

**CITY COUNCIL
CITY OF WEST HOLLYWOOD
MINUTES
MONDAY, JULY 21, 1997
WEST HOLLYWOOD PARK**

CALL TO ORDER: Mayor Guarriello called the meeting to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE: Craig Ritchie led the Pledge.

ROLL CALL:

PRESENT: Councilmembers - Heilman, Prang, Martin and Mayor Guarriello.
Councilmember Koretz arrived at 7:15 p.m.

ABSENT: Councilmembers - None.

ALSO PRESENT: City Manager Makinney, City Attorney Jenkins, Assistant City Clerk Thompson and Deputy Clerk Gillig.

APPROVAL OF AGENDA:

Assistant City Clerk Thompson requested Item 4.B Disabilities Advisory Council Appointments be removed and tabled to August 4, 1997.

Councilmember Prang pulled Item 2.O from the Consent Calendar to ask a few questions of the City Engineer during Councilmember Comments and then added 2.O back to the Consent Calendar.

Councilmember Heilman noted his NO vote on Item 2.P and 2.R.

City Attorney Jenkins stated that items for Closed Session were brought to the attention to the City after the Posting of the agenda. He requested that prior to adjourning the Regular Meeting the City Council recess to Closed Session to discuss the following items:

Real Estate Negotiations, pursuant to G.C. 54956.8: Fire Station No. 7 and 8759 Santa Monica Boulevard. Initiation of Litigation, pursuant to G.C. 54956.9(c): one case. Existing Litigation, pursuant to G.C. 54956.9(a): West Hollywood v. Lanak and Hanna, Case No. 92C03528.

ACTION: Recess to Closed Session, after the Regular Meeting, and add the above Items to the Closed Session Agenda. Motion Councilmember Heilman, seconded by Mayor Guarriello and unanimously carried noting the absence of Councilmember Koretz.

Motion to approve the agenda as amended Councilmember Heilman, seconded by Mayor Guarriello and unanimously carried noting the absence of Councilmember Koretz.

PRESENTATIONS:

Mayor Guarriello announced Councilmember Heilman's 40th birthday.

Mayor Guarriello announced July 24, 1997 as Jack Forman Day in West Hollywood, for Jack Forman's contributions to the City.

Councilmember Heilman proclaimed August 5th as "National Night Out" and presented a Proclamation to the Neighborhood Watch Group Captains.

Councilmember Heilman presented Commendations to former Women's Advisory Councilmembers Francis Diaz and Donna Parker.

1. CITIZEN COMMENTS:

JOHN ALTSCHUL, WEST HOLLYWOOD, commented that he is a little dismayed by the tenancy of the mean-spiritedness of the council meetings and hopes that it does not continue.

JOHN DURAN, WEST HOLLYWOOD, supports Item 6.A. He is opposed to Bed & Breakfast's in Residential Zones.

ROSLYN KRAUSE, WEST HOLLYWOOD, spoke against the Council conduct and Councilmember Heilman opposition to POW's.

SIBYL ZADEN, WEST HOLLYWOOD, spoke regarding the building at 1145 North Horn Avenue that has caused problems and insisted that something be done to remove this building.

TIM PERRY, WEST HOLLYWOOD, supports Item 6.A. He is opposed to Bed & Breakfast's in Residential Zones.

RUTH WILLIAMS, WEST HOLLYWOOD, supports Item 6.A. She is opposed to Bed & Breakfast's in Residential Zones.

TED MC NAMARA, WEST HOLLYWOOD, supports Item 6.A. He is opposed to Bed & Breakfast's in Residential Zones.

LAURENCE BORENSTEIN, WEST HOLLYWOOD, supports Item 6.A. He is opposed to Bed & Breakfast's in Residential Zones.

R.T. TAYLOR, WEST HOLLYWOOD, supports Item 6.A. He is opposed to Bed & Breakfast's in Residential Zones.

