

**MINUTES  
CITY COUNCIL MEETING  
APRIL 4, 1994  
WEST HOLLYWOOD PARK  
647 N. SAN VICENTE BOULEVARD**

**6:00 P.M. - CLOSED SESSION:**

**7:00 P.M. - REGULAR MEETING**

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

**PLEDGE OF ALLEGIANCE:** The Pledge was led by Charles Makinney.

**ROLL CALL: PRESENT:** Heilman, Koretz (arrived at 7:08),  
Land, Lang, and Mayor Guarriello

**ALSO PRESENT:** Assistant City Manager Makinney  
City Attorney Jenkins

**REPORT OF CLOSED SESSION:** City Attorney Jenkins reported that the City Council convened at 6:00 p.m. and recessed to a closed session for the purpose of discussing and taking action upon those matters listed on the closed session agenda for April 4, 1994. At the commencement of the closed session, the Council, by a 4-0 vote (Koretz absent), voted to add an item to the closed session agenda on the ground that the need to take action came to the attention of the City after the posting of the agenda and that the need to discuss the item was immediate. The item is under anticipated litigation pursuant to Government Code Section 54956.9(b)(C) (letter from Lee Dicker, Esq.).

He reported that the closed session was adjourned at approximately 6:50 p.m., and the written reports that are required for the closed session have been submitted to the City Clerk, and those reports that are available for public review are available with the City Clerk this evening.

**APPROVAL OF AGENDA:**

Item 2.J. was tabled at the request of staff. Mayor Pro Tem Land asked that Item 2.O. be pulled from the agenda. Mayor Guarriello stated for the record that he is voting "no" on 2.I., because he would like the rebates to go to all businesses, not just a few.

**ACTION:** Approve the agenda as amended. Motion Heilman, seconded Land and unanimously carried.

**PROCLAMATIONS AND COMMENDATIONS:**

Mayor Pro Tem Land announced that commendations were awarded to the following businesses for their efforts in upgrading the appearance of their commercial building: Jerry's Famous Deli, Buzz Coffee, Nike, and Book Soup Bistro.

She announced that a commendation from the City was awarded to United Farm Workers on the occasion of their 360-mile pilgrimage to honor the 67th anniversary of the birth of Cesar Chavez.

She presented a commendation to "Save the Whales" for their successful fight to have full airing in the public hearings on the impact of the planned ocean sound test that could harm marine life.

**1. CITIZEN COMMENTS:**

- A. Comments on Consent Calendar items which have not been removed.

MARTIN STRUDLER, PRESIDENT, WEST HOLLYWOOD WEST, spoke on 2.L. and urged the Council to adopt the Resolution.

SANDY SIRKUS, WEST HOLLYWOOD, spoke in support of 2.L., Resolution Designating Rosewood and Westbourne as a four-way stop control intersection.

ALAN FRIEL, WEST HOLLYWOOD, ATTORNEY FOR ACLU, spoke regarding 2.O. He indicated that the ACLU opposes SB 1823 because it creates it adds a one-year statute of limitations for disciplinary actions against police officers.

DANA HOHN, AMERICANS FOR DEMOCRATIC ACTION, spoke regarding 2.R., and urged Council to adopt the resolution supporting the California Health Security Act of 1994 (single payer initiative).

CAROLE HOSSAN, WEST HOLLYWOOD, spoke on 2.S. She urged Council to oppose AB 1320, relating to vacancy decontrol.

KEVIN NOTRE, WEST HOLLYWOOD, spoke on 2.S. If AB 1320 passes, it will destroy rent control; we need experienced leaders on rent control on the Council.

MICHAEL HIRSCHFELD, LOS ANGELES, JEWISH FEDERATION COUNCIL, spoke regarding 2.U, resolution against welfare reform plans that would deny benefits to legal immigrants.

ROSEMARIE ZAFFINA, WEST HOLLYWOOD, spoke in support of Item 2.L.

B. General Comments

STAN LOTHBRIDGE, WEST HOLLYWOOD, spoke regarding crime in West Hollywood.

ROSLYN KRAUSE, WEST HOLLYWOOD, commented regarding funds for the library.

BUDD KOPPS, WEST HOLLYWOOD, criticized Councilmembers regarding vacancy decontrol item (2.S).

NORMAN CHRAMOFF, WEST HOLLYWOOD, gave comments on the Council candidates.

