

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
TUESDAY, SEPTEMBER 5, 1995  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

7:00 P.M. - REGULAR MEETING

**CALL TO ORDER:** Mayor Heilman called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE:** Helen Goss led the Pledge.

**ROLL CALL:**

PRESENT: Councilmembers Guarriello, Land, Martin and Mayor Heilman.

ALSO PRESENT: City Manager Brotzman, Assistant City Attorney Susskind, City Clerk Love and Assistant City Clerk Thompson  
Mayor Pro Tem Koretz arrived at 7:10 p.m.

**REPORT OF CLOSED SESSION AGENDA:** Assistant City Attorney Susskind stated that at approximately 6:00 p.m. the Mayor called the meeting to order and the Council, by a 4/4 vote, added one item to the agenda under Government Code Section 54957 Personnel, Public Employee Employment Title: Farmers Market Specialist. She added that the City Council recessed into a Closed Session to discuss the items on the Closed Session Agenda, any reportable actions will be filed with the City Clerk.

**APPROVAL OF AGENDA:** Councilmember Land amended item 2.G. to reflect the fiscal impact is \$1,200 which she stated was within the existing public safety salary savings. Hearing no other changes, the Agenda was approved by a consensus of the City Council, as amended.

**PRESENTATIONS:** Mayor Heilman recognized three employees who have served the City for ten years, Lloyd Long, Jodi Curlee and Helen Goss. He presented all three with a "10 year" pin to acknowledge their service. Ms. Helen Goss thanked the Council and staff for the recognition.

Mayor Heilman presented the Imperial Movie Capital Court of Hollywood (IMCCH) a commendation for its commitment to AIDS Charities locally, nationally and internationally. He stated the IMCCH Coronation Ball is September 16, 1995. The City Council proclaimed September 5th as Imperial Movie Capital Court Day in West Hollywood. Members of the IMCCH were present to accept the commendation and thanked the City of West Hollywood for this honor.

Mayor Heilman also presented a commendation to Melody Aushenker for furthering public safety awareness and, most importantly, her actions that brought to justice some people that were believed to be involved in a series of crimes. Her neighbor, Stan Holtzer, thanked Melody for her actions. Melody Aushenker thanked the City Council for the honor and stated the Sheriff's are the real heroes.

Mayor Heilman indicated that a long time resident, Dean Litricia, passed away in May and the City was just informed. The City Council meeting will be adjourned in his memory.

Mayor Heilman stated that the Aids Walk will be coming through West Hollywood on September 17, 1995.

1. **CITIZEN COMMENTS:** No speakers coming forward, Citizen Comment period was closed.

**CITY MANAGER'S REPORT:** City Manager Brotzman stated that Mayor Heilman and Councilmember Land asked staff to look into a City charge card issuance. He stated that in order for the City to receive any funds from this, the City would have to charge a slightly higher interest rate than a bank or credit union, and he feels the cards are not highly marketable, due to the higher fees and or interest.

City Manger Brotzman reported on the status of the utility users tax charges which were placed on cellular phones and long distance carriers. He stated since January 1st we have received 28 calls and the phone companies have been very cooperative in reversing all charges, he added the City is continuing to publicize. He indicated that theses cases appear to be exceptions instead of the rule.

**FISCAL IMPACT ON CONSENT CALENDAR:** Assistant City Clerk Thompson stated the Fiscal Impact on the September 5, 1995 Consent Calendar as amended is \$2,594,301 in expenditures and \$134,000. in potential revenue.

2. **CONSENT CALENDAR:**

**ACTION:** Approve items 2A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, and Q with an amendment to item 2.G. to reflect \$1,200. fiscal impact. Motion Councilmember Land, seconded by Councilmember Guarriello and unanimously carried.

- A. **POSTING OF AGENDA:** The agenda for the meeting of Tuesday, September 5, 1995 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, August 31, 1995.

**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. 301, RESOLUTION NO. 95-1487:**

**RECOMMENDATION:** Approve Demand Register No. 301 and adopt Resolution No. 95-1487; "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ALLOWING AND APPROVING THE

PAYMENT OF DEMANDS ON DEMAND REGISTER NO. 301.” Approved as part of the Consent Calendar.

**D. ORDINANCE NO. 95-445 (2nd Reading), PROPOSED ORDINANCE IMPLEMENTING PREFERENTIAL PARKING REGULATIONS ON FOUNTAIN AVENUE BETWEEN LA CIENEGA BOULEVARD AND SWEETZER AVENUE:**

RECOMMENDATION: Waiver further reading and adopt Ordinance No. 95-445; “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE PREFERENTIAL PARKING PROVISIONS OF THE TRAFFIC CODE BY IMPLEMENTING PREFERENTIAL PARKING REGULATIONS ON FOUNTAIN AVENUE BETWEEN LA CIENEGA BOULEVARD AND SWEETZER AVENUE AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.” Approved as part of the Consent Calendar.

