will take a more active lead, and also the State Health Department. The City has hired a consultant who will keep us up to date. There will be a detailed report on Friday. The consultant is Dames and Moore.

Rick Stout, of Dames & Moore, spoke:

They intend to submit a work plan. Will follow a phased approach--a series of six tasks:

1. Initial planning
2. Meet with agencies and get background on agencies' role
3. Develop current monitoring program
4. General overview of potential health hazards.
5. Technical advising to the City
6. Summary to the City

Plan to dive in full force Monday morning.

ITEM 9. LOGO

Tabled.

ITEM 10. CUL-DE-
SACING THREE STREETS:
WESTMOUNT, WESTBOURNE,
HUNTLEY DRIVE

The issue is to approve the design and location.

There was a staff report by Lyn Nicholson, Public Works Department. The County proposes a 22 foot radius, basically typical design, a little shorter; allows for street sweeper; limits backing movements.

There was a report by Don Dey, of Greer and Co.: On Tuesday the streets were visited by Don Dey, Peter Feenstra, Lyn Nicholson. Greer and Co. has proposed an alternate design, the "hammerhead" design--42 feet wide, 16 feet in depth; will provide sidewalks on both sides of street, less loss of parking spaces. Two large trees can be planted, and small shrubs and bushes. The foliage would break up continuity of the street, help driver

ITEM 10.(continued)

to recognize he cannot drive through. Propose keeping fire access gate but provide wrought iron gate, decorative. There can be a hose connection to irrigation system for cleaning out the area.

The public hearing was opened.

Richard Harvey: Wants to see the proposal on paper. Have had barrier for two years, is satisfied with the location and radius.

Ethel Shapiro: It took two years of hard work; want to thank all of you who worked with us. Lives on Westbourne; no problems with cars turning around.

Alan Chivens: Happy to see hammerhead design proposed.

Edward Berman, 317 Huntley: Opposed to any change of location of the cul-de-sac. Wants to keep Hard Rock cafe and drunks away.

Rabbi Kupfer, Director of Sephardic Hebrew Academy, 31 N. Huntley: The cul-de-sac cuts the Academy property in half; is dangerous. If the school is considered commercial, it should have access. Emergency vehicles denied access. Cul-de-sac should be moved north.

Public hearing was closed; there was Council discussion.

By consensus, the Council agreed to approve the hammerhead design and the location on Westmount, and to approve the hammerhead design also for Huntley and Westbourne. The discussion on location is to be continued, for Huntley and Westbourne, with a fire department inspector to be present.

ITEM 11. MEDIAN AND
PARK REHABILITATION:

The City Manager recommended accepting the proposal of Urban Landscape Concepts for rehabilitation of the parks and the median island, at a cost of \$20,553.

ACTION: To approve City Manager recommendation. Motion by Terrigno seconded by Schulte. Hearing no objection it was so ordered.

Item 12, work release program, was held pending the arrival of Captain Cook.

ITEM 14. LOCAL CEQA
GUIDELINES--RESOLUTION
NO. 100

The City Attorney stated that under the California Environmental Quality Act we must prepare local guidelines to comply with CEQA. The City Attorney also mentioned

ITEM 14 (cont'd)

that there may be modifications to the guidelines after adoption of the interim zoning ordinance by West Hollywood.

ACTION: To approve and adopt Resolution No. 100, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD ADOPTING PROCEDURES IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND THE GUIDELINES OF THE SECRETARY FOR THE RESOURCES AGENCY, AS AMENDED 1983." Motion by Terrigno seconded by Albert
AYES: Albert, Terrigno, Viterbi, Schulte, Mayor Heilman
NOES: None
Motion carried.

ITEM 15. DRAFT SIGN ORDINANCE

There was a staff report by Woody Tescher. Mr. Tescher mentioned the key sections or important sections of the sign ordinance: Section 8-General Regulations; Section 9-Signs Allowed by Permit in All Zones; Section 10-Signs Allowed in Residential Zones; Section 11-Building Signs Allowed for Businesses not Located in a Multi-Tenant Buildings; Section 12-Building Signs Allowed for Multi-Tenant Buildings. Some of the prohibited signs under Section 6 are roof signs, pole signs, billboards--these are changes from the County ordinance. Section 6, Item 11, prohibits sexually explicit matter in signs. The ordinance is more restrictive than the County, but not as restrictive as some other cities such as Pasadena, Beverly Hills. It is better for cities to start with a tough ordinance and lessen it later if necessary. It is much the same as the interim zoning ordinance.

It was decided not to hear from the public at this meeting, but to hold over and give notice of a public hearing at a later date. (Sept. 26)

ITEM 12. WORK RELEASE PROGRAM

There was a report by Captain James Cook of the Sheriff's Station. These are people who are minor offenders and not a threat to the community, who agree to do community service in lieu of confinement. Captain Cook stated that this program has been

very successful in the past. There have been thousands of people working and not one bad incident. Councilmember Viterbi suggested that the City pay a minimum wage. Captain Cook said that he would like to wait and talk to Beverly Hills, because something had come up and there were some problems with supplying people right now.

ACTION: to table for two weeks at request of City Council.

Motion by Terrigno seconded by Viterbi.

AYES: Terrigno, Viterbi, Mayor Heilman

NOES: Albert, Schulte

Motion carried.