CRAIG RITCHIE, WEST HOLLYWOOD, supports Item 6.A. he is opposed to Bed & Breakfast's in Residential Zones.

CHARLOTTE BANTA, WEST HOLLYWOOD, commented that the city trees are in bad condition and are dangerous to the public. She stated these trees needs to be trimmed more frequently and commented on the barricade at Almont Street.

EFFIE RIUVENIE, WEST HOLLYWOOD, commented that Mayor Guarriello is not mean spirited. He asked that a Holiday Tree by installed as a beacon to the City during the Holidays.

CAROL RODRIGUEZ, WEST HOLLYWOOD, supports the Holiday Tree and a little party.

JOHN STOUT, WEST HOLLYWOOD, recognized Councilmember Martin for the investigation in regards to the ABC, and the City for the low cost pet vaccinations.

JAIME VALLADARES, LOS ANGELES, introduced himself as the new director of Public Affairs with Pacific Bell.

DONNY CACY, WEST HOLLYWOOD, supports Item 6.A. He is opposed to Bed & Breakfast's in Residential Zones and also spoke about removing parking striping on the East Side.

BERNARD HOFFMAN, LOS ANGELES, owner of Flores properties that are to become Bed and Breakfast, indicating that tenants would not become displaced and asked the Council to reconsider.

BARBARA HAMAKER, WEST HOLLYWOOD, she spoke in support for adopting a feral cat ordinance and in support of Item 5.A. on the CDC Agenda.

JOHN JAKUPCAK, WEST HOLLYWOOD, he spoke in opposition to Item 6.A. He is not in favor of a city wide ban on Bed and Breakfast's, and outlined several options.

BRUCE TRAUB, WEST HOLLYWOOD, he spoke in regards to the condition of Santa Monica Boulevard and questioned how the City of West Hollywood has dealt with Cal Trans and the condition of Sunset Boulevard.

FRANCIS DIAZ, WEST HOLLYWOOD, indicated that there is a method to City process regarding the installation of Stop Signs, and that the process works.

COUNCILMEMBER COMMENTS:

Councilmember Heilman commented on Cal Trans and all the problems the City has encountered with them over the years, and asked Joan English, Director of the Transportation Department, to meet with Mr. Traub. He asked Charolotte Banta to meet with Sam Baxter, Buildings and Landscape Manager regarding street trees. The Holiday Lights has been taken over by the Santa Monica Boulevard Association, and asked that Effie Riuvenie to speak to the Merchant Association. He also requested that City Manager Makinney follow up on the re-striping on the Eastside.

Councilmember Prang stated his concerns regarding tree trimming waste being sent to landfills. He pulled item 2.O and asked Sharon Perlstein, City Engineer, to explain the construction project.

Sharon Perlstein explained Item 2.O, the city's first Sewer Rehabilitation Program, that the construction would have very little disruption to the neighborhoods since most work would be done through the manholes. She indicated there will be no odors seeping out into the community.

Councilmember Prang thanked staff and asked that Item 2.O be returned to the Consent Calendar.

Councilmember Martin commented on Rent Control and wanted to remind people that if you are tenant you will always be protected under West Hollywood rent control, if you do not move. He also spoke regarding the take over of Santa Monica Boulevard and the past relationship the City has had with Cal Trans.

Mayor Guarriello commented that the property at 1145 North Horn Avenue has been foreclosed by the bank and it will be boarded up.

CITY MANAGER'S REPORT: City Manager Makinney introduced Captain Odenthal from the Sheriff's Department. Captain Odenthal commented on pedestrian accidents: West Hollywood has had one fatality so far this year. He stated the Sheriff's Department has written twice as many pedestrian citations this year (317 so far) as compared to last year, and informed the community that their will be 10 Deputies out in full force writing citations to pedestrians and motorists on Tuesday, July 22, 1997.

FISCAL IMPACT ON CONSENT CALENDAR: Assistant City Clerk Thompson stated the Fiscal Impact of the Consent Calendar for July 21, 1997, as amended is \$968,997 in expenditures and \$31,956 in potential revenues.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, and R.
Motion Councilmember Heilman, seconded by Councilmember Prang and unanimously carried.

