

MINUTES  
WEST HOLLYWOOD CITY COUNCIL

December 6, 1984

- CALL TO ORDER: The meeting was called to order at 7:30 p.m. by Mayor Terrigno.
- INVOCATION: Councilmember Schulte asked those in this new City to take a couple of minutes to reflect on what they are a part of and draw together in the spirit of cohesiveness and participation and join their strength and their ideas to get through the items on agenda and the problems in the days ahead.
- PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Albert.
- ROLL CALL: Present: Albert, Schulte, Viterbi, Heilman, Mayor Terrigno  
Absent: None  
Also Present: City Manager Bien  
City Attorney Jenkins
- APPROVAL OF AGENDA: Councilmember Heilman objected to Item 17, requests for exemptions to rent control moratorium, as it was supposed to be on the agenda for the 13th. Mayor Terrigno tabled Item 17 to December 13th. There were no other changes to the agenda.
- ACTION: to approve the agenda as amended. Motion Schulte seconded by Albert. Hearing no objection it was so ordered.
- NONDISCRIMINATION: Mayor Terrigno stated that the County had provided City Attorney Jenkins with a letter setting forth the nondiscrimination policy of Los Angeles County. Under Civil Service Rule 2501 of the County, the term "nonmerit factors" is interpreted to include sexual preference or orientation. All of our County contracts now will include this statement of nondiscrimination.
- ITEM NO. 2,  
Resolution #18: The City Attorney presented Resolution No. 18: "A Resolution of the city Council of the City of West Hollywood providing for Enforcement of the City's Health Ordinances and Authorizing Execution of an Agreement with the County of Los Angeles with Respect Thereto."
- ACTION: To waive further reading and adopt. Motion by Heilman seconded by Schulte. Hearing no objection it was so ordered.
- ITEM NO. 3,  
RESOLUTION NO. 19: The City Attorney presented Resolution No. 19: "A Resolution of the City Council of the City of West Hollywood Providing for the Enforcement of Laws and Regulations Relating to Public Health by the County Health Officer Within the City of West Hollywood."
- ACTION: To waive further reading and adopt. Motion by Albert seconded by Heilman. Hearing no objection it was so ordered.

ITEM NO. 4,  
 RESOLUTION NO. 20: The City Attorney presented Resolution No. 20:  
 INDUSTRIAL WASTE "A Resolution of the City Council of the City  
 of West Hollywood to Provide Enforcement of the  
 Industrial Waste Provisions of City Ordinances  
 and Authorizing the Execution of an Agreement  
 With the County."

ACTION: To waive further reading and adopt.  
 Motion by Schulte seconded by Heilman.  
 Hearing no objection it was so ordered.

ITEM NO. 5,  
 RESOLUTION NO. 21: The City Attorney presented Resolution No. 21:  
 BUILDING INSPECTION "A Resolution of the City Council of the City  
 SERVICES of West Hollywood Authorizing Execution of an  
 Agreement with the County of Los Angeles in  
 Respect to Building and Related Services."

ACTION: To waive further reading and adopt.  
 Motion by Heilman seconded by Schulte.  
 Hearing no objection it was so ordered.

ITEM NO. 6,  
 RESOLUTION NO. 22: The City attorney presented Resolution No. 22,  
 COUNTY ENGINEER an agreement with the County for using the  
 SERVICES services of the County Engineer for processing  
 and checking subdivision maps. "A Resolution  
 of the city Council of the City of West Holly-  
 wood Authorizing Execution of an Agreement with  
 the County of Los Angeles Providing for Services  
 of the County Engineer."

ACTION: To waive further reading and adopt.  
 Motion by Heilman seconded by Mayor Terrigno.  
 Hearing no objection it was so ordered.

ITEM NO. 7,  
 RESOLUTION NO. 23: The City Attorney presented Resolution No. 23:  
 STREET MAINTENANCE "A Resolution of the City Council of the City  
 of West Hollywood Authorizing Execution of an  
 Agreement with the City of Los Angeles for  
 Street Maintenance."

ACTION: To waive further reading and to  
 adopt Resolution No. 23. Motion Viterbi  
 seconded Terrigno. Hearing no objection  
 it was so ordered.