ITEM 16. SOCIAL SERVICE
PRIORITIES

This item was tabled till the 19th at the request of the City Manager, for further refinement.

ITEM 16a. NIGHT-TIME
PARKING
VALERIE TERRIGNO

The City Manager is working on Pacific Design Center Parking plan. The facility is open for use evenings and weekends now.

ITEM 17. SMALL CITY
ECONOMIC DEVELOPMENT GRANT
--MARK WINOGROND

ACTION: To approve the resolution authorizing submittal of an application for participation in the County of Los Angeles-Sponsored Small City Economic Development Project.

Motion by Heilman seconded by Schulte. Hearing no objection it was so ordered.

ITEM 18. EXAMINATION
OF SALES AND USE TAX
RECORDS

The City Manager explained that from time to time it would be desirable for someone from the City to examine the sales and use tax records of the State Board of Equalization in regard to transactions made for the City.

ACTION: To Adopt Resolution No. 98:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING EXAMINATION OF SALES AND USE TAX RECORDS. Motion by Terrigno seconded by Schulte Hearing no objection it was so ordered.

ITEM 19. SMOKING
ORDINANCE

Councilmember Viterbi explained that the draft smoking ordinance was for information purposes only. It was decided to discuss the ordinance in two weeks, at the meeting of the 19th, and then possibly set up a public hearing.

ITEM 20. FALSE ALARM
ORDINANCE, NO. 74

Ordinance No. 74 was presented for second reading and adoption.
ACTION: To waive second reading and adopt Ordinance No. 74: AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD RELATING TO BURGLARY, ROBBERY, AND FIRE ALARM SYSTEMS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.
Motion by Schulte seconded by Albert.
AYES: Albert, Terrigno, Viterbi, Schulte, Mayor Heilman.
Motion carried.

ITEM 21. AIDS DISCRIMINATION,
ORDINANCE NO. 77

ACTION: To waive second reading and adopt Ordinance 77: AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING DISCRIMINATION IN EMPLOYMENT, HOUSING, BUSINESSES, CITY SERVICES AND FACILITIES, AND EDUCATIONAL INSTITUTIONS ON THE BASIS OF AIDS OR AN AIDS-RELATED CONDITION.
Motion by Terrigno seconded by Schulte.
AYES: Albert, Terrigno, Viterbi, Schulte, Mayor Heilman
NOES: None
Motion carried.

ITEM 22. AMENDMENT TO
RENT CONTROL ORDINANCE-
ORDINANCE NO. 79

Ordinance No. 79u, an amendment to the Rent Control Ordinance (No. 59) was presented by the City Attorney, and there was also a report by Adam Moos. The purpose of Ordinance 79u is to correct clerical errors and ambiguities in the Rent Control Ordinance, however there were also some other changes. One of the changes was a ten percent increase allowed after a voluntary vacancy.

There was a Council discussion of the Ordinance. It was decided to approve part of the Ordinance, but to hold off on some parts of the Ordinance.

ACTION: To adopt Ordinance 79u as amended, AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO. 59 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF.
Motion by Heilman seconded by Schulte.
AYES: Albert, Terrigno, Viterbi, Schulte, Mayor Heilman.
NOES: None
Motion carried.

ACTION: To waive reading and introduce Ordinance 79, AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO.

ITEM 22 (cont'd)

59 AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.

Motion by Albert seconded by Terrigno.

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

NOES: None

Motion carried.

Ordinance No. 79 to be back on agenda on the 19th for adoption.

ITEM 23. DEMANDS AND WARRANTS

ACTION: To approve Demand Register No. 20-- Resolution No. 102.

Motion by Mayor Heilman seconded by Schulte. Noting the abstention of Councilmember Terrigno and Councilmember Viterbi, it was so ordered.

ITEM 24. WRITTEN AND ORAL COMMUNICATIONS

Councilmember Heilman requested that supplemental agenda items be funneled through one person in the future.

There was a discussion of future meetings: the 12th will be a study session; the 26th will be a study session on code enforcement, rent control enforcement, sign ordinance; October 3rd will be skipped, October 17th will be a regular meeting.

Councilmember Viterbi stated there will be an animal ordinance presented on the 19th. Also on the 19th the City Manager will report on a smoke alarm ordinance. Councilmember Schulte asked when the parking authority would be discussed. The City Manager said it would be taken up at the meeting for committees and commissions.

Ron Shipton made a request to straighten out access to public records. He requested to be able to see originals, not copies, as duplicates are often illegible, and it is difficult to get copies, and a time consuming process. Stated he submitted a list 10 days ago and so far got one file. Mayor Heilman stated it would be a substantial investment of staff time to have someone watch while documents are examined.

LITIGATION SESSION

At 11:47 p.m., Council adjourned to a closed session to discuss items of potential litigation and personnel.

Council reconvened at 12:10 p.m., and Mayor Heilman stated that there had been a direction on personnel and an action was to be taken on potential litigation.

There was a motion regarding the club "Glitter."

ACTION: To approve the Sheriff's Department protest of Glitter, with the Alcoholic Beverage Control Board to have their business license hearing scheduled as soon as possible.

AYES: Albert, Schulte, Viterbi, Mayor Heilman

NOES: None

ABSENT: Terrigno

Motion carried.

The meeting was adjourned at 12:13 p.m. to September 10th, at 6:00 p.m. at Plummer Park, Hall A.