A. POSTING OF AGENDA:

The agenda for the meeting of Monday, July 21, 1997 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, July 17, 1997.

RECOMMENDATION: Receive and file. **Approved as part of the Consent Calendar.**

B. WAIVER OF FURTHER READING:

RECOMMENDATION: After the City Attorney has read the title of any ordinance on tonight's agenda, the further reading thereof shall be waived. **Approved as part of the Consent Calendar.**

C. DEMAND REGISTER NO. 345, RESOLUTION NO. 97-1775:

RECOMMENDATION: Approve Demand Register No. 345 and adopt Resolution No. 97-1775, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 345." **Approved as part of the Consent Calendar.**

D. ORDINANCE NO. 97-497 (2nd Reading), PROPOSED ORDINANCE CREATING PREFERENTIAL PARKING DISTRICT NO. 9:

RECOMMENDATION: Waive further reading and adopt Ordinance No. 97-497, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE BY CREATING PREFERENTIAL PARKING DISTRICT NO. 9, ESTABLISHING PARKING REGULATIONS FOR HAVENHURST DRIVE, LA JOLLA AVENUE, AND CROFT AVENUE, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." **Approved as part of the Consent Calendar.**

E. COMMISSION AND ADVISORY BOARD ACTION REPORTS:

RECOMMENDATION: Receive and file reports from the Rent Stabilization Commission and the Human Services Commission. **Approved as part of the Consent Calendar.**

F. RESIGNATION FROM THE PLANNING COMMISSION:

RECOMMENDATION: Accept with regret the resignation of D'Lynda Fischer. **Approved as part of the Consent Calendar.**

G. SETTING THE TIME AND PLACE FOR A STUDY SESSION WITH THE PUBLIC FACILITIES COMMISSION:

RECOMMENDATION: Direct the City Clerk's office to schedule a Study Session between the City Council and the Public Facilities Commission to be held prior to the regularly scheduled City Council meeting of September 2, 1997. **Approved as part of the Consent Calendar.**

H. SUPPORT FOR THE RE-AUTHORIZATION OF INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT (ISTEA II) AND SOME OF THE REGIONAL PROJECTS SPONSORED BY THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (MTA):

RECOMMENDATION: (1) Adopt Resolution No. 97-1776, "A RESOLUTION OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF CONGRESS RE-AUTHORIZING THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT AND SOME OF THE REGIONAL PROJECTS SPONSORED BY THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY;" and (2) Direct staff to send letters supporting the re-authorization to Senators Boxer and Feinstein, and Congressman Waxman with copies to the MTA. **Approved as part of the Consent Calendar.**

I. CO-SPONSORSHIP OF "HELLO AGAIN: A NEW WAVE OF RECYCLED ART AND DESIGN" AT BARNSDALL ART PARK IN THE CITY OF LOS ANGELES:

RECOMMENDATION: Direct staff to proceed with co-sponsorship of the art exhibition called "Hello Again: A New Wave of Recycled Art and Design" at a cost of \$2,000 and authorize the City Manager to execute the necessary agreements. **Approved as part of the Consent Calendar.**

J. IMPLEMENTATION OF ADMINISTRATIVE FEE FOR THE REMOVAL, IMPOUND, STORAGE OR RELEASE OF VEHICLES:

RECOMMENDATION: Adopt Resolution No. 97-1777, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD AUTHORIZING THE COLLECTION OF AN ADMINISTRATIVE FEE FOR THE REMOVAL, IMPOUND, STORAGE OR RELEASE OF VEHICLES." **Approved as part of the Consent Calendar.**

K. PROPOSED RESOLUTION IN OPPOSITION TO HR 102, A BILL WHICH WOULD WEAKEN THE BRADY LAW:

RECOMMENDATION: (1) Adopt Resolution No. 97-1778, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO HR 102 WHICH WOULD WEAKEN THE BRADY LAW;" and (2) Inform legislators in the US Congress of this Resolution. **Approved as part of the Consent Calendar.**