ITEM NO. 8:  
 RESOLUTION NO.24: The City Attorney presented Resolution No. 24,  
 AMBULANCE SERVICE "A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
 OF WEST HOLLYWOOD AUTHORIZING EXECUTION OF  
 AN AGREEMENT WITH THE COUNTY OF LOS ANGELES  
 WITH RESPECT TO AMBULANCE SERVICES."

Mayor Terrigno had questioned if the fee for  
 ambulance services is a separate fee that  
 the City paysto the County for the contract.  
 According to the City Attorney, the person who  
 receives the service is ultimately responsible  
 for payment. The County will bill for payment  
 for that service, and the City will be in a  
 position to seek payment.

ACTION: To approve Resolution No. 24.  
 Hearing no objection it was so ordered.

- ITEM 9: RESOLUTION NO. 25: ANIMAL CONTROL SERVICES  
The City Attorney presented Resolution No. 25, which concerned the use of County Department for Animal Control services. The Resolution authorizes execution of an agreement with the County of Los Angeles for animal control services.
- ACTION: To approve Resolution No. 25. Motion Heilman seconded Schulte. Hearing no objection it was so ordered.
- ITEM 10: ORDINANCE NO. 10: ESTABLISHING COUNCILMANIC COMPENSATION  
The City Attorney gave a second reading of Ordinance No. 10, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD ESTABLISHING COUNCILMANIC COMPENSATION".
- ACTION: To approve Ordinance No. 10. Motion Albert seconded Heilman.  
AYES: Albert, Schulte, Viterbi, Heilman  
Mayor Terrigno  
NOES: None  
Motion carried.
- ITEM 11: ORDINANCE NO. 11: TRANSFER OF ASSESSMENT AND TAX COLLECTION DUTIES  
The City Attorney presented Ordinance No.11, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD TRANSFERRING ASSESSMENT AND TAX COLLECTION DUTIES TO THE COUNTY OF LOS ANGELES ASSESSOR AND TAX COLLECTOR".
- ACTION: To approve Ordinance No. 11. Motion Schulte seconded by Albert. Hearing no objection it was so ordered.
- ITEM 12: ORDINANCE NO. 12: PROPERTY TRANSFER TAX  
The City Attorney presented Ordinance No. 12 and advised the Council read it both as an urgency ordinance and as a regular ordinance. The purpose of adopting the ordinance immediately was to establish a basis for claiming a portion of the tax that is paid when a property is transferred from a seller to a purchaser, in the event that current litigation changes in favor of incorporated cities within the County.
- ACTION: To waive further reading and to adopt Ordinance No. 12 as an urgency ordinance.  
AYES: Albert, Schulte, Viterbi, Heilman  
Mayor Terrigno  
NOES: None  
Motion carried.
- City Attorney then read the title of Ordinance No. 12 for the purpose of introducing it on first reading, and it would be: "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD IMPOSING A REAL PROPERTY TRANSFER TAX ON THE SALE OF REAL PROPERTY".
- ACTION: To waive further reading and to introduce on first reading Ordinance No. 12. Motion Terrigno seconded Albert. Hearing no objection it was so ordered.
- ITEM 13: ORDINANCE NO. 13U: SMOKING IN COUNCIL CHAMBERS & ORDINANCE NO. 13  
The City Attorney presented Ordinance No. 13, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING SMOKING IN COUNCIL CHAMBERS AND DECLARING THE URGENCY THEREOF."

ACTION: To waive further reading and adopt Ordinance No. 13U.  
Motion by Viterbi seconded by Heilman.  
AYES: Albert, Schulte, Viterbi, Heilman, Mayor Terrigno  
NOES: None  
Motion carried.

The City Attorney read the title of Ordinance No. 13, the same ordinance, for introduction on first reading: "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD PROHIBITING SMOKING IN COUNCIL CHAMBERS."

ACTION: To waive further reading and introduce on the first reading Ordinance No. 13.  
Motion by Heilman seconded by Albert.  
Hearing no objection it was so ordered.