BOB GREENE, WEST HOLLYWOOD BUSINESS OWNER, gave comments on the Council race.

**REPORT ON DOLLAR AMOUNTS ON CONSENT CALENDAR:**

Deputy City Clerk Vukojevich reported that the fiscal impact of Consent Calendar items for April 4, 1994, is \$1,020,736 in expenditures and \$912,800 in potential revenue.

**2. CONSENT CALENDAR:**

**ACTION:** Approve the Consent Calendar as amended. Motion Heilman, seconded Guarriello and unanimously carried.

**A. POSTING OF AGENDA:** The agenda for the meeting of Monday, April 4, 1994, was posted at City Hall, Plummer Park, and the Sheriff's Station on Thursday, March 31, 1994, and at the West Hollywood Library on Friday, April 1, 1994.

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

**B. APPROVAL OF MINUTES: March 7, 1994**

**ACTION:** Approve the minutes of March 7, 1994. Approved as part of the Consent Calendar.

**C. WAIVER OF FURTHER READING:**

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

**D. CLAIMS: Rose Heller  
Michael Frink  
Todd Friedrichsen  
Gabe T. Manville  
Ella Naroditskaya**

**ACTION:** Deny the claims of Rose Heller, Michael Frink, Todd Friedrichsen, and Gabe T. Manville without comment and refer to the City's claims adjustor. Take action on the claim of Ella Naroditskaya as discussed in Closed Session on April 4, 1994. Approved as part of the Consent Calendar.

**E. DEMAND REGISTER NO. 267, RESOLUTION NO. 94-1276:**

**ACTION:** Approve Demand Register No. 267 and adopt Resolution No. 1276. Approved as part of the Consent Calendar.

**F. ORDINANCE NO. 94-403 (2nd Reading), PERTAINING TO THE ISSUANCE OF BUSINESS LICENSES TO GUN DEALERS:**

**ACTION:** Waive further reading and adopt Ordinance No. 94-403, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING SECTIONS 6317 AND 6353 OF THE BUSINESS LICENSE ORDINANCE PERTAINING TO THE ISSUANCE OF BUSINESS LICENSES TO GUN DEALERS AND AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE."

Approved as part of the Consent Calendar.

**G. ORDINANCE NO. 94-404 (2nd Reading), AMENDING THE RENT STABILIZATION ORDINANCE CONCERNING SECTION 6413 A.15 - WITHDRAWAL OF RESIDENTIAL RENTAL STRUCTURES FROM THE RENTAL MARKET ("ELLIS ACT"):**

**ACTION:** Waive further reading and adopt Ordinance No. 94-404, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE RENT STABILIZATION ORDINANCE CONCERNING SECTION 6413 A.15 - WITHDRAWAL OF RESIDENTIAL RENTAL STRUCTURES FROM THE RENTAL MARKET ("ELLIS ACT")."

Approved as part of the Consent Calendar.

- H. ORDINANCE NO. 94-405 (2nd Reading), ORDINANCE REGARDING THE RIGHTS OF TENANT PET OWNERS (AMENDMENT TO RENT STABILIZATION ORDINANCE):**  
ACTION: Waive further reading and adopt Ordinance No. 94-405, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING THE RIGHTS OF TENANT PET OWNERS." Approved as part of the Consent Calendar.
- I. ORDINANCE NO. 94-406 (2nd Reading), CREATING AN INCENTIVE TO CERTAIN BUSINESSES TO MAINTAIN PREMISES IN THE CITY BY PROVIDING CERTAIN TAX REBATES:**  
ACTION: Waive further reading and adopt Ordinance No. 94-406, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD CREATING AN INCENTIVE TO CERTAIN BUSINESSES TO MAINTAIN PREMISES IN THE CITY BY PROVIDING CERTAIN TAX REBATES AND AMENDING THE MUNICIPAL CODE." Noting the "no" vote by Mayor Guarriello, approved as part of the Consent Calendar.
- J. CHRISTOPHER STREET WEST, GAY AND LESBIAN PRIDE PARADE AND FESTIVAL:**  
THIS ITEM WAS TABLED AT THE REQUEST OF STAFF.
- K. FY 92-93 OVERLAY PROGRAM - NOTICE OF COMPLETION:**  
ACTION: Accept the work and authorize the following: 1) Filing of a Notice of Completion by the Director of Transportation and Public Works; 2) Final payment at the end of the 35-day lien period; 3) Release of the Performance Bond and Payment Bond.  
Approved as part of the Consent Calendar.
- L. RESOLUTION PROPOSING DESIGNATING THE INTERSECTION OF ROSEWOOD AVENUE AND WESTBOURNE DRIVE AS A FOUR-WAY STOP CONTROL INTERSECTION:**  
ACTION: Adopt Resolution No. 94-1277, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DESIGNATING THE INTERSECTION OF ROSEWOOD AVENUE AND WESTBOURNE DRIVE AS A FOUR-WAY STOP CONTROL INTERSECTION." Approved as part of the Consent Calendar.
- M. APPROVAL 20TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM REIMBURSABLE CONTRACT:**  
ACTION: Approve the Community Development Block Grant Reimbursable Contract with the County of Los Angeles Community Development Commission (CDC) and authorize the City Manager to sign four original copies.  
Approved as part of the Consent Calendar.
- N. CALIFORNIA HEALTHY CITIES PROJECT 1994-95 RENEWAL:**  
ACTION: Adopt Resolution No. 94-1278, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD APPROVING AND SUPPORTING A RENEWAL APPLICATION TO THE CALIFORNIA HEALTHY CITIES PROJECT TO PURSUE A NUMBER OF ACTIVITIES RELATED TO IMPROVING AND ENHANCING THE PUBLIC HEALTH AND SAFETY AWARENESS OF SPANISH AND RUSSIAN SPEAKING FAMILIES WITH CHILDREN." Approved as part of the Consent Calendar.

- O. RESOLUTION IN SUPPORT OF SB 1823, A BILL THAT CREATES A PUBLIC SAFETY OFFICERS PROCEDURAL BILL OF RIGHTS: THIS ITEM WAS TABLED.**
- P. RESOLUTION URGING THE DISTRICT ATTORNEY'S OFFICE TO ADOPT A "ZERO TOLERANCE" POLICY FOR ILLEGAL GUN POSSESSION:**  
ACTION: Adopt Resolution No. 94-1280, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD URGING THE DISTRICT ATTORNEY'S OFFICE AND THE COURTS TO ADOPT A "ZERO TOLERANCE POLICY" FOR PERSONS FOUND GUILTY OF ILLEGAL GUN POSSESSION." Approved as part of the Consent Calendar.
- Q. APPROVAL OF THE WEST HOLLYWOOD NON DISPOSAL FACILITY ELEMENT WHICH SHALL BE INCORPORATED INTO THE CITY'S SOURCE REDUCTION AND RECYCLING ELEMENT:**  
ACTION: Adopt Resolution No. 94-1281, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE NON-DISPOSAL FACILITY ELEMENT AND AMENDING THE SOURCE REDUCTION AND RECYCLING ELEMENT." Approved as part of the Consent Calendar.
- R. A RESOLUTION IN SUPPORT OF PLACING THE "CALIFORNIA HEALTH SECURITY ACT OF 1994 (SINGLE PAYER HEALTHCARE PLAN) ON THE NOVEMBER 8TH BALLOT:**  
ACTION: 1) Adopt Resolution No. 94-1282, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PLACING THE "CALIFORNIA HEALTH SECURITY ACT OF 1994" ON THE NOVEMBER 8TH BALLOT";  
2) Direct staff to work with the supporters of this ballot initiative to provide information to our citizens on the initiative and to make City facilities available for the placement of petitions and meetings of local healthcare activists. Approved as part of the Consent Calendar.
- S. RESOLUTION IN OPPOSITION TO AB 1320, RELATING TO VACANCY DECONTROL:**  
ACTION: 1) Adopt Resolution No. 94-1283, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING AB 1320, RELATING TO VACANCY DECONTROL"; 2) Direct staff to provide a copy of resolution to the appropriate legislators. Approved as part of the Consent Calendar.
- T. RESOLUTION IN SUPPORT OF PUBLIC HEARINGS ON INSURANCE REDLINING:**  
ACTION: 1) Adopt Resolution No 94-1284, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD SUPPORTING PUBLIC HEARINGS ON INSURANCE REDLINING"; 2) Direct staff to provide a copy of the resolution to the appropriate legislators. Approved as part of the Consent Calendar.
- U. RESOLUTION AGAINST WELFARE REFORM PLANS THAT WOULD DENY BENEFITS TO LEGAL IMMIGRANTS:**  
ACTION: 1) Adopt Resolution No. 94-1285, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD

AGAINST WELFARE REFORM PLANS THAT WOULD DENY BENEFITS TO LEGAL IMMIGRANTS" 2) Direct the appropriate staff to work with our immigrant communities to keep them informed about actions the federal government is taking that might impact their benefits; 3) Direct staff to provide expanded opportunities for immigrants to access citizenship training and information. Approved as part of the Consent Calendar.

**3. PUBLIC HEARINGS:**

**A. CONTINUED PUBLIC HEARING: APPEAL OF PLANNING COMMISSION APPROVAL OF DEVELOPMENT PERMIT 93-34 AND DEMOLITION PERMIT 93-07, PERMITTING THE CONSTRUCTION OF A 40-UNIT LOW INCOME HOUSING PROJECT FOR PERSONS WITH AIDS LOCATED AT 980 PALM AVENUE**

Jennifer Davis provided background information as outlined in the staff report dated March 21, 1994.

Councilmember Heilman reported that the Council subcommittee (Mayor Guarriello and Councilmember Heilman) met with some of the residents who had concerns and with Paul Zimmerman, Charles Loveman, the architect, and Chris Welch, and as a result had come up with conditions to alleviate some of the concerns about the project. He summarized each of the conditions.

Mayor Guarriello allowed each of the three appellants five minutes to address the Council:

M. GATSON, APPELLANT, spoke against the project due to the traffic.

JOEL SILVERMAN, APPELLANT, spoke about the cost of the project and presented a financial analysis document to Council.

CRAIG TAYLOR, APPELLANT, spoke against the project due to the location.

PAUL ZIMMERMAN, EXECUTIVE DIRECTOR, W.H. COMMUNITY HOUSING CORPORATION, spoke in favor of the project.

The following members of the public addressed the Council:

JULIO RODRIGUEZ, WEST HOLLYWOOD, spoke in favor of the project.

KEVIN NOTRE, WEST HOLLYWOOD, spoke in favor of the project.

STAN LOTHBRIDGE, WEST HOLLYWOOD, spoke against the project.

CAROLE HOSSAN, WEST HOLLYWOOD, spoke in support of the project.

LAUREL LUCAS, WEST HOLLYWOOD, spoke in opposition to the

project.

DANIEL LUCAS, WEST HOLLYWOOD, spoke in opposition to the Palm Avenue project.

TONY TELA, WEST HOLLYWOOD, opposed the project.

JEAN STAPLETON, WEST L.A., ON BEHALF OF ACTORS' FUND, spoke in support of project.

LYNN REDGRAVE, TOPANGA CANYON, spoke in support of project.

FRANK BOLGER, WEST HOLLYWOOD, supported the project.

DR. TONY ALFANO, WEST HOLLYWOOD, was opposed to the project.

JAMES PRIDEAUX, WEST HOLLYWOOD, supported the project.

BETH WELLINGTON, WEST HOLLYWOOD, was against the location of the project.

MARTIN HESELOV, WEST HOLLYWOOD, spoke in opposition to the project.

HYLAN KUNERTH, WEST HOLLYWOOD, was against the location of project; stated there is a better location at 702-714 N. Doheny.

REBECCA LOGUE BOVEE, LOS ANGELES, spoke in support of project.

DAVID ETEZADI, WEST HOLLYWOOD, BOARD OF DIRECTORS, HOUSING CORPORATION, asked Council to deny the appeals and approve the project.

VIRGINIA ALDRIDGE, WEST HOLLYWOOD, spoke on the history of the property, and in opposition to project.

CLAUDE DENIS, WEST HOLLYWOOD, was opposed to project.

KATHRYN SWINGLE, LOS ANGELES, from Actors' Fund, spoke in support of project.

ROBERT OPPENHEIMER, PLAYA DEL REY, social worker for Actors' Fund, spoke in support of project.

DAVID HANSEN, WEST HOLLYWOOD, spoke in support of project.

JOHN MULLICAN, WEST HOLLYWOOD, was opposed to project because of the hill.

BRUCE TRAUB, WEST HOLLYWOOD, spoke against the project.

MICHAEL DWIGGINS, WEST HOLLYWOOD, spoke in support of the project.

MARK MERON, WEST HOLLYWOOD, was in support of the project.

JOHN WILSON, WEST HOLLYWOOD, spoke in support of the project.

CARTER BRAVMANN, WEST HOLLYWOOD, spoke in support of the project.

JOSEPH JOHNS, WEST HOLLYWOOD, was in support of the project.

SIMONE TAL, WEST HOLLYWOOD, was against the project.

STEVE MARTIN, WEST HOLLYWOOD, was in support.

ANN EHRENTHAL, LOS ANGELES, was in favor of project.

CAROL RIKER, WEST HOLLYWOOD, opposed the project.

JEFF MUDRICK, HOLLYWOOD, an underwriter, stated he has invested in three Housing Corporation projects; their performance is exemplary; urged Council to support.

RANDY HAESSIB, WEST HOLLYWOOD, was opposed to project.

ANSON SNYDER, BOARD MEMBER, HOUSING CORPORATION, urged approval of the project.

CRAIG CARSON, WEST HOLLYWOOD, spoke in support of project.

TODD ANDREWS, WEST HOLLYWOOD, spoke against the project.

BUDD KOPS, WEST HOLLYWOOD, was against the project because of the heavy traffic on Palm.

JEANNE DOBRIN, WEST HOLLYWOOD, was opposed to project.

CANDY RUPP, LOS ANGELES, spoke in support of project.

JONATHAN HANDEL, WEST HOLLYWOOD, spoke in support of project.

GERALD HANNAH, WEST HOLLYWOOD, proposed an alternative site.

ELIZABETH HRADSKY, WEST HOLLYWOOD, was opposed to project.

JOEL SILVERMAN, APPELLANT, gave his rebuttal. He stated that there are better locations, and that the project should be located on level terrain on the other side of town.

PAUL ZIMMERMAN, HOUSING CORPORATION, gave his rebuttal.

LUCINDA STARRETT, LOS ANGELES, ATTORNEY FOR HOUSING CORPORATION, gave additional rebuttal. She stated that



all impacts on view are mitigated.

There being no further speakers, the public hearing was closed. Motion Guarriello seconded by Land. Hearing no objection it was so ordered.

Anne Browning, Planning Manager, stated for clarification that the Cultural Heritage Advisory Board had decided the back structures on the property were not significant. However the two front structures are still designated.

Discussion was held on whether to accept as part of the record the document submitted by Joel Silverman at the time of his testimony (titled "Market Data Support: The Proposed Development of 976-980 Palm Avenue is Excessively Expensive"). Noting the objection of Mayor Pro Tem Land, the Council agreed to accept the document as part of the record.

Mayor Pro Tem Land commented that the concerns that she heard were mainly about traffic and view. She indicated that a lot of traffic comes from Sunset and Santa Monica Boulevard; Palm is a street that is used as a shortcut, and in the future we must look at the traffic. Regarding views, she agreed that bringing it down three feet would accommodate some concerns, and some people might still lose a view; however this kind of housing is desperately needed in the community. She felt Council should take into account the recommendations of the subcommittee and further, put some timelines on mitigating the traffic on Palm, and support this project.

Councilmember Koretz asked Mr. Zimmerman why this project is proposed for this location and not somewhere else.

Mr. Zimmerman replied that there will be projects in other locations. In this case the land was a very good price; in terms of transportation, there is access to public transportation; many residents would use taxi or shuttle vouchers. He indicated that no one is forced into this housing; if HIV persons turn it down, it would be offered to other disabled or to low income persons.

Mayor Guarriello asked about the attitude of the persons who will have to relocate.

Mr. Zimmerman responded that the attitude is mixed. State law mandates making it affordable for people to relocate, and there is a relocation budget of \$132,000.

Councilmember Lang commented on the overwhelming need for this housing.

Councilmembers Heilman and Koretz commented on the need to resolve the traffic problem and the overriding need for AIDS housing.

Mayor Guarriello asked Lucy Dyke if she would look into the traffic situation.

Ms. Dyke replied that Council had approved a neighborhood traffic control program, and Palm Avenue is actually the number two problem on the list. She stated that people had not come forward to complain until the project; the the problem is not about volume in particular, and this project does not add a lot of traffic volume; the problem is the existing street conditions on Palm are very difficult. She indicated that staff has started the process of addressing that.

**ACTION:** Uphold the Planning Commission approval of Development Permit 93-34 and Demolition Permit 93-07 and adopt Resolution No. 94-1279, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DENYING THE APPEALS OF JOEL SILVERMAN, M. GATSON AND CRAIG TAYLOR AND APPROVING DEVELOPMENT PERMIT 93-34, DEMOLITION PERMIT 93-07 AND NEGATIVE DECLARATION ON AN APPLICATION OF THE WEST HOLLYWOOD COMMUNITY HOUSING CORPORATION FOR THE CONSTRUCTION OF A 40-UNIT LOW INCOME HOUSING PROJECT FOR PERSONS WITH AIDS LOCATED AT 980 PALM AVENUE, WEST HOLLYWOOD," with changes to the Resolution as follows: 1) that residents in the building not be eligible for parking permits; 2) restrict the number of guest permits for the building to the number that current residents at that site are eligible for; 3) require the applicant to install an intercom system to be used to permit entry of motorists into the parking garage; 4) require the applicant to recess the garage gate further into the garage, which would permit short-term parking for taxis and service vehicles in the driveway area; 5) require the developer to reduce the height to eliminate approximately three feet from the top level of the project (except where necessary to shield air conditioning equipment), subject to the design approval of staff.

In addition, staff was directed to follow up regarding the existing traffic problem and develop conditions to change that; to notify the residents of the existing shuttle program; and also study whether it makes sense to move a shuttle stop to the other side of Palm to address the needs of the residents.

Motion Land, seconded Lang and unanimously carried.

Mayor Guarriello called a recess at 9:55 p.m.  
The Council reconvened at 10:10 p.m.

At this time the Council decided by consensus to take Item 4.A. out of its original order on the Agenda and discuss 4.A. before 3.B.

**B. TRANSFER OF DEVELOPMENT RIGHTS PROGRAM FOR DESIGNATED CULTURAL RESOURCES:**

(This Item was discussed after 4.A., but is listed here for clarity.)

Matt Miewlewski of Community Development Department provided background information as outlined in the staff report dated April 4, 1994.

BIJAN CHAD, OWNER OF A BUILDING ON SUNSET, stated that his building was designated as a potential cultural resource and he had a hard time getting a permit. He indicated that he had a difficult time understanding this item.

Councilmember Heilman explained that this ordinance would create an incentive for owners of historic properties-- they could sell unused development rights.

**ACTION:** 1) Adopt Resolution No. 94-1286, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD ADOPTING THE RECOMMENDATION OF THE CULTURAL HERITAGE ADVISORY BOARD AND THE RECOMMENDATION OF THE PLANNING COMMISSION TO APPROVE THE CREATION AND NEGATIVE DECLARATION OF THE TRANSFER OF DEVELOPMENT RIGHTS PROGRAM FOR DESIGNATED CULTURAL RESOURCES WITHIN THE CITY OF WEST HOLLYWOOD, CALIFORNIA"; 2) Direct staff and the City Attorney to draw in concert the legal real estate documents required to permit a transfer of development rights from one property to another.

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

##### **A. WARNER MASTER ARTS PLAN:**

(This Item was discussed before 3.B. but is listed here for clarity.)

Dottie Gibbons-White, Deputy to Councilmember Lang, provided background information as outlined in the staff report dated April 4, 1994.

Dave Wilcox, consultant, gave a brief overview of the report prepared by Economics Research Associates (dated September 21, 1993) on the feasibility of a municipal art gallery.

The following persons addressed the Council:

GLORIA GOLDSMITH, WEST HOLLYWOOD, CHAIR, FINE ARTS ADVISORY BOARD, spoke in support of the proposed municipal art gallery and asked Council to accept the Fine Arts Board recommendations.

JIM DURKIN, FINE ARTS ADVISORY BOARD, spoke in support of the Master Arts Plan and read a statement of support by Dee Trattman of the Fine Arts Board.

The Councilmembers questioned staff about the recommendation "receive and file", and whether that means they are "approving."

Ms. White stated that according the development plan, the Council should review the master arts plan.

Councilmember Koretz stated for clarification that Council would be approving in concept, but the details would remain "fluid".

The Councilmembers directed questions to Ms. White and to John Jakupcak of the Community Development Department, and discussed their concerns regarding the concept of a municipal art gallery.

Councilmember Heilman asked why other alternatives were not presented, such as a municipal theatre, which he had suggested.

Ms. White explained that a municipal theatre had been discussed at length and it was decided that it was not economically feasible and was not serving an unmet need.

Mayor Pro Tem Land indicated that she strongly directs that the proposed sculpture and projection artwork should not be used as an advertisement for Warner. She also stated that she likes the idea of a municipal art gallery but is concerned about the financing and hopes that will get addressed.

**ACTION:** Approve in concept the first two components of the Warner Master Arts Plan, the sculptural artwork and the projection artwork. On the issue of the municipal art gallery, refer that back to staff to further refine the financing issues and at the same time look at alternative proposals and do a financial analysis of those alternative proposals, and bring back a complete report that considers other art-related proposals. (Clarification by Heilman: something that would provide some economic development potential and would draw people into the area.)

Motion Heilman, seconded Land and unanimously carried.

**5. NEW BUSINESS:**

**A. APPROVAL OF AMENDMENT TO LOAN AGREEMENT FOR 988 PALM AVENUE, ADDING \$425,000:**

**ACTION:** Approve an amendment to the existing loan agreement with WHCHC (West Hollywood Community Housing Corporation) for 988 Palm Avenue, adding \$425,000, and authorize the Mayor to sign the loan documents.  
Motion Heilman, seconded Guarriello and unanimously carried.

**EXCLUDED CONSENT CALENDAR:** No Consent Calendar items had been pulled for separate discussion.

**COUNCILMEMBER COMMENTS:**

Councilmember Land commented that L.A. Magazine carried an article on "300 Reasons to Stay in L.A." One of the reasons listed was The Abbey coffeehouse. She congratulated The Abbey.

**CITIZEN COMMENTS:**

BOE TRUMBULL, WEST HOLLYWOOD, commented on a statement by

Councilmember Heilman; urged people to go out and vote.

CHRISTIAN SHEA, WEST HOLLYWOOD, gave comments regarding Councilmember Heilman.

JIM CURTIS, WEST HOLLYWOOD, spoke in support of Council candidates Heilman and Richmond.

JEANNE DOBRIN, WEST HOLLYWOOD, spoke in support of Guarriello and Martin for Council. She also stated that commission and board members should disclaim that they are speaking for their commission or board when they address Council.

DONNY CACY, WEST HOLLYWOOD, complained about uneven enforcement regarding shopping carts being used by homeless.

DANIEL KOVATCH, WEST HOLLYWOOD, thanked the Council for approving the Palmview project; criticized the cost.

**6. LEGISLATIVE:**

**A. ORDINANCE REGARDING THE REGULATION OF HANDBILLS AND ADVERTISING:**

Councilmember Heilman reported that this ordinance would allow property owners to post a sign that would prohibit distributing of any advertising matter, including placing flyers on doorknobs.

Mayor Guarriello asked about enforcement.

Councilmember Heilman stated that the establishment that hires would be held responsible, and not the person distributing the flyers.

JEANNE DOBRIN, WEST HOLLYWOOD, stated that the ordinance doesn't say the business will be held responsible; this will be a useless law.

Councilmember Heilman pointed out that the phrase "or cause to be distributed" would apply to the business establishment.

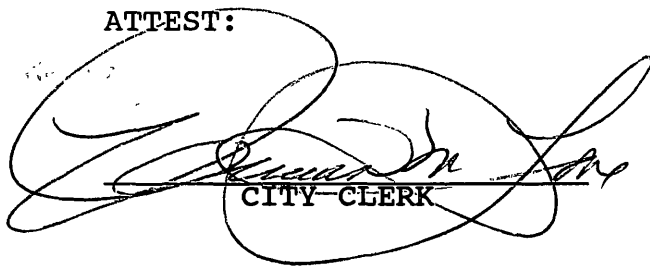
**ACTION:** Introduce for first reading Ordinance No. 94-407, "AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE REGARDING THE REGULATION OF HANDBILLS AND ADVERTISING."  
Motion Heilman, seconded Guarriello and unanimously carried.

**ADJOURNMENT:** The meeting was adjourned at 11:40 p.m. to the next regular meeting to be held on April 18, 1994, at West Hollywood Park, 647 N. San Vicente Boulevard, for a closed session at 6:00 p.m. and the regular meeting at 7:00 p.m.

APPROVED BY MOTION OF THE CITY COUNCIL THIS 18TH DAY OF APRIL, 1994.

  
MAYOR

ATTEST:

  
CITY CLERK