L. PARKING INCENTIVE PROGRAM FOR MUNICIPAL PARKING STRUCTURE NO. 1, LOCATED AT 8383 SANTA MONICA BOULEVARD:

RECOMMENDATION: (1) Approve free parking for the first two hours at Municipal Parking Structure No. 1 located at 8383 Santa Monica Boulevard to promote the use of the Kings Road parking structure on a six month trial basis; (2) Approve two hour free parking with validation, at Municipal Parking Structure No. 1, located at 8383 Santa Monica Boulevard, for all businesses on Santa Monica Boulevard between Crescent Heights Boulevard and La Cienega Boulevard to promote the use of the Kings Road parking structure on a six month trial basis; and (3) Approve the cost of providing all businesses in compliance with all City laws and taxes, on Santa Monica Boulevard between Crescent Heights Boulevard and La Cienega Boulevard with validation stamps, window display signs and other promotional materials. **Approved as part of the Consent Calendar.**

M. CREATION OF YEAR 2000 TASK FORCE:

RECOMMENDATION: (1) Direct staff to create a Year 2000 Task Force which would meet together on a quarterly basis to discuss and help coordinate plans for the Year 2000. Members should include representation from the Chamber of Commerce; Visitors and Convention Bureau; business owners, residents, City staff and other segments of the community which may be planning activities for the turn of the century. **Approved as part of the Consent Calendar.**

N. REQUEST FOR PROPOSALS, RETAIL MANAGEMENT AND MERCHANDISING FOR THE CITY RETAIL/CITY STORE PILOT PROJECT:

RECOMMENDATION: Authorize Staff to issue an RFP for retail management and merchandising services for the City Retail pilot project. **Approved as part of the Consent Calendar.**

O. AWARD OF CONSTRUCTION CONTRACT FOR SEWER REPAIR AND REHABILITATION PROJECT CIP 9705:

RECOMMENDATION: Declare the bid submitted by U-Liner West to be non-responsive; (2) Accept the bid dated June 14, 1997 submitted by Sancon Engineering II, Inc.; (3) Authorize the City Manager to enter into a contract with Sancon Engineering II, Inc. in the amount of \$809,697. for the construction of the Sewer Repair and Rehabilitation Project, CIP 9705; and (4) Authorize the City Engineer to manage change orders on this project in an amount not to exceed 25% of the contract. **Approved as part of the Consent Calendar.**

P. AUTHORIZATION FOR THE PURCHASE AND DISPLAY OF OFFICIAL POW/MIA FLAGS:

RECOMMENDATION: Direct staff to purchase official POW/MIA flags and to display one on the median strip on Santa Monica Boulevard. **Approved as part of the Consent Calendar, noting the NO vote of Councilmember Heilman.**

Q. NATIONAL NIGHT OUT:

RECOMMENDATION: (1) Proclaim August 5, 1997 "National Night Out;" (2) Approve street closures for National Night Out block parties: Rugby Drive, between Westbourne and Westmount; Almont Drive, between Ranglely and Melrose, 1/2 block from the Melrose barricade North of Ranglely; Lloyd Place, between Doheny and Willey; (3) Serve as a sponsor for National Night Out events; (4) Waive all City fees associated with this City sponsored event. **Approved as part of the Consent Calendar.**

R. APPROVAL OF AN EMPLOYMENT AGREEMENT WITH CHARLES MAKINNEY AS CITY MANAGER:

RECOMMENDATION: Approve an employment agreement effective May 5, 1997 with Charles Makinney as City Manager of the City of West Hollywood; and (2) Authorize the Mayor to execute the agreement. **Approved as part of the Consent Calendar, noting the NO vote of Councilmember Heilman.**

3. **PUBLIC HEARINGS:** None.