ITEM 14:  
LEASE FOR PLUMMER  
PARK OFFICE SPACE

The City Attorney explained that the City has a temporary home in Hall B of Plummer Park, and the County has provided a lease for rental of that room to the City on a month-to-month basis at a monthly rental of \$1,000. The City Attorney recommended that the City Council approve the lease subject to approval of the City Attorney and then authorize the Mayor to execute the lease. He also recommended that in the event there is any further room for negotiation as to the rental amount, the Council include in its motion authorization to the City Attorney and the Mayor to continue that negotiation but to execute the lease if that negotiation is not successful.

ACTION: To approve the recommendation of the City Attorney to lease Hall B, Plummer Park, from the County.  
Motion by Heilman seconded by Albert.  
Hearing no objection it was so ordered.

Mayor Terrigno presented to the City Council, keys to the City Hall offices.

ITEM 15:  
CITY TREASURER

The City Attorney explained that the Government Code of California requires the City to have a treasurer, and he also mentioned that the City was expecting receipt of a check from the State that would be made payable to the Treasurer of the City of West Hollywood.

ACTION: To appoint Jonathon Ahearn of Unity Savings as acting City Treasurer.  
Motion by Mayor Terrigno seconded by Schulte.  
AYES: Albert, Schulte, Viterbi, Heilman, Mayor Terrigno  
NOES: None  
Motion carried.

ITEM 16:  
REPORT ON COUNCIL  
SUB-COMMITTEES

Mayor Terrigno presented a proposal for Council subcommittees. There would be five committees, with two councilmembers on each committee:

- 1) Economic Development, Small Business Development, Finance, and Budget -  
Chair: Viterbi  
Member: Terrigno
- 2) Management, Personnel, Contracts, Intergovernmental Relations, & Transportation -  
Chair: Albert  
Member: Heilman

ITEM 16 (Cont'd)

- 3) Structural Planning, Zoning, Parking, Public Works -  
Chair: Schulte  
Member: Viterbi
- 4) Parks, Public Spaces, Public Safety, Cultural Affairs, Tourism, Recreation  
Chair: Terrigno  
Member: Schulte
- 5) Human Services, Health, Housing, Rent Control  
Chair: Heilman  
Member: Albert

There was a discussion. Councilmember Schulte moved to approve the subcommittees as proposed, Viterbi seconded. After further discussion, it was decided to table the subcommittee formation for one week, and the motion was withdrawn by Councilmember Schulte and Viterbi.

ITEM 18:  
DISCUSSION OF LETTER  
TO COMMUNITY RE  
RENT CONTROL

The City Attorney presented a draft of a letter to be sent to all tenants and owners of rental property within the City regarding the rent control moratorium and conversion moratorium. Councilmember Viterbi moved to authorize the City Attorney to send out a revised version of the letter to have in the City Manager's hands by Monday at the latest, and for him to take into consideration the recommendations of the councilmembers. Schulte seconded. There was a discussion regarding how the letters would be mailed, and how many days it would take. First class would be \$8,000 as opposed to \$4,000 bulk rate.  
ACTION: To table the letter until taking a recess to review the letter and at that time make a decision as to whether it should go out December 7th or December 10th (Monday). Motion by Schulte seconded by Albert. Hearing no objection it was so ordered.

ITEM 19:  
SIGNER FOR HEARING  
IMPAIRED

ACTION: To authorize a signer for the hearing impaired at all meetings where it is certain that someone who is hearing impaired will be in attendance and would like to participate. Cost: \$16.50 per hour. Motion by Schulte seconded by Viterbi. AYES: Albert, Schulte, Viterbi, Heilman, Mayor Terrigno  
NOES: None.  
Motion carried.

ITEM 20:  
LEASE WITH TELE-  
COMP

ACTION: To approve a lease with Telecomp Communications for telephone installation and rental, with the first month's rent at \$2,065. (First nonCounty contractor.) Motion by Schulte seconded by Viterbi. Hearing no objection it was so ordered.

