

**CITY COUNCIL  
CITY OF WEST HOLLYWOOD  
MINUTES  
MONDAY, MARCH 20, 1995  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

7:30 P.M. - REGULAR MEETING

**CALL TO ORDER:** Mayor Land called the meeting to order at 7:45 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Jodi Curlee.

**ROLL CALL:**

PRESENT - Councilmembers: Koretz, Martin, Heilman and Mayor Land

ALSO PRESENT - City Manager Brotzman, City Attorney Jenkins

ABSENT - Councilmember Guarriello (due to illness)

**APPROVAL OF AGENDA:** No corrections or modifications.

Motion to approve Heilman, seconded by Koretz and unanimously carried.

**PRESENTATIONS:** Mayor Land presented a commendation to Sgt. Mike Parker of the West Hollywood Sheriffs Department for excellent work addressing violence in the City. Mayor Land presented a commendation to Mila Tarlow for becoming a citizen of the US and outstanding work as founding teacher of West Hollywood Preschool. Mayor Land presented a commendation to Perri Sue Sloane for outstanding work for seniors in the City. Councilmember Koretz presented a commendation to Nadia Sutton, founder and executive director of Paws LA for care giver of the year award from the Friends of the AIDS Community and the AIDS Healthcare Foundation. Conrad Corral introduced new personnel: Greg Thompson, Maintenance Work II, Armando Abrego, Senior Recreation Leader, Jeffrey Aubel, Handyworker Inspector Assistant, Corey Roskin, Administrative Staff Assistant Part Time, Theresa Kozlowski, Assistant Planner, Ian Klien, Planning Intern, Eugene Alper, Russian Community Worker, Elain Buegoff, Transportation Intern.

Mayor Pro Tem Heilman thanked Starbucks for providing coffee for tonight's meeting.

Mayor Land urged all citizens of West Hollywood to call or fax your Senators office tonight, due to legislatures consideration of revocation of COPPs program funding.

**1. CITIZEN COMMENTS**

**A. CITIZEN COMMENTS ON CONSENT CALENDAR ITEMS WHICH HAVE NOT BEEN REMOVED FROM THE CONSENT CALENDAR:** None.

**B. CITIZEN COMMENTS, GENERAL INTEREST:**

MARK HEINEMANN, WEST HOLLYWOOD: asked the City for help relating to continued problems with his landlord discriminating against him.

TAI PARRISH: homeless person not getting help or support from City staff.

JEANNE DOBRIN, WEST HOLLYWOOD: commented how unfortunate it was that the Planning Commission had to discuss problems with the House of Blues for over four hours at Thursdays commission meeting. She stated she is upset at the loss of businesses and residents due to this business.

HYLAN KUNERTH, WEST HOLLYWOOD: addressed the pending bankruptcy of Hollywood Helps, who funds AIDS for AIDS, and submitted to the Council an article in the Hollywood Reporter.

**CITY MANAGER'S REPORT:** City Manager Brotzman stated that he has a report on one item. Captain Bill Mangnan has been promoted to the position of Commander, and will be leaving the West Hollywood Sheriffs Department as Captain, but will be the Commander of Region 2. The Sheriffs Department has allowed the City a direct roll in the selection process of the new Captain.

**FISCAL IMPACT ON CONSENT CALENDAR:** Assistant City Clerk Thompson stated the fiscal impact on March 20, 1995 consent calendar is \$21,520 in expenditures and \$0 in potential revenues.

**2. CONSENT CALENDAR:**

**ACTION:** Approve items 2A, B, C, D, E, F, G, H, I, J, K, L, and M. Motion Heilman, seconded by Martin and unanimously carried.

**A. POSTING OF AGENDA:** The agenda for the meeting of March 20, 1995 was posted at City Hall, Plummer Park, the Sheriff's Station and at the West Hollywood Library on Thursday, March 16, 1995.

