

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, MAY 1, 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 7:08 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Lester Hersch.

**ROLL CALL:**

PRESENT -- Councilmembers: Guarriello, Land, Martin, Koretz and Mayor Heilman  
ALSO PRESENT -- City Manager Brotzman and City Attorney Jenkins

**REPORT OF CLOSED SESSION AGENDA:** City Attorney Jenkins reported that the Closed Session was called to order at 6:00 p.m., and indicated that no action was taken by the City Council and no reports were necessary under the Brown Act. City Attorney Jenkins stated Closed Session adjourned at approximately 7:00 p.m.

**APPROVAL OF AGENDA:** Mayor Heilman stated that item 2N was tabled for two weeks at the request of staff.

**MOTION** to approve the agenda as amended by Councilmember Land, seconded by Councilmember Guarriello and unanimously carried.

**PRESENTATIONS:** Mayor Heilman stated the meeting would be adjourned in memory of Mike Radcliffe and Matt Hostomski. Mayor Heilman proclaimed the month of May 1995 as the ninth annual Senior Month in West Hollywood; Lester Herch presented some of the actives taking place for Seniors month. Richard Maggio presented commendations to Al and Bea Berkman for their 60 years together, Abram and Mania Bodner for their 57 years together, Michele and Freda Chertkaov for their 64 years together, Alexander and Plina Laufer for their 53 years together, and Jacob and Khasya Shar for their 55 years together recognizing "Golden Anniversary Couples." Mayor Heilman commended Mike "Rocky" Mansdorf for his dedication and service as part of West Hollywood Seniors Month 1995. Mayor Heilman commended Crys Quimby for her enormous contribution to the West Hollywood community. Mayor Heilman stated that \$2,300., for each organization, was raised at the City Council Re-organization fund raiser for L.A. Shanti and the West Hollywood Homeless Organization. Mayor Heilman announced the new West Hollywood Sheriffs commander Richard Odenthal, and thanked and commended the exiting Captain Bill Managan. Mayor Heilman commended Paul D. Brotzman, City Manger for his ten years of dedicated and unflagging service.

**1. CITIZEN COMMENTS**

TIM OLSON, WEST HOLLYWOOD, stated that Mike Radcliffe passed away this afternoon after a lengthy illness, he added Mike Radcliffe had served the City with energy, wisdom and humor.

JOE JIMENEZ, DENVER, COLORADO, stated the despair he felt over the passing of Mike Radcliffe and recapped his accomplishments..

CRAIG RICHIE, WEST HOLLYWOOD, thanked the Council in honoring the meeting tonight for the passing of Mike Radcliffe.

MICHAELJOHN HORN, WEST HOLLYWOOD, spoke in favor of the Disabilities Committee, item 4A on agenda.

JEANNE DOBRIN, WEST HOLLYWOOD, stated she was sorry to hear about Captain Managan leaving. Stated her displeasure upon hearing the budget did not include funding for the night Code Enforcement officer, and the City using First Class mail.

ELIZABETH BURNS, WEST HOLLYWOOD, indicated her support of the Council and the teamwork of the staff.

**CITY MANAGER'S REPORT:** City Manager Brotzman stated he had two items to report on. He reported that the preliminary budget for FY 1995-96 has been distributed which is balanced, with continuation of all services that the City has been providing, however, the budget does not contain some supplemental services asked for by the Council. He added the budget does include a rate increase in the Landscape and Lighting district, however no increase in current taxes. Final preparations are taking place to move to the new City Hall, he indication City Hall will be open for business Thursday morning, however phone and computer service may not be available.

**FISCAL IMPACT ON CONSENT CALENDAR:** Assistant City Clerk Thompson stated the fiscal impact for the May 1, 1995 consent calendar as amended is \$424,000. in expenditures and \$281,959. in potential revenues.

**2. CONSENT CALENDAR:**

**ACTION:** Approve items 2A, B, C, D, E, F, G, H, I, J, K, L, M, O, and P. Motion Councilmember Guarriello, seconded by Mayor Pro Tem Koretz and unanimously carried.