ITEM 21:  
CITIZEN COMMITTEES  
(VT)

Mayor Terrigno presented a proposal for ad hoc citizen committees composed of five members each. The committees would be:  
1) a search committee for a permanent city hall;  
2) a search committee for a permanent city manager;  
3) a committee to do a study on comparable worth for personnel practices;  
4) a committee to study a benefits package for personnel;  
5) a committee to study insurance for a long term. There was a discussion regarding the procedure for appointing committee members. Councilmember Heilman questioned why, if each Councilmember is going

to appoint one person to each committee, the whole Council would have to approve the entire committee.

ACTION: To approve five-member citizen committees as proposed by Mayor Terrigno. Motion by Mayor Terrigno, seconded by Viterbi.

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

NOES: None

Motion carried.

There was a discussion regarding the procedure for appointing members to the citizen committees. Councilmember Heilman felt the Council should not have veto power over appointments. Councilmember Viterbi was concerned that someone may be appointed who had a clear self-interest in decisions made by that committee, and that the rest of the Council could not prevent that appointment.

ACTION: To approve the appointment of one Committee member by each Councilmember to each of the five citizen committees, subject to the approval of the entire City Council at the meeting of December 13th.

Motion by Viterbi seconded by Schulte.

AYES: Schulte, Viterbi, Mayor Terrigno

NOES: Heilman

ABSTAIN: Albert

Motion carried.

Councilmember Schulte raised the question that people who are not residents of West Hollywood should be allowed to be appointed for committees, because there may be a time when there might be somebody Council would like to approve who is not a resident.

ACTION: To approve that members of committees and not commissions, do not necessarily have to reside in West Hollywood.

Motion by Schulte seconded by Viterbi.

AYES: Albert, Schulte, Viterbi, Heilman

NOES: Mayor Terrigno

Motion carried.

ITEM 22:  
MEDIAN STRIP

Mayor Terrigno stated that she met with Austin Green of the Rotary Club, which holds the current lease on the Santa Monica Boulevard property, and obtained a copy of the lease. The City Attorney is to read the lease in order to find an opportunity for the City to obtain the lease to the property and begin changing Santa Monica Boulevard. The City Attorney stated that the County is presently litigating an eminent domain action to take the strip from the railroad company. He requested one more week to research the matter further. Mayor Terrigno and the Council agreed to one more week. Mayor Terrigno also mentioned that the Rotary Club which has the lease is currently in debt of approximately \$17,000 for the landscaping and flag poles for the strip.

## ITEM 23:

LEASE OF OFFICE  
EQUIPMENT, SOUND  
EQUIPMENT, TEMP.  
STAFF, INSURANCE

Councilmember Viterbi explained that his subcommittee had been authorized to go forth and begin an office: secure furniture, telephone lines, office equipment, and six temporary staff people for 60 days, and that three of those positions had been filled -- one secretary and two clerk-typists. In addition, two staff people have been helping out with no benefits: Dori Stegman with technical details, and Adam Moos to oversee the volunteers for the rent control hot line.

**ACTION:** To approve the hiring of the people already working, for the subcommittee to set the salaries, and bring the salaries back to the Council on December 13th for approval. Motion by Councilmember Viterbi seconded by Mayor Terrigno.

Hearing no objection it was so ordered.

Mayor Terrigno announced that the City is accepting applications and it is an open process.

Mayor Terrigno asked the City Manager about the leasing of the office furniture. The City manager stated that the original payment is \$556.80, including a \$50 cartage fee, and the monthly payments are \$616.25. Mayor Terrigno asked whether it would be appropriate to authorize payment at this time for the xerox machine and typewriters. The City Manager stated he would prefer to come back with specific dollar amounts, and in the interim would propose to lease some typewriters and lease-purchase the office copier, and these would be brought back for Council approval. Councilmember Viterbi stated that the committee was already authorized to approve those expenditures.

**ACTION:** To approve the lease of equipment or furniture already at City Hall.

Motion by Mayor Terrigno.

Hearing no objection it was so ordered.

The City Manager requested the Council to approve the payment for comprehensive liability insurance and public officials liability insurance.

**ACTION:** To approve the payment of \$1,178 for general liability insurance coverage for 30 days--\$10 million worth of coverage.

Motion by Schulte seconded by Viterbi.