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

**B. APPROVAL OF MINUTES:**

**RECOMMENDATION:** Approve the minutes of March 6, 1995. Approved as part of the Consent Calendar.

**C. 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.

**D. CLAIMS:**

RECOMMENDATION: Deny the claims of Robert Hecksher, a.k.a. Bobby Hecksher, Oil Factory Films and Bertha Spector without comment and refer to the City's claims adjuster. Approved as part of the Consent Calendar.

**E. DEMAND REGISTER NO. 290, RESOLUTION NO. 95-1419:**

RECOMMENDATION: Approve Demand Register No. 290 and adopt Resolution No. 95-1419. Approved as part of the Consent Calendar.

**F. ORDINANCE NO. 95-432 (2nd Reading), AMENDING ORDINANCE NO. 228 AND INCREASING THE CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA:**

RECOMMENDATION: Waive further reading and adopt Ordinance No. 95-432, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING ORDINANCE NO. 228 AND INCREASING THE CHARGE (ASSESSMENT) AGAINST HOTELS IN THE WEST HOLLYWOOD BUSINESS IMPROVEMENT AREA." Approved as part of the Consent Calendar.

**G. RESOLUTION IN SUPPORT OF "TAKE OUR DAUGHTERS TO WORK DAY" PROGRAM IN WEST HOLLYWOOD:**

RECOMMENDATION: 1. Adopt Resolution No. 95-1420, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF THE "TAKE OUR DAUGHTERS TO WORK DAY" PROGRAM IN WEST HOLLYWOOD;" 2. Direct staff to design a "Take our Daughters to Work Day" program for the City; and 3. Direct the appropriate City staff to work with the program's planners in order to ensure that banners commemorating the program can be displayed in the City. Approved as part of the Consent Calendar.

**H. RESOLUTION CONDEMNING VIOLENCE AGAINST WOMEN AND SUPPORTING THE APRIL 9, 1995 "RALLY FOR WOMEN'S LIVES" IN WASHINGTON D.C. :**

RECOMMENDATION: 1. Adopt Resolution No. 95-1421, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD CONDEMNING VIOLENCE AGAINST WOMEN AND SUPPORTING THE APRIL 9, 1995 "RALLY FOR WOMEN'S LIVES" IN WASHINGTON D.C.;" and 2. Direct staff to provide a copy of the resolution to President Clinton, House Speaker Newt Gingrich, Senate Majority Leader Bob Dole, national NOW

President Patricia Ireland and California NOW Director Tammy Bruce.  
Approved as part of the Consent Calendar.

**I. DIRECT STAFF TO WORK WITH THE FINE ARTS ADVISORY BOARD, LESBIAN AND GAY ADVISORY COUNCIL, AND PARTICIPATING WEST HOLLYWOOD ORGANIZATIONS AND BUSINESSES TO FORMULATE A WEEK OF PROGRAMMING HONORING PAUL MONETTE:**

RECOMMENDATION: Direct staff to work with the Fine Arts Advisory Council and the Lesbian & Gay Advisory Council to plan and formulate, with local participating businesses and organizations, a week of programming honoring the life and work of Paul Monette. Approved as part of the Consent Calendar.

**J. A RESOLUTION IN SUPPORT OF ASSEMBLY BILL 157 SPONSORED BY STATE ASSEMBLYMEMBER VILLARAIGOSA, WHICH WOULD AFFIRM A WOMEN'S RIGHT TO BREASTFEED HER BABY IN ANY PLACE PUBLIC OR PRIVATE:**

RECOMMENDATION: 1. Adopt Resolution No. 95-1422, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF ASSEMBLY BILL 157; and 2. Direct staff to send copies of the resolution to Governor Wilson, Lt. Governor Davis, Assembly member Knox, State Senator Tom Hayden, the City Councils of Beverly Hills, Santa Monica, Los Angeles and the California chapter of the National Organization of Women. Approved as part of the Consent Calendar.