**A. POSTING OF AGENDA:** The agenda for the meeting of Monday, May 1, 1995 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, April 27, 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. CLAIMS:**  
RECOMMENDATION: Deny the claims of Adam Newman, Helen Romm and Alexander Trosch without comment and refer to the City's claims adjuster. Approved as part of the Consent Calendar.
- D. DEMAND REGISTER NO. 293, RESOLUTION NO. 95-1435:**  
RECOMMENDATION: Approve Demand Register No. 293 and adopt Resolution No. 95-1435. Approved as part of the Consent Calendar.
- E. TREASURER'S REPORT:**  
RECOMMENDATION: Receive and file the Treasurer's Report for March 1995. Approved as part of the Consent Calendar.
- F. ORDINANCE NO. 95-435 (2nd Reading), PROPOSED ORDINANCE AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO NOISE CONTROL:**  
RECOMMENDATION: (1) Waive further reading and adopt Ordinance No. 95-435 "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING CHAPTER II OF ARTICLE I AND CHAPTER III OF ARTICLE IV OF THE WEST HOLLYWOOD MUNICIPAL CODE RELATING TO NOISE CONTROL;" and (2) Direct staff to inform the public and law enforcement as to the new provisions of the Municipal Code. Approved as part of the Consent Calendar.
- G. ORDINANCE NO. 95-436 (2nd Reading), PROPOSED ORDINANCE REGARDING PENALTIES FOR PERMITTING ANIMAL NUISANCES:**  
RECOMMENDATION: Waive further reading and adopt Ordinance No. 95-436 "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REGARDING PENALTIES FOR PERMITTING ANIMAL NUISANCES AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE." Approved as part of the Consent Calendar.
- H. RESOLUTION IN SUPPORT OF CALIFORNIA STATE SENATE BILL 1139 CORRECTING FUNDING INEQUITIES OF MANDATED SOCIAL PROGRAMS CURRENTLY FUNDED THROUGH UTILITY RATES:**  
RECOMMENDATION: Adopt Resolution No. 95-1431, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD, SUPPORTING CALIFORNIA STATE SENATE BILL 1139 CORRECTING

FUNDING INEQUITIES OF MANDATED SOCIAL PROGRAMS CURRENTLY FUNDED THROUGH UTILITY RATES SET BY THE PUBLIC UTILITIES COMMISSION.” Approved as part of the Consent Calendar.

- I. A RESOLUTION IN OPPOSITION OF THE MOBILHOME FAIRNESS AND RENTAL ASSISTANCE ACT, WHICH WOULD PREEMPT ALL LOCAL MOBILHOME RENT CONTROL LAWS IN CALIFORNIA:**  
RECOMMENDATION: (1) Adopt Resolution No. 95-1436, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO THE MOBILHOME FAIRNESS AND RENTAL ASSISTANCE ACT;” and (2) Send a copy of this resolution to the City Councils of all the California cities that now have mobilehome rent control ordinances in effect. Approved as part of the Consent Calendar.
- J. A RESOLUTION IN OPPOSITION OF SENATE BILLS 1257, 1181, AND 635; AND ASSEMBLY BILLS 1944 AND 1320, WHICH WOULD ELIMINATE LOCAL JURISDICTION OVER RENT CONTROL:**  
RECOMMENDATION: (1) Adopt Resolution No. 95-1437, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN OPPOSITION TO SENATE BILLS 1257, 1181 AND 635; AND ASSEMBLY BILLS 1944 AND 1320;” and (2) Send a copy of this resolution to all the appropriate state legislators. Approved as part of the Consent Calendar.
- K. SERVICE AGREEMENT RENEWAL, ANIMAL CARE AND CONTROL SERVICES:**  
RECOMMENDATION: Authorize the City Manager to sign the agreement for Animal Control Services with the County of Los Angeles for renewing animal care and control services. Approved as part of the Consent Calendar.
- L. ASSIGNMENT OF FURNITURE CONTRACT TO THE CITY:**  
RECOMMENDATION: Authorize the City Manager to accept assignment of the contract between Associates purchasing and Nello Construction Management Co./Petersen Publishing Co. for City Hall furnishings. Approved as part of the Consent Calendar.
- M. ADJUSTMENT TO 1994-95 OPERATING BUDGET:**  
RECOMMENDATION: Increase both the Abatement Expenditure Appropriation line item (01-310-54-701) and offsetting Abatement Revenue line item (01-000-34-412) by \$20,000., amending the 1994-95 Operating Budget. Approved as part of the Consent Calendar.
- N. POSITION RECLASSIFICATION: INFORMATION MANAGEMENT ANALYST II:**  
Pulled and tabled for two weeks at the request of Staff.