Hearing no objection it was so ordered.

There was a discussion of the office-holders' insurance policy. The City Manager stated it was \$7,652.66 for one year of coverage, and the coverage is \$5 million. Councilmember Schulte stated that he had understood it would be a 30-day policy. The City Manager explained that he had misunderstood the intentions of the City Council and had told the insurance carrier it would be for one year. Mayor Terrigno stated that she spoke to Mr. Springer, and the only alternative is to cancel the policy in 30 days, and the City would get a rebate. Mayor Terrigno

## ITEM 23 (cont'd)

asked the City Attorney if it were necessary to make full payment of \$7,652 for the policy at this time. The City Attorney stated that it probably would be possible to pay a pro-rated amount. There was a motion by Councilmember Viterbi seconded by Councilmember Albert to accept the one-year office-holders' policy. Councilmember Schulte made a friendly amendment that there be a cancellation in 30 days, to open up for public bidding. After discussion Councilmember Viterbi withdrew the motion, and the subject was tabled for one week for further information. The City Manager suggested that since a citizen's ad hoc committee is to be appointed to study insurance needs, the Council should proceed with all possible haste with the committee since 30 days is very little time for the committee to make a decision and get notices to the appropriate insurance agencies, get options back, and get the item on the agenda.

There was a discussion on the rental of sound equipment for \$200 for each meeting. Mayor Terrigno stated that she ordered sound equipment for three weeks. Councilmember Heilman suggested that microphones be purchased. ACTION: To approve \$200 for sound equipment rental from Ametron Rents (for this meeting). Motion by Viterbi seconded by Schulte. Hearing no objection it was so ordered.

ACTION: To approve expenditures: rental of microphone and equipment for \$75; food, \$104; postage, \$65; printing, \$157; typesetting, \$131; in addition to a plaque and a gavel paid for by Councilmember Viterbi's committee. Motion by Mayor Terrigno seconded by Viterbi. Hearing no objection it was so ordered.

The City Manager explained that in the future, the Council will receive what is called a demand register in the agenda, which will list all of the bills to be paid to vendors and the amount, that will be adopted as a resolution. The next day the checks will be cut, based upon the approval received by the City Council the night before.

ACTION: To approve having Dori Stegman purchase a sign for city hall--approximate price, \$120--four by twelve feet. Motion by Mayor Terrigno seconded by Schulte. Hearing no objection it was so ordered.

ACTION: To authorize Dori Stegman to get some figures on a beeper for the City Manager, and bring back to meeting on the 13th. Motion by Viterbi seconded by Mayor Terrigno. Hearing no objection it was so ordered.

ITEM 24:  
OTHER BUSINESS

Councilmember Schulte stated that he was investigating the possibility of having Group W tape all the Council meetings.

Councilmember Heilman requested that the agenda be prepared in advance rather than just the day of the meeting. Mayor Terrigno said she would like to hold off on it for a week. Councilmember Viterbi recommended that the City Manager get the agenda out early next week, and perhaps next Thursday a procedure be set up. The City Manager stated that it is



ITEM 24 (cont'd)  
OTHER BUSINESS

his expectation that as soon as possible, the agenda would be available not later than Monday evening for the following Thursday. Councilmember Heilman proposed that the City Attorney handle the agenda for December 13th because there were some agenda items carried over. The City Attorney said he would like to have the agenda in the Councilmember's hands by early the next week. The City Manager also stated that it would be important to have a cutoff time for getting things into the agenda so that it could be completed, typed and distributed in time.

Councilmember Heilman stated that in the future the Council table would be set up in a V shape so that the Councilmembers could see and hear each other better.

Councilmember Viterbi stated that there was a stenographer at the meeting, and moved that Council authorize a stenographer at all Council meetings. The cost would be \$100 for the session and \$3.25 a page. After further discussion the motion was withdrawn in order to look into it further.

**ACTION:** To authorize payment for a stenographer for this particular meeting--December 6th.

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

Councilmember Schulte requested that on the December 13th agenda there be a discussion about taxi permits because some permits would be coming due at the end of December and there needs to be an orderly process for having taxies in the City of West Hollywood. He also requested the City Attorney to prepare a report, and stated that he would have some discussion with the Sheriff in the meantime.