**K. AMENDMENT TO AGREEMENT FOR PROFESSIONAL PLANNING SERVICES TO COMPLETE THE SUNSET SPECIFIC PLAN:**

RECOMMENDATION: Approve extension of contract for professional services with Sarah Lejeune, Planning Consultant, in an amount not to exceed \$16,200., and authorize the City Manager to sign the extension agreement. Approved as part of the Consent Calendar.

**L. NATIONAL REGISTER OF HISTORIC PLACES - STATE GRANT TO NOMINATE THE HARPER AVENUE HISTORIC DISTRICT; AND STATE GRANT FOR PRESERVATION TRAINING:**

RECOMMENDATION: 1) Authorize the City Manager to enter into two contracts with the State Office of Historic Preservation to hire an historic preservation consultant to prepare a nomination to the national Register of Historic Places for the Harper Avenue Historic District; and, 2) accept funds for training staff and Cultural Heritage Advisory Board Members. Approved as part of the Consent Calendar.

**M. HUMAN RESOURCES ANALYST I AND HUMAN RESOURCES ANALYST II CLASSIFICATION:**

RECOMMENDATION: Approve the classifications of Human Resources Analyst (ACE-11) and Human Resources Analyst II (ACE-13). Approved as part of the Consent Calendar.

**3. PUBLIC HEARINGS:**

**A. APPEAL OF PLANNING COMMISSION'S DENIAL OF MINOR CONDITIONAL USE PERMIT 94-15, FOR ON-SITE ALCOHOLIC BEVERAGE SERVICE IN AN EXISTING RESTAURANT AT 8351 SUNSET BOULEVARD.**

Teresa Kozlowski, Assistant Planner, provided background information as outlined in the staff report dated March 20, 1995, and reported a correction to exhibit M, in the staff report, the scale should be one inch is equal to forty feet.

Assistant City Clerk Thompson stated this Public Hearing was continued from the March 6, 1995 Council meeting, and posted on March 7, 1995, in all places as required by law.

The Public Hearing was opened.

CHARLIE MERCER, LOS ANGELES, REPRESENTING APPELLANT: Mr. Mercer addressed the concerns of the Planning Commission. The first concern was "type of food." He reported and showed the expanded menu and noted the ABC has deemed Carneys a full serve restaurant. The second concern was the physical characteristics of the patio. Mr. Mercer presented a diagram of the proposed restaurant modifications. He noted the proposed process is similar to those used by large facilities such as the Sizzler. He added that there will now be waiters and waitress to monitor the consumption of the draft beer. He addressed concerns of the proximity in relation to Hart Park. He stated the Park is closed in the evenings, and it seemed unlikely that a patron would be able to cross a busy street such as Sunset, or walk to the controlled intersection over 700 feet with an open glass of beer. He added that type of typography prohibits a patron from exiting the location from the rear. Mr. Mercer commented on the ABC regulation changes of 94-95.

JOHN WOLFE, STUDIO CITY: He invited all of the residents who signed the petition against the restaurant, to a meeting, and not one attended, however, he did receive a letter from the applicant that they could not be present, but hoped the meeting when well. Mr. Wolfe added the customers of the restaurant did sign a petition in support of the restaurant serving beer.

JOHN WOLFF SR., OWNER OF CARNEYS: addressed the economies of the restaurant industry, and stated he feels Carneys will need to provide beer to keep up with the other 41 eating establishments on Sunset most of which serve alcoholic beverages.

JULIE BARROWS, WEST HOLLYWOOD: presented names of companies who have written letters of support of Carneys.

JEANNE DOBRIN, WEST HOLLYWOOD: states this appeal is aborting the process of applicants to exhaust their administrative remedies. She added the proposed changes being made were never presented to the commission, and must be remanded back to the commission. Ms. Dobrin suggests there is an undue proliferation of licenses in this area.

THOMAS JONES, WEST HOLLYWOOD: stated he is speaking on his own behalf, and not as a member of the Planning Commission, he recalls that the Commissions concerns were addressed, and that the applicants over-writing concerns have been addressed.

CHARLIE MERCER, REBUTTAL: Noted that all 27 conditions that have been imposed on the CUP have been agreed to as far as Carneys is concerned.