4. **UNFINISHED BUSINESS:**

A. PROPOSED FERAL CAT ORDINANCE:

Sam Baxter, Landscape and Building Maintenance Manager, provided background information as outlined in the staff report dated July 21, 1997.

SONNDRA MAY, WEST HOLLYWOOD, stated her support for the passage of this Ordinance. West Hollywood is a cruelty free City and hopes it remains that way.

MICHAEL GOTTFRIED, LOS ANGELES, indicated feral cats are not only a nuisance but also a health risk. If something is not done, feral cats will remain a problem in the City.

WAYNE BLANKENSHIP, WEST HOLLYWOOD, feels that the City took a step in the right direction regarding the feral cats. However, this Ordinance does not go far enough.

ROSLYN KRAUSE, WEST HOLLYWOOD, asked the City Council to adopt the ordinance as proposed.

CAROLE ELLIS, WEST HOLLYWOOD would like the Council to be a little more aggressive and find more money in the budget to deal with feral cats, such as spay and neuter programs.

NORMA SANDLER, WEST HOLLYWOOD hopes that the City Council will accept the Committee's suggestions.

JOYCE HUNDAL, WEST HOLLYWOOD, stated her support for a strong ordinance to protect the animals, she commented that little kittens are still being born.

Mayor Pro Tem Martin requested Sam Baxter to explain Section 1200(e) which refers back to the Administrative Remedies section of the Code to issue citations.

Councilmember Koretz stated he is most comfortable with Exhibit B, which he feels is the simplest, which states that if feral cats are not causing a problem, then would be left as they are, if they are a nuisance then the City would take action.

City Attorney Jenkins commented on the limitations about entering residential property, requiring a court order or some sort of warrant in an attempt to trap the cats.

Councilmember Heilman agrees with Councilmember Koretz regarding Exhibit B and outlined its merits.

Councilmember Prang thanked all the residents involved with the Ad-Hoc Feral Cat Committee. He stated that Exhibit A incorporates more of the elements recommended by the Ad-Hoc Feral Cat Committee, and provides more of an open process.

Mayor Pro Tem Martin indicated the Exhibit A may be more effective with an expedited hearing process before the City Manager, then through a Nuisance Hearing. He suggested incorporating some language from both Exhibits A and B.

Mayor Guarriello indicated he felt Exhibit A is the best way to go at this point. He feels that Exhibit B would not allow the City to go on to private property and could create problems.

Councilmember Koretz commented that under Exhibit A you would not be able to go onto private property.

City Attorney Jenkins stated each of the Ordinances have difference nuances and a different tone. The City Council could deliberate and incorporate different sections of the ordinances. As Exhibit A is currently written it does not expressly authorize going onto private property. However the City does have general nuisance power, and can exercise it at any time. That was not directly written into Exhibit A.

ACTION: Introduce for first reading Ordinance No. 97-498, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD DEFINING AND REGULATING FERAL CATS AND FERAL CAT COLONIES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE" as proposed in Exhibit A with Section 3306(b)(i) to read "(i) order that the subject feral cats be removed forthwith from the City, in which event the custodian shall remove the cats from the City forthwith. If the custodian fails to do so, the City may elect to abate the nuisance in accordance with the procedures set forth in Article IV, Chapter IV of this Code, by causing the feral cats being harbored on the property to be trapped, and using its best efforts to relocate the cats to a location where they will provided with appropriate care; or"

Motion Mayor Pro Tem Martin, seconded by Councilmember Heilman and unanimously carried on a Roll Call vote.

Councilmember Prang directed staff to meet with his Office regarding spay and neuter programs.

B. DISABILITIES ADVISORY COUNCIL APPOINTMENT(S):

This item was tabled at the request of staff to August 4, 1997.

The City Council recessed at 8:40 p.m. as the West Hollywood Community Development Commission.

The City Council reconvened at 8:42 p.m.