ITEM 25:  
ORAL COMMUNICATION  
WITH AUDIENCE

NANCY TAYLOR, 1047 N. Crescent Heights Boulevard: Ms. Taylor stated that she had attended two meetings and numerous ordinances have been passed on either the first or second reading. She asked whether these ordinances are in effect and when the public can speak out on these ordinances. The City Attorney replied that all the urgency ordinances are in effect as soon as they are adopted. Therefore most of the ordinances that have been adopted are in effect. There have been several ordinances that have been merely first read. Those do not take effect until they are read for a second time, and then a 30 day period must follow before they take effect. There have been two ordinances of that kind: one transferring tax collection duties to the County Assessor and Tax Collector, and one on Councilmanic Compensation. All of the ordinances and resolutions and contracts will be available in city hall to review or to purchase. The rent control ordinance is in effect and has been available in the Sheriff's station. Mayor Terrigno explained to Ms. Taylor that the public will have an opportunity to speak at every meeting if they want to address the Councilmembers regarding ordinances.

ORAL COMMUNICATION (cont'd)

JEANNE DOBRIN, 9000 Cynthia Street:  
Ms. Dobrin commented on development and the importance of having a good planning department.

GERDA SPIEGLER, 1025 N. Kings Road:  
Ms. Spiegler asked a question in regard to Item 12, real property transfer tax. She wanted to know whether, if she sells property, she would get double billing-- from the County and from the City. The City Attorney explained that the County would continue to collect the tax, but the City would collect its 50 percent from the County.

JAMES PLATLER, Santa Monica, California:  
Mr. Platler made a request in regard to a project at 155 North La Peer Drive, to add 200 square feet to the front corner and remove some ugly staircasing in the front and provide a facade. He explained that it would take more than \$50,000.

The City Attorney stated that individual projects cannot be exempted from the building moratorium, but generic categories can, and perhaps the monetary limit could be increased.

GEORGE CREDLE, 1211 North Flores: Mr. Credle stated that he feels it is important for members of committees to be residents of West Hollywood.

ETHEL SHAPIRO, West Hollywood: Ms. Shapiro said that becoming a City has been a dream come true, and that she would like to know if there is anything she can do to help this become a very fine City.

ROBERT PIERSON, 7555 De Longpre: Mr. Pierson made an appeal that people who live within two blocks of the City should be allowed to be on committees and commissions. He lives just one block north of the official City line. He said it is a question of loyalty more than exact locality.

JAMES LEDFORD, 1000 N. San Vicente:  
Mr. Ledford spoke through an interpreter, and thanked the Council on behalf of the deaf community for authorization to supply a sign language interpreter for meetings. He asked the City Manager to put on the agenda a request for the purchase of a TDD, which is a special device that deaf people can use, for communicating with City Hall.

JOHN MACKEY, 1240 N. Flores: Mr. Mackey stated that that night a video tape of last Thursday's historic inaugural proceedings was being televised by Group W Cable Channel 10, featuring the installation of the new Councilmembers at the first meeting of the Council. Mr. Mackey recommended that Council approve \$120 to purchase a copy of the tape for archives, and further approve spending \$35 for each conventional tape copy. He also requested an opportunity to address the Council at next week's meeting to report preliminary

ORAL COMMUNICATION (cont'd)

findings regarding the status of video cablecasting in West Hollywood. He will be providing the subcommittee with a written report before that time.

VINCENT DE CALSU, president of Celebrity Cab, 8300 Sunset Blvd.: Mr. De Calsu thanked Councilmember Schulte and the Council for bringing up the matter of taxi permits. He said there have been many problems in the taxi industry before and after the Olympics. He has 156 permits in the City of West Hollywood. Right now there are 480 taxi permits that have been licensed in L.A. County. He asked that before making a decision on permits, the transportation committee should look into the matter of the industry, and he offered to help in any way he could.

ADJOURNMENT

Mayor Terrigno moved to adjourn to closed session to review some potential litigation regarding vested rights.