**E. ORDINANCE NO. 95-446 (2nd Reading), ORDINANCE EXPANDING THE NUMBER OF MEMBERS OF THE FINE ARTS ADVISORY BOARD:**

RECOMMENDATION: Waive further reading and adopt Ordinance No. 95-446; “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD EXPANDING THE NUMBER OF MEMBERS OF THE FINE ARTS ADVISORY BOARD AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.” Approved as part of the Consent Calendar.

**F. ORDINANCE NO. 95-447, (1st Reading), PROPOSED ORDINANCE CORRECTING ORDINANCE 95-433 WHICH AMENDS THE SOLID WASTE ORDINANCE:**

RECOMMENDATION: Accept public comment and introduce on first reading Ordinance No. 95-447; “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING SOLID WASTE COLLECTION, AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE.” Approved as part of the Consent Calendar.

**G. AUTHORIZE THE CLOSURE OF TWO EASTERN LANES OF LA BREA AVENUE BETWEEN ROMAINE STREET AND FOUNTAIN AVENUE FOR AIDS WALK LOS ANGELES:**

RECOMMENDATION: Authorize the use of the two lanes on the East side of La Brea Avenue from Romaine Street to Fountain Avenue in the morning on Sunday September 17, 1995. Amended to reflect \$1,200. fiscal impact. Approved as part of the Consent Calendar.

**H. STATE OFFICE OF CRIMINAL JUSTICE PLANNING CAREER CRIMINAL APPREHENSION PROGRAM GRANT (C-CAP):**

RECOMMENDATION: (1) Adopt Resolution No. 95-1488, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD

AUTHORIZING CONTINUED COMMITMENT FOR THE FISCAL YEAR 1995-96 TO THE CAREER CRIMINAL APPREHENSION PROGRAM GRANT (C-CAP) PREVIOUSLY AUTHORIZED;" and (2) Authorize the City Manager to execute any additional agreements. Approved as part of the Consent Calendar.

**I. APPROVAL OF A SUPPLEMENTAL AGREEMENT FOR CONSTRUCTION INSPECTION SERVICES FOR THE MELROSE AVENUE ROBERTSON BOULEVARD TRAFFIC SIGNAL RECONSTRUCTION, CIP 9504:**

RECOMMENDATION: (1) Approve the supplemental agreement with LANBP Engineering Corporation in an amount not to exceed \$15,000. for the continued construction inspection services of the Melrose Avenue Robertson Boulevard traffic signal project; and (2) Authorize the City Manager to sign the agreement. Approved as part of the Consent Calendar.

**J. A RESOLUTION SUPPORTING A COUNTY-WIDE TIPLERS TAX:**

RECOMMENDATION: Adopt Resolution No. 95-1489, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING A COUNTY-WIDE TIPLERS TAX." Approved as part of the Consent Calendar.

**K. PROPOSED RESOLUTION SUPPORTING PRESIDENT CLINTON'S INITIATIVE TO REDUCE SMOKING AMONG TEENAGERS:**

RECOMMENDATION: (1) Adopt Resolution No. 95-1490, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING PRESIDENT CLINTON'S INITIATIVE TO REDUCE SMOKING AMONG TEENAGERS; and (2) Direct staff to determine ways in which the City can implement and enforce restrictions, such as those proposed by the President, designed to stop sales and marketing of cigarettes and smokeless tobacco to children. Approved as part of the Consent Calendar.

**L. AWARD OF CONSTRUCTION CONTRACT NO 2 FOR CIP 9506 FOR MUNICIPAL PARKING STRUCTURE NO. 1 LOCATED AT 8383 SANTA MONICA BOULEVARD, WEST HOLLYWOOD:**

RECOMMENDATION: (1) Accept the bid dated August 15, 1995 submitted by PARR Contracting Company in the amount of \$2,346,000. for construction of contract No. 2 of CIP 9506 construction of Municipal Parking Structure No. 1; and (2) Authorize the City Manager to sign the agreement. Approved as part of the Consent Calendar.