The public hearing was closed.

Mayor Pro Tem Heilman asked staff if other establishments, similar to this establishment, are not required to have table service why they have imposed this condition on this establishment.

Ms. Kozlowski responded that was imposed at the Commission meeting, due to the fact the patio is much lower than the restaurant, and that the applicant offered to have table service.

Councilmember Koretz commented on the good job with the restrictions especially the condition of not providing lids to the cups. He stated he has no problems with this item.

Mayor Pro Tem Heilman stated he did not wish to remand this back to the Commission, as the City is trying to be as "businesses friendly" as possible.

Councilmember Martin in concurrence, does not feel this should be remanded back to the commission.

Mayor Land stated she had meet with applicant shortly after the Planning Commission meeting denial, that she and the applicant discussed the issues, she feels the applicant has tried to address each and every issue. She also visited the site and inspected the proposed changes to the patio, and agrees the modifications will accommodate the sale of alcoholic beverages.

MOTION: Approve the staff recommendations and conditions; to approve a resolution granting the appeal of John Wolfe and others, and approving minor conditional use permit 94-15 for the on-site sale and service of alcoholic beverages in an existing restaurant and outdoor dining area on an application by John Wolfe for Cranny's, located at 8351 Sunset Boulevard, and place before the Council on the April 3, 1995 consent calendar to adopt the resolution.

Motion Martin, seconded by Koretz and carried on a roll call vote:

AYES: Councilmembers - Koretz, Martin, Heilman and Mayor Land.  
NOES: Councilmembers - None.  
ABSENT: Councilmember - Guarriello.

#### **COUNCILMEMBER COMMENTS:**

Councilmember Koretz amended the agenda and tabled for two weeks Legislative Item 6B, Councilmember Guarriello the co-sponsor is out ill.

Councilmember Martin indicated his support to strengthen the Pooper Scooper fines, even further than was presented in the report. He thanked Mayor Pro Tem Heilman and his deputy for his press conference and related activities for Greg Louganis.

Mayor Pro Tem Heilman commented on the earlier public speaker regarding the discrimination from his landlord. He indicated that Mr. Heinemann was given several options by his staff, and again invites him access to his office and the services of social service agencies funded by the City.

Mayor Land gave a brief report of the Washington DC trip made by Mayor Pro Tem Heilman and herself, with the National League of Cities. She feels Congress is decimating programs like CDBG, HUD, job training and COPPS.

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

##### **A. NON-VIOLENT CITY PROGRAM REPORT:**

Mayor Land, Carol Draper, Rosemary Suffina and Harriet Shaperio, members of the Womens Advisory Board provided background information as outlined in the staff report dated March 20, 1995.

Mayor Land thanked the Board for the exceptional job done on the first summit, and encouraged continued networking. She added that some of the recommendations be brought to the Public Safety Commission and the Human Services Commission.

Councilmember Koretz commended the Board on the excellent job. He stated his approval and interest in the paging equipment provided to individuals, who may need immediate dispatch of law enforcement.

RECOMMENDATION: 1) The Women's Advisory Council hold a second Non-Violent summit meeting in the City; 2) The Women's Advisory Council, in conjunction with members of the Prostitution Task Force, provide a report and recommendations to Council on a City sponsored motion-sensitive lighting program for residents and businesses; 3) the Women's Advisory Council research and advise the Council on the ADT Aware Program, a free program which helps protect the victims of batterers from attack; 4) Human Services and Public Safety staff work with the Mayor's Office and the Women's Advisory Council on the concept of creating a clearing house and referral system regarding violence and violence prevention; and 5) accept and have the City Clerk file this report.

Motion Koretz, seconded Heilman and unanimously carried.

**5. NEW BUSINESS:**

**A. PARKING TRUST FUND TRANSFER:**

Councilmember Koretz provided background information as outlined in the staff report dated March 20, 1995.

Mayor Pro Tem Heilman asked City Manager Brotzman if this analysis would be feasible and beneficial.