**O. RESOLUTION APPROVING PROGRAM SUPPLEMENT NO. 004 OF THE LOCAL AGENCY - STATE MASTER AGREEMENT FOR FEDERAL FUNDING ON CIP 9502, CRESCENT HEIGHTS IMPROVEMENT PROJECT:**

RECOMMENDATION: Adopt Resolution No. 95-1438, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING PROGRAM SUPPLEMENT NO. 004 OF THE LOCAL AGENCY STATE MASTER AGREEMENT NO. 07-5440 FOR FEDERAL GRANT FUNDS ON PROJECT STPL-5440(001) CRESCENT HEIGHTS BOULEVARD IMPROVEMENT PROJECT (CIP 9502)." Approved as part of the Consent Calendar.

**P. TRANSMITTAL OF 1995-96 PRELIMINARY BUDGET AND SETTING OF COUNCIL STUDY SESSION AND PUBLIC HEARING:**

RECOMMENDATION: (1) Direct staff to schedule a budget study session for Monday, May 8, 1995 at 6:00 p.m. at West Hollywood Park Auditorium; (2) Direct staff to schedule a public hearing for Monday, June 5, 1995; and (3) Direct staff to have formal budget resolutions prepared for adoption at the June 19, 1995 City Council meeting. Approved as part of the Consent Calendar.

**3. PUBLIC HEARINGS:** None.

**COUNCILMEMBER COMMENTS:** None.

**4. UNFINISHED BUSINESS:**

**A. AUTHORIZATION TO CREATE A DISABILITIES ADVISORY COUNCIL FOR THE CITY OF WEST HOLLYWOOD:**

Councilmember Land, provided background information as outlined in the staff report dated May 1, 1995.

JANE SMALL, LA COUNTY COMMISSION ON DISABILITIES, in favor of this item, she stated these are the most overlooked people and the most discriminated against group of people. Looks forward to the month of October as Disabilities month.

REV. JOHN VON DOURIS, WEST HOLLYWOOD, has spent many hours working on establishing this committee. Looks forward to meeting as a formal group on a monthly basis.

HUGH HALLENBERG, urges the Council to support this item. He stated that this is a timely step in the right direction.

**RECOMMENDATION:** (1) Create a Disabilities Advisory Council, staffed by the City Manager/City Council Department, consisting of nine (9) members, with ex-officio Commission liaisons, including two (2) Human Services Commissioners, effective July 1, 1995; (2) Establish two-year terms ending on May 31 of odd-numbered years; (3) Direct the City Clerk to advertise vacancies; (4) Appoint members of the Disabilities Advisory Council from the current Subcommittee on Disability roster and waiting list, whenever possible; and (5) Direct that the Disabilities Advisory Council develop a workplan for Council approval.

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

**B. STATUS REPORT ON LA COUNTY LIBRARY SERVICES:**

City Manager Brotzman provided background information as outlined in the staff report dated May 1, 1995.

**RECOMMENDATION:** 1) Continue to monitor the budget process of Los Angeles County as it relates to Library Services; 2) Lobby the Los Angeles County Board of Supervisors to fully fund the Los Angeles County Library Services District; 3) Direct staff to return to the City Council when additional information on the status of Library services in the City becomes available.

**NO ACTION TAKEN:** Direction was given to continue to monitor the status of the Council funding the Library Services and report to the Council as necessary.

**C. DEVELOPMENT OF PUBLIC PARKING FACILITY AT 8383 SANTA MONICA BOULEVARD:**

Janis Rhodes, Parking Manager, provided background information as outlined in the staff report dated May 1, 1995.

Councilmember Guarriello wanted to make sure this is the final figure.

Ms. Rhodes stated it is the final figure, if the project goes as planned, in addition build in is a budget for contingencies.