**M. APPROVAL OF AGREEMENT TO PROVIDE INSPECTION AND MATERIALS TESTING SERVICES FOR MUNICIPAL PARKING STRUCTURE NO. 1 LOCATED AT 8383 SANTA MONICA BOULEVARD, WEST HOLLYWOOD:**

RECOMMENDATION: (1) Approve a professional services agreement with Twining Laboratories Inc. for an amount not to exceed \$65,545. for inspection/quality control services and materials testing services during the construction of Municipal Parking Structure No. 1; and (2) Authorize the City Manager to sign the agreement. Approved as part of the Consent Calendar.

**N. APPROVAL OF AGREEMENT WITH ASSOCIATED SOILS ENGINEERING, INC. TO PROVIDE GEOTECHNICAL SERVICES DURING THE CONSTRUCTION PERIOD FOR MUNICIPAL PARKING STRUCTURE NO. 1 LOCATED AT 8383 SANTA MONICA BOULEVARD:**

RECOMMENDATION: (1) Approve an agreement with Associated Soils Engineering, Inc. to provide soils testing and geotechnical services during the construction for Municipal Parking Structure No. 1 in an amount not to exceed \$10,000; and (2) Authorize the City manager to sign the agreement. Approved as part of the Consent Calendar.

**O. AUTHORIZE THE PURCHASE OF A FORD RANGER PICK-UP TRUCK WHICH SHALL BE RETROFITTED TO ALLOW THE VEHICLE TO OPERATE ON HYDROGEN FUEL:**

RECOMMENDATION: Approve a sole source vehicle purchase in the amount of \$9,600. from Clean Air Now, a not for profit environmental technology firm, to procure a 1994 Ford Ranger pick-up truck. Approved as part of the Consent Calendar.

**P. REORGANIZATION OF FINANCE DEPARTMENT - PURCHASING OPERATIONS:**

RECOMMENDATION: (1) Eliminate the position of Account Clerk I Finance/Purchasing (ACE-05) and authorize the creation of Administrative Staff Assistant (GE-08); and (2) Authorize the placement of existing Account Clerk I in the Administrative Staff Assistant position. Approved as part of the Consent Calendar.

**Q. AGREEMENT FOR PROFESSIONAL SERVICES: REVIEW AND UPDATE OF INTERNAL FINANCIAL REGULATIONS:**

RECOMMENDATION: (1) Approve an agreement with RR Brown & Company in amount not to exceed \$10,000., to review and update internal financial regulations. Approved as part of the Consent Calendar.

**3. PUBLIC HEARINGS:**

**A. ZONING TEXT AMENDMENT 94-05, REVISION OF NIGHTCLUB PARKING STANDARDS:**

Mayor Heilman provided background information as outlined in the staff report dated September 5, 1995.

RECOMMENDATION: Continue the public hearing to Monday, September 18, 1995.

Motion Councilmember Land, seconded by Councilmember Guarriello and unanimously carried.

**B. DECLARATION OF PUBLIC NUISANCE 904 - 906 STANLEY AVENUE, WEST HOLLYWOOD:**

Assistant City Clerk Thompson stated a Notice of Public Hearing was mailed to the owner of the property and all identifiable interested parties on August 22, 1995 and a Notice of Abatement was posted on the subject property on August 22, 1995.

Bob Meyer, Senior Code Enforcement Officer, provided background information as outlined in the staff report dated September 5, 1995. He added that a revised resolution was prepared by the City Attorney's Office. He stated the property has been a public nuisance since March, 1993. It has had 8-9 titles in the last 2 1/2 years and 8 or 9 property owners. This has made it very difficult to locate the parties to contact. In December 1993, the property was red tagged and the people living on the property were relocated with the help of Human Services. The Sheriffs Department asked the City to board and fence the property due to prostitution and other illicit activity on the property, the City did indeed fence and board the property. Surrounding property owners and Neighborhood Watch have complained to Code Enforcement for all sorts of activities on the property. He also stated that eight notices were sent via certified mail and five were returned. Three notices were received but to date no one has contacted the City to indicate any willingness to abate the nuisance. Mr. Meyer introduced photographs of the property into the record, of the property as it stands today. He stated the property is a fire hazard and small fires have already occurred in the building, it is attracting homeless persons and if there is an fairly good earthquake the building could collapse.

Mr. Meyer stated the recommended action is to completely demolish the rear building and authorize the City Clerk to notify all interested parties of the Council action and allow 30 days to abate. If the nuisance is not abated it would also give the City Manager the authority to abate and place a lien on the property.

Mayor Heilman opened the public hearing, and no speakers coming forward, the public hearing was closed.

Mayor Pro Tem Koretz asked who is responsible for the property taxes and asked who is the owner of record.