City Manager Brotzman responded that he feels this is a good recommendation.

Councilmember Martin asked how much the Council set aside for the Parking Trust Fund in this years budget.

City Manager Brotzman stated several years ago the Council took action to reserve 20% of all parking meter revenue. He reminded the Council that last year the Council approved to reserve 5% of parking fine revenue, this recommendation



if approved would set aside an additional 5% of parking fine revenue, and informed the Council that 5% represents approximately \$250,000 per year.

RECOMMENDATION: 1) Direct the City Manager to explore an increase in the amount of parking revenues transferred to the parking fund by 5% for FY 95-96, including this analysis in the FY 95-96 preliminary budget; and 2) Direct the City Manager to develop a parking trust fund strategy that may include an additional transfer of 5% in FY 96-97.

Motion Martin, seconded by Koretz and unanimously carried, noting the temporary absence of Mayor Land.

**B. PROSTITUTION TASK FORCE RECOMMENDATIONS:**

Nancy Greenstein, Public Safety Administrator and Captain Mangnan, West Hollywood Sheriffs Department provided background information as outlined in the staff report dated March 20, 1995.

Captain Mangnan further informed the Council of the unanticipated by product of a decrease in other crimes due to the efforts of reducing prostitution. He also stated we have to view this problem as a regional problem and not just one of West Hollywood, and will require participation and resources by the City of Los Angeles, and by community groups, citizens and social service agencies.

MICHAELJOHN HORNE, WEST HOLLYWOOD: spoke in favor of the recommendation, however, he took offense to the label put on prostitutes by the Hollywood Police as "critters," also he had problems with the vehicle seizure program and recommended that the social service agencies work with the court.

STEVEN DAVIS, WEST HOLLYWOOD: recommended that Council approve all of the recommendations except for number 9k, the seizure of property.

JEANNE DOBRIN, WEST HOLLYWOOD: stated she was on the task force and two of the sub-committees. Further she is not in support of publishing names of offenders as allowed us by California Penal Code. She stated some people were in favor of legalized prostitution.

Mayor Pro Tem Heilman added a recommendation that the task force recommendations be brought back to the Council in a certain period of time for an update. He added he wanted to designate the City staff to be responsible for the follow-up with the Council and the advisory boards. He further added that the existing programs for residents and businesses to maintain the area may need to be expanded. He suggested amending the recommendations and modifying the "motion sensitive light program" to a "sensitive light program" noting the

residents and businesses can decide what types of lighting they prefer, just as long as we increase the lighting. He is not real clear on the recommendation about zoning code amendments relating to fencing, but requests Planning staff to bring to the Council the recommendations. He also has some concerns about the vehicle seizure. He agrees we need to target the "Johns," but would want a report from other cities who have implemented this program before committing the City to this program. He added there are civil liberties issues on this type of program, he would like to explore this program, but not commit to this program at this time.

Councilmember Martin concurred with Mayor Pro Tem Heilman with regard to vehicle seizure he suggests the City look at the overall picture of how effective vehicle seizure will be, since most of the "Johns" are diving rental cars. He added there are civil liberties concerns, but indicated this is an important tool, to keep in mind, should it become warranted.

Councilmember Koretz believes that long term plans are needed to control prostitution but vehicle seizure is an "out-of-date" idea. At this point it is not needed and he does not want to investigate this program. He concurred with the task force recommendation of motion sensitive lights.

Mayor Land, added to the recommendations to continue working the Los Angeles Police Department Hollywood Division on this issue. Concurs with Mayor Pro Tem Heilman with the choice of lighting, and added the need for increased lighting. She is in support of the "Johns" paying for all costs related to diversion, but would like to add the "Johns" be required to pay for all costs incurred by the City for their arrest.

City Attorney Jenkins informed the Council there are legal problems with the proposal that "Johns" pay for the costs associated with their arrest.