5. NEW BUSINESS:

A. PROPOSED RESOLUTION SUPPORTING THE CESSATION OF ALL INDEPENDENT COUNSEL INQUIRIES REGARDING GAY AND LESBIAN APPOINTEES IN THE CLINTON ADMINISTRATION; THE CLOSURE OF THE OFFICE OF INDEPENDENT INVESTIGATION; AND TO TERMINATE THE WHITEWATER INVESTIGATION:

Councilmember Prang provided background information as outlined in the staff report dated July 21, 1997.

STAN LOTHBRIDGE, WEST HOLLYWOOD, stated this resolution does not pertain to the residents of the City of West Hollywood.

CHAD BLOUIN, WEST HOLLYWOOD, spoke in favor of the proposed resolution. He also thanked the City Council for the renewal of the contract on the Community Development Commission agenda.

ACTION: (1) Adopt Resolution No. 97-1779, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING THE CESSATION OF ALL INDEPENDENT COUNSEL INQUIRIES REGARDING GAY AND LESBIAN APPOINTEES IN THE CLINTON ADMINISTRATION; THE CLOSURE OF THE OFFICE OF INDEPENDENT INVESTIGATION; AND TO TERMINATE THE WHITEWATER INVESTIGATION;" (2) Direct staff to communicate the Council's Resolution to the White House, Congress and the Office of the Independent Council.

Motion Councilmember Prang, seconded by Councilmember Heilman and unanimously carried.

EXCLUDED CONSENT CALENDAR: None.

CITIZEN COMMENTS:

RICHARD MAGGIO, WEST HOLLYWOOD, stated that no clean-up work has been done at 1145 North Horn Avenue and the property has still not be boarded up. He asked the City Council for assistance.

6. LEGISLATIVE:

A. PROPOSED ORDINANCE TO PROHIBIT THE COMMERCIAL OPERATION OF BED AND BREAKFASTS IN RESIDENTIAL ZONED AREAS:

Richard Ryan, Deputy to Mayor Pro Tem Martin, provided background information as outlined in the staff report dated July 21, 1997.

JEROME WHITE, WEST HOLLYWOOD, stated he is facing the prospect of losing his home. Supports Item 6.A. Opposed to Bed & Breakfast's in Residential Zones.

MARTIN BEDOGNE, WEST HOLLYWOOD, supports Item 6.A. Opposed to Bed & Breakfast's in Residential Zones and questioned what would happen if the San Vicente Inn moved to a residential neighborhood?

CONNIE SAMPEL, LOS ANGELES, supports Item 6.A. Opposed to Bed & Breakfast's in Residential Zones.

JAN KUNESH, WEST HOLLYWOOD, supports Item 6.A. Opposed to Bed & Breakfast's in Residential Zones.

SASHA MARCUS, WEST HOLLYWOOD, indicated that Mr. Hoffman had tried various ways to evict her from her apartment and she cannot get repairs done. Stated her support for Item 6.A.

DOUG ROUTH, WEST HOLLYWOOD, indicated that the Ordinance be carefully drafted and that this not be a "quick fix" proposal. He stated he is in support of an Item that would prohibit Bed and Breakfast's in Residential Zones.

MARK LEHMAN, WEST HOLLYWOOD, stated he is representing Bernard Hoffman. He stated the Ordinance being retro-active is not fair, and that a Moratorium across the board is not the solution.

TERRY SNYMAN, WEST HOLLYWOOD, property owner. Indicated that he has worked with the City to resolve all issues with the San Vicente Inn. He has resolved various issues regarding this property and would like the City to consider legislation that is not going to affect his operation.

ANSON SNYDER, WEST HOLLYWOOD supports Item 6.A. Opposed to Bed & Breakfast's in Residential Zones.

TODD ELLIOT, WEST HOLLYWOOD, stated his concerns about an across the board ordinance effecting Bed and Breakfast's that already operate in the City.