Mr. Meyer indicated that the taxes have not been paid since 1992. An attempt to contact all interested parties has been made.

Councilmember Land requested the condition of the front structure be closely monitored and if it deteriorates report back to Council for the abatement of that structure.

Councilmember Martin suggested that the City start foreclosure proceedings to get that property sold if possible, and ask the County Assessor Office to speed up a tax lien sale if possible.

RECOMMENDATION: Adopt Resolution No. 95-1491, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DECLARING THE CONDITION OF THE PROPERTY AND STRUCTURE LOCATED TO THE REAR OF 904 -906 NORTH STANLEY (LOT 390 OF MCNAIR PLACE), WEST HOLLYWOOD, CALIFORNIA TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF SUCH NUISANCE."

Motion Councilmember Land, seconded by Councilmember Guarriello and unanimously carried.

#### **COUNCILMEMBER COMMENTS:**

Mayor Pro Tem Koretz asked about the success of other cities with their bank cards. There have been articles where other cities have had such successes.

City Manager Brotzman responded that he did not have the report in front of him but the credit cards have become much more competitive, banks and credit unions have waived fees and lowered interest and that has decreased the opportunity for revenue generation for the City.

Mayor Heilman asked Paul Brotzman to provide the written report to the City Council.

Councilmember Land indicated that in addition to the City Managers comments, the City has also had problems finding a bank to issue the credit cards at this time. She also asked the City send notice to the state to look at the idea of taxing liquor at the source. In addition, she added that computers were budgeted for the Council offices and asked him to check on the status of receiving the computers.

#### **4. UNFINISHED BUSINESS:**

##### **A. DISABILITIES ADVISORY COUNCIL APPOINTMENTS:**

Mayor Heilman provided background information as outlined in the staff report dated September 5, 1995. He added that he just received notice from Jodi Curlee, Social Services Manager, indicating that none of the appointed members use a wheelchair. Ms. Curlee suggested holding one position for a wheelchair person.

RECOMMENDATION: This item was continued to October 2nd by consensus of the Council.

ACTION: Direct the City Clerk to re-post a Notice of Vacancies.

**B. APPROVAL OF AGREEMENT WITH SPENCER CONSULTING SERVICES FOR PROFESSIONAL SERVICES TO PROVIDE A COMPREHENSIVE REVIEW OF THE RESIDENTIAL PERMIT PARKING SYSTEM:**

Janis Rhodes, Parking Manager, provided background information as outlined in the staff report dated September 5, 1995.

RECOMMENDATION: (1) Approve a professional services agreement with Spencer Consulting Services in the amount of \$50,000. to conduct a comprehensive analysis of the Preferential Permit Parking Program; and (2) Authorize the City Manger to sign the agreement.

Councilmember Land stated that people have written to the Council regarding the use of parking permits from district to district and would like to have this added to the scope of services.

Ms. Rhodes indicated that this could be added to the scope of services.

Mayor Heilman asked that the consultant should provide recommended language for signage changes, recommendations on the types of materials, for signage. He stated he envisions that Ms. Rhodes would be working with the consultant to make sure the scope of work is completed, and the City will have a work product that is really useable.

Councilmember Guarriello asked if the degree of incline and other related issues could be included in this scope of work.

Ms. Rhodes responded that incline problems are already part of a report that is nearly completed, and that report will be before Council in the next couple of meetings.

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

**C. AGREEMENT WITH LOS ANGELES COUNTY FIRE AND SUPPRESSION DISTRICT FOR THE SHARED COSTS ASSOCIATED WITH THE ACQUISITION AND CONSTRUCTION OF A NEW FIRE STATION NUMBER 7:**

Nancy Greenstein, Public Safety Manager provided background information as outlined in the staff report dated September 5, 1995. Amanda Susskind, Assistant City Attorney added the lease will be irrevocable and not subject to abatement.



Councilmember Martin stated he received complaints from residents relative to the height of the building, and loss of views.

Mayor Heilman inquired as to whether the City knows how much the Hancock property is worth. He indicated his concern that the City is not obligated to provide \$2 million for this project, and he feels that the County should give this property to the City.

Ms. Greenstein responded that we do not know how much it is worth.

Ms. Susskind responded that the City gets half of the old property, or if it is sold the proceeds are to pay off the debt. This was negotiated in the original agreement in 1993.

Mayor Heilman stated he was in favor of this agreement, but directed the City Manager to go back and give us full credit for Hancock property. He indicated that would be willing to defer action on this item for two weeks. He feels that since we are bailing them out, and pushing for this project, the least they could do is to give us that property.