Mayor Land wanted a report on the kind of legal problems. She concurs with Mayor Pro Tem Heilman and Councilmember Martin to explore the vehicle seizure as a tool, but she is not ready to commit to vehicle seizure at this time. She directed staff to continue to look at other cities and how effective this program is and report back to the Council, and does not want to include the City in a State Legislation test on vehicle seizures.

**RECOMMENDATION:** Approve the 12 recommendations outlined in the City of West Hollywood Prostitution Task Force Resident and Business Participation Subcommittee Final Report as set forth in the staff report dated March 20, 1995, as modified by Council direction to amend: recommendation number 5 to a "sensitive lighting" program; recommendation number 7 to direct Planning staff to research zoning code amendments and present to the Council if appropriate;

recommendation number 9 to explore the possibility of using a program for vehicle seizure; designate staff and include these recommendations in 95-96 Work Programs, and bring back to Council an update in a reasonable time period.

Motion Heilman, seconded by Martin and unanimously carried.

Mayor Land apologized for having to temporarily leave the meeting during item 5A, however she would have voted in favor of the item.

**EXCLUDED CONSENT CALENDAR:** None.

**CITIZEN COMMENTS:**

NICOLE PERMAN, WEST HOLLYWOOD, MEMBER WOMAN'S ADVISORY COUNCIL: informed the Council that four women's health clinics in the tri-county area have been bombed in the last month. She thanked the Council for support of item 2H, and applauded the Council's effort to get the word out that violence against woman will not be tolerated in this community. She educated the Council of "Bubble Ordinances" that communities are passing. These ordinances take into consideration that other legislation exists on other levels of Government, however, the legislation is not being enforced, and therefore, the local community will enact a local law for local enforcement.

**6. LEGISLATIVE:**

**A. AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD  
PERTAINING TO AMMUNITION SALES:**

Councilmember Koretz and Mayor Land provided background information as outlined in the staff report dated March 20, 1995.

RECOMMENDATION: Direct the City Attorney to draft an ordinance that establishes guidelines for gun and ammunition dealers to maintain records of ammunition sales.

Motion Heilman, seconded Martin and unanimously carried.

**B. AMENDMENT TO WEST HOLLYWOOD MUNICIPAL CODE  
INCREASING CURRENT FINE AMOUNTS FOR ANIMAL RELATED  
NUISANCES:**

Tabled to April 3, 1995, at the request of staff.

**COUNCILMEMBER COMMENTS:** Mayor Land indicated some of the empty lots are overgrown due to the excessive rains, and gave direction to City Manager Brotzman to work with the property owners to clean up.

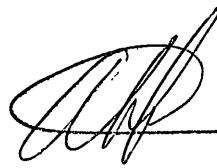
**RECESS TO CLOSED SESSION:** The Council recessed to closed session at 9:50 p.m. to discuss matters as reflected on the posted agenda.

**RECONVENE REGULAR MEETING:** The Council reconvened to the regular meeting at 10:25 p.m.

**REPORT OF CLOSED SESSION:** City Attorney Jenkins reported the City Council adjourned to closed session to discuss items as indicated in the Closed Session agenda and that a written report of any action taken was filed with the City Clerk.

**ADJOURNMENT:** The City Council adjourned at 10:30 p.m., to their next regular meeting on Monday, April 3, 1995 at 7:00 P.M. at West Hollywood Park, 647 N. San Vicente Boulevard.

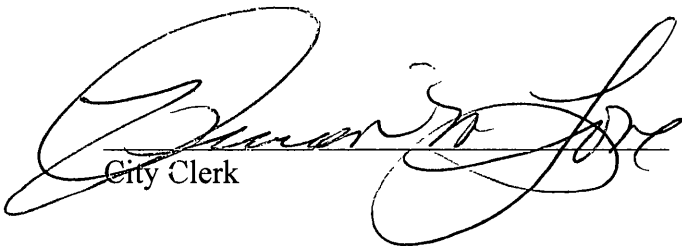
APPROVED BY MOTION OF THE CITY COUNCIL ON THE 3RD DAY OF APRIL, 1995.



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MAYOR

ATTEST:



City Clerk