Councilmember Land would like a report about bonuses on completing the structure in a timely manner.

Ms. Rhodes stated that in a public bid process once the bid has been selected we cannot re-negotiate unless something is pulled out of the project, however, she would investigate bonuses and the completion schedule.

Councilmember Martin questioned the \$250,000. to Nello Construction project management and the amount for the artist and the public art, he concurred with Councilmember Land on bonuses for completion.

Mayor Heilman also had some concerns about the artwork, however, he stated that would be questions for the Fine Arts Advisory Board. He indicated he would like to see additional exterior artwork. He stated he was concerned about the increase in price, however, suggested that some of that was due to the Council decisions.

**RECOMMENDATION:** (1) Approve project implementation and amend budget to \$6,101,900. to reflect costs associated with conceptual design changes and revised costs for the project; (2) Authorize the City Manger to amend contract for project management services by \$85,000., for a total of \$175,000., with Nello project Management/Construction, Inc. to extend the contract period to include project management services through the construction period and expand their scope of services to include contractor's fees for construction management, and general conditions on a reimbursable basis in an amount not to exceed \$350,000.; (3) Authorize City staff to issue four separate Bids (RFB) for the parking structure foundations, the parking structure superstructure, the design finishes, and the elevator; and (4) Authorize the City Manager to enter into an agreement with Paul Tzanetopoulos for fine art design fees, fabrication and installation of public art in the parking facility, in an amount not to exceed \$34,000.

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

**RECESS TO HOUSING AUTHORITY:** The City Council recessed to the West Hollywood Housing Authority at 8:20 p.m.

**RECONVENE TO CITY COUNCIL MEETING:** The City Council reconvened at 8:21 p.m.

**5. NEW BUSINESS:**

**A. RFP FOR REPRODUCTION STUDY:**

Janyce Kamahele, Management Analyst, provided background information as outlined in the staff report dated May 1, 1995.

**RECOMMENDATION:** Authorize staff to issue an RFP to address the City's reproduction and duplication needs; and 2) Authorize staff to require loaner or test equipment from each vendor desiring to participate in the RFP process.

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

**B. PORTABLE SIGNAGE:**

Robert Meyer, Senior Code Enforcement Officer, provided background information as outlined in the staff report dated May 1, 1995. Lisa Heep, Planning Manager, presented a slide show sampling some of the signs around the City in question.

Mayor Pro Tem Koretz asked questions and had concerns about encroachment on the public right-a-way, if Cal Trans was enforcing on Santa Monica Boulevard, or if the City has the authority to enforce on Santa Monica Boulevard.

Mr. Meyer indicated that we have no authority to cite on Santa Monica Boulevard as it is not our street, he added he is not aware of Cal Trans doing any enforcement on Santa Monica Boulevard. He stated we could cite for illegal signage.

Mayor Heilman asked for direction from the Council, if Council was interested in revisions to the Code, and if so what direction to give staff.

Councilmember Martin indicated that since the City has announced that it would not enforce this violation, a major proliferation of these types of signs has begun. He feels that some of these types of signs are useful on a temporary basis, and would be supportive of allowing the signs if they were creative and not encroach on the sidewalk.

Mayor Pro Tem Koretz indicated he had mixed feelings on this issue. He also feels that this type of signing is starting to peek. He states after speaking with the businesses, the small business owners feel that tough signage enforcement is anti-business.

Councilmember Land indicated that some of the signs were not attractive, she stated that we have tried to create a pedestrian friendly City, however these type of signs take a lot of room on the public right-a-way. She indicated that she would investigate modifications to the ordinance if some type of standards to address the way they look, and the space on the sidewalk.

Councilmember Guarriello was in concurrence with Councilmember Land about space and enforcement problems.

JEANNE DOBRIN, WEST HOLLYWOOD, stated when the City was unincorporated this type of County ordinance with strictly enforced. She indicated



the City has an excellent sign ordinance in effect. These type of signs do not belong on the public thoroughfare.