Councilmember Land stated she agreed with Mayor Heilman, however, she asked if we could approve this agreement now, and then go back and ask about Hancock property.

Ms. Susskind responded that it would require an amendment of the 1993 agreement. If we approve this agreement she isn't sure what bargaining leverage we would have to amend the 1993 agreement.

Councilmember Guarriello stated he was not in favor of a delay, he stated that if the City does not continue to push this project it will never get built.

Mayor Pro Tem Koretz indicated he would not mind a postponement, for purposes of negotiation of the Hancock property, however, not for too long, but he does not see any harm in a delay of two weeks.

Councilmember Martin stated that any delay on the Council's part will delay the project. He indicated he would not be supportive of a delay.

Ms. Susskind indicated that this project is only moving forward because the City is moving forward. She doesn't feel that this project would be agendized by the County if the City Council does not approve it tonight. It is her recommendation to approve this agreement tonight.

RECOMMENDATION: (1) Approve an agreement between the City of West Hollywood and the Los Angeles County Fire and Suppression District for the shared costs associated with the acquisition and construction of a new Fire Station Number 7; and (2) Authorize the City Manager to execute the agreement.

Motion Councilmember Guarriello, seconded by Councilmember Land and carried on a roll call vote:

AYES: Guarriello, Land, Martin, Heilman

NOES: Koretz

**5. NEW BUSINESS:**

**A. AUTHORIZATION OF FUNDS TO JOIN SISTER CITIES INTERNATIONAL:**

Jim Sweeney, Deputy to Councilmember Guarriello provided background information as outlined in the staff report dated September 5, 1995.

Councilmember Land indicated that she was very supportive of this program.

Mayor Heilman indicated the process to choose the Sister City is a long one that involves input from many people.

RECOMMENDATION: (1) Direct staff to designate the appropriate finances to pay the Sister Cities International membership fee of \$380.00 from the City Council's budget; and (2) Direct staff to continue to work with the Sister City Citizen committee to support and guide the Sister City affiliation effort.

Motion Mayor Pro Tem Koretz, seconded by Councilmember Guarriello and unanimously carried.

**B. ENVIRONMENTAL REVIEW AT 8759 SANTA MONICA BOULEVARD AND ITS OPERATION AS A SURFACE PARKING LOT TEMPORARY USE PERMIT 95-46:**

Tim Foy, Associate Planner, provided background information as outlined in the staff report dated September 5, 1995.

Mayor Heilman inquired why the lot would be closed at 7:00 p.m.

Ms. Rhodes responded that the lot is closed at 7:00 p.m. because the structure currently does not have lighting for safety concerns.

Mayor Heilman stated that this recommendation is only temporary and staff may come back and asked that the lot be modified for lighting standards or perhaps a parking structure be placed at that location.

RECOMMENDATION: Adopt Resolution No. 95-1492, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, APPROVING THE NEGATIVE DECLARATION FOR THE CITY PURCHASE OF THE PROPERTY LOCATED AT 8759 SANTA MONICA BOULEVARD, WEST HOLLYWOOD CALIFORNIA, AND ITS OPERATION AS A SURFACE PARKING LOT"

Motion Councilmember Land, seconded by Mayor Pro Tem Koretz and unanimously carried.

**EXCLUDED CONSENT CALENDAR** None.

**CITIZEN COMMENTS:** None.

**6. LEGISLATIVE:** None.


**COUNCILMEMBER COMMENTS:**

Councilmember Martin reported he participated in a COPPS patrol and distributed anti gay bashing materials, it was well received.

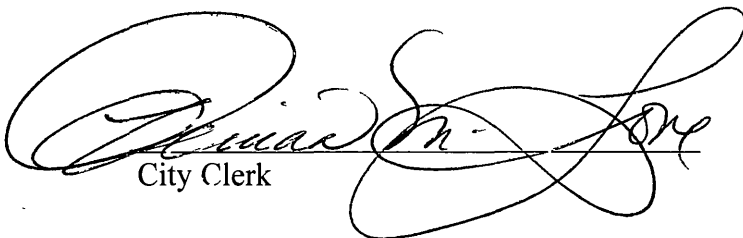
Mayor Heilman indicated that a group of people participated in Labor Day LA which functioned as a fund-raiser for many organizations.

**ADJOURNMENT:** The City Council adjourned at 8:12 p.m. in memory of Dean Litricia to its next regular meeting on Monday, September 18, 1995 at 7:30 P.M., at West Hollywood Park, 647 N. San Vicente Boulevard.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 18th DAY OF SEPTEMBER, 1995.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
City Clerk