Councilmember Heilman outlined the current process of converting the property into a Bed and Breakfast. He indicated the process could take several months, and he stated his concerns about protecting the current tenants in the building. He suggested placing a moratorium on these types of developments City Wide until the City Council could make a determination. He asked City Attorney Jenkins for clarification on the owners threat to "Ellis" the building.

City Attorney Jenkins stated the City has no authority to preclude an owner from "Ellis-ing" the building. He explained the process and stated there are penalties involved to re-use the building for residential uses.

Mayor Guarriello stated he was almost forced out of his home many years ago and thanks to this City he was saved. He stated that the City will do everything it

legally can in response to the tenants. Mayor Guarriello asked if any other cities have imposed a moratorium on Bed and Breakfast's.

City Attorney Jenkins stated he is unaware of particular moratoriums being placed on Bed and Breakfast's but the moratorium process under the Government Code has been utilized by many cities, including this City, in situations like this, where the zoning ordinance allows an activity which the City now, wishes to take another look at, and the City wants to maintain the "status quo" pending that review.

Councilmember Prang stated he agrees on a Moratorium on conversion, and does not support a Bed and Breakfast on this street. He stated his concerns about property owners receiving a fair return on their investment.

Councilmember Koretz asked that we look at a Moratorium only on the conversion, and not on existing operations. He stated this section of the Municipal Code was created to help people to preserve historic properties and not a way for owners to get around rent control. He stated his support of a moratorium for these circumstances.

Councilmember Martin agreed to Councilmember Heilman's suggestion of a Moratorium.

ACTION: (1) Direct the City Attorney to draft an ordinance enacting a moratorium prohibiting the conversion of residential property to Bed and Breakfast's and the operation of new bed and breakfast's within residential zoned areas of the City of West Hollywood; and (2) Direct the Community Development Department to initiate the process of bringing to the Planning Commission, and any other necessary Boards or Commission, a report to modify the Zoning Ordinance relative to the subject.

Motion Mayor Pro Tem Martin, seconded by Councilmember Heilman and unanimously carried.

COUNCILMEMBER COMMENTS:

Councilmember Prang commented on the building at 1145 North Horn Avenue. He asked that we expedite this and start the process to abate this?

City Attorney Jenkins indicated that we have the tools but there is an extended public hearing process. He stated the lender is taking the necessary steps to obtain a receivership on this property.

Councilmember Koretz agreed that this problem has gone on far too long. The City needs to give direction to deal with this building.

City Attorney Jenkins stated his will return to the City Council in two weeks, with a written proposal, including deadlines. This would include a coordination with the Lender and a back-up plan that would involve unilateral action on part of the City.

Mayor Guarriello asked the City Manager Makinney return to the City Council with analysis on the Holiday Lights.

The City Council took an additional Citizen Comment for a resident who was trying to get to Council Chambers but missed the Comment period.


RAY RILEY, WEST HOLLYWOOD, commented that he is locked out of City Hall during the daytime and so this is the only time he can speak. He indicated that the City is wasting money as his salary is being paid and the citizens are not getting their money worth."

**The City Council recessed into Closed Session at 9:35 p.m.
The City Council reconvened at 9:53 p.m.**

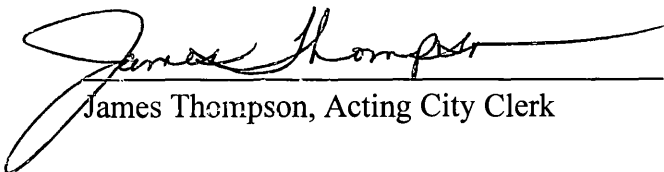
REPORT OF CLOSED SESSION: City Attorney Jenkins stated a written report of the Closed Session would be on file with the City Clerk.

ADJOURNMENT: The City Council adjourned at 9:55 p.m. to Closed Session and their next regular meeting on Monday, August 4, 1997 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY A MOTION OF THE WEST HOLLYWOOD CITY COUNCIL THIS
20TH DAY OF OCTOBER, 1997.


MAYOR

ATTEST:


James Thompson, Acting City Clerk