RECOMMENDATION: 1) Direct staff, in partnership with the business community, to prepare standards for design and installation for portable signs within the City; 2) Direct staff to include the revision to the Sign Ordinance within the Zoning Text amendments and provide directions as to the priority of this revision; 3) Provide staff direction as to the priority of enforcement for these types of signs.

NO ACTION TAKEN: noting the reservations of Councilmember Martin, direction was given to staff to bring back to the Council an item that these signs NOT be allowed in the City . In addition, direction was given to staff to inform Cal Trans of our intentions.

**C. PROPOSED RESOLUTION FOR A DISCLOSURE OF INFORMATION (“WHISTLE BLOWER”) POLICY:**

Charles Makinney, Assistant City Manager, provided background information as outlined in the staff report dated May 1, 1995.

Mayor Pro Tem Koretz indicated he had some minor revisions and a few technical revisions to be made to the resolution.

ADAM DIVISIAN, WEST HOLLYWOOD, in support of a whistle blower,

NO ACTION TAKEN: Direct the Assistant City Manger to continue negotiations with the bargaining units and report to the Council in Closed Session.

**EXCLUDED CONSENT CALENDAR:** None.

**CITIZEN COMMENTS:** None.

**6. LEGISLATIVE:**

**A. CODIFICATION OF NEW CITY OFFICES:**

Jay Thompson, Assistant City Clerk provided background information as outlined in the staff report dated May 1, 1995.

RECOMMENDATION: Accept public comment and introduce of first reading Ordinance No. 95-437, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REVISING CITY OFFICES AND AMENDING WEST HOLLYWOOD MUNICIPAL CODE SECTION 2201.”

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

**B. PROPOSED POSTING LOCATIONS FOR PUBLIC NOTICES:**

Jay Thompson, Assistant City Clerk provided background information as outlined in the staff report dated May 1, 1995.

RECOMMENDATION: 1) Accept public comment and introduce on first reading Ordinance No. 95-438, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REVISING PUBLIC PLACES FOR POSTING NOTICES AND AMENDING WEST HOLLYWOOD MUNICIPAL CODE SECTION 2300;" and, 2) Direct the City Clerk to post notices, deemed appropriate by the City Clerk, at the West Hollywood Library as a courtesy for public convenience and information.

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

**C. CODIFICATION OF CITY OFFICE HOURS:**

Jay Thompson, Assistant City Clerk provided background information as outlined in the staff report dated May 1, 1995.

RECOMMENDATION: Accept public comment and introduce on first reading Ordinance No. 95-439, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD REVISING CITY OFFICE HOURS AND AMENDING WEST HOLLYWOOD MUNICIPAL CODE SECTION 2202."

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

**COUNCILMEMBER COMMENTS:**

Councilmember Martin congratulated City Manger Brotzman for 10 years of service. He stated on May 9 a "Victory in Europe" day parade will be held in West Hollywood, in honor of all veterans.

Mayor Pro Tem Koretz expressed sadness and regrets for the passing of Mike Radcliffe.

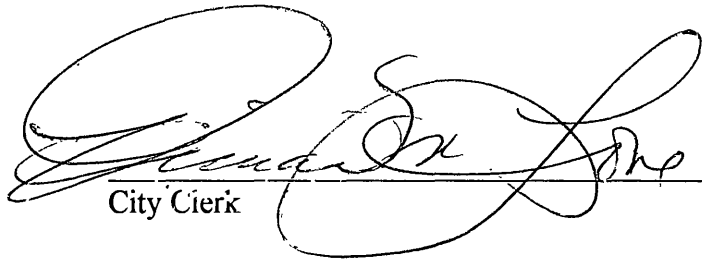
Mayor Heilman announced that the California AIDS Rides will be taking off on May 14, and will be coming to West Hollywood for the finish line and the closing ceremonies on May 20.

**ADJOURNMENT:** The City Council adjourned at 9:25 p.m. in memory of Mike Radcliffe and Matt Hostomski to a Special Budget Study Session on Monday, May 8, 1995 at 6:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard. The next regular meeting will be held on Monday, May 15, 1995 at 7:00 p.m.

APPROVED BY MOTION OF THE CITY COUNCIL ON THE 5TH DAY OF JUNE, 1995.

  
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MAYOR

ATTEST:

  
